

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

**Order of Business**

- A. Roll Call
- B. Presentation or Announcement of Proclamations and Awards
- C. Closed Session Report
- 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.
- E. Approval of the Statement of Proceedings/Minutes for the meeting of November 14, 2018.
- F. Formation of Consent Calendar
- G. 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**

- | <b>Agenda #</b> | <b>Subject</b>  |
|-----------------|---|
| 1.              | APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO, THE SAN PASQUAL BAND OF MISSION INDIANS, THE SAN PASQUAL CASINO DEVELOPMENT GROUP, AND THE SAN PASQUAL ECONOMIC DEVELOPMENT CORPORATION REGARDING A VALLEY VIEW CASINO EXPANSION AND FUEL STATION AND CONVENIENCE STORE DEVELOPMENT<br>[FUNDING SOURCE: ROAD FUND FUND BALANCE] |
| 2.              | SUNSET REVIEW OF ARTICLE XL OF THE ADMINISTRATIVE CODE REGARDING THE SAN DIEGO COUNTY PALOMAR AIRPORT ADVISORY COMMITTEE  |

3. ADVERTISE AND AWARD CONSTRUCTION CONTRACTS FOR COUNTYWIDE ASPHALT CONCRETE OVERLAY AND SLURRY SEAL TREATMENTS FOR FISCAL YEAR 2018-19  
[FUNDING SOURCES: SDG&E FRANCHISE FEES, AVAILABLE PRIOR YEAR ROAD FUND FUND BALANCE, AND ROAD MAINTENANCE AND REHABILITATION ACCOUNT ESTABLISHED BY SENATE BILL 1]
4. TRAFFIC ADVISORY COMMITTEE (12/12/18 - ADOPT RECOMMENDATIONS; 01/09/19 - SECOND READING OF AN ORDINANCE)
5. SUPPORTING FOOD DONATION EFFORTS AND FOOD SAFETY IN THE REGION  
(4 VOTES)
6. ANNEXATION OF AN UNINCORPORATED COUNTY ISLAND TO THE CITY OF CHULA VISTA
7. AUTHORIZATION TO ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR DON DUSSAULT PARK PHASE II IMPROVEMENTS  
[FUNDING SOURCE: FISCAL YEAR 2018-19 COMMUNITY DEVELOPMENT BLOCK GRANT]  
(4 VOTES)
8. SET A HEARING FOR 01/09/2019:  
HELLHOLE CANYON PRESERVE - ACQUISITION OF OPEN SPACE PRESERVE LAND, 251 ACRES (JP BIRDLAND, LLC AND PARADISE MOUNTAIN RANCH LLC) AND 320 ACRES (FRIENDS OF CHABAD LUBAVITCH SAN DIEGO)  
(12/12/2018 - SET HEARING; 1/9/2019 - HOLD HEARING)  
[FUNDING SOURCES: SIERRA VERDE ROAD PROPERTY: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE AND THE STATE OF CALIFORNIA HABITAT CONSERVATION FUND GRANT; HELL CREEK ROAD PROPERTY: AVAILABLE PRIOR YEAR FUND FUND BALANCE; ANNUAL COSTS: DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE REVENUE]
9. ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR JAMUL DRIVE AT LYONS VALLEY ROAD INTERSECTION IMPROVEMENTS PROJECT  
[FUNDING SOURCE: REVENUE FROM AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY AND THE JAMUL INDIAN VILLAGE]  
(4 VOTES)
10. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR SAN CARLOS STREET SEWER FORCE MAIN REPLACEMENT IN SPRING VALLEY  
[FUNDING SOURCE: AVAILABLE FUND BALANCE IN THE SAN DIEGO COUNTY SANITATION DISTRICT FUND]  
(4 VOTES)

(RELATES TO SANITATION DISTRICT AGENDA NO. 1)

11. SET A HEARING FOR 01/09/2019:  
LINCOLN ACRES - SET HEARING FOR ACQUISITION OF 0.74 ACRES FOR  
PARK EXPANSION (HAROLD AND LUCILLE DUNKIN BYPASS TRUST)
  
12. NOTICED PUBLIC HEARING:  
PEUTZ VALLEY PRESERVE - ACQUISITION OF APPROXIMATELY 254 ACRES  
OF OPEN SPACE PRESERVE LAND (HELIX LAND COMPANY) - 11/14/2018 SET  
HEARING; 12/12/2018 HOLD HEARING  
[FUNDING SOURCES: AVAILABLE PRIOR YEAR GENERAL FUND BALANCE  
AND A GRANT FROM THE STATE OF CALIFORNIA HABITAT CONSERVATION  
FUND, AND DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE  
REVENUE]  
(4 VOTES)
  
13. NOTICED PUBLIC HEARING:  
LAKESIDE LINKAGE PRESERVE - ACQUISITION OF APPROXIMATELY 76  
ACRES OF OPEN SPACE PRESERVE LAND (CENTEX HOMES) - 11/14/2018 SET  
HEARING; 12/12/2018 HOLD HEARING  
[FUNDING SOURCES: AVAILABLE PRIOR YEAR GENERAL FUND BALANCE  
AND DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE  
REVENUE]
  
14. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ADOPT A  
RESOLUTION ORDERING DISSOLUTION OF SAN DIEGO COUNTY  
PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 100 - VIEJAS VIEW LANE  
IN ALPINE

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**1. SUBJECT: APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO, THE SAN PASQUAL BAND OF MISSION INDIANS, THE SAN PASQUAL CASINO DEVELOPMENT GROUP, AND THE SAN PASQUAL ECONOMIC DEVELOPMENT CORPORATION REGARDING A VALLEY VIEW CASINO EXPANSION AND FUEL STATION AND CONVENIENCE STORE DEVELOPMENT (DISTRICT: 5)**

**OVERVIEW**

This is a request to approve an Intergovernmental Agreement (Agreement) between the County of San Diego (County), the San Pasqual Band of Mission Indians (San Pasqual Band), the San Pasqual Casino Development Group, Inc. (SPCDG), and the San Pasqual Economic Development Corporation (SPEDC) that sets forth the commitments of the San Pasqual Band, SPCDG, and SPEDC to mitigate potential off-reservation impacts due to casino expansion, and to find that the proposed action is exempt from the California Environmental Quality Act (CEQA).

