

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, JUNE 24, 2020, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY ROOM 310,
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 June 3, 2020.
- 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, Room 402, San Diego, CA 92101.

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|--|
| 1. | SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE AMENDING TITLE 8, DIVISION 6, CHAPTER 7 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO WATER CONSERVATION IN LANDSCAPING (POD-20-002) (6/3/2020 - 1ST READING; 6/24/2020 - 2ND READING) |
| 2. | NOTICED PUBLIC HEARING TO ADOPT RESOLUTIONS AND ORDINANCE FOR AMENDMENT TO COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) AND AUTHORIZE ACTION TO AMEND THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX AND BOUNDARY MAP (6/24/2020 - ADOPT RESOLUTIONS AND FIRST READING OF ORDINANCE; 7/8/2020 - SECOND READING OF ORDINANCE)
[FUNDING SOURCE: SPECIAL TAXES PAID BY PROPERTY OWNERS WITHIN THE MEADOWOOD CFD] |

3. NOTICED PUBLIC HEARING:
RECOMMENDED DENIAL OF LILAC HILLS RANCH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAPS, MAJOR USE PERMIT, AND SITE PLAN, LOCATED IN THE VALLEY CENTER AND BONSALE COMMUNITY PLAN AREAS
4. NOTICED PUBLIC HEARING:
ANZA STREET TOWNHOMES REZONE, TENTATIVE MAP, AND ENVIRONMENTAL DOCUMENT, LOCATED IN THE LAKESIDE COMMUNITY PLAN AREA
5. PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR MOSQUITO, VECTOR, AND DISEASE CONTROL BENEFIT ASSESSMENT AND MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGE FOR FISCAL YEAR 2020-21
[FUNDING SOURCES: MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT, MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGE, AVAILABLE VECTOR CONTROL DISTRICT TRUST FUND FUND BALANCE, AND INCOME FROM INTEREST AND OTHER SERVICE CONTRACTS]
6. NOTICED PUBLIC HEARING:
OPTIONS TO COMPLY WITH SENATE BILL 743 AND IMPLEMENT VEHICLE MILES TRAVELED IN LOCAL PLANNING AND ENVIRONMENTAL REVIEW
7. APPROVAL OF FISCAL YEAR 2020-21 HOUSING AUTHORITY RECOMMENDED BUDGET; A RESOLUTION OF THE HOUSING AUTHORITY OF THE COUNTY OF SAN DIEGO BOARD OF COMMISSIONERS APPROVING FISCAL YEAR 2020-21 HOUSING AUTHORITY BUDGET, INCLUDING PUBLIC HOUSING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT FUNDING, GOODS, OR SERVICES FROM THE COUNTY OF SAN DIEGO; APPROVAL OF AN AMENDED AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE HOUSING AUTHORITY; AND APPROVAL OF THE PUBLIC HOUSING 5-YEAR CAPITAL FUND PROGRAM PLAN
[FUNDING SOURCES: U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, U.S. DEPARTMENT OF AGRICULTURE, HOUSING CHOICE ADMINISTRATIVE RESERVE FUND, SANTEE SUCCESSOR AGENCY, PUBLIC HOUSING OPERATING RESERVE FUND, PUBLIC HOUSING RENTAL REVENUE, AND OTHER MISCELLANEOUS REVENUES]

(RELATES TO HOUSING AUTHORITY AGENDA NO. HA1)
8. EXTENSION OF PERFORMANCE COMPLETION DATES ON VARIOUS BONDED AGREEMENTS TO COMPLETE SUBDIVISION IMPROVEMENTS
9. TRAFFIC ADVISORY COMMITTEE (06/24/2020 - ADOPT RECOMMENDATIONS; 07/08/2020 - SECOND READING OF AN ORDINANCE)

10. GILLESPIE FIELD - LEASE AMENDMENTS TO 16 AVIATION LEASES FOR RENT ADJUSTMENT
(4 VOTES)
11. APPROVAL OF LEASE AGREEMENT WITH SAN DIEGO-IMPERIAL COUNCIL, BOY SCOUTS OF AMERICA - OTAY LAKES COUNTY PARK
[FUNDING SOURCE: LEASE AGREEMENT WITH SAN DIEGO-IMPERIAL COUNCIL, BOY SCOUTS OF AMERICA]
(4 VOTES)
12. LAND USE AND ENVIRONMENT GROUP DEPARTMENTS - ADOPT RESOLUTIONS AUTHORIZING THE SUBMISSION OF GRANT APPLICATIONS AND ACCEPTANCE OF GRANT FUNDS FOR IMPLEMENTATION OF PROJECTS AND PROGRAMATIC ACTIVITIES IN SUPPORT OF THE COUNTY'S VISION AND STRATEGIC INITIATIVES

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1. SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE AMENDING TITLE 8, DIVISION 6, CHAPTER 7 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO WATER CONSERVATION IN LANDSCAPING (POD-20-002) (6/3/2020 - 1ST READING; 6/24/2020 - 2ND READING) (DISTRICTS: ALL)

OVERVIEW

On June 3, 2020 (3), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on June 24, 2020.

On February 14, 2018 (1), the County of San Diego (County) Board of Supervisors (Board) adopted the Climate Action Plan (CAP) to reduce the County's community-wide and government operations greenhouse gas (GHG) emissions.

The CAP includes measures W-1.2 "Reduce Outdoor Water Use" and A-2.1 "Increase Residential Tree Planting." To implement these measures, amendments to the County Water Conservation in Landscaping Ordinance (Landscaping Ordinance), within the San Diego County Code of Regulatory Ordinances § 86.701 et seq. are required. Measure W-1.2 requires a 40% reduction from 2014 outdoor water use budgets for landscaping in new and existing residential and non-residential development. The County's Landscaping Ordinance and outdoor water use budgets were last updated in 2016, and therefore a full 40% reduction from current water use budgets is not required to achieve the Measure W-1.2 requirements. The amendment to the Landscaping Ordinance would require a 24% reduction in outdoor water use for residential landscapes and a 7% reduction in non-residential landscapes from current water use budgets. Water conservation reduces GHG emissions in the unincorporated area by decreasing emissions produced during treatment and distribution of water used for landscape irrigation. Measure A-2.1 requires that two trees are planted for every new single-family residential dwelling unit constructed. Tree planting results in GHG emissions reductions by sequestering carbon in plant material and soil as they mature.

CAP Measures W-1.2 and A-2.1 are currently being implemented through the CAP Consistency Review Checklist during the discretionary review process for new development projects. The CAP Consistency Review Checklist is the mechanism by which discretionary review projects can demonstrate consistency with the CAP and qualify for a streamlined California Environmental Quality Act (CEQA) review process. The amendment to the Landscaping Ordinance will not change or expand the criteria under which projects must comply with the Landscaping Ordinance. It will codify CAP measures that are currently being implemented through the CAP Consistency Review Checklist.

This is a request for the Board to consider and adopt amendments to the Landscaping Ordinance to implement the County's CAP. Adoption of the ordinance requires two actions. On June 3, 2020, it is requested that the Board approve introduction of the amendment to the Landscaping Ordinance. If the Board takes action on June 3, 2020, then on June 24, 2020, the Board may adopt the amendment to the Landscaping Ordinance.

RECOMMENDATION(S)

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

1. Submit the ordinance amendment for further Board consideration and adoption (second reading).
AN ORDINANCE AMENDING TITLE 8, DIVISION 6, CHAPTER 7 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO WATER CONSERVATION IN LANDSCAPING (POD-20-002) (Attachments B and C, on file with the Clerk of the Board).
2. Direct that the operative date of the ordinance be July 24, 2020.

