

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, JANUARY 10, 2018, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. REGULAR SESSION: Meeting was called to order at 9:02 a.m.

PRESENT: Supervisors Kristin Gaspar, Chairwoman; Dianne Jacob, Vice-Chairwoman; Ron Roberts; Bill Horn; also, Andrew Potter, Assistant Clerk of the Board of Supervisors.

ABSENT: Supervisor Greg Cox.

- 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 December 6, 2017.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Gaspar, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of December 6, 2017.

AYES: Jacob, Gaspar, Roberts, Horn

ABSENT: Cox

- 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.

Board of Supervisors' Agenda Items

Agenda #	Subject
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| 1. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND
COUNTY REGULATORY CODE PROVISIONS APPLICABLE TO
THE LAND USE AND ENVIRONMENT GROUP |
| 2. | TRAFFIC ADVISORY COMMITTEE (01/10/18 - ADOPT
RECOMMENDATIONS; 01/24/18 - SECOND READING OF AN
ORDINANCE) |
| 3. | AUTHORIZATION TO ADVERTISE AND AWARD CONTRACTS
FOR THE COMPREHENSIVE TREE PROGRAM
[FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND
BALANCE] |
| 4. | ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A
CONTRACT FOR CONSTRUCTION OF AMMUNITION ROAD
SIDEWALKS IMPROVEMENTS PHASE II IN FALLBROOK
[FUNDING SOURCES: COMMUNITY DEVELOPMENT BLOCK
GRANT AND AVAILABLE ROAD FUND FUND BALANCE BASED
ON A PRIOR YEAR OPERATING TRANSFER FROM THE
GENERAL FUND]
(4 VOTES) |
| 5. | AUTHORIZATION TO APPLY FOR AND ACCEPT TRANSNET
ENVIRONMENTAL MITIGATION PROGRAM GRANT FUNDS
[FUNDING SOURCE: GENERAL PURPOSE REVENUE] |
| 6. | ESTABLISH APPROPRIATIONS AND APPROVE A REAL
PROPERTY CONTRACT FOR THE PURCHASE OF COUNTY
PARCEL NUMBER 2010-0076-D (CASTANON) FOR THE BRADLEY
AVENUE ROAD WIDENING PROJECT IN EL CAJON
[FUNDING SOURE: OPERATING TRANSFER IN FROM THE ROAD
FUND SUPPORTED BY REVENUE FROM TRANSNET]
(4 VOTES) |
| 7. | ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR
FUERTE DRIVE AT ALZEDA DRIVE INTERSECTION
IMPROVEMENTS IN THE COMMUNITY OF VALLE DE ORO AND
GRANT AUTHORITY TO EXECUTE A UTILITY CONSTRUCTION
AGREEMENT
[FUNDING SOURCE: AVAILABLE PRIOR YEAR ROAD FUND
FUND BALANCE] |

8. ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR
PEDESTRIAN GAP IMPROVEMENT PROJECT: JAMACHA
BOULEVARD SIDEWALK PROJECT PHASE III
[FUNDING SOURCE: AVAILABLE PRIOR YEAR ROAD FUND
FUND BALANCE BASED ON A PRIOR YEAR OPERATING
TRANSFER FROM THE GENERAL FUND]
9. CLOSED SESSION (CARRYOVER FROM 01/09/18 AGENDA NO. 17)
10. PUBLIC COMMUNICATION

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**1. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND
COUNTY REGULATORY CODE PROVISIONS APPLICABLE TO
THE LAND USE AND ENVIRONMENT GROUP (DISTRICTS: ALL)**

OVERVIEW

On December 6, 2017 (6), the Board of Supervisors introduced the Ordinances for further consideration and adoption on January 10, 2018.