On September 10, 1999, the San Pasqual Band and the State of California entered into a tribal-state gaming compact (Compact) to permit the San Pasqual Band to conduct Class III gaming activities on its trust lands. Class III gaming is casino style gaming where the player is wagering in a game of chance against the casino. Class III gaming is regulated under the Federal Indian Gaming Regulatory Act (IGRA) and is only allowed through a Compact, whereas Class I (ceremonial games) or Class II (where players are playing against each other, such as Bingo) are not regulated by IGRA or the Compact.

In 2001, the San Pasqual Band developed the Valley View Casino (Casino), a Class III casino, on its tribal lands near the north end of North Lake Wohlford Road. The Casino was expanded in 2005 with a 56,360 sq. ft. addition, and again in 2010 with a 6,050 sq. ft. addition and construction of a seven-story hotel. In total, the San Pasqual Band contributed \$6,420,000 to construct improvements to County maintained roads to mitigate impacts associated with the Casino, pursuant to three intergovernmental agreements with the County dated June 19, 2001 (1), May 11, 2005 (5), and September 13, 2010 (6).

The San Pasqual Band is completing a new Casino expansion project consisting of 40,000 sq. ft. of additional gaming area and the renovation of the existing Casino to accommodate a 2,550 sq. ft. buffet expansion and a 1,130 sq. ft. players club. The expansion is being managed by the SPCDG. The San Pasqual Band is also proposing the development of a fuel station and convenience store. Planning & Development Services and the Department of Public Works staff have also completed a standard review of the fuel station and convenience store developments to address safety and environmental issues in the County's right-of-way. The fuel station and convenience store developments are managed by the SPEDC.

The San Pasqual Band issued a Draft Environmental Evaluation (EE) for the Valley View Casino Expansion in January 2018. The County and the public reviewed and commented on the Draft EE. The final EE for the Valley View Casino Expansion was approved by the San Pasqual Band on March 19, 2018.

## **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 15061(b)(3) and 15378(b)(4) because this activity is the execution of an agreement between two governmental agencies and it is not a project under CEQA.
2. Approve and authorize the Clerk of the Board of Supervisors to execute two copies, upon receipt, of the Intergovernmental Agreement (Agreement) between the County of San Diego, the San Pasqual Band of Mission Indians, the San Pasqual Casino Development Group, Inc., and the Pasqual Economic Development Corporation for road improvement associated with the expansion of Valley View Casino and the development of a fuel station and convenience store.
3. Authorize the Director, Department of Public Works, the Director, Planning & Development Services, and/or the Chief Administrative Officer, to receive, file and execute any documents necessary to administer this Agreement.

### **FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. Ongoing maintenance costs for the improvements in the County's road right-of-way is estimated at \$952 annually (\$20,000 over a 21-year maintenance cycle) beginning in Fiscal Year 2020-21 and will be included in future Operational Plans in the Department of Public Works. The funding source is Road Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

2. **SUBJECT: SUNSET REVIEW OF ARTICLE XL OF THE ADMINISTRATIVE CODE REGARDING THE SAN DIEGO COUNTY PALOMAR AIRPORT ADVISORY COMMITTEE (DISTRICT: 5)**

### **OVERVIEW**

McClellan-Palomar Airport (Palomar Airport) is owned and operated by the County of San Diego (County) and located in the City of Carlsbad. The airport provides general aviation, corporate and commercial services; serves as a gateway to resorts and tourist attractions; and is utilized by local businesses and residents.

On January 5, 1988 (43), the Board of Supervisors (Board) added Article XL to the County Administrative Code to formalize the duties, responsibilities, membership and selection of the San Diego County Palomar Airport Advisory Committee (PAAC). The PAAC advises the County on airport-related activities at Palomar Airport including aircraft noise, land use, development, and operations. In accordance with Board Policy A-76, Sunset Review Process, the Department of Public Works reviewed Article XL to ensure obsolete code provisions are deleted and remaining requirements reflect current Board standards and practices.

The proposed action will amend Section 731 - Membership and Selection, of Article XL to add a provision that the cities of Carlsbad, Oceanside, San Marcos and Vista may nominate one qualified candidate each to be considered for appointment by the County to the PAAC. The

proposed amendment also clarifies and defines that employees or members of governing bodies of either the County of San Diego or the cities of Carlsbad, Oceanside, San Marcos and Vista, shall not be appointed to, or maintain a seat on, the PAAC. The proposed action also includes deletion of language that is no longer needed with the addition of language giving nominating authority to area cities and approval of a new sunset review date for Article XL, of the Administrative Code.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

On December 12, 2018 take the following actions:

1. Find that the proposed project is not subject to review under the California Environmental Quality Act (CEQA) Guidelines because the activity is not a project as defined by Sections 15060(c) (3) and 15378 of the state CEQA Guidelines.
2. Approve the introduction of the Ordinance (first reading), read title and waive further reading of an Ordinance entitled:  
AN ORDINANCE AMENDING SECTION 731, ARTICLE XL, OF THE ADMINISTRATIVE CODE REGARDING MEMBERSHIP AND SELECTION OF THE SAN DIEGO COUNTY PALOMAR AIRPORT ADVISORY COMMITTEE.
3. Establish the sunset review date of 12/31/2025 for Article XL of the County Administrative Code.

If on December 12, 2018, the Board takes the actions recommended in Items 1-2, then on January 9, 2019:

Adopt the Ordinance entitled:

AN ORDINANCE AMENDING SECTION 731, ARTICLE XL, OF THE ADMINISTRATIVE CODE REGARDING MEMBERSHIP AND SELECTION OF THE SAN DIEGO COUNTY PALOMAR AIRPORT ADVISORY COMMITTEE.

**FISCAL IMPACT**

There is no fiscal impact associated with amending Section 731, Article XL, of the County Administrative Code. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

3. **SUBJECT: ADVERTISE AND AWARD CONSTRUCTION CONTRACTS FOR COUNTYWIDE ASPHALT CONCRETE OVERLAY AND SLURRY SEAL TREATMENTS FOR FISCAL YEAR 2018-19 (DISTRICTS: 1, 2, 3, & 5)**

**OVERVIEW**

On April 28, 2017, the Governor approved Senate Bill 1 (SB 1), the Road Repair & Accountability Act of 2017 (Road Repair Act), to address the statewide funding gap for road maintenance. The Road Repair Act established the Road Maintenance and Rehabilitation Account (RMRA) to be funded by increases in gasoline taxes and other charges to finance transportation-related projects, including the repair and rehabilitation of roads maintained by cities and counties.