FISCAL IMPACT

There is no fiscal impact associated with the recommendations to adopt the amendment to the Landscaping Ordinance. 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 TO ADOPT RESOLUTIONS AND ORDINANCE FOR AMENDMENT TO COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) AND AUTHORIZE ACTION TO AMEND THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX AND BOUNDARY MAP (6/24/2020 - ADOPT RESOLUTIONS AND FIRST READING OF ORDINANCE; 7/8/2020 - SECOND READING OF ORDINANCE) (DISTRICT: 5)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to hold a public hearing and take action to amend the Meadowood Community Facilities District (CFD) No. 2019-01. The existing CFD provides funding for the operation and maintenance of public facilities including trails, a park, and stormwater drainage and treatment facilities, as well as funds for fire protection and emergency medical facilities and services from the North County Fire Protection District within the CFD boundary. The CFD includes a special tax levy on property owners within the Meadowood Master Planned Community (Meadowood) and includes an annual cost of living adjustment to offset increases in service costs. Meadowood project will develop up to 844 single and multi-family residential homes on 389 acres of land located northeast of State Route 76 and Interstate 15 interchange, within the Fallbrook Community Plan area. The project includes 122.6 acres of open space, 47.6 acres of agriculture land, 0.5 acres of wetland buffer, 9.1 acres of community park, 1.5 acres of pocket park, 1.8 acres of cultural conservation area, 12.7 acres of school site, and 4.3 acres of basins.

Pardee Homes (Developer) is requesting to: (1) amend the CFD special taxes due to an increase in the maintenance costs associated with changes in the engineering design of the stormwater facilities resulting from final stormwater management system design, and (2) amend the CFD boundary map to modify boundaries of tax zones of the CFD to conform to the anticipated final map phasing of the Meadowood project. The outer boundaries of the CFD are not proposed to be amended. With the amendment, the total effective tax rate will range from approximately 1.30%

to 1.36% depending on the residential unit type (\$1,312 annually per single-family unit, and \$965 annually per multi-family unit). On average, the special tax rate will increase by less than 0.01% when compared to the currently approved CFD. These rates are calculated based on the estimated price of the home. The proposed revised special tax rate has been reviewed by staff and complies with Board Policy I-136, *Comprehensive Goals and Policies for Community Facilities Districts*, which sets a maximum total effective tax rate of 1.86% of the estimated sales price of the residential homes.

Today's hearing is the second step of a three-step CFD amendment process. The Board acted on step one on May 6, 2020 (3). The three steps of the CFD amendment process are: 1) adoption of a Resolution of Consideration to consider changes; 2) holding a public hearing, calling an election on the changes, declaring the results of election, and introduction of an Ordinance to amend Ordinance No. 10602; and 3) adoption of an ordinance to amend ordinance No. 10602, if approved by a two-thirds vote of the qualified electors within the CFD. A qualified elector is either a property owner or registered voter within a proposed CFD. If the proposed community within the CFD boundary is uninhabited and owned by a single person, the State Mello-Roos Act specifies that the qualified elector is the sole property owner. The project is uninhabited and owned by a single property owner so that the qualified elector is the developer. If today's actions are approved, step three would occur on July 8, 2020.

The Developer, as sole property owner, has completed a consent and waiver that will allow for the ballots to be returned at today's hearing immediately upon Board adoption of the resolution calling for an election. The Developer has also agreed to forego certain voting procedures such as the need for a ballot summary. If introduced at today's hearing, then on July 8, 2020 the Board may conduct a second reading of the ordinance to adopt the amended special tax.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

On June 24, 2020:

1. Find that the Final Environmental Impact Report (EIR) for the Meadowood Project, dated January 11, 2012, State Clearinghouse Number 2004051028, on file in Planning & Development Services as Environmental Review No. 04-02-004 has been completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; that the decision-making body has reviewed and considered the information contained in the Final EIR prior to approving the project; and the Final EIR reflects the independent judgment and analysis of the Board of Supervisors (Board).

Find that the currently proposed actions are within the scope of the Final EIR; that there are no changes in the project or in the circumstances under which it is undertaken that would result in significant environmental impacts beyond those considered in the certified EIR, nor a substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the Final EIR (CEQA Guidelines Section 15162) was prepared.

2. Adopt the Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) PROPOSITIONS REGARDING CHANGES TO THE RATE AND METHOD OF APPORTIONMENT AND BOUNDARY MAP (Attachment A, on file with the Clerk of the Board).

3. Adopt the Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, DECLARING THE RESULTS OF THE SPECIAL ELECTIONS FOR COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) ON THE PROPOSITIONS WITH RESPECT TO CHANGING THE RATE AND METHOD OF APPORTIONMENT OF THE SPECIAL TAX AND BOUNDARY MAP FOR COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) SPECIAL TAXES, AND DIRECTING THE RECORDING OF AN AMENDED NOTICE OF SPECIAL TAX LIEN (Attachment B, on file with the Clerk of the Board).

4. Approve the introduction (first reading), read title and waive further reading of the ordinance entitled:
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, ACTING AS LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) OF THE COUNTY OF SAN DIEGO, AMENDING ORDINANCE NO. 10602 (Attachment C, on file with the Clerk of the Board).

If on June 24, 2020, the Board takes the recommended actions and the Clerk of the Board certifies the election results supporting the imposition of a special tax, then on July 8, 2020, take the following actions:

Adopt (second reading) the ordinance entitled:

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, ACTING AS LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) OF THE COUNTY OF SAN DIEGO, AMENDING ORDINANCE NO. 10602 (Attachment C, on file with the Clerk of the Board).

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2019-20 Operational Plan in Planning & Development Services, the Department of Parks and Recreation, the Department of Public Works, or the San Diego County Flood Control District. Staff time and consultant costs to complete the changes to the Community Facilities District (CFD) total \$40,000 and are funded by Pardee Homes.

The amended Rate and Method of Apportionment increases the maximum Special Tax A and B amounts to address increased maintenance cost due to engineering changes, resulting in an estimated total annual increase of \$78 for single family units and \$57 for multifamily units in 2020 dollars, for an average effective tax rate increase of less than 0.01%. The amended CFD special tax rate is projected to fully fund the CFD's maintenance and service costs associated with Special Taxes A, B, C estimated at \$927,996 annually in 2020 dollars, and ongoing CFD administration costs estimated at \$25,000 annually in 2020 dollars. Associated costs and revenue will be included in the Chief Administrative Officer Recommended Operational Plan for FY 2020-21 and in future Operational Plans. The funding source is special taxes paid by property owners within the Meadowood CFD. 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:
RECOMMENDED DENIAL OF LILAC HILLS RANCH GENERAL PLAN
AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION,
TENTATIVE MAPS, MAJOR USE PERMIT, AND SITE PLAN,
LOCATED IN THE VALLEY CENTER AND BONSALL COMMUNITY
PLAN AREAS (DISTRICT: 5)**

OVERVIEW

The Lilac Hills Ranch project (Project) is a planned community located on a 608-acre site within the Bonsall and Valley Center Community Plan areas of the unincorporated area of San Diego county. The site is located 0.5 mile east of Interstate 15 (I-15) and Old Highway 395. The Project proposes 1,746 residential units, a town center with a 50-room country inn and 90,000 square feet of office and retail uses, a 9.7-acre school site, a 200-bed group care facility, a senior community center, a community purposes facility (private recreational facility and area for potential fire station), 25.6 gross acres of public and private parks, 16 miles of multi-use community trails and pathways, waste and water recycling facilities, and 104.1 acres of biological open space.

The Project was submitted to Planning & Development Services (PDS) in 2012 and received significant public input from the community and stakeholders throughout its processing. Concerns have been raised regarding the Project's conformance with the San Diego County General Plan, traffic impacts, road improvements and eminent domain, greenhouse gas emissions, and fire safety and emergency evacuation. Staff conducted an evaluation of the Project and in 2015, recommended approval of the Project with modifications, including the addition of a landscaped buffer around the site and requirements on the timing of certain phases like the construction of the town center.