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

The proposed actions include approval of amendments to two sections of the County Regulatory Code (Titles 5 and 6), a determination that no changes are needed to one Board Policy (I-44), approval of amendments for eight Board Policies (G-6, I-34, I-49, I-53, I-70, I-73, I-118, and I-121), and the repeal of two Board Policies (I-45 and I-68). The proposed action also includes approval of a new sunset review date for the policies and ordinances reviewed by this letter. There are no sections of the County Administrative Code assigned to the Land Use and Environment Group for sunset review this year.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Consider and adopt the Ordinance amending Section 52.106 and 52.210 relating to regulation of buildings, Mobile and Special Occupancy Parks and Trailer Coaches (second reading).
2. Consider and adopt the Ordinance amending Sections 68.601.1., 68.601.2., SEC. 68.602., SEC. 68.604., SEC. 68.607., SEC. 68.608., SEC. 68.609., SEC. 68.611. relating to sewer and hauler regulations (second reading).

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

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10518 (N.S.) entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES SEC. 52.106. CONSTRUCTION PERMITS AND OPERATING PERMITS, AND SEC. 52.210. MANDATORY CONDITIONS; and Ordinance No.: 10519 (N.S.) entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES SEC. 68.601.1. DEFINITIONS, SEC. 68.601.2. DEPARTMENT OF ENVIRONMENTAL HEALTH TO ENFORCE PROHIBITION ON SEWAGE HAULING AND DISPOSAL BY UNREGISTERED PERSONS, SEC. 68.602. EXAMINATION FEE, SEC. 68.604. REGISTRATION REQUIRED; FEES, SEC. 68.607. FEES DEPOSITED IN TREASURY, SEC. 68.608. INSPECTION OF EQUIPMENT, SEC. 68.609. REPORTS TO DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH, SEC. 68.611. PENALTY CLAUSE.

AYES: Jacob, Gaspar, Roberts, Horn

ABSENT: Cox

2. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (01/10/18 - ADOPT RECOMMENDATIONS; 01/24/18 - SECOND READING OF AN ORDINANCE) (DISTRICTS: 2, 3 & 5)**

OVERVIEW

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County-maintained roads. The TAC recommends the Board of Supervisors (Board) act on seven items from the October 27, 2017, meeting agenda:

Item 2-A would recertify the existing 45 MPH speed limit on Alpine Boulevard from Viewside Lane to Arnold Way for radar enforcement.

Item 2-B would establish a 45 MPH speed limit on Arnold Way from Alpine Boulevard to Harbison Canyon Road and certify it for radar enforcement.

Item 2-C would establish a 40 MPH speed limit on Arnold Way from Harbison Canyon Road to Tavern Road and certify it for radar enforcement.

Item 2-D would decrease the existing 50 MPH speed limit on Highway 8 Business from the El Cajon City Limit easterly to Lake Jennings Park Road to 45 MPH and certify it for radar enforcement.

Item 3-A would establish a 50 MPH speed limit on Bear Valley Parkway from State Route 78 to the Escondido City Limit (near Boyle Avenue) and certify it for radar enforcement.

Item 5-A would establish a 30 MPH speed limit on Rice Canyon Road from State Route 76 to Eighth Street and certify it for radar enforcement.

Item 5-B would establish an all-way stop at the intersection of Rice Canyon Road and Rainbow Heights Road in Rainbow.

Approval of items 2-A, 2-B, 2-C, 2-D, 3-A, and 5-A will establish tools for speed enforcement that increase road safety and retain mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety and reduce the number and severity of collisions and allow for enforcement.

Approval of item 5-B will provide a safety enhancement measure for pedestrians, bicyclists, and all other road users by providing a greater level of right-of-way assignment at the intersection. Properly posted all-way stop controls at intersections reduce the number and severity of collisions by assuring that reasonable drivers enter the intersection at a low speed and have more time to take heed of the traffic situation.