On April 25, 2018 (03), the Board of Supervisors adopted a resolution that included a list of projects to be funded by SB 1 for Fiscal Year 2018-19. The resolution and list of projects has been submitted to the California Transportation Commission. The list of projects is based on priorities identified by the Department of Public Works through field reviews, resident and community input, and data collection using our pavement management system. The proposed projects will improve the overall condition of County-maintained roads to limit deterioration and costly future repairs.

This is a request to approve the advertisement and subsequent award of multiple construction contracts to the lowest responsive and responsible bidders for asphalt concrete overlay and slurry seal treatments on County-maintained roads. Construction is scheduled to begin in spring 2019 and be completed by the end of 2019. The construction cost is estimated at \$41,300,000, including contingency and, the funding sources are SDG&E Franchise Fees, available prior year Road Fund fund balance, and RMRA.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) that the proposed project is categorically exempt from CEQA review because it involves the maintenance of existing public roads involving no or negligible expansion of existing use.
2. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award multiple construction contracts and to take other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for asphalt concrete overlay and slurry seal treatment projects on County-maintained roads.
3. Designate the Director, Department of Public Works, as the County Officer responsible for administering the construction contracts in accordance with Board Policy F-41, Public Works Construction Projects.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, construction costs are estimated to be \$41,300,000, including contingencies. The funding sources are SDG&E Franchise Fees (\$4,500,000), available prior year Road Fund fund balance (\$2,100,000), and Road Maintenance and Rehabilitation Account established by Senate Bill 1 (\$34,700,000). There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

If approved, expenditures for road maintenance and repair work should create private sector jobs and economic opportunities in San Diego County.

4. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (12/12/18 - ADOPT RECOMMENDATIONS; 01/09/19 - SECOND READING OF AN ORDINANCE) (DISTRICTS: 2 & 5)**

### **OVERVIEW**

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County of San Diego

(County)-maintained roads. The TAC recommends the Board of Supervisors (Board) act on seven items from the September 14, 2018, meeting agenda:

Item 2-A would extend for an additional 18-month temporary road closure originally established to eliminate serious and continued criminal activity on Camino Monte Sombra from 275 feet east of Calle de la Sierra to the end of county maintenance in El Cajon.

Item 2-B recommends against establishing a posted speed limit on West Noakes Street due to low volumes, insufficient length, and absence of documented collisions.

Item 2-C would recertify the existing 50 MPH speed limit for radar enforcement on Willows Road from Viejas Grade Road to a point 2,770 feet west of mile post 2 and from a point 850 feet west of mile post 2 to Alpine Boulevard in Alpine.

Item 2-D would establish a 35 MPH speed limit and certify the speed limit for radar enforcement on Maya Street between Jamacha Boulevard and 530 feet east of Luther Drive in Spring Valley.

Item 2-E would establish an all-way stop at the intersection of Julian Avenue and Channel Road in Lakeside.

Item 5-A would establish a 30 MPH speed limit and certify the speed limit for radar enforcement on South Grade Road from State Route (SR) 76 to East Grade Road in Palomar Mountain.

Item 5-B would establish a 40 MPH speed limit and certify the speed limit for radar enforcement on East Grade Road from State Route (SR) 76 to South Grade Road in Palomar Mountain.

Approval of Item 2-A would extend a temporary road closure on Camino Monte Sombra for an additional 18-months that was originally established in 2001 and re-established on April 12, 2017, to eliminate serious and continual criminal activities on the road at the request of the California Highway Patrol and the Sheriff. This item will allow a gate to remain installed to assist in preventing the reoccurrence of loitering and crime in that area. The three adjacent property owners, Crest-Dehesa Community Planning Group and all utility companies in the area were notified of this proposed re-establishment and none expressed opposition.

Approval of Item 2-B would not establish a posted speed limit on West Noakes Street in Harbison Canyon based on the absence of documented collisions, low traffic volumes, and insufficient roadway length for speed enforcement.

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

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

The Board action on Items 2-D, 5-A, and 5-B would revise the San Diego County Code of Regulatory Ordinances (County Code) and would require two steps. On November 14, 2018, the Board would consider the TAC items. If the Board takes action on November 14, 2018, then on December 12, 2018, a second reading of an Ordinance adding Sections 72.161.24.2. (Item 5-A) and 72.161.24.3. (Item 5-B) and amending Section 72.163.55.1. (Item 2-D) of the County Code would be necessary to implement the Board's direction.

**RECOMMENDATION(S)**  
**TRAFFIC ADVISORY COMMITTEE**

**District 2**

Item 2-A. Camino Monte Sombra, from 275 feet east of Calle de la Sierra to the end of county maintenance in El Cajon (58th Edition Thomas Guide Page 1252-E4) - Continue the existing temporary road closure established as a result of criminal activity for an additional 18 months.

Item 2-B. West Noakes Street from Harbison Canyon Road to Editha Drive in Harbison Canyon (58th Edition Thomas Guide Page 1253-D1) - Do not establish a posted speed limit and initiate a review for curve advisory signs.

Item 2-C. Willows Road from the Viejas Grade Road to a point 2,770 feet west of mile post 2.0 and from a point 850 feet west of mile post 2.0 to Alpine Boulevard in Alpine (58th Edition Thomas Guide Page 1234-G5) - Recertify the existing 50 MPH speed limit for continued radar enforcement.

Item 2-D. Maya Street between Jamacha Boulevard and 530 feet east of Luther Drive in Spring Valley (58th Edition Thomas Guide Page 1291-C3) - Establish a 35 MPH speed limit and certify the speed limit for radar enforcement.

Item 2-E. Julian Avenue at Channel Road in Lakeside (58th Edition Thomas Guide Page 1232-A4) - Establish an all-way stop intersection.

**District 5**

Item 5-A. South Grade Road from State Route 76 to East Grade Road in Palomar Mountain (58th Edition Thomas Guide Page 1052-B6) - Establish a 30 MPH speed limit and certify the speed limit for radar enforcement.