In 2015, the Planning Commission held three public hearings on the Project, including a field trip to the site and surrounding community, and recommended approval of the Project with additional modifications, including required road improvements on West Lilac Road, specific timing on the construction of the necessary sewer facilities, funding and construction of a turn-key school, and conditions related to easement rights and overburdening, which occurs when the traffic added to an existing private road easement exceeds the amount of traffic the road was built to handle.

Prior to the Project moving forward to the Board of Supervisors (Board) in 2016, then-applicant Accretive Investments, Inc. placed a modified version of the Project on the 2016 countywide ballot as a voter initiative. The initiative did not incorporate staff's or the Planning Commission's recommendations and was not approved by the voters. After the election, the current applicant, Village Communities, LLC (Applicant), modified the Project to address the recommendations made by staff and the Planning Commission.

In June 2017, the Applicant reinitiated the Project by submitting both a revised greenhouse gas (GHG) study and an updated Specific Plan. Staff reviewed the revised documentation and recirculated the traffic and GHG sections of the Environmental Impact Report (EIR) for public review in 2018. In June 2018, the Planning Commission considered the changes made after its last review of the project in 2015 and determined the changes were not substantial and therefore, they did not require a new Planning Commission recommendation on the Project.

At the time the Planning Commission recommended approval in 2015, the Deer Springs Fire Protection District (DSFPD) had fire authority jurisdiction and accepted the Fire Protection Plan for the Project and confirmed it could provide fire service. Although the County Fire Authority did not have jurisdiction at the time, it also reviewed the Project and provided comments regarding fire safety, while recognizing the DSFPD had jurisdiction over the Project. Two significant changes have occurred since that time.

First, in 2016, the County Fire Authority began providing fire prevention services on DSFPD's behalf, pursuant to an agreement. Second, California experienced the deadliest wildfires in the state's history. The wildfires resulted in an increased focus on fuel modification along roads, additional fire safety regulations, and analysis of evacuation planning across the state. Upon its review of the Project in 2019, the County identified fire safety concerns, most critically that the Project presents a risk of entrapment along West Lilac Road during a wildfire evacuation. The County also engaged a consultant to perform an independent review of fire-related aspects of the Project. Like the County Fire Authority, the consultant found the Project's proposed use of West Lilac Road as an emergency evacuation route is inadequate because it presents an entrapment risk. To address this risk, the County concluded 20-foot easements along both sides of West Lilac Road were needed to establish and maintain a fuel modification zone. The Applicant worked to resolve many of the County's fire safety concerns but was unable to obtain the easements along West Lilac Road.

Without the easements along West Lilac Road, the entrapment risk remains unaddressed. Staff has therefore determined the Project is unsafe and recommends denial of the Project. The Board can deny the Project or, if it does not support the staff recommendation, the Board can either: (1) refer the Project back to staff for further analysis and allow the Applicant additional time to try and resolve the fire related issues, including making changes to the Project, or (2) direct staff to prepare the necessary documents to approve the existing proposed Project and bring it back to the Board for consideration.

If the Board denies the Project, no further processing would be required, and no further costs would be incurred by the Applicant as the Project would not move forward. There would be no restriction or limitation on any future General Plan Amendment applications requested on the property, even an application for the same Project. However, any future permit applications requested on the property would need to restart the permit process, including the preparation of a new environmental document.

Under either option where the Board refers the Project back to staff, the EIR would need to be recirculated. A recirculation of the EIR would take approximately one and a half years to process and return to the Board with a cost to the Applicant ranging from \$150,000 to \$250,000 depending on the number and complexity of comments received during the recirculation public review period. If the Board directed staff to prepare the necessary documents to approve the Project, the staff recommendation would still be to deny the Project due to the fire safety concerns. To prepare the necessary documents to approve the Project, staff would recirculate the EIR and return to the Board within approximately one and a half years with a cost to the Applicant of approximately \$150,000 to \$250,000 before returning to the Board for consideration.

RECOMMENDATION(S)
PLANNING COMMISSION

On August 7, 2015, the Lilac Hills Ranch project (Project) was presented to the Planning Commission. Approximately 110 people spoke on the matter during the hearing. The Planning Commission had questions about the project and continued the item to August 12, 2015 for a site visit. On August 12, 2015, the Planning Commission conducted a site visit that consisted of five stops along the Project site and surrounding area. The Planning Commission asked questions of staff and requested the preparation of responses for the subsequent hearing. At the conclusion of the site visit, the Planning Commission continued the item to September 11, 2015.

On September 11, 2015, after receiving additional public testimony and staff presented responses to the questions from the August 7 hearing and August 12 site visit, the Planning Commission voted 4 Ayes, 3 Noes, 0 Abstain and 0 Absent (Ayes: Pallinger, Brooks, Barnhart and Woods; Noes: Beck, Norby and Seiler) to recommend approval of the Project to the Board of Supervisors (Board). This vote was consistent with the recommendation made by Planning & Development Services at the time, with additional modifications. The Planning Commission recommendation includes Project conditions related to roads (design, access rights, overburdening and improvements) and the construction and timing of facilities (Town Center, school, fire station and wastewater treatment plant).

On May 15, 2020, the Planning Commission requested Planning & Development Services to add an item to the June 12, 2020 agenda regarding the formation of an ad hoc subcommittee for the Project related to fire safety. On June 12, 2020, the Planning Commission will conduct a noticed public hearing to consider forming an ad hoc subcommittee for the Project and for County staff to provide an overview of the fire safety determination for the Project. The actions the Planning Commission may take include: (1) Take no action, (2) provide a recommendation to the Board regarding the fire safety determination, or (3) recommend that the Board refer the project back to the Planning Commission for further evaluation and consideration of the fire safety issues. Any recommendations from the Planning Commission will be included in the presentation to the Board at its June 24, 2020 hearing.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) does not concur with the Planning Commission's recommendations because of the changed factors related to fire safety. PDS conducted a detailed analysis of the Lilac Hills Ranch project (Project) for consistency with the General Plan, Zoning Ordinance and other applicable regulations, policies and ordinances as well as a thorough review of the Project's potential impacts on the environment in accordance with CEQA.

Although some revisions to the Project have been made to address the fire safety concerns, Village Communities LLC, was unable to obtain easements along West Lilac Road to ensure that fuel modification would be implemented and maintained in perpetuity. Without the required easements to ensure that fuel modification would take place annually along West Lilac Road, staff recommends the Board:

1. Find that the Project is not subject to environmental review under Section 21080(b)(5) and 15270 of the California Environmental Quality Act (CEQA) guidelines because CEQA does not apply to projects that a public agency rejects or disapproves.

2. Adopt a Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS DENYING GENERAL PLAN AMENDMENT (GPA) PDS2012-3800-12-001, ZONING RECLASSIFICATION PDS2012-3600-12-003 (REZ), SPECIFIC PLAN PDS2012-3810-12-001 (SP), MASTER TENTATIVE MAP PDS2012-3100-5571 (TM), IMPLEMENTING TENTATIVE MAP PDS2012-3100-5572 (TM), MAJOR USE PERMIT PDS2012-3300-12-005 (MUP), AND SITE PLAN PDS2012-3500-12-018 (STP) (Attachment A) based on the fire safety concerns further described in this report.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

4. **SUBJECT: NOTICED PUBLIC HEARING:
ANZA STREET TOWNHOMES REZONE, TENTATIVE MAP, AND
ENVIRONMENTAL DOCUMENT, LOCATED IN THE LAKESIDE
COMMUNITY PLAN AREA (DISTRICT: 2)**

OVERVIEW

This is a request for the Board of Supervisors to consider a Rezone, Tentative Map, and environmental document for the proposed Anza Street Townhomes project (Project). The Project is a 39-unit multi-family residential development on one common lot in the Lakeside Community Plan area. The 3.2-acre property, located at 1118 North Anza Street, is currently zoned Variable Family Residential (RV) and has several existing residences that will be demolished and removed. The development includes three private open-space areas, internal private roads, and two on-site stormwater quality basins. The townhomes are designed in four-unit, six-unit, and seven-unit groups, with each unit having individual access to the internal private roads.