The Board action on Items 2-B, 2-C, 2-D, 3-A, and 5-A will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On January 10, 2018, the Board will consider the TAC items. If the Board takes action on January 10, 2018, then on January 24, 2018, a second reading of Ordinances adding Sections 72.169.98.1 (Item 2-B), 72.169.98.2 (Item 2-C), and 72.169.8.2 (Item 5-A) and amending Sections 72.169.38.1 (Item 2-D) and 72.161.38.1 (Item 3-A) of the County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S) **TRAFFIC ADVISORY COMMITTEE**

District 2

Item 2-A. Alpine Boulevard from Viewside Lane to Arnold Way in Alpine (58th Edition Thomas Guide Page 1233-E3) - Recertify the existing 45 MPH speed limit for continued radar speed enforcement.

Item 2-B. Arnold Way from Alpine Boulevard to Harbison Canyon Road in Alpine (58th Edition Thomas Guide Page 1233-F4) - Establish a 45 MPH speed limit and certify for radar enforcement.

Item 2-C. Arnold Way from Harbison Canyon Road to Tavern Road in Alpine (58th Edition Thomas Guide Page 1233-F5) - Establish a 40 MPH speed limit and certify for radar enforcement.

Item 2-D. Highway 8 Business from the El Cajon City Limit to Lake Jennings Park Road in Lakeside (58th Edition Thomas Guide Page 1252-C1) - Decrease the existing 50 MPH speed limit to 45 MPH and certify for radar enforcement.

District 3

Item 3-A. Bear Valley Parkway from State Route 78 to Escondido City Limit (near Boyle Avenue) in Escondido (58th Edition Thomas Guide Page 1130-D4) - Establish a 50 MPH speed limit and certify for radar enforcement.

District 5

Item 5-A. Rice Canyon Road from State Route 76 to Eighth Street in Rainbow (58th Edition Thomas Guide Page 1029-B7) - Establish a 30 MPH speed limit and certify for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control issues on County-maintained roads, resulting in negligible or no expansion of use beyond that existing at the time of the Board action.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Adopt the following Resolutions:

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

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO.

4. Approve the introduction, read title, and waive further reading of the following Ordinance:

ORDINANCE ADDING SECTION 72.169.98.1., 72.169.98.2., AND 72.169.8.2. AND AMENDING SECTIONS 72.169.38.1. AND 72.161.38.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

If, on January 10, 2018, the Board takes action as recommended, then, on January 24, 2018: Consider and adopt:

ORDINANCE ADDING SECTION 72.169.98.1., 72.169.98.2., AND 72.169.8.2. AND AMENDING SECTIONS 72.169.38.1. AND 72.161.38.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, adopting the following:

Resolution No. 18-003, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL WAY STOP INTERSECTIONS IN SAN DIEGO COUNTY; and,

Resolution No. 18-004, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO; and

Introduced the Ordinance for further Board consideration and adoption on January 24, 2018.

AYES: Jacob, Gaspar, Roberts, Horn
ABSENT: Cox

3. SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD CONTRACTS FOR THE COMPREHENSIVE TREE PROGRAM (DISTRICTS: ALL)

OVERVIEW

The County of San Diego Department of Parks and Recreation (DPR) manages more than 125 locations across 50,000 acres of land, and over 350 miles of multi-use trails. A valuable part of each park is the natural tree canopy for the benefit of park users and the environment. Trees are a valuable asset to the park system as they increase the usability of parks, contribute to biodiversity and serve as important climate buffers that moderate temperature and moisture and make parks more desirable for the public.

The Comprehensive Tree Program will provide services to remove and replace weakened trees and install direct watering systems in parks that have suffered the biggest loss to their tree canopies. The program will add large trees to parks devastated by tree loss caused by years of drought and infestation by wood boring insects, and allow DPR to plant thousands of smaller trees to diversify the natural tree canopy throughout the park system. DPR also will partner with local non-profit, service, and volunteer groups to plant trees and connect people with nature. It is envisioned that the Comprehensive Tree Program would continue in future years.