Item 5-B. East Grade Road from State Route 76 to South Grade Road in Palomar Mountain (58th Edition Thomas Guide Page 1073-J6) - Establish a 40 MPH speed limit and certify the speed limit for radar enforcement.

**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 alterations of existing 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:  
RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 2663 RELATING TO THE TEMPORARILY CLOSING TO THROUGH TRAFFIC A COUNTY HIGHWAY AS A RESULT OF SERIOUS AND CONTINUAL CRIMINAL ACTIVITY IN THE COUNTY OF SAN DIEGO (Item 2-A).

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN SAN DIEGO COUNTY (Item 2-E).

4. Approve the introduction, read title, and waive further reading of the following Ordinance:  
ORDINANCE ADDING SECTIONS 72.161.24.2. AND 72.161.24.3. AND AMENDING SECTION 72.163.55.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

If, on December 12, 2018, the Board takes action as recommended, then, on January 9, 2019: Consider and adopt:

ORDINANCE ADDING SECTIONS 72.161.24.2. AND 72.161.24.3. AND AMENDING SECTION 72.163.55.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 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 years.

#### **BUSINESS IMPACT STATEMENT**

N/A

5. **SUBJECT: SUPPORTING FOOD DONATION EFFORTS AND FOOD SAFETY IN THE REGION (DISTRICTS: ALL)**

#### **OVERVIEW**

In 2017, food pantries and related charitable operations in the region helped distribute 51.2 million pounds of food to food-insecure individuals. With one in seven San Diegans experiencing food insecurity and roughly 40 percent of food produced going to waste, food banks and pantries have an important role in the community by rescuing edible nutritious food from going to waste and providing it to food insecure individuals and families. However, under State law these operations are seen as “food facilities” and every food facility, even if operating with donated food and funds and volunteer staff, requires an initial Department of Environmental Health (DEH) plan check review and an annual permit to operate.

On September 18, 2018, California Assembly Bill 2178, Limited Service Charitable Feeding Operation, was signed into law effective January 1, 2019. The new law defines a “limited service charitable feeding operation” and reduces some regulatory burdens, but does not eliminate them entirely. Some of these limited service charitable food service operations will now be eligible for a registration with DEH rather than requiring a DEH permit. Even with AB 2178 in place, not all pantries will qualify as fully-exempt limited service operations and will still need to meet the state law requirement of getting a permit or registration with DEH. Costs

associated with required permit fees and registration would be an obstacle for food donation operators and would detract from funding that could be used towards food donations and distribution.

On June 21, 2016 (27), the Board directed the Chief Administrative Officer (CAO) to develop and launch the “*Live Well San Diego Food System Initiative*” (Food System Initiative) allowing the County to take on a greater role in the advancement of a safe, healthy and robust food system. The Board also directed the CAO to return to the Board with a framework for the Food System Initiative. On December 13, 2016 (12), the Board received the framework for the Food System Initiative with priority action items that the Food System Initiative would focus on, which included supporting food donation and reducing food waste in the region. As part of these efforts, the Food System Initiative workgroup, in collaboration with food banks, pantries, food donors and other food system stakeholders, prepared and submitted to the Board the Food Donation Action Plan for the San Diego Region, which includes recommendations on how the County can support food donations, food safety and food waste prevention.

If approved, today’s actions would support the implementation of the Food Donation Action Plan by waiving the DEH plan check, permit and registration fees, for non-profit charitable feeding operations and support food donation efforts and food safety. These actions are an important step in supporting safe food donation in the region, as outlined in the Food Donation Action Plan, by helping pantries and related operations obtain the necessary health permit or registration to operate by eliminating the financial burden this can cause. Today’s action will allow pantries to maximize their resources in fulfilling their mission of feeding food-insecure individuals.

#### **RECOMMENDATION(S)**

#### **SUPERVISOR GREG COX AND SUPERVISOR RON ROBERTS**

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 activity may have a significant effect on the environment, and therefore that the activity is not subject to CEQA.
2. Establish appropriations of \$229,000 in the Department of Environmental Health for costs of limited service charitable feeding programs from January 1, 2019 through June 30, 2019 based on available prior year General Fund fund balance. **(4 VOTES)**
3. Direct the Chief Administrative Officer to establish an ongoing General Purpose Revenue appropriation sufficient to cover Department of Environmental Health costs in subsequent fiscal years, to fully fund the costs of the DEH limited service charitable feeding programs as defined in Section 113819 of the Health and Safety Code (as amended effective January 1, 2019).
4. Adopt the resolution at Attachment “A” entitled “A Resolution Authorizing the Director of the Department of Environmental Health to waive plan check fees and annual health permit fees for non-profit charitable feeding operations.”
5. If the Resolution at Attachment A is adopted, Direct the Chief Administrative Officer to establish an ongoing General Purpose Revenue appropriation sufficient to cover DEH costs from and after January 1, 2019 for FY 2018-2019 and in successive fiscal years, for the costs of DEH’s activities related to food facilities that are primarily directed toward serving food-insecure individuals and families, but are not “limited service charitable feeding operations” as defined in Section 113819 of the Health and Safety Code (as amended

effective January 1, 2019), when those facilities are constructed or operated by non-profit organizations.

**FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2018-19 Operational Plan in the Department of Environmental Health (DEH). If approved, today’s actions will result in one-time costs and revenue, of approximately \$229,000 in DEH in Fiscal Year 2018-19, based on current rates, and would be funded by available prior year General Fund fund balance for limited service charitable feeding programs. An ongoing General Purpose Revenue appropriation sufficient to cover DEH costs to fully fund the costs of the DEH limited service charitable feeding programs in future years is estimated at approximately \$177,000 annually, based on current rates, and would be included in budgets for subsequent fiscal years. There will be no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**6. SUBJECT: ANNEXATION OF AN UNINCORPORATED COUNTY ISLAND TO THE CITY OF CHULA VISTA (DISTRICT:1)**

**OVERVIEW**

The County of San Diego has jurisdiction over an approximately 515-acre area of land that is completely surrounded by territory under the jurisdiction of the City of Chula Vista and is designated a special study area. The Otay Landfill occupies the majority of this special study area and includes land owned by the County of San Diego, the City of Chula Vista, the Otay Water District, and Otay Landfill, Inc. (dba Republic Services).

