

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, SEPTEMBER 11, 2019, 9:00 AM

PLEASE NOTE CHANGE IN MEETING LOCATION:
COUNTY OPERATIONS CENTER
CAMPUS CENTER CHAMBERS
5520 OVERLAND AVENUE
SAN DIEGO, CA 92123

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 7, 2019.
- 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.sdcountry.ca.gov/cob/bosa/> or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Lower Level, Bayside Room, San Diego, CA 92101.

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|--|
| 1. | FALLBROOK COMMUNITY AIRPARK - AMENDMENTS TO TWO AGRICULTURAL GROUND LEASE AGREEMENTS WITH ALTMAN SPECIALTY PLANTS, LLC
[FUNDING SOURCE: INCREASED MONTHLY RENTAL PAYMENTS FROM THE LESSEE UNDER THE TERMS OF THE AMENDED LEASE AGREEMENTS]
(4 VOTES) |

2. NOTICED PUBLIC HEARING:
GENERAL SERVICES - PURCHASE OF AGRICULTURAL CONSERVATION EASEMENT (PACE) PROGRAM - ACQUISITION OF TWO AGRICULTURAL CONSERVATION EASEMENTS (08/07/19 - SET HEARING; 09/11/19 - HOLD HEARING)
[FUNDING SOURCE: FISCAL YEAR 2019-20 PACE PROGRAM AVAILABLE FUND BALANCE]
3. TRAFFIC ADVISORY COMMITTEE (09/11/19 - ADOPT RECOMMENDATIONS; 09/25/19 - SECOND READING OF AN ORDINANCE)
4. SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS TO THE DEPARTMENT OF PARKS AND RECREATION
5. SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE DEPARTMENT OF ENVIRONMENTAL HEALTH
6. SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE SAN DIEGO COUNTY LIBRARY
[FUNDING SOURCE: AVAILABLE PRIOR YEAR LIBRARY FUND FUND BALANCE]

1. SUBJECT: FALLBROOK COMMUNITY AIRPARK - AMENDMENTS TO TWO AGRICULTURAL GROUND LEASE AGREEMENTS WITH ALTMAN SPECIALTY PLANTS, LLC (DISTRICT: 5)

OVERVIEW

The Fallbrook Community Airpark (Airpark) is a general aviation airport owned and operated by the County of San Diego's (County) Department of Public Works (DPW) and is located two miles south of downtown Fallbrook. The Airpark is a gateway to and from San Diego's north county, primarily serving general aviation and providing a variety of non-aviation uses, including agriculture and recreational uses. The Airpark also serves as a base for a Sheriff firefighting helicopter. The Airpark is divided into two areas, one designated for aviation use, and the other for compatible non-aviation uses. Leasing of airport property generates lease revenue within the airport enterprise fund, which is used by DPW to ensure that all County airports are properly maintained and safe for airport users.

Today's action is related to two 20-year agricultural ground leases approved by the Board of Supervisors (Board) on September 23, 2009 (4). These leases, which were subsequently transferred in October 2018 from Color Spot Nurseries, Inc. to Altman Specialty Plants, LLC, require rent to be renegotiated every five years to keep current with market rates. Both leases are due for adjustment on October 1, 2019.

This is a request to approve the proposed second amendment to two 20-year agricultural ground lease agreements with Altman Specialty Plants, LLC. These amendments would increase monthly rent by approximately 5% to reflect current market rates and would add lease language promoting environmental sustainability, including energy conservation, water conservation, recycling, and waste reduction.

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 or former use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the second amendment to an agricultural ground lease agreement (aviation designated property) with Altman Specialty Plants, LLC, County Contract Number 500880. **(4 VOTES)**
3. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the second amendment to agricultural ground lease agreement (non-aviation designated property) with Altman Specialty Plants, LLC, County Contract Number 500881. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year (FY) 2019-20 Operational Plan for the Airport Enterprise Fund. If approved, this request will result in total annual revenue of \$360,840 in the Airport Enterprise Fund for the FY 2019-20, an increase of \$13,032 over the amount budgeted. The funding source for additional revenue is increased monthly rental payments from the lessee under the terms of the amended lease agreements. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 2. SUBJECT: NOTICED PUBLIC HEARING:
GENERAL SERVICES - PURCHASE OF AGRICULTURAL
CONSERVATION EASEMENT (PACE) PROGRAM - ACQUISITION OF
TWO AGRICULTURAL CONSERVATION EASEMENTS (08/07/19 - SET
HEARING; 09/11/19 - HOLD HEARING) (DISTRICTS: 2 AND 5)**

OVERVIEW

On August 7, 2019 (3), the Board of Supervisors set a hearing for September 11, 2019.