If approved, the requested action will authorize the Director, Department of Purchasing and Contracting, to advertise and award contracts estimated at \$2,000,000 including contingency, for the Comprehensive Tree Program. If approved, tree planting is expected to begin in April 2018 and be completed by spring 2019.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Comprehensive Tree Program is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15304 and pursuant to Governor Brown's October 30, 2015 Proclamation of a State of Emergency (Proclamation).
2. Authorize the Director of Purchasing and Contracting to advertise and award contracts and to take any action authorized by Section 401, et seq. of the Administrative Code, with respect to contracting for the proposed Comprehensive Tree Program.
3. Designate the Director, Department of Parks and Recreation, as the County of San Diego Officer responsible for administering the contract, in accordance with Board Policy.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in the Department of Parks and Recreation. If approved, this request will result in costs of \$2,000,000 in Fiscal Year 2017-18. The funding source is available prior year General Fund balance. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Jacob, Gaspar, Roberts, Horn

ABSENT: Cox

4. **SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF AMMUNITION ROAD SIDEWALKS IMPROVEMENTS PHASE II IN FALLBROOK (DISTRICT: 5)**

OVERVIEW

On April 11, 2017 (3), the San Diego County Health & Human Services Agency's Housing and Community Development Services received Board of Supervisors approval of the Fiscal Year 2017-18 Annual Funding Plan which included federal Community Development Block Grant (CDBG) project funding. The Department of Public Works was successful in obtaining CDBG funding for a sidewalk construction project in the unincorporated community of Fallbrook, along the north and south sides of Ammunition Road. The Ammunition Road Sidewalks Improvements Phase II project will construct new sidewalk and pedestrian ramps and will enhance pedestrian safety, accessibility and walkability in an area that attracts many pedestrians.

This is a request to establish appropriations, and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder. Construction is scheduled to begin in spring 2018 and be complete by summer 2018. The construction cost is estimated at \$196,000, including contingencies and the funding sources are CDBG and available prior year Road Fund fund balance based on a prior year operating transfer from the General Fund.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that Ammunition Road Sidewalks Improvements Phase II project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of an existing public road involving negligible or no expansion of existing use.

2. Establish appropriations of \$134,000 in the Department of Public Works Road Fund Fiscal Year 2017-18 Detailed Work Program for the Ammunition Road Sidewalks Improvements Phase II project based on revenues from Community Development Block Grant (\$134,000). **(4 VOTES)**
3. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401 et seq. of the Administrative Code, with respect to contracting for the Ammunition Road Sidewalks Improvements Phase II project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2017-18 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, construction project costs are estimated at \$196,000, including contingencies. The funding sources are Community Development Block Grant (\$134,000) and available Road Fund fund balance based on a prior year operating transfer from the General Fund (\$62,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

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

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Jacob, Gaspar, Roberts, Horn

ABSENT: Cox

5. **SUBJECT: AUTHORIZATION TO APPLY FOR AND ACCEPT TRANSNET ENVIRONMENTAL MITIGATION PROGRAM GRANT FUNDS (DISTRICTS: 1, 2 and 5)**

OVERVIEW

The TransNet Environmental Mitigation Program (EMP) grant administered by the San Diego Association of Governments (SANDAG) allocates funds for regional habitat conservation to mitigate the impacts of transportation projects. The EMP includes funding for habitat acquisition, management, and monitoring activities to help implement regional habitat conservation plans. The Department of Parks and Recreation (DPR) uses EMP funds to support its open space and habitat conservation efforts.