Through the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the State Legislature recognizes that pockets, or islands, of unincorporated territory that are surrounded by incorporated cities result in governance and service delivery inefficiencies. Detaching this Chula Vista island from the unincorporated area and annexing it into the City of Chula Vista will ensure the most efficient provision of government services to the property owners and businesses in the island due to the proximity of City facilities and crews, and continuity with surrounding areas.

Although, the property owners retain the right to protest the annexation during a protest period, there has been no stated opposition at this time. Assuming there continues to be a reasonable likelihood of sufficient property owner support for the annexation, today’s action would direct staff to take action to initiate the annexation of an unincorporated County island that includes the Otay Landfill to the City of Chula Vista.

**RECOMMENDATION(S)  
SUPERVISOR GREG COX**

Direct staff to take action to initiate the annexation of an unincorporated County island that includes the Otay Landfill to the City of Chula Vista.

**FISCAL IMPACT**

There are no immediate fiscal impacts associated with today’s action. If the annexation process is finalized, annexation would result in minor reductions of money contributed to the County’s General Fund, as well as the County’s Library, Flood Control, Resource Conservation District of Greater SD, and Educational Revenue Augmentation Fund funds.

## BUSINESS IMPACT STATEMENT

N/A

### 7. SUBJECT: AUTHORIZATION TO ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR DON DUSSAULT PARK PHASE II IMPROVEMENTS (DISTRICT: 5)

#### OVERVIEW

Don Dussault Park is a 0.75-acre park in the unincorporated community of Fallbrook. The Department of Parks and Recreation (DPR) proposes a project to design and construct recreational Phase II improvements at Don Dussault Park. Don Dussault Park Phase I improvements (tot lot play structure, picnic shade pavilion, ADA parking stall, walkways, landscape, and irrigation) were constructed utilizing Fiscal Year 2013-14 Community Development Block Grant (CDBG) funds. The proposed Phase II Improvements will include an exercise area, picnic areas, walkways, security lighting, landscaping and irrigation. These improvements represent a new recreational opportunity for the Fallbrook community. Creating new park amenities supports *Live Well San Diego*, the County of San Diego's vision for a region that is Building Better Health, Living Safely, and Thriving, by expanding the use of civic space for public recreation.

Annually, the U.S. Department of Housing and Urban Development (HUD) provides grant funding for housing and community development projects through the CDBG Program. On April 17, 2018 (5), the Board of Supervisors approved the Final Proposed Fiscal Year 2018-19 County of San Diego Annual Funding Plan that included CDBG project funding for the Don Dussault Park Phase II Improvements.

Today's proposed actions will establish appropriations of \$285,000 in Capital Project 1022585, Don Dussault Park Phase II Improvements, based on the CDBG funding received for Fiscal Year 2018-19. This request will also authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract for the Don Dussault Park Phase II Improvements for an estimated cost of \$265,500, including contingency. Remaining project funds of \$19,500 will be used for related project costs including design, environmental surveys, construction management, and project administration.

#### RECOMMENDATION(S)

##### CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project, Don Dussault Park Phase II Improvements, is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15303 (New Construction or Conversion of Small Structures) and 15404 (Minor Alterations to Land).
2. Establish appropriations of \$285,000 in the Capital Outlay Fund for Capital Project 1022585, Don Dussault Park Phase II Improvements, based on unanticipated revenue from Fiscal Year 2018-19 Community Development Block Grant. **(4 VOTES)**
3. 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 Don Dussault Park Phase II Improvements.

4. Designate the Director, Department of Parks and Recreation, as the County of San Diego Officer responsible for administering the construction contract for Don Dussault Park Phase II Improvements in accordance with Section 430.4 of the County Code of Administrative Ordinances and Board Policy F-41, Public Works Construction Projects.

### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2018-19 Operational Plan in the Capital Outlay Fund. If approved, this request will result in costs and revenue of \$285,000 for Capital Project 1022585, Don Dussault Park Phase II Improvements. Construction costs are estimated at \$265,500 including contingency. Remaining project funds of \$19,500 will be used for related project expenses including design, environmental surveys, inspection services, construction management and project administration. The funding source is a Fiscal Year 2018-19 Community Development Block Grant. 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 net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

8. **SUBJECT: SET A HEARING FOR 01/09/2019: HELLHOLE CANYON PRESERVE - ACQUISITION OF OPEN SPACE PRESERVE LAND, 251 ACRES (JP BIRDLAND, LLC AND PARADISE MOUNTAIN RANCH LLC) AND 320 ACRES (FRIENDS OF CHABAD LUBAVITCH SAN DIEGO) (12/12/2018 - SET HEARING; 1/9/2019 - HOLD HEARING) (DISTRICT: 5)**

### **OVERVIEW**

Since 1998, the County of San Diego (County) has acquired more than 21,000 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, open space, and passive recreation. The County identified two properties available in Valley Center east of the County's Hellhole Canyon Preserve within the MSCP Draft North County Plan Pre-Approved Mitigation Area (PAMA), an area important to conserve for sensitive species. One property, located at the end of Sierra Verde Road southeast of the preserve, is approximately 251 acres. The other property, located at the northeast end of Hell Creek Road, is approximately 320 acres. In June 2018, the County was awarded a State of California Habitat Conservation Fund (HCF) grant to acquire the Sierra Verde Road property. The grant will cover \$200,000 of the purchase price of the land. The HCF grant is competitive and requires a dollar-for-dollar funding match.

Today's request requires two steps. On December 12, 2018, the Board is requested to set a hearing for January 9, 2019, to consider the two purchases and to direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board takes the actions recommended for December 12, 2018, then on January 9, 2019, after making the necessary findings, the Board is requested to authorize the purchase of the Sierra Verde Road property, Assessor Parcel Numbers 191-180-05, -07 and -08 from JP Birdland, LLC and Paradise Mountain Ranch LLC. The property would be acquired at the appraised value of \$3,000,000. With staff, transaction and land improvement costs, the total project cost in Fiscal Year 2018-19 is \$3,353,000, based on budgeted appropriations of available prior year General Fund fund balance in the Capital MSCP

Acquisition Fund. The Board would also be requested to authorize the purchase of the Hell Creek Road property, Assessor Parcel Numbers 191-060-01, -02 and -06 from Friends of Chabad Lubavitch San Diego at the appraised value of \$1,000,000 based on budgeted appropriations of available prior year General Fund fund balance in the Capital MSCP Acquisition Fund. With staff, transaction and land improvement costs, the total project cost in Fiscal Year 2018-19 is \$1,163,000.