On December 4, 2013 (3), the Board of Supervisors (Board) implemented the Purchase of Agricultural Conservation Easement (PACE) Program as an ongoing County of San Diego (County) program and established continuous funding for PACE Program land acquisitions through an annual General Fund appropriation. On September 17, 2014 (1), the Board expanded the PACE Program to include a mitigation component for the sale of agricultural mitigation credits. The PACE Program application process is periodically opened at least once a year to interested property owners. and the program receives an annual funding allocation of up to \$1,500,000. The PACE Program has received a total of \$11.21 million to fund program preparation, administration, and acquisitions since 2011. To date, the PACE Program has acquired agricultural conservation easements over 2,034.98 acres at a total cost of \$5.84 million.

The Department of Planning & Development Services (PDS) staff received signed “willing seller” letters from two agricultural conservation easement property owners. Each of these easements exceeds \$250,000, requiring Board approval prior to acquisition. The first property (Assessor Parcel Numbers [APN] 109-411-15, -19, 109-412-01, -02 and -03) is located northeast of Rainbow Road and Mt. Olympus Valley Road in Fallbrook and is approximately 143.41 acres in size with an appraised easement value of \$305,000 (Attachment A). The second property (APN 510-103-01) is located east of Harbison Canyon Road and north of Dehesa Road in an unincorporated area near El Cajon and is approximately 154.84 acres in size with an appraised easement value of \$381,000 (Attachment B). If acquired, the two agricultural conservation easements would add 298.25 acres to the PACE Program for Fiscal Year 2019-20 and increase the total agricultural acreage conserved under the PACE Program to 2,333.21 acres.

Today’s request requires two steps. On August 7, 2019, the Board is requested to set a hearing for September 11, 2019, to consider the purchase of the two agricultural conservation easements and direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board takes the actions recommended on August 7, 2019, then on September 11, 2019, after making the necessary findings, the Board is requested to authorize the purchase of the agricultural conservation easements over the above referenced properties for a total estimated cost of \$690,000 including closing and title costs, based on PACE Program available fund balance in PDS. Today’s Board action supports implementation of Measure T-1.2 of the County’s Climate Action Plan, which established a goal of acquiring 443 acres of agricultural conservation easements per year. By acquiring land for agricultural preservation, today’s action would reduce potential greenhouse gas emissions by preserving land that could otherwise be developed.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is categorically exempt from the California Environment Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15325 as it involves the transfer of ownership of land to allow continued agricultural use and preserve existing natural conditions.
2. Authorize the Director, Department of General Services, or a designee, to execute the Real Property Contract for the purchase of an agricultural conservation easement over APNs 109-411-15, -19, 109-412-01, -02, and -03 from Ralph and Samee Foster 2001 Revocable Trust for the appraised value of \$305,000.
3. Authorize the Director, Department of General Services, or a designee, to execute the Real Property Contract for the purchase of an agricultural conservation easement over APN 510-103-01 from Allen K. Trial for the appraised value of \$381,000.
4. Authorize the Director, Department of General Services, or a designee, to execute all escrow and other related documents necessary to complete the purchase of agricultural conservation easements over APNs 109-411-15, -19, 109-412-01, -02, -03, and 510-103-01.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for Planning & Development Services. If approved, this request will result in estimated costs of \$690,000 for the two agricultural conservation easements totaling \$686,000 for property acquisition and \$4,000 for closing and title costs. The funding source is Fiscal Year 2019-20 PACE Program available fund balance. After acquiring the two agricultural conservation easements, \$4.69 million will remain in the PACE Program fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (09/11/19 - ADOPT RECOMMENDATIONS; 09/25/19 - SECOND READING OF AN ORDINANCE) (DISTRICTS: 2 & 3)**

OVERVIEW

As part of the Department of Public Works' (DPW) traffic engineering program, the Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) as an aid in providing uniform traffic regulations throughout the unincorporated areas of the county. The goal of the TAC is to make recommendations to the Board on traffic matters to provide the communities in the unincorporated region with a safe and efficient road system. To accomplish this, it is necessary that traffic policies be established and used to provide persons using the road system with consistent and uniform regulations that are effective and can be legally enforced. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County-maintained roads. Upon receipt of a request or recommendation for a traffic regulation in

unincorporated areas of the county, the TAC reviews and investigates the requested item including engineering studies and studies of traffic conditions.

