

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, OCTOBER 11, 2017, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. Roll Call
- B. Closed Session Report
- C. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Approval of the Statement of Proceedings/Minutes for the meeting September 27, 2017.
- 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
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| 1. | SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: NOTICED PUBLIC HEARING TO ADOPT RESOLUTIONS AND ORDINANCE FOR FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2017-01 (HILLSIDE MEADOWS MAINTENANCE) AND AUTHORIZE ACTION TO ESTABLISH SPECIAL TAX AND APPROPRIATIONS LIMIT (9/27/2017 - ADOPT RESOLUTIONS AND FIRST READING OF ORDINANCE; 10/11/2017 - SECOND READING OF ORDINANCE)
[FUNDING SOURCE: ANNUAL SPECIAL TAX LEVIED ON PROPERTY OWNERS] |
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2. UPDATE ON PUBLIC PARTICIPATION FOR DEVELOPMENT OF A GROUNDWATER SUSTAINABILITY PLAN FOR THE SAN PASQUAL VALLEY GROUNDWATER BASIN
3. ADOPT A RESOLUTION APPROVING A LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 AS APPROPRIATED IN THE ADOPTED OPERATIONAL PLAN FOR FISCAL YEAR 2017-18 AND ADVERTISE AND AWARD CONSTRUCTION CONTRACTS FOR CONSTRUCTION OF COUNTYWIDE ASPHALT CONCRETE OVERLAY AND SLURRY SEAL TREATMENTS FOR FISCAL YEAR 2017-18
[FUNDING SOURCES: SDG&E FRANCHISE FEES, AVAILABLE PRIOR YEAR ROAD FUND FUND BALANCE, ROAD FUND RESERVES, HIGHWAY USER TAX ACCOUNT, TRANSNET, AND ROAD MAINTENANCE AND REHABILITATION ACCOUNT]
4. DEPARTMENT OF PARKS AND RECREATION- ACCEPTANCE OF A DONATION OF THE RESTORATION OF FIFTEEN CHAPEL PEWS FOR USE AT RANCHO GUAJOME ADOBE PARK
5. ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR STEELE CANYON ROAD AT WILLOW GLEN DRIVE INTERSECTION IMPROVEMENTS PROJECT
[FUNDING SOURCE: REVENUE FROM AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY AND THE JAMUL INDIAN VILLAGE]
(4 VOTES)

1. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: NOTICED PUBLIC HEARING TO ADOPT RESOLUTIONS AND ORDINANCE FOR FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2017-01 (HILLSIDE MEADOWS MAINTENANCE) AND AUTHORIZE ACTION TO ESTABLISH SPECIAL TAX AND APPROPRIATIONS LIMIT (9/27/2017 - ADOPT RESOLUTIONS AND FIRST READING OF ORDINANCE; 10/11/2017 - SECOND READING OF ORDINANCE) (DISTRICT: 2)**

OVERVIEW

On September 27, 2017 (1) the Board introduced the Ordinance for further Board consideration and adoption on October 11, 2017.

This is a request for the Board of Supervisors (Board) to hold a public hearing and take action to form a Community Facilities District (CFD) to provide for park maintenance within the Hillside Meadows subdivision. Formation of the CFD to fund ongoing park maintenance was required as a condition of approval of the Tentative Map for the Hillside Meadows subdivision.

Establishment of a CFD to fund park maintenance will help ensure the park constructed for this project will be properly maintained and available for future residents of the subdivision and for the Lakeside community.

On November 13, 2002 (3), the Board approved a Tentative Map for Hillside Meadows (TM 5203RPL). Lakeside Investment Company, L.P. (Developer) is in the process of completing the conditions of approval for their final map for Hillside Meadows, a 35.63-acre project located south of El Nopal and north of Mast Boulevard within the Lakeside Community Planning Area. This planned community consists of 133 single-family residential homes and includes a 0.57-acre public park which will have playground structures, lighted walkways, and picnic/barbeque facilities.

On August 2, 2017 (01), the Board initiated proceedings to form the CFD by adopting the Resolution of Intention (ROI) to Establish Community Facilities District No. 2017-01 (Hillside Meadows Maintenance) and to Authorize the Levy of a Special Tax. The ROI set September 27, 2017, as the hearing date for the establishment of the CFD and it provided notice of the hearing in accordance with Government Code Section 53322.

The Developer is the sole landowner of all property located within the CFD. The land included within the CFD is uninhabited so that the consent of the individual landowner is solely required to form the CFD. The Developer petitioned for the formation of the CFD and has consented to shortening time for the conduct of special elections and has waived otherwise applicable voting procedures in accordance with Government Code Sections 53326 and 53327. As a result, today's requested action is that the Board call an election and declare the election results. The Board will be asked at a second hearing to adopt an ordinance to establish special taxes in accordance with Government Code Sections 25120, et seq, and 53340.

The Board is requested to take action to form the CFD, impose a special tax to fund park maintenance and establish an appropriations limit. The requested action includes: 1) Adoption of a Resolution of Formation establishing CFD No. 2017-01 (Hillside Meadows Maintenance); 2) Adoption of a resolution calling a special election; 3) Adoption of a resolution declaring the results of special election; 4) Direction to record a notice of special tax lien; and 5) Introduction and adoption of an ordinance authorizing the levy of a special tax. The special tax will include an

annual cost of living adjustment to offset increases in maintenance services costs and fund on-going administration costs of the CFD.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt (second reading) the ordinance entitled:
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, LEVYING A SPECIAL TAX WITHIN AND RELATING TO THE COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2017-01 (HILLSIDE MEADOWS MAINTENANCE).
2. Direct the Auditor and Controller to establish a special revenue fund for Hillside Meadows Maintenance CFD No. 2017-01 with interest earnings allocated and distributed to the fund. The special revenue (Oracle) fund will be named "Hillside Meadows Maint CFD 17-01". This fund is restricted to the ongoing operations, maintenance, and administration of the Community Facilities District.
3. Establish an initial appropriations limit of \$500,000 in the Public Park Maintenance Services -Hillside Meadows Fund (2017-01).

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2017-18 Operational Plan in Planning & Development Services or the Department of Parks and Recreation (DPR). San Diego County (County) staff time and consultant costs incurred to establish and form this Community Facilities District (CFD), estimated at \$75,000, if needed, will be funded by the Lakeside Investment Company, L.P. (Developer). The Developer has provided an initial deposit of \$50,000 for County and consultant costs to be incurred in the establishment and formation of this CFD, and will provide additional funds as needed. Construction of public park facilities will be funded by the Developer.

The annual special tax levied on property owners will provide the funding source for ongoing operations and maintenance costs of public park facilities maintained by DPR, estimated at \$82,764 annually, and