The Project is consistent with the General Plan, zoning designation, land use designation and height limit of two stories and 35-feet, however it requires a zone reclassification to change the building type designator from duplexes and stacked single-family dwellings to allow multi-family dwelling units (townhomes) on the same lot. The existing building type designator would only allow up to two units on one common lot, which would require a redesign of the Project to single-family detached homes on separate lots with a maximum of 23 homes. With the proposed building type designator, the applicant can incorporate the density allowed by the General Plan. In addition, a requirement of 350 square feet of private open space and 150 square feet of common open space per unit will be established with the Rezone; currently there is no requirement for private or common open space.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On April 3, 2020, the Planning Commission considered the Anza Street Townhomes project and made the following recommendations to the Board of Supervisors:

1. Adopt the Environmental Findings, which conclude that the project is exempt from further environmental review according to Section 15183 of the California Environmental Quality Act guidelines (Attachment A, on file with the Clerk of the Board).

2. Adopt the Ordinance entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE LAKESIDE COMMUNITY PLAN AREA, REF: PDS2018-REZ-18-003 (Attachment B, on file with the Clerk of the Board).
3. Adopt the Resolution entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. 5628, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment C, on file with the Clerk of the Board).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with the recommendations made by the Planning Commission, and makes one additional recommendation to the Board:

Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Hall Land Company Inc. to provide security in the amount of \$500,000, either as an irrevocable letter of credit or bond (whichever is acceptable to County Counsel), within 10 days of litigation being filed (Attachment D, on file with the Clerk of the Board).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

5. **SUBJECT: PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR MOSQUITO, VECTOR, AND DISEASE CONTROL BENEFIT ASSESSMENT AND MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGE FOR FISCAL YEAR 2020-21 (DISTRICTS: ALL)**

OVERVIEW

The Department of Environmental Health's (DEH) Vector Control Program (VCP) protects residents and visitors from health risks associated with vectors, such as mosquitoes, rodents and ticks that can transmit vector-borne diseases including West Nile virus, Zika, dengue, plague, hantavirus, Lyme disease and tularemia. The services performed by VCP are supported through the Mosquito, Vector, and Disease Control Benefit Assessment and the Mosquito Abatement and Vector Control Service Charge. The benefit assessment amount is evaluated annually, and changes must be approved by the Board of Supervisors (Board). Title 6, Division 4, Chapter 2, of the San Diego County Code of Regulatory Ordinances defines "vector" to mean an animal capable of transmitting the causative agent of human disease. "Vector" also includes eye gnats. The VCP conducts mosquito abatement throughout the region, performs surveillance and testing of vectors that can cause human disease, and educates the public on actions to prevent vectors, protect themselves from vectors, and report breeding sources.

The introduction and establishment of two invasive mosquitoes, *Aedes aegypti* and *Aedes albopictus* (*Aedes*), in San Diego county, in 2014 and 2015 respectively, has presented an increased risk to public health with unique surveillance and control challenges. Unlike native mosquitoes, *Aedes* live and breed in urbanized areas, including inside homes and backyards, as well as in underground utility vaults and small water sources like plant saucers. Their eggs can survive without water for several months. *Aedes* mosquitoes can transmit tropical diseases, including Zika, chikungunya, dengue, and yellow fever. There has not been a local transmission of these tropical diseases in the San Diego region. A local transmission could occur when travelers with these diseases enter the county and are bitten by *Aedes* mosquitoes. The mosquito can then transmit the disease to another individual through their bite.

Other species of mosquitoes may not transmit human disease but can negatively impact the public's quality of life. For example, native salt marsh mosquitoes associated with tidal areas, such as lagoons and marshes, are known for being aggressive biters. Tidal areas also present mosquito control challenges after high tide events which result in depressions that are normally dry, holding water and becoming sources of mosquito breeding. Extremely high tides, known as king tides, result in even greater impacts to the community due to expansive areas holding water and breeding mosquitoes which require timely surveillance and treatments.

On June 5, 2019 (7), the Board approved the Engineer's Report, confirming assessment diagram and assessment and ordering the continuation of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for Fiscal Year (FY) 2019-20. According to Article XIID of the State Constitution (Proposition 218), approved by the California voters in November 1996, property owners may approve a benefit assessment through a mail ballot measure and in subsequent years, the governing body may continue or adjust the levy on properties within the limitations set by the ballot measure.

The Engineer's Report defines the proposed benefit assessment by outlining program components, costs, and assessment required based on the district size. The benefit assessment would provide funding for mosquito, vector, and disease surveillance and control services throughout the region. The benefit can be measured, in part, by the number of people who live on, work at, visit or otherwise use the property, because the people ultimately determine the value of the benefits by choosing to live, work, and/or recreate in the area.

DEH has determined no changes will be required in the Mosquito, Vector, and Disease Control Benefit Assessment amount for FY 2020-21. DEH was able to contain costs associated with increases in retirement and negotiated labor contracts by applying savings realized from under-filled positions and vacancies. In addition, the program has implemented efforts to maximize efficiencies, and leveraged technology to streamline operations and improve service to customers, successfully containing program costs over recent years. Although there are no proposed changes to the rate, the Board must still approve the current rate for the benefit assessment for FY 2020-21.

This is a request to adopt a resolution to approve the Engineer's Report, confirm the assessment diagram and assessment, and order the levy of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for FY 2020-21. The proposed single-family equivalent dwelling rate is \$8.37 which is the same as the adopted rate of \$8.37 for FY 2019-20. The Board is also being asked to approve a resolution adopting service charges and confirming reports regarding levies for Mosquito Abatement and Vector Control Service Charge which was adopted

by the Board prior to Proposition 218. The existing service charge for FY 2019-20 would be levied within the authorized rate structure with no change in the rates of \$3.00 (Coastal Subregion), \$2.28 (Inland Suburban Subregion), and \$2.28 (Inland Rural Subregion).

Upon adoption, the Mosquito, Vector, and Disease Control Benefit Assessment and the Mosquito Abatement and Vector Control Service Charge will be placed on the tax roll for FY 2020-21.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 21080(b)(8) of the Public Resources Code and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines that this action is exempt from CEQA, because it modifies and approves a charge to meet the operating expenses and necessary financial reserves for an existing program, specifically the County Vector Control Program as described herein and in the Engineer's Report.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2020-21 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT.
3. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2020-21.

FISCAL IMPACT

Funds for these recommendations are not included in the Fiscal Year (FY) 2019-20 Operational Plan in the Department of Environmental Health. Appropriations and revenue will be included in the FY 2020-21 CAO Recommended Operational Plan in the Department of Environmental Health. If approved, the proposed actions will result in increased costs and revenue totaling \$12.2 million. The funding sources are the Mosquito, Vector and Disease Control Benefit Assessment (\$7.8 million), Mosquito Abatement and Vector Control Service Charge (\$2.5 million), available Vector Control District Trust Fund fund balance (\$1.8 million), and income from interest and other service contracts (\$0.1 million). Subsequent years' assessments will be based on the Vector Control Program budget, approved annually by the Board of Supervisors (Board), and included in future years Operational Plans.