The TAC recommends the Board act on two items from the June 14, 2019, meeting agenda:

- Item 2-A is a review to establish an all-way stop at the intersection of Orville Street and Thayer Drive in Spring Valley at the request of area residents. The intersection of Orville Street and Thayer Drive meets the California Manual on Uniform Traffic Control Devices criteria for all-way stop. The TAC recommends establishing an all-way stop to minimize vehicle/pedestrian interactions at this intersection of two major residential roadways. This intersection is located near schools that generate high pedestrian volumes (STEAM Academy at La Presa, Kempton Street Literary Academy, and the Spring Valley Branch Library).

The Board's action on Item 2-A does not require a second hearing and Board direction on September 11, 2019 would allow implementation by DPW.

- Item 3-A is a periodic speed review that is required every seven years and was requested by DPW staff to comply with state law. This will recertify the use of radar for speed enforcement on Citrus Avenue from State Route 78 to the Escondido City Limits in Escondido. Measured speeds averaged 48.9 MPH. Road operating conditions support the use of radar for enforcement of the existing 45 MPH posted speed limit. Approval of this item would support speed enforcement, which increases roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement. Presently, this segment of Citrus Avenue is comprised of two speed zones with short lengths, both posted 45 MPH. Approval of this item would also combine these two segments into a single uniform 45 MPH speed zone ordinance.

The Board's action on Item 3-A would revise the San Diego County Code of Regulatory Ordinances (County Code) and would require two steps. On September 11, 2019, the Board would consider the TAC item. If the Board takes action on September 11, 2019, then on September 25, 2019, a second reading of an ordinance amending County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. Orville Street and Thayer Drive in Spring Valley (58th Edition Thomas Guide Page 1291-B3) - Establish an all-way stop at the intersection.

District 3:

Item 3-A. Citrus Avenue from State Route 78 to the Escondido City Limits (near Coltrane Place) in Escondido (58th Edition Thomas Guide Page 1130-D4) - Recertify the existing 45 MPH speed limit for continued radar enforcement and combine two segments of Citrus Avenue into a single speed zone.

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 public facilities relating to regulatory traffic control issues on County-maintained roadways, resulting in negligible or no expansion of existing or former use.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Adopt the following Resolution:
RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN SAN DIEGO COUNTY (Item 2-A).
4. Approve the introduction, read title, and waive further reading of the following Ordinance:
ORDINANCE AMENDING SECTION 72.161.28. AND DELETING SECTION 72.179.5. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 3-A).

If, on September 11, 2019, the Board takes action as recommended, then, on September 25, 2019:

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTION 72.161.28. AND DELETING SECTION 72.179.5. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 3-A).

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 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

4. SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS TO THE DEPARTMENT OF PARKS AND RECREATION (DISTRICTS: ALL)

OVERVIEW

The San Diego County Parks Society (Parks Society) and the Live Oak Park Coalition (LOPC) are nonprofit organizations committed to promoting the County Department of Parks and Recreation (DPR) and supporting DPR programs and special events by offsetting costs through both cash and non-cash donations. During the period of January 1, 2019 to June 30, 2019, DPR received donations from the Parks Society totaling \$48,680.06 to support park operations such as the Spring Eggstravaganza and the Memorial Day Warrior Hike (\$6,811.08 in cash donations and \$41,868.98 in non-cash donations) and donations from LOPC totaling \$9,473.30 in non-cash donations to provide new soccer goals, add landscaping materials and provide dog park materials at DPR's Live Oak Park. County of San Diego (County) Administrative Code Section 66, *Acceptance of Gifts*, and Board of Supervisors Policy A-112, *Acceptance and Use of Gifts and Donations*, permits the acceptance of gifts and donations by the administrative head of each

department of the County that exceed \$5,000, subject to ratification by the Board of Supervisors, and requires a semi-annual report to the Board of gifts and donations accepted by a department head not exceeding \$5,000 individually.