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

On December 12, 2018:

1. Set a hearing for January 9, 2019, at which time the Board of Supervisors may authorize the Director, Department of General Services, to exercise the options to purchase Assessor Parcel Numbers 191-180-05, 191-180-07 and 191-180-08 from JP Birdland, LLC and Paradise Mountain Ranch LLC for the appraised value of \$3,000,000 and Assessor Parcel Numbers 191-060-01, 191-060-02 and 191-060-06 from Friends of Chabad Lubavitch San Diego at the appraised value of \$1,000,000.
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication and posting as required by law.

If, on December 12, 2018, the Board takes the actions recommended in Items 1-2 above, then on January 9, 2019:

1. Find that the proposed project is exempt for the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15304 and 15325.
2. Establish appropriations of \$200,000 in the Multiple Species Conservation Program Acquisitions Fund for the acquisition of 251 acres of land for Open Space (Sierra Verde property), based upon a grant award from the State of California Habitat Conservation Fund.  
**(4 VOTES)**
3. Authorize the Director, Department of General Services, to exercise the option to purchase Assessor Parcel Numbers 191-180-05, 191-180-07 and 191-180-08 from JP Birdland, LLC and Paradise Mountain Ranch LLC for the appraised value of \$3,000,000.
4. Authorize the Director, Department of General Services, to exercise the option to purchase Assessor Parcel Numbers 191-060-01, 191-060-02 and 191-060-06 from Friends of Chabad Lubavitch San Diego at the appraised value of \$1,000,000.
5. Authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchases.

**FISCAL IMPACT**

**Sierra Verde Road Property**

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan of the Multiple Species Conservation Program (MSCP) Acquisition Fund. If approved, this request will result in current year costs for the Sierra Verde Road property of \$3,353,000 itemized as follows: \$3,000,000 for property acquisition; \$20,000 for staff time and appraisal reports to complete the transaction; \$5,000 for closing and title costs; \$328,000 in one-time land protection costs, including initial stewardship that features signage, boundary survey, access, vegetation and erosion control measures (\$213,000), and the update of the Hellhole Canyon Preserve Resource

Management Plan and preparation of a Vegetation Management Plan for the entire Hellhole Canyon Preserve complex (\$115,000). The funding source is available prior year General Fund fund balance (\$3,153,000) and the State of California Habitat Conservation Fund grant (\$200,000).

### **Hell Creek Road Property**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan of the Multiple Species Conservation Program (MSCP) Acquisition Fund. This request will result in current year costs for the Hell Creek Road property of \$1,163,000 itemized as follows: \$1,000,000 for property acquisition, \$20,000 for staff time and appraisal reports to complete the transaction; \$3,000 for closing and title costs; and \$140,000 in one-time land protection costs, including initial stewardship that features signage and a boundary survey (\$15,000), and the update of the Hellhole Canyon Preserve Resource Management Plan (\$125,000). The funding source is available prior year General Fund fund balance.

### **Annual Costs**

Total annual costs for land monitoring and adaptive management of the Sierra Verde Property are estimated at \$39,000 and \$4,300 for the Hell Creek Road property. In addition, there will be an estimated annual cost of \$8,590 for Sierra Verde fixed charge assessments and \$360 for Hell Creek Road, including vector control and water standby charges. If approved, total annual costs, estimated at \$52,250 will be incurred beginning in Fiscal Year 2019-20 and will be included in future Operational Plans. The funding source will be Department of Parks and Recreation General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

9. **SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR JAMUL DRIVE AT LYONS VALLEY ROAD INTERSECTION IMPROVEMENTS PROJECT (DISTRICT: 2)**

### **OVERVIEW**

The Jamul Drive at Lyons Valley Intersection Improvements Project will benefit the safety of the community of Jamul by improving traffic operations for vehicles and pedestrians at this intersection. The project will add a new traffic signal, curb ramps, and enhanced crosswalks. Lighting will also be installed to improve visibility at night.

On April 13, 2016 (7), the Board of Supervisors approved and authorized an intergovernmental agreement with the Jamul Indian Village to fund road improvements to mitigate traffic generated by the Jamul Casino. Improvements at the intersection of Jamul Drive and Lyons Valley Road were recommended by staff to improve traffic operations in the unincorporated community of Jamul.

This is a request to establish appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Jamul Drive at Lyons Valley Intersection Improvements Project. Construction is scheduled to begin in summer 2019 and be completed by the end of 2019. The construction cost is estimated at \$500,000, including contingency, and the project is fully funded through the intergovernmental agreement with the Jamul Indian Village.

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

1. Find that Jamul Drive at Lyons Valley Road Intersection Improvements Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of an existing public roadway involving no or negligible expansion of existing use.
2. Establish appropriations of \$500,000 in the Department of Public Works Road Fund Fiscal Year 2018-19 Detailed Work Program for the Jamul Drive at Lyons Valley Road Intersection Improvements Project based on revenues from the Intergovernmental Agreement between the County and the Jamul Indian Village. **(4 VOTES)**
3. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401, et seq. of the Administrative Code, with respect to contracting for the Jamul Drive at Lyons Valley Road Intersection Improvements Project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

**FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2018-19 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, construction project costs are estimated at \$500,000, including contingencies. The funding source is revenue from an Intergovernmental Agreement between the County and the Jamul Indian Village. 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.

- 10. SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR SAN CARLOS STREET SEWER FORCE MAIN REPLACEMENT IN SPRING VALLEY (DISTRICT: 2)**

**OVERVIEW**

The San Carlos Street Sewer Force Main Replacement Project will replace 960 linear feet of sewer pipeline along San Carlos Street from the Ramona Avenue Pump Station to Grand Avenue, in the unincorporated community of Spring Valley. Replacing the existing sewer pipeline will minimize the chance of sewer spills and will allow for efficient transport of wastewater.