If the Board does not approve the Engineers Report, the proposed Benefit Assessment and Service Charges cannot be placed on the tax roll for FY 2020-21. Without the funds generated by the assessment and service charges, DEH would need to use available Vector Control District Trust Fund fund balance of \$5.3 million and would need an additional source of revenue, that may include Unassigned General Fund fund balance, to cover the remaining gap of \$6.9 million and would be included in the FY 2020-21 CAO Recommended Operational Plan Change Letter. Trust Fund monies are generally reserved for funding vector-related abatement when direct action by the County is necessary, hiring temporary staff and purchasing supplies to mitigate a public health threat or responding to catastrophic events that require additional monitoring and

control efforts for vectors. If these services are not funded, there would be a reduction of vector surveillance, reduction of mosquito treatment, reduction of complaint investigations and request for services, and elimination or reduction of education outreach. Trust Fund monies are generally reserved for funding vector-related hiring temporary staff and purchasing supplies to mitigate a public health threat, responding to catastrophic events that require additional monitoring and control efforts for vectors, and abatement when direct action by the County is necessary. The reduction in services and education, and the increased turnaround time for test results could result in an increased risk of vector-borne diseases, complaints, and mosquito activity in the region.

BUSINESS IMPACT STATEMENT

Mosquitoes and other vectors hinder, annoy, and harm residents, businesses, and visitors. A vector-borne disease outbreak and other related public health risks would have a negative effect on agriculture, business, tourism, and residential activities in the county.

**6. SUBJECT: NOTICED PUBLIC HEARING:
OPTIONS TO COMPLY WITH SENATE BILL 743 AND IMPLEMENT
VEHICLE MILES TRAVELED IN LOCAL PLANNING AND
ENVIRONMENTAL REVIEW (DISTRICTS: ALL)**

OVERVIEW

In 2013, the State of California passed Senate Bill 743 (SB 743), which changes how jurisdictions, including the County of San Diego (County), analyze transportation impacts from privately- and publicly initiated projects under the California Environmental Quality Act (CEQA). The CEQA analysis can no longer use road congestion or the amount of time a driver is delayed on the road – commonly measured by level of service (LOS) – when analyzing transportation impacts. SB 743 noted that while automobile delay explains how projects will affect drivers, it does not consider how projects and plans will change the number and length of driving trips and the corresponding effects on the environment. Instead of using LOS, SB 743 identifies Vehicle Miles Traveled (VMT) as the standard to evaluate a project's environmental impacts. VMT measures the amount and distance people drive to destinations. The legislative intent behind SB 743 was to balance the needs of congestion management (traffic) with statewide goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through more active transportation.

SB 743 must be implemented by all local jurisdictions no later than July 1, 2020. It applies to any project with a CEQA document that has not been released for public review by July 1, 2020. To assist local jurisdictions in implementing SB 743, the legislature directed the Governor's Office of Planning and Research (OPR) to develop criteria for determining whether transportation impacts of projects are significant under CEQA guidelines. In December 2018, OPR prepared a technical advisory for evaluating the transportation impacts in CEQA as a service to planners, land use officials, and CEQA practitioners. In January 2019, the Natural Resources Agency finalized updates to the CEQA guidelines, including incorporating SB 743 modifications.

Today's recommendations propose transitioning from LOS to VMT in two phases. Phase 1, being considered today, involves consideration by the Board of Supervisors (Board) of a new technical guidance document, the proposed Transportation Study Guide (TSG). The TSG describes the process and procedure for project applicants and their consultants to use when

preparing transportation analysis beginning July 1, 2020. The TSG also proposes a methodology to meet a County General Plan requirement for a LOS D (stable flow of traffic) or higher through a Local Mobility Analysis (LMA). Although the LMA would not be part of the CEQA analysis, it provides a methodology to identify impacts to road operations, and safety issues caused by a project, and to ensure adequate transportation infrastructure improvements (widening of a road, traffic signals, etc.) to maintain LOS D with the addition of new projects. While this level of analysis may not affect the environment, it does affect the community in which the project is proposed.

Phase 2, to be considered by your Board in the future, will evaluate options for mitigation programs to address impacts from the VMT analysis. These options include exploring regional mitigation banks, mitigation exchanges, and impact fees. It will also include an analysis of the impact of SB 743 on the County's Transportation Impact Fee program and the requirement for a LOS D or higher found in Policy M-2.1 of the County General Plan. Phase 2 options will be brought to the Board later this year.

Today's request is for the Board to consider options in addressing changes to the County's CEQA transportation analysis mandated by SB 743, consider a requirement for an LMA, and adopt the draft TSG. This action also includes a suspension of the local component of the Transportation Impact Fee (TIF) for projects subject to VMT analysis, because the current local TIF is based on mitigation of LOS and not VMT impacts.

RECOMMENDATION(S) PLANNING COMMISSION

On May 15, 2020, the County of San Diego Planning Commission considered staff's recommendation to adopt the Transportation Study Guide to establish Vehicle Miles Traveled as a methodology for California Environmental Quality Act (CEQA) transportation analysis in compliance with Senate Bill (SB) 743 and establish a Local Mobility Analysis. The Planning Commission made the following recommendations to the Board of Supervisors:

1. Find that the proposed resolution complies with the CEQA and State and County CEQA Guidelines because the resolution is: (1) not a project as defined in the Public Resources Code section 21065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines sections 15060(c); (2) considered ministerial, pursuant to Section 21080(b)(1) of the Public Resources Code, as the County is mandated to comply with Senate Bill 743; (3) separately and independently, categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (4) subject to the common sense exemption, CEQA Guidelines section 15061(b)(3), because the resolution implements existing law and therefore it can be seen with certainty that there is no possibility that it may have a significant effect on the environment.
2. Recommend that the Board of Supervisors adopt the Resolution:
**RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
ADOPTING THE TRANSPORTATION STUDY GUIDE INCLUDING
TRANSPORTATION THRESHOLD OF SIGNIFICANCE FOR VEHICLE MILES
TRAVELED, DATED JULY 1, 2020, AND SUSPENSION OF LOCAL
TRANSPORTATION FEE PURSUANT TO COUNTY CODE 77.216.**

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services concurs with the County of San Diego Planning Commission's recommendations.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund costs and no additional staff years. Vehicle miles traveled impact analysis and mitigations will be implemented through publicly- or privately- initiated projects as those projects are approved and funded. Private development costs will be paid for by the private sector through the entitlement process. Public project costs will be identified during project development and funded in future Operational Plans.

BUSINESS IMPACT STATEMENT

N/A

7. **SUBJECT: APPROVAL OF FISCAL YEAR 2020-21 HOUSING AUTHORITY RECOMMENDED BUDGET; A RESOLUTION OF THE HOUSING AUTHORITY OF THE COUNTY OF SAN DIEGO BOARD OF COMMISSIONERS APPROVING FISCAL YEAR 2020-21 HOUSING AUTHORITY BUDGET, INCLUDING PUBLIC HOUSING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT FUNDING, GOODS, OR SERVICES FROM THE COUNTY OF SAN DIEGO; APPROVAL OF AN AMENDED AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE HOUSING AUTHORITY; AND APPROVAL OF THE PUBLIC HOUSING 5-YEAR CAPITAL FUND PROGRAM PLAN (DISTRICTS: ALL)**

OVERVIEW

The Board of Supervisors established the Housing Authority of the County of San Diego (HACSD) in 1975 in accordance with California law. The HACSD is a local entity that administers housing assistance programs through funding provided by the U.S. Department of Housing and Urban Development (HUD). The HACSD serves approximately 11,000 low-income households in the region each month.

This is a request to approve the HACSD's recommended budget for Fiscal Year 2020-21 and take related actions involving Housing Authority programs. The recommended budget will appropriate funds already under contract with HUD and approved by the Housing Authority Board of Commissioners. This request also includes approval of an amendment to the Agreement Between County of San Diego and the San Diego County Housing Authority Empowering County to Perform Services for the Authority.