This is a request to adopt resolutions authorizing DPR to apply for and accept up to \$500,000 of EMP grant funding which includes up to \$170,000 to establish a new population of thread-leaved Brodiaea at the Lusardi Creek Preserve; up to \$250,000 for invasive plant species treatment in coastal California gnatcatcher and coastal cactus wren habitat at the Furby-North Property; and up to \$80,000 for invasive bullfrog eradication at the Ramona

Grasslands Preserve and the adjacent Ramona Municipal Water District treatment ponds (Ramona Grasslands Preserve Resource Management Plan Implementation Measure A.5.1). Today's action will also authorize the Director, Department of Parks and Recreation, or designee, to conduct all negotiations and to execute and submit all documents that may be necessary to apply for and accept the grant funds if awarded.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed Lusardi Creek Preserve Thread-leaved Brodiaea Translocation Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15333.
2. Find that the proposed Furby-North Property Invasive Plant Species Treatment Project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15304.
3. Find that the Mitigated Negative Declaration (MND) for the Ramona Grasslands Preserve Project dated February 4, 2013, on file with the Department of Parks and Recreation, State Clearing House Number 2011111054, was adopted in compliance with CEQA and the CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein before approving the project.
4. Find that there are no substantial changes in the Ramona Grasslands Preserve Project, or in the circumstances under which the project is undertaken, which involve new significant environmental effects which were not considered in the previously adopted MND; that there is no substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the MND was adopted as explained in the Environmental Review Update Checklist dated November 30, 2017.
5. Waive Board Policy B-29, Fees, Grants, and revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery and that the Board of Supervisors act upon the proposed actions at least 15 days before a grant application is submitted.
6. Adopt the resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING AN APPLICATION FOR ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT PROGRAM FUNDS TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR LUSARDI CREEK PRESERVE THREAD-LEAVED BRODIAEA TRANSLOCATION PROJECT, COMMITTING TO PROVIDE MATCHING FUNDS, AND AUTHORIZING STAFF TO ACCEPT GRANT FUNDS AND EXECUTE GRANT AGREEMENT.
7. Adopt the resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING AN APPLICATION FOR THE ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT PROGRAM FUNDS TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR FURBY-NORTH PROPERTY INVASIVE PLANT SPECIES TREATMENT PROJECT, COMMITTING TO PROVIDE MATCHING FUNDS, AND AUTHORIZING STAFF TO ACCEPT GRANT FUNDS AND EXECUTE GRANT AGREEMENT.

8. Adopt the resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING AN APPLICATION FOR ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT PROGRAM FUNDS TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR RAMONA GRASSLANDS PRESERVE BULLFROG ERADICATION PROJECT AND AUTHORIZING STAFF TO ACCEPT GRANT FUNDS AND EXECUTE GRANT AGREEMENT.
9. Authorize the Director, Department of Parks and Recreation, or designee, as agent of the County of San Diego, to conduct all negotiations and submit all documents necessary to apply for and accept grant funds including, but not limited to, applications, grant contracts, payment requests and, if funds are awarded, to execute the grant agreements, including any extensions or amendments thereof that do not materially impact or alter the grant program or funding levels.

FISCAL IMPACT

There is no fiscal impact associated with today's requested actions. If approved, the proposed action would authorize the submittal of an application for competitive grant funds totaling approximately \$500,000 from the TransNet Environmental Mitigation Program (EMP) including approximately \$170,000 for the Lusardi Creek Preserve Thread-Leaved Brodiaea Translocation Project; approximately \$250,000 for the Furby-North Property Invasive Plant Species Treatment Project; and approximately \$80,000 for the Ramona Grasslands Preserve Bullfrog Eradication Project.

Matching funds, although not required, improve the competitiveness of grants. If approved and the grant is awarded, matching funds will be provided through in-kind services in the form of County of San Diego staff time up to the amount of \$11,400 for the Lusardi Creek Preserve Thread-Leaved Brodiaea Translocation Project and up to the amount of \$26,000 for the Furby-North Property Invasive Plant Species Treatment Project. The funding source is existing General Purpose Revenue.

The EMP program is a competitive grant program and awards will be announced in July 2018. If awarded, DPR will return to the Board to request the appropriation of grant funds.