Today's proposed actions are to accept the DPR's Report of Gifts and Donations for the period of January 1, 2019 to June 30, 2019.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and (3) because it does not have a direct or indirect effect on the environment and the action is not a project as defined in Section 15378(b)(5) of the State CEQA Guidelines and find in accordance with State CEQA Guidelines section 15061(b)(3), that it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment for the reasons stated in the Notice of Exemption.
2. In accordance with Administrative Code Section 66 and Board Policy A-112, accept the County of San Diego Department of Parks and Recreation Report of Gifts and Donations from the San Diego County Parks Society for the period of January 1, 2019 to June 30, 2019.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. The Department of Parks and Recreation received donations from the San Diego Parks Society and Live Oak Park Coalition totaling \$58,153.36 from January 1, 2019 to June 30, 2019. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

5. **SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE DEPARTMENT OF ENVIRONMENTAL HEALTH (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego Department of Environmental Health (DEH) receives gifts and donations from organizations such as non-profit and industry associations that are interested in expanding DEH expertise and supporting its programs, training events, and staff knowledge by offsetting costs through both cash and non-cash donations. During the period of January 1, 2019 to June 30, 2019, DEH received donations totaling \$42,069.94 (\$2,746.80 in cash donations and \$39,323.14 in non-cash donations). County of San Diego (County) Board of Supervisors (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 ratification of the acceptance of such gifts and approval prior to the expenditure of the gift, if the gift exceeds \$5,000. DEH did not request Board approval prior to expending gifts in excess of \$5,000, as required by Administrative Code Section 66, because the amount of funding available for DEH staff participation at these meetings and trainings was unknown.

Today's proposed actions are to accept DEH's Report of Gifts and Donations for the period of January 1, 2019 to June 30, 2019, 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 action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and (3) because it does not have a direct or indirect effect on the environment and the action is not a project as defined in Section 15378(b)(5) of the State CEQA Guidelines.
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 Hazardous Materials Investigators Association and CUPA Forum for the period of January 1, 2019 to June 30, 2019.
3. In accordance with Administrative Code Section 66 and Board Policy A-112, ratify the acceptance and expenditure of gifts from the California Hazardous Materials Investigators Association and CUPA Forum for the period of January 1, 2019 to June 30, 2019 that exceeded \$5,000.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. The Department of Environmental Health received \$42,069.94 in cash and non-cash donations for the period of January 1, 2019 through June 30, 2019. 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

6. **SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE SAN DIEGO COUNTY LIBRARY (DISTRICTS: ALL)**

OVERVIEW

San Diego County Library (SDCL) receives gifts and donations from individuals and groups that are interested in supporting library services for their communities. This allows SDCL to offer additional programs to the public as well as purchase additional library materials and supplies to accommodate the diverse population of the San Diego region. During the period of January 1, 2019 to June 30, 2019 SDCL received donations totaling \$170,572.49 (\$32,338 in cash donations and \$138,234.49 in non-cash donations). County of San Diego (County) Administrative Code Section 66, *Acceptance of Gifts*, and Board of Supervisors (Board) Policy A-112, *Acceptance and Use of Gifts and Donations*, permits the acceptance of gifts and donations by the administrative head of each department of the County that exceed \$5,000,

subject to ratification by the Board, and requires a semi-annual report to the Board of gifts and donations accepted by a department head not exceeding \$5,000 individually. A portion of the cash donations received (\$8,738) was matched by the Library Fund. The matching fund program was created for community participation in the growth of their community library. Donations received during this reporting period were used to purchase library materials, such as books and eBooks, and equipment for library branches and to support programs, such as the Summer Learning Program.

Today's proposed actions are to accept the SDCL's Report of Gifts and Donations for the period of January 1, 2019 to June 30, 2019, and to ratify the acceptance of those gifts and donations by the SDCL that exceeded \$5,000. In addition, today's action authorizes the Chair of the Board of Supervisors to sign a letter of appreciation to the donors exceeding \$5,000.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and (3) because it does not have a direct or indirect effect on the environment and the action is not a project as defined in Section 15378(b)(5) of the State CEQA Guidelines.
2. In accordance with Administrative Code Section 66, Acceptance of Gifts, and Board of Supervisors (Board) Policy A-112, Acceptance and Use of Gifts and Donations, accept the San Diego County Library Report of Gifts and Donations for the period of January 1, 2019 through June 30, 2019.
3. In accordance with Administrative Code Section 66 and Board Policy A-112, ratify the acceptance of gifts from January 1, 2019 to June 30, 2019, for \$170,572.49 that exceeded \$5,000.
4. Authorize the Chair of the Board of Supervisors to sign letters of appreciation on behalf of the County of San Diego to donors listed on Attachment B.

FISCAL IMPACT

Funds for this request were included in the Fiscal Year 2018-19 Operational Plan for the San Diego County Library (SDCL). SDCL received \$170,572.49 in cash and non-cash donations exceeding \$5,000 in value between January 1, 2019, and June 31, 2019. Of these donations, \$8,738.00 qualified for an equal amount of matching funds from SDCL. The funding source for the match is available prior year Library Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A