The Housing Authority operates several housing programs that benefit low-income households in the unincorporated area of the county and in the participating cities of Chula Vista, Coronado, Del Mar, El Cajon, Escondido, Imperial Beach, La Mesa, Lemon Grove, Poway, San Marcos, Santee, Solana Beach, and Vista. All costs to operate these programs are revenue offset.

RECOMMENDATION(S)

EXECUTIVE DIRECTOR/HEALTH AND HUMAN SERVICES AGENCY DIRECTOR

Acting as the Board of Commissioners:

1. Approve the Fiscal Year 2020-21 Housing Authority Recommended Budget.
2. Establish appropriations of \$178,248,841 for the Fiscal Year 2020-21 Housing Authority of the County of San Diego.
3. Authorize the Executive Director of the Housing Authority of the County of San Diego to transfer appropriations within the three program groupings of Housing Assistance, Other Housing Programs, and Public Housing for Fiscal Year 2020-21.
4. Authorize the Executive Director of the Housing Authority of the County of San Diego, consistent with Housing Authority procurement policies, to negotiate and sign contracts needed to implement the Fiscal Year 2020-21 budget.
5. Adopt a Resolution entitled: A RESOLUTION OF THE HOUSING AUTHORITY OF THE COUNTY OF SAN DIEGO BOARD OF COMMISSIONERS APPROVING FISCAL YEAR 2020-21 HOUSING AUTHORITY BUDGET, INCLUDING PUBLIC HOUSING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT FUNDING, GOODS, OR SERVICES FROM THE COUNTY OF SAN DIEGO.
6. Authorize the Chair of the Board of Commissioners, acting on behalf of the Board of Commissioners, to certify the Public Housing Authority Board Resolution approving the Fiscal Year 2020-21 Housing Authority Recommended Budget.
7. Authorize the Executive Director of the Housing Authority or designee to execute the attached Amended Agreement Between County of San Diego and the Housing Authority of the County of San Diego Empowering County to Perform Services for the Authority.
8. Approve the Public Housing Capital Fund Program 5-Year Action Plan for 2020-2024 and authorize the Executive Director, or designee, to amend the plan throughout the five-year period.

Acting as the Board of Supervisors:

1. Approve and adopt the attached Amendment to the Agreement Between County of San Diego and the Housing Authority of the County of San Diego Empowering County to Perform Services for the Authority.
2. Direct the Clerk of the Board to execute the Amendment to the Agreement Between County of San Diego and the Housing Authority of the County of San Diego Empowering County to Perform Services for the Authority.

FISCAL IMPACT

If approved, this request will result in costs and revenue of \$178,248,841 in Fiscal Year 2020-21 in the Housing Authority of the County of San Diego. The funding sources are the U.S. Department of Housing and Urban Development, U.S. Department of Agriculture, Housing Choice Administrative Reserve Fund, Santee Successor Agency, Public Housing Operating Reserve Fund, Public Housing Rental Revenue, and other miscellaneous revenues. There will be no change in net County General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

This request will have a positive impact on the business community, as the recommended budget will provide rental income to landlords participating in housing assistance programs.

(RELATES TO HOUSING AUTHORITY AGENDA NO. HA1)

8. SUBJECT: EXTENSION OF PERFORMANCE COMPLETION DATES ON VARIOUS BONDED AGREEMENTS TO COMPLETE SUBDIVISION IMPROVEMENTS (DISTRICT: 5)

OVERVIEW

The San Diego County Code of Regulatory Ordinances (County Code) establishes the requirements for time extensions for completion of required improvements on major private development subdivisions. Subdivision developers, as conditions of their permits, are often required to construct specific improvements, such as roads and storm drainage systems, to benefit the public. In many cases, these improvements are accepted into the County of San Diego's (County)-maintained system to be owned, operated, and maintained by the County's Department of Public Works in perpetuity. Subdivision Improvement Agreements and their bonding requirements protect the County by ensuring any required improvements are constructed for approved and mapped subdivisions. In the event of a default by the applicant, this bonding can be used to finance completion of the required improvements. However, under certain circumstances, the County is able to grant a time extension that allows the applicant time to complete construction while preserving the County's rights to have the public improvements constructed by the developer.

This is a request for the Board of Supervisors (Board) to approve two-year extensions of performance completion dates for the following subdivisions in District 5:

1. TM 5110-1, Belmont Estates, located in the Valley Center Community Plan area. This project has 14 single family residential lots and the overall acreage is 34.8 acres.
2. TM 5365-2, Harmony Grove Village Unit 2, located in the Escondido area. This project has 72 single family residential lots, 2 non-residential lots, 1 sewer pump station lot, 3 property owners association (POA) lots, 4 private road lots, 4 open space lots, 3 public park lots, and the overall area is 47.5 acres.
3. TM 5365-3, Harmony Grove Village Unit 3, located in the Escondido area. This project has 105 single family residential lots, 6 private road lots, 2 open space lots, and the overall area is 16.3 acres.
4. TM 5365-5, Harmony Grove Village Unit 5, located in the Escondido area. This project has 85 single family residential lots, 3 condominium lots, 4 private owners association (POA) lots, 3 private road lots, and the overall area is 30.3 acres.

Staff has determined the two-year extensions to complete improvements are warranted due to ongoing construction activities, requests from the developers to extend the time for completion, and the County's interest in receiving the improvements. Therefore, staff is recommending the County accept the delayed completion of the public improvements. Staff has also determined that

there is adequate improvement security (i.e., capacity through a bond or other financial instrument) for each of the subdivision maps to guarantee completion of remaining work for each agreement recommended for extension, should that become necessary in the future.

Today’s request is for the Board to approve the extension of the performance completion dates in subdivision agreements for developments referenced by Tentative Map No. 5110-1, Tentative Map No. 5365-2, Tentative Map No. 5365-3, and Tentative Map No. 5365-5 to June 24, 2022.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15060(c)(3) of the California Environmental Quality Act (CEQA) Guidelines that extension of the performance completion dates in subdivision agreements to complete subdivision improvements is not a “project” as defined in Section 15378 of the state CEQA Guidelines.
2. Extend, to June 24, 2022, the performance completion dates in subdivision agreements for developments referenced by Tentative Map No. 5110-1, Tentative Map No. 5365-2, Tentative Map No. 5365-3, and Tentative Map No. 5365-5.

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

9. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (06/24/2020 - ADOPT RECOMMENDATIONS; 07/08/2020 - SECOND READING OF AN ORDINANCE) (DISTRICTS: 2 & 5)**

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 and traffic condition studies.

The TAC recommends the Board act on ten items from the March 13, 2020, meeting agenda:

District	Item	Location	Action
2	2-A	Greenfield Drive, Bostonia	Reduce the 40 MPH speed limit to 35 MPH
	2-B	Greenfield Drive, Bostonia	Recertify the 35 MPH speed limit

District	Item	Location	Action
	2-C	Hanson Lane, Ramona	Recertify the 40 MPH speed limit
	2-D	Hanson Lane, Ramona	Recertify the 45 MPH speed limit
	2-E	Third Street/Old Julian Highway, Ramona	Recertify the 45 MPH speed limit
	2-F	Mount Helix Drive, Mount Helix	Reduce the 25 MPH speed limit to 20 MPH
	2-G	Wieghorst Way, Rancho San Diego	Reduce the 50 MPH speed limit to 45 MPH
5	5-A	Brooke Road, Fallbrook	Recertify the 45 MPH speed limit
	5-B	Via Cuatro Caminos, Rancho Santa Fe	Recertify the 35 MPH speed limit
	5-C	Valley Center Road & Ridge Ranch Road, Valley Center	Place intersection on the Traffic Signal List

Approval of Items 2-A through 2-G, 5-A, and 5-B 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.