There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, adopting the following:

Resolution No.18-005, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING AN APPLICATION FOR ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT PROGRAM FUNDS TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR LUSARDI CREEK PRESERVE THREAD-LEAVED BRODIAEA TRANSLOCATION PROJECT, COMMITTING TO PROVIDE MATCHING FUNDS, AND AUTHORIZING STAFF TO ACCEPT GRANT FUNDS AND EXECUTE GRANT AGREEMENT;

Resolution No. 18-006, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING AN APPLICATION FOR THE ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT PROGRAM FUNDS TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR FURBY-NORTH PROPERTY INVASIVE PLANT SPECIES TREATMENT PROJECT, COMMITTING TO PROVIDE MATCHING FUNDS, AND AUTHORIZING STAFF TO ACCEPT GRANT FUNDS AND EXECUTE GRANT AGREEMENT; and,

Resolution No. 18-007, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING AN APPLICATION FOR ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT PROGRAM FUNDS TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR RAMONA GRASSLANDS PRESERVE BULLFROG ERADICATION PROJECT AND AUTHORIZING STAFF TO ACCEPT GRANT FUNDS AND EXECUTE GRANT AGREEMENT.

AYES: Jacob, Gaspar, Roberts, Horn
ABSENT: Cox

6. **SUBJECT: ESTABLISH APPROPRIATIONS AND APPROVE A REAL PROPERTY CONTRACT FOR THE PURCHASE OF COUNTY PARCEL NUMBER 2010-0076-D (CASTANON) FOR THE BRADLEY AVENUE ROAD WIDENING PROJECT IN EL CAJON (DISTRICT: 2)**

OVERVIEW

The Bradley Avenue Road Widening Project will relieve traffic congestion by widening the roadway and the bridge that crosses State Route 67 in the unincorporated community of Bostonia and partially within the City of El Cajon (Thomas Guide 57th Edition, 1251, F2 - H2). The overcrossing is in a mixed commercial and residential area that has significant congestion and is in need of improved traffic flow. The project design is substantially complete and County staff has identified funding for acquisition of the required real property rights, solely for right-of-way. In addition to 26 partial right-of-way acquisitions, construction of the project requires the purchase of six single family residential properties along the eastern boundary of the project. To this day, 23 of the partial right-of-way acquisitions and five of the single family homes have been acquired. Negotiations for the three remaining partial acquisitions are ongoing. Today, the Board is requested to approve the Real Property Contract to acquire the remaining full-take single family residential property identified as County Parcel Number 2010-0076-D from Manuel and Nancy Castanon for the appraised value of \$445,000. The property is located in the portion of the project that is in the City of El Cajon and was declared a County Highway by the Resolution adopted by the Board of Supervisors on January 26, 2011 (5).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the California Environmental Quality Act (CEQA), Negative Declaration (ND)/National Environmental Policy Act (NEPA) environmental assessment dated July 2008, on file with the Department of Public Works as State Clearinghouse Number 2008051067, was completed in compliance with CEQA, State and County Guidelines, and NEPA, and the Board of Supervisors has reviewed and considered the environmental effects of the project as shown therein, prior to reaching its own conclusion on whether and how to approve the project; and

Find that there are no substantial changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts that were not considered in the previously adopted ND dated July 2008, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the ND was adopted as explained in the Environmental Review Update Checklist dated June 16, 2017.

2. Transfer appropriations of \$454,000 within the Department of Public Works Road Fund, from Other Charges to Operating Transfers Out for Capital Project 1020638, Bradley Avenue Acquisitions for Road Widening. **(4 VOTES)**
3. Establish appropriations of \$454,000 in the Capital Outlay Fund for Capital Project 1020638, Bradley Avenue Acquisitions for Road Widening, based on an Operating Transfer In from the Road Fund. **(4 VOTES)**
4. Approve the Real Property Contract for the purchase of County Parcel Number 2010-0076-D from Manuel and Nancy Castanon (APN 388-183-07), for the appraised value of \$445,000.
5. Authorize the Director of the Department of General Services, or designee, to execute the Real Property Contract and all escrow and related documents necessary to complete the purchase of the parcel.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2017-18 Operational Plan in the Capital Outlay Fund for Capital Project 1020638, Bradley Avenue Acquisitions for Road Widening. If approved, this request will result in costs and revenue of \$454,000. Project costs are estimated to be \$445,000 for the acquisition of parcel number 2010-0076-D (\$265,000 for the structure and \$180,000 for the land), \$5,000 staff costs, and \$4,000 for title and escrow fees. The funding source is an Operating Transfer In from the Road Fund supported by revenue from TransNet. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Jacob, Gaspar, Roberts, Horn