This is a request to establish appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the San Carlos Street Sewer Force Main Replacement Project. Construction is scheduled to begin in spring 2019 and be complete in summer 2019. The construction cost is estimated at \$640,000, including contingency, and the funding source is San Diego County Sanitation District Fund available fund balance.

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

Acting as the Board of Supervisors:

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) that the San Carlos Street Sewer Force Main Replacement project is categorically exempt from CEQA review because it involves the maintenance of an existing public sewer line involving no or negligible expansion of existing use.
2. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for the Construction Contract for the San Carlos Street Sewer Force Main Replacement Project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

Acting as the Sanitation District Board of Directors:

4. Establish appropriations of \$230,000 in the San Diego County Sanitation District for San Carlos Sewer Force Main Replacement project based on available San Diego County Sanitation District Fund fund balance. **(4 VOTES)**

**FISCAL IMPACT**

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan in the San Diego County Sanitation District. If approved, this request will establish additional appropriations in the amount of \$230,000 for a total current year construction cost of \$640,000 including contingencies, for the San Carlos Street Sewer Force Main Replacement project. The funding source is available fund balance in the San Diego County Sanitation District Fund. 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.

(RELATES TO SANITATION DISTRICT AGENDA NO. 1)

- 11. SUBJECT: SET A HEARING FOR 01/09/2019:  
LINCOLN ACRES - SET HEARING FOR ACQUISITION OF 0.74 ACRES  
FOR PARK EXPANSION (HAROLD AND LUCILLE DUNKIN BYPASS  
TRUST) (DISTRICT: 1)**

**OVERVIEW**

Parks and recreation facilities help create healthy communities, reduce crime and vandalism, and foster civic engagement. The Lincoln Acres Park, Community Center, and Library facilities have been a vital gathering spot since the library opened in the unincorporated area west of National City in 1947. In 2013, the County of San Diego completed renovations at Lincoln Acres Library and the adjacent Lincoln Acres Park. Renovations included adding a children's playground, basketball courts, picnic tables and a community room. The community has responded positively to these park improvements as demonstrated by the number of reservations for the community room. However, the existing Lincoln Acres Park is less than half an acre; more parkland is needed to provide additional recreational space for this densely populated community.

On June 9, 2015 (10), the Board provided the authority to search for available properties to increase accessibility and visibility at the Lincoln Acres Park and Library site. As a result, the County has identified 0.74 acres of land to expand recreational amenities on the existing site. The available property is located on Alta Road, east of the County's existing Lincoln Acres facilities. The property includes a lot with a house, garage, driveway and fencing. The property and structures are leased to a private party and the County would assume the lease upon the acquisition of the property. The lease is set to expire on August 15, 2019. Additionally, in accordance with Board of Supervisors Policy F-52, Naming of County Park and Recreation Amenities, the Department of Parks and Recreation will name a bench on the property after the seller and dedicate a plaque on the flagpole at the existing facility, naming it the Dunkin Family Plaza.

Today's request is to set a hearing for January 9, 2019 to consider approving the purchase of Assessor Parcel Number 564-061-14 from the Harold and Lucille Dunkin Bypass Trust at the appraised value of \$512,000.

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

1. Set a hearing for January 9, 2019, at which time the Board of Supervisors may authorize the acquisition of Assessor Parcel Number 564-061-14 from the Harold and Lucille Dunkin Bypass Trust for the appraised value of \$512,000.
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication and posting as required by law.

**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

- 12. SUBJECT: NOTICED PUBLIC HEARING:  
PEUTZ VALLEY PRESERVE - ACQUISITION OF APPROXIMATELY  
254 ACRES OF OPEN SPACE PRESERVE LAND (HELIX LAND  
COMPANY) - 11/14/2018 SET HEARING; 12/12/2018 HOLD HEARING  
(DISTRICT: 2)**

**OVERVIEW**

On November 14, 2018 (05), the Board of Supervisors set a hearing for December 12, 2018.

Since 1998, the County of San Diego (County) has acquired more than 21,000 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 to balance the public need for development and open space.

The County has identified approximately 254 acres of vacant land available for purchase in Alpine. The property is in the South County MSCP and a majority of the subject property is

designated as an area to be conserved. Acquisition would increase the amount of lands conserved by public agencies and non-profit organizations in the area, creating a larger protected habitat area to support sensitive species such as the coastal California gnatcatcher, which is listed as threatened under the federal Endangered Species Act. The San Diego River Park Foundation (Foundation) owns and manages 300 acres to the west of the property. The Foundation will manage the acquired property through an agreement with the County.

In June 2018, the County was awarded a State of California Habitat Conservation Fund (HCF) grant to acquire this property based on the value of habitat, wildlife, and the potential for trail connectivity. The grant will cover \$200,000 of the purchase price of the land. The HCF grant is competitive and requires a minimum dollar-for-dollar funding match.

Today's request requires two steps. On November 14, 2018, the Board of Supervisors (Board) is requested to set a hearing for December 12, 2018, to consider the purchase and to direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board accepts the recommended actions for November 14, 2018, then on December 12, 2018, after making the necessary findings, the Board is requested to authorize the purchase of Assessor's Parcel Numbers 402-261-01, 402-160-18, -19 and -20 from Helix Land Company at the appraised value of \$1,651,000 for a total project cost in Fiscal Year 2018-19 of \$2,020,000 based on budgeted appropriations of available prior year General Fund balance in the Capital MSCP Acquisitions Fund.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301, 15304 and 15325.
2. Establish appropriations of \$200,000 in the Multiple Species Conservation Program Acquisitions Fund for the acquisition of 254 acres of land for Open Space, based upon a grant award from the State of California Habitat Conservation Fund. **(4 VOTES)**
3. Authorize the Director, Department of General Services, to exercise the option to purchase Assessor's Parcel Numbers 402-261-01, 402-160-18, -19 and -20 from Helix Land Company at the appraised value of \$1,651,000.
4. 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 partially included in the Fiscal Year 2018-19 Operational Plan for the Multiple Species Conservation Program (MSCP) Acquisition Fund in the amount of \$1,820,000. If approved, this request will result in current year one-time costs of \$2,020,000 itemized as follows: \$1,651,000 for property acquisition; \$47,000 for staff time and appraisal review to complete the transaction; \$4,000 for closing and title costs; and \$318,000 in one-time land protection costs, including initial stewardship that features signage, boundary survey, access control measures and vegetation management (\$141,000), and the update of a Resource Management Plan including vegetation management (\$177,000). The funding source is available prior year General Fund balance (\$1,820,000) and a grant from the State of California Habitat Conservation Fund (\$200,000).