Approval of Item 5-C would provide safety enhancement measures for motorists, pedestrians, bicyclists, and all other roadway users by assigning right of way to the various traffic movements at the intersection. Properly posted traffic control signals at intersections reduce the number and severity of collisions by providing for the orderly movement of traffic and interrupting heavy traffic at intervals to permit other traffic to cross.

The Board's action on Items 2-B through 2-E and Items 5-A through 5-C does not require a second hearing, and Board direction on June 24, 2020 would allow implementation by DPW. The Board's action on Items 2-A, 2-F, and 2-G would decrease speed limits, revise the San Diego County Code of Regulatory Ordinances (County Code), and would require two steps. On June 24, 2020, the Board would consider the TAC item. If the Board acts on June 24, 2020, then on July 8, 2020, 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. Greenfield Drive from the El Cajon city limit (near Pioneer Way) to the El Cajon city limit (near Victor Street) in Bostonia - Reduce the 40 MPH speed limit to 35 MPH and certify the speed limit for radar enforcement.

Item 2-B. Greenfield Drive from the El Cajon city limit (near Mollison Avenue) to the El Cajon city limit (near Second Street) in Bostonia - Recertify the existing 35 MPH speed limit for radar enforcement.

Item 2-C. Hanson Lane from Ramona Street to San Vicente Road in Ramona - Recertify the existing 40 MPH speed limit for radar enforcement.

Item 2-D. Hanson Lane from San Vicente Road to Wilson Road in Ramona - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 2-E. Third Street/Old Julian Highway from State Route 78 to a point 2,700 feet east of Keyes Road in Ramona - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 2-F. Mount Helix Drive from and to Vivera Drive in Mount Helix - Reduce the 25 MPH speed limit to 20 MPH and certify the speed limit for radar enforcement.

Item 2-G. Wieghorst Way from Fury Lane to Calle Albara in Rancho San Diego - Reduce the 50 MPH speed limit to 45 MPH and certify the speed limit for radar enforcement.

District 5:

Item 5-A. Brooke Road from Winter Haven Road to Stage Coach Lane in Fallbrook - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 5-B. Via Cuatro Caminos from Del Dios Highway to the end in Rancho Santa Fe - Recertify the existing 35 MPH speed limit for radar enforcement.

Item 5-C. Valley Center Road and Ridge Ranch Road in Valley Center - Place intersection on the County's Traffic Signal List.

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. Approve the introduction, read title, and waive further reading of the following Ordinance:
ORDINANCE AMENDING SECTION 72.169.17., 72.169.22.5., & 72.172.36. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A, 2-F, & 2-G).

If, on June 24, 2020, the Board takes action as recommended, then, on July 8, 2020:

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTION 72.169.17., 72.169.22.5., & 72.172.36. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A, 2-F, & 2-G).

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

10. SUBJECT: GILLESPIE FIELD - LEASE AMENDMENTS TO 16 AVIATION LEASES FOR RENT ADJUSTMENT (DISTRICT: 2)

OVERVIEW

Gillespie Field is a general aviation airport owned and operated by the County of San Diego's (County) Department of Public Works (DPW) within the municipal limits of the City of El Cajon. The airport is a gateway to and from San Diego's east county providing infrastructure, facilities, and services to corporate and general aviation communities. 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.

Gillespie Field has 16 aviation leases for which negotiated rent is being implemented retroactively, effective December 1, 2019. These leases, which cover approximately 86 acres of land, are occupied by private businesses providing aviation facilities such as hangars, tie-down spaces for aircraft storage, offices and aircraft hangars for aviation related business, and fuel facilities. Services include flight training, sale and rental of aircraft, aircraft repair and maintenance, and the sale of aircraft parts and equipment. Five of the leases include flight training: Golden State Aviation; So Cal Leasing LLC; Velocity CEA SD LLC; Westways Aviation, Inc.; and Cory P. Hazlewood. The Board of Supervisors (Board) approved prior rent schedules for these leases on December 16, 1997 (14) and February 24, 2010 (12), setting Gillespie Field aviation rents through November 30, 2019.

The County and lessees, working together, established that the current market rate is \$1,360 per acre per month, which represents a 13.33% increase in rates over the prior rent of \$1,200 per acre per month; however, during the negotiations, which began in early 2019, the lessees also provided information on market trends in general aviation indicating that there was a prolonged downturn in certain sectors of the general aviation market, which are leading to a decrease in business for the lessees. In consideration of this, and to continue fostering a strong long-term relationship with our airport tenants, the County and the lessees have negotiated a phased rent schedule that gradually increases rental rates over a ten-year period, capturing both the change in market rent and cost of living adjustments. For the period beginning December 1, 2019 the rent will be set at \$1,264 per acre per month and thereafter will be adjusted yearly through November 30, 2029. Due to the economic effects of the COVID-19 pandemic, rent payments accruing under this phased rent schedule, between March 4, 2020 and September 30, 2020, may be deferred in accordance with the Resolution of the Board of Supervisors, at the option of lessees. To date, 11 of the 16 aviation lessees included in this action have requested rent deferral through September 30, 2020. The lessees have reaffirmed their wish to move forward at this time with the amendments as drafted, based on the good faith negotiations with County and an ongoing effort to strengthen the landlord-tenant relationship.

This is a request to approve lease amendments for the following Gillespie Field aviation tenants implementing a phased rental increase from December 1, 2019 through November 30, 2029: Gillespie Air Center; El Cajon Flying Service, Inc.; Speer Hangar Owners' Association; Classic Aircraft Hangars, Inc.; Cory P. Hazlewood; La Jolla Investment Company; Airworld LLC; Golden State Aviation; McHone Gillespie Field, LLC; Circle Air Group, LLC; The Borden Trust; So Cal Leasing LLC; Safari Aviation of California, Inc.; Mitre Aviation, L.P.; Velocity CEA SD LLC; and Westways Aviation, Inc.

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 or former use.
2. Approve and authorize the Clerk of the Board, upon receipt, to execute three copies of each of the proposed sixteen Gillespie Field Aviation Lease Amendments to implement a rent schedule from December 1, 2019 through November 30, 2029 for the following contracts: 11281R (Gillespie Air Center); 71629R (El Cajon Flying Service, Inc.); 75099R (Speer Hangar Owners' Association); 75169R (Classic Aircraft Hangars, Inc.); 75658R (Cory P. Hazlewood); 120141 (La Jolla Investment Company); 120140 (Airworld LLC); 120781 (Golden State Aviation); 122228 (McHone Gillespie Field, LLC); 504325 (Circle Air Group, LLC); 314001 (The Borden Trust); 314002 (So Cal Leasing LLC); 315004 (Safari Aviation of California, Inc.); 315005 (Mitre Aviation, L.P.); 318007 (Velocity CEA SD LLC); and 319012 (Westways Aviation, Inc.).
(4 VOTES)

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2019-20 Operational Plan for the Airport Enterprise Fund. If approved, this request would result in additional revenue of \$38,155 in Fiscal Year 2019-20 for the Airport Enterprise Fund based on increased rent from the Gillespie Field lessees under the terms of the amended leases. Due to the economic effects of the COVID-19 pandemic, rent payments accruing under this phased rent schedule, between March 4, 2020 and September 30, 2020, may be deferred in accordance with the Resolution of the Board of Supervisors, at the option of lessees. To date, 11 of the 16 aviation lessees included in this action have requested rent deferral through September 30, 2020. As such, the increased revenues are likely to be deferred in the current FY 2019-20 and will likely be realized in FY 2020-21. Deferred revenues will not impact services as use of existing AEF fund balance can offset deferred rents until they are realized. Increases in subsequent years would average approximately \$35,000 annually over the 10-year period and will be included in future Operational Plans. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

On December 10, 2019 (16), the Board approved lease amendments for all County of San Diego (County) Airports' leases to remove sublease charges payable to the County. This was done to promote Airport businesses and construction. The proposed lease amendments for today's action are also to support the aviation businesses located on the 16 leaseholds at Gillespie Field, by providing gradual rent adjustments instead of a sudden increase to an agreed market rate. In addition, the ability of the businesses to forecast maximum rent adjustments over a longer period will promote additional growth and business opportunities at the Airport.