ABSENT: Cox

7. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR FUERTE DRIVE AT ALZEDA DRIVE INTERSECTION IMPROVEMENTS IN THE COMMUNITY OF VALLE DE ORO AND GRANT AUTHORITY TO EXECUTE A UTILITY CONSTRUCTION AGREEMENT (DISTRICT: 2)**

OVERVIEW

The Fuerte Drive at Alzada Drive Intersection Improvements project will substantially improve traffic operations on Fuerte Drive in the unincorporated community of Valle De Oro. The project will realign Fuerte Drive and Alzada Drive and widen Fuerte Drive at the intersection to accommodate a left turn pocket and improve sight distance and drainage. Water main relocation will be completed by Helix Water District and an agreement is needed for cost sharing between the water district and County of San Diego. Additional improvements along Fuerte Drive at Avocado Boulevard and Calavo Drive will be included as additive alternates if favorable construction bids are received. The proposed improvements benefit the community by improving drainage and enhancing safety for motorists, bicyclists, and pedestrians.

This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder. This item also includes a request for authority to execute a utility construction agreement with Helix Water District for reimbursement to the District of an estimated \$225,000 for relocation of portions of their existing water mains along Fuerte Drive. Construction is scheduled to begin summer 2018 and be complete by early 2019. The construction cost is estimated at \$1,400,000 including contingencies. The funding source for a total cost of \$1,625,000 is available prior year Road Fund fund balance.

RECOMMENDATION(S)**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Negative Declaration on file in the Department of Public Works for the Fuerte Realignment Project, dated October 12, 2016, State Clearinghouse #2016101031, together with an Addendum thereto dated August 2, 2017 (collectively the "ND") was adopted in compliance with California Environmental Quality Act (CEQA) Guidelines, that the decision-making body has reviewed and considered the information contained therein prior to approving the project; and find that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted ND that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the ND was adopted.

2. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for subject public works project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.
4. Authorize the Clerk of the Board to execute, upon receipt, the Utility Construction Agreement between the County of San Diego and Helix Water District for construction of water main facilities within the project.

FISCAL IMPACT

Funds for these requests are included in the Fiscal Year 2017-18 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, total costs will be \$1,625,000 including total estimated construction project costs including contingencies (\$1,400,000) and estimated cost for the reimbursement agreement with the Helix Water District (\$225,000). The funding source is available prior year Road Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

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

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Jacob, Gaspar, Roberts, Horn
ABSENT: Cox

8. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR PEDESTRIAN GAP IMPROVEMENT PROJECT: JAMACHA BOULEVARD SIDEWALK PROJECT PHASE III (DISTRICT: 2)**

OVERVIEW

On April 8, 2015 (08) the Board of Supervisors approved a grant for the Active Transportation Program (ATP) from the San Diego Association of Governments (SANDAG). As part of the ATP grant, a Pedestrian Gap Analysis was developed to identify locations where sidewalks could enhance walkability in areas that attract a large number of pedestrians. Locations were identified based on several factors including existence of sidewalk, pedestrian access, and community input.

The Pedestrian Gap Improvement Project: Jamacha Boulevard Sidewalk Project Phase III will construct new sidewalk and curb ramps and fill a sidewalk gap at one of the locations identified in the Pedestrian Gap Analysis. It will enhance pedestrian safety, accessibility and walkability on Jamacha Boulevard, in the unincorporated community of Spring Valley, in an area that attracts a large number of pedestrians in the vicinity of La Presa Elementary School.