Total annual costs for oversight, land monitoring and adaptive management of the 254 acres are estimated at \$7,750. In addition, there will be an estimated annual cost of \$1,750 for fixed charge assessments including vector control and water standby charges included in total annual costs. If approved, total annual costs are estimated at \$9,500 and will be included in future Operational Plans. The funding source will be Department of Parks and Recreation General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

**13. SUBJECT: NOTICED PUBLIC HEARING:  
LAKESIDE LINKAGE PRESERVE - ACQUISITION OF  
APPROXIMATELY 76 ACRES OF OPEN SPACE PRESERVE LAND  
(CENTEX HOMES) - 11/14/2018 SET HEARING; 12/12/2018 HOLD  
HEARING (DISTRICT: 2)**

### **OVERVIEW**

On November 14, 2018 (07), the Board of Supervisors set a Hearing for December 12, 2018.

Since 1998, the County of San Diego (County) has acquired more than 21,000 acres of open space land for the County's Multiple Species Conservation Program (MSCP) to ensure the long-term protection of sensitive plant and animal species with the balance of public need for development and open space.

The County has identified approximately 76 acres of vacant land available for purchase in Lakeside between Jackson Ridge Parkway and Jackson Hill Drive, west of Los Coches Road. The property is in the Pre-Approved Mitigation Area (PAMA) of South County MSCP. Acquisition would increase the size of the Lakeside Linkage Preserve from 135 acres to 211 acres, creating a larger protected area for sensitive species including coastal California gnatcatcher, coastal cactus wren, and orange-throated whiptail.

Today's request requires two steps. On November 14, 2018, the Board is requested to set a hearing for December 12, 2018 to consider the purchase and to direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board takes the actions recommended for November 14, 2018, then on December 12, 2018, after making the necessary findings, the Board is requested to authorize the purchase of a portion of Assessor's Parcel Number 397-180-13 from Centex Homes at the appraised value of \$2,250,000 for a total project cost in Fiscal Year 2018-19 of \$2,478,500 based on budgeted appropriations of available prior year General Fund balance in the Capital MSCP Acquisition Fund.

### **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 exercise the option to purchase approximately 76-acres of land in Lakeside, identified as a portion of Assessor Parcel Number 397-180-13, from Centex Homes for the appraised value of \$2,250,000.

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 2018-19 Operational Plan for the Multiple Species Conservation Program (MSCP) Acquisition Fund. If approved, this request will result in current year one-time costs of \$2,478,500 itemized as follows: \$2,250,000 for property acquisition; \$46,500 for staff time and an appraisal to complete the transaction; \$4,000 for closing and title costs; and \$178,000 in one-time land protection costs, including initial stewardship that features signage, boundary survey, access control measures and vegetation management (\$80,000), and the update of a Resource Management Plan including vegetation management (\$98,000). The funding source is available prior year General Fund balance.

Total annual costs for land monitoring and adaptive management of the 74 acres are estimated at \$33,000. In addition, there will be an estimated annual cost of \$1,760 for fixed charge assessments including vector control and water standby charges. If approved, total annual costs are estimated at \$34,760 and will be included in future Operational Plans. The funding source will be Department of Parks and Recreation General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

14. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
ADOPT A RESOLUTION ORDERING DISSOLUTION OF SAN DIEGO  
COUNTY PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 100 -  
VIEJAS VIEW LANE IN ALPINE (DISTRICT: 2)**

### **OVERVIEW**

On November 14, 2018 (4), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on December 12, 2018.

A Permanent Road Division Zone (PRD Zone) is a district that provides landowners with a mechanism to assess their properties to pay the County of San Diego (County) to construct private road improvements or perform maintenance in a geographically defined area. There are currently 67 PRD Zones managed by the County within the unincorporated county which provide maintenance of approximately 95 miles of roads. Permanent Road Division Zone No. 100 - Viejas View Lane (PRD 100) includes 19 taxable parcels located in the unincorporated community of Alpine.

PRD 100 was established in 1980 and the existing assessment is insufficient to fund the recommended road maintenance. Department of Public Works staff met with the landowners to discuss the funding options. After the meeting, the Department of Public Works received a petition from landowners requesting dissolution of PRD 100. This petition was signed by 58 percent of the landowners that own taxable parcels within the PRD 100 boundary. Department of Public Works staff reviewed the petition requesting the dissolution and determined that it meets the requirements of applicable law and Board policy. In the absence of an adequate funding mechanism, PRD 100 will be dissolved and road maintenance responsibility will revert to the landowners.

In accordance with Board of Supervisor Policy J-16 the dissolution process requires two steps. On November 14, 2018 the Board will introduce an ordinance to dissolve PRD 100. If the Board takes action at the first meeting, then on December 12, 2018, the Board will adopt a Resolution to dissolve PRD 100 and repeal Ordinance No. 9206 authorizing the collection of benefit charges within the boundaries of PRD 100.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Adopt an Ordinance to repeal the existing ordinance to collect assessments within Permanent Road Division No. 1000, Zone No. 100 - Viejas View Lane entitled:  
AN ORDINANCE TO REPEAL ORDINANCE NO. 9206 (NEW SERIES) PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 100 - VIEJAS VIEW LANE.
2. Adopt a Resolution entitled:  
RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING DISSOLUTION OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 100 - VIEJAS VIEW LANE WITHOUT AN ELECTION.
3. Authorize the Director, Department of Public Works and the Auditor & Controller to take any action necessary to complete the dissolution process; by among other things, issuing refunds to landowners and transferring any remaining residual funds to the General Fund for Permanent Road Division Zone No. 100 - Viejas View Lane.

**FISCAL IMPACT**

Funds for this request is included in the Fiscal Year 2018-19 Operational Plan in the PRD 100 Viejas View Lane Fund. The PRD 100 Fund's current cash balance is approximately \$32,000. If approved, dissolution costs will be approximately \$5,000, leaving approximately \$27,000 to be refunded to the landowners. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A