11. SUBJECT: APPROVAL OF LEASE AGREEMENT WITH SAN DIEGO-IMPERIAL COUNCIL, BOY SCOUTS OF AMERICA - OTAY LAKES COUNTY PARK (DISTRICT: 1)

OVERVIEW

The County of San Diego (County) Department of Parks and Recreation operates Otay Lakes County Park located at 2270 Wueste Road, near Lower Otay Reservoir in Chula Vista. Otay Lakes County Park consists of approximately 69-acres, including approximately 11 acres of developed land with playgrounds, picnic areas, horseshoe pits, hiking trails, a lawn area, and a native plant and demonstration garden. The park overlooks the Lower Otay Reservoir and is also used as a wedding and special events venue.

On June 26, 2018 (4), the County Board of Supervisors (Board) approved an Exclusive Right to Lease Agreement (Agreement) between the County and the Boy Scouts of America San Diego-Imperial Council (Scouts). Pursuant to the Agreement, the Scouts acquired the exclusive right to lease approximately 43 acres of undeveloped land in the Otay Lakes County Park for the development, construction, and operation of a day-use area, overnight campground, and related recreational amenities (collectively, Campground Facility) for joint-use by Scouts and County. In addition, the Scouts were required to design the proposed Campground Facility, prepare the environmental analysis, and obtain all applicable land use and development entitlements (collectively, Requirements) prior to the Board's consideration and approval of the lease. The Scouts have satisfied all of the Requirements.

This request is for the Board to adopt the Otay Lakes Campground Mitigated Negative Declaration and the Mitigation, Monitoring, and Reporting Program in accordance with the California Environmental Quality Act for construction and operation of the proposed Campground Facility. Today's request is also for the Board to approve a 25-year lease between the County and the Scouts commencing in Fiscal Year 2019-20, and authorize the Director, Department of General Services to execute the lease.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that on the basis of the whole record, that there is no substantial evidence that the project may have a significant effect on the environment. Consider the Mitigated Negative Declaration on file with the Department of Parks and Recreation (Attachment B) dated April 22, 2020, State Clearinghouse #2020019003, together with comments received during public review (Attachment C), and adopt it, finding that it reflects the independent judgement and analysis of the Board of Supervisors.
2. Adopt the Mitigation, Monitoring, and Reporting Program (Attachment D) prepared pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15074(d), and authorize the Director, Department of Parks and Recreation to implement the identified mitigation measures.
3. Approve and authorize the Director, Department of General Services to execute the lease agreement for approximately 43 acres of land in Otay Lakes County Park with Scouts.
(4 VOTES)

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2019-20 Operational Plan in the Department of Parks and Recreation. If approved, this request will result in revenue of \$500 in Fiscal Year 2019-20. The funding source is the lease agreement with San Diego-Imperial Council, Boy Scouts of America. Annual lease revenue will be included in future years Operational Plans in the Department of Parks and Recreation through Fiscal Year 2044-45. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 12. SUBJECT: LAND USE AND ENVIRONMENT GROUP DEPARTMENTS - ADOPT RESOLUTIONS AUTHORIZING THE SUBMISSION OF GRANT APPLICATIONS AND ACCEPTANCE OF GRANT FUNDS FOR IMPLEMENTATION OF PROJECTS AND PROGRAMATIC ACTIVITIES IN SUPPORT OF THE COUNTY'S VISION AND STRATEGIC INITIATIVES (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego's (County) Land Use and Environment Group (LUEG) is comprised of seven departments-the Department of Public Works (DPW), Planning & Development Services (PDS), Department of Parks and Recreation (DPR), San Diego County Library (Libraries), Agriculture, Weights and Measures (AWM), Department of Environmental Health (DEH), and the Air Pollution Control District (APCD)-and a contractual relationship with the University of California Cooperative Extension (UCCE). Each of LUEG's departments provide critical services that align with and support the County's Vision and Strategic Initiatives.

LUEG departments utilize grant funding to enhance the implementation of programs and provision of services and have received over \$145 million over the last five fiscal years. In order to apply for and accept grants in excess of \$250,000 the County departments are required to request authorization from the Board of Supervisors (Board). Periodically, grant funds become available for a short period of time at the end of the federal and state fiscal years. Board approval to delegate authority to LUEG Department Directors to apply for and accept grants for their departments streamlines the application process and enables the Departments to apply for grant funding on short notice.

The Board has taken actions previously to support application and acceptance of grants by LUEG departments. On August 8, 2018 (1), the Board granted authority to APCD to apply for and accept grants to improve the air quality of the San Diego region. Therefore, APCD will not be included in today's action. Also, on April 30, 2019 (15) and July 10, 2019 (11) the Board authorized the annual and 5-year application for and acceptance of grant funds in excess of \$250,000 that support projects and programmatic activities across Libraries and DPR.

This is a request to adopt resolutions authorizing LUEG Department Directors and/or their designee(s) to submit, negotiate, accept and execute all documents necessary to secure grant funding from non-profits, local, state and federal agencies through Fiscal Year 2024-25.

This is also a request to adopt two additional resolutions. The first resolution is to approve and authorize application for, and acceptance of, solid waste disposal and co-disposal site cleanup program grants from CalRecycle for various county landfills and burn sites. The second resolution is to authorize application for, and receipt of, Local Government Planning Support Grant Program funds to continue the development of the Housing Element Update, and for the development of Design Review Guidelines, and the Housing Affordability Strategy.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15061 (b)(3) of the California Environmental Quality Act (CEQA) Guidelines that delegating authority to allow application for and acceptance of possible grant funding is exempt from CEQA review because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.
2. Authorize the Land Use and Environment Group (LUEG) Deputy Chief Administrative Officer or designee, and all LUEG department Directors, or their designees, to submit, negotiate, and execute all documents necessary to secure and apply for non-profit, local, state, and federal grant funds for their respective projects until June 30, 2025.
3. Adopt a resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING LAND USE AND ENVIRONMENT GROUP DEPARTMENT DIRECTORS AND/OR DESIGNEE(S), TO SUBMIT GRANT APPLICATIONS AND ACCEPT GRANT FUNDS FOR THE IMPLEMENTATION OF PROJECTS AND PROGRAMATIC ACTIVITIES IN SUPPORT OF THE COUNTY'S VISION AND STRATEGIC INITIATIVES.
4. Adopt the resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING AND AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF, SOLID WASTE DISPOSAL AND CO-DISPOSAL SITE CLEANUP PROGRAM GRANTS FROM CALRECYCLE FOR VARIOUS COUNTY LANDFILLS AND BURN SITES THROUGH JUNE 30, 2025.
5. Adopt the resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS.
6. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for services provided under grants.

FISCAL IMPACT

There is no fiscal impact associated with the approval of today's resolutions authorizing applications and agreements for non-profit, federal and state grant funding through Fiscal Year 2024-25. Land Use and Environment Group Department Directors will return to the Board at a later date to appropriate any grant funds received, as they become available. If a grant requires matching funds, the Departments will only apply for the grant if the matching funds can be provided by available funds managed by the department.

A waiver of Board Policy B-29 is requested because the proposed grant funding may not offset all administrative costs. If approved and a grant is awarded, the awarded Department will return to the Board for final approval and appropriation of any unrecovered cost per Board Policy B-29. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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