This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder. Construction is scheduled to begin early 2018 and be complete by summer 2018. The construction cost is estimated at \$400,000, including contingencies and the funding source is available prior year Road Fund fund balance based on a prior year operating transfer from the General Fund.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Pedestrian Gap Improvement Project (Jamacha Boulevard Sidewalk Project Phase III) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of existing public roadway involving no or negligible expansion of an existing use.
2. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401 et seq., of the Administrative Code, with respect to contracting for the Pedestrian Gap Improvement Project (Jamacha Boulevard Sidewalk Project Phase III).
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, construction project costs are estimated at \$400,000, including contingencies. The funding source is available prior year Road Fund fund balance based on a prior year operating transfer from the General Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

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

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Jacob, Gaspar, Roberts, Horn

ABSENT: Cox

**9. SUBJECT: CLOSED SESSION (CARRYOVER FROM 01/09/18 AGENDA NO. 17)
(DISTRICTS: ALL)**

OVERVIEW

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Luis Galicia, et al. v. County of San Diego, et al.; San Diego County Superior Court No. 37-2012-00055460-CU-CR-NC

- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)
- C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 6)
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
K.P. v. Richard Fischer, et al.; San Diego County Superior Court No.
37-2017-00045448-CU-MC-CTL
- E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
L.R. v. Richard Fischer, et al.; San Diego County Superior Court No.
37-2017-00047075-CU-MC-CTL
- F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
T.S v. Richard Fischer, et al.; San Diego County Superior Court No.
37-2017-00047110-CU-MC-CTL
- G. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
C.P. v. Richard Fischer, et al.; San Diego County Superior Court No.
37-2017-00048239-CU-MC-CTL
- H. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
M.Y. v. Richard Fischer, et al.; San Diego County Superior Court No.
37-2017-00049654-CU-MC-CTL
- I. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Lucas Moore v. County of San Diego, et al.; United States District Court, Southern District, No. 15-CV-2002 AJB
- J. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Ruben Nunez, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 16-CV-1412-BEN
- K. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
William D. Gore v. San Diego County Civil Service Commission; San Diego County Superior Court No. 37-2017-00023098-CU-WM-CTL

L. CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)

Designated Representatives: Susan Brazeau, Brad Rankin

Employee Organizations and Unrepresented Employees: All

ACTION:

The Board of Supervisors met in Closed Session on January 9, 2018, starting at 9:22 AM and adjourning at 9:56 AM. All Board members were present. The Board reconvened on January 10, 2018, starting at 9:25 AM and concluded at 10:45 AM, with Supervisor Cox absent. The Board took the following reportable actions:

Item 17A: Luis Galicia v. County of San Diego, by a vote of all 5 board members present and voting "Aye", authorized the waiver of trial costs of \$123,000 in exchange for Plaintiffs/Appellants agreeing to drop their appeal in this wrongful imprisonment/wrongful removal lawsuit.

Item 17I: Lucas Moore v. County of San Diego, by a vote of all 5 board members present and voting "Aye", authorized settlement of this federal civil rights use of force lawsuit for \$75,000, inclusive of fees and costs.

Item 17J: The Board, by a vote of 4 to 0 with Supervisor Cox absent, directed County Counsel to initiate litigation, which action, the defendants and other particulars shall, once formally commenced, be disclosed to any person upon inquiry as permitted by Government Code section 54957.1(a)(2).

10. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Robert Germann spoke to the Board regarding Gillespie Field.

Martha Welch spoke to the Board regarding San Diego jails.

Kathleen Lippitt spoke to the Board regarding public health and safety.

Scott Chipman spoke to the Board regarding marijuana legalization danger.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:45 a.m. in memory of Earl (Mac) McDugal and Elizabeth "Betty" Bulen.

DAVID HALL

Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Miller

Discussion: Zurita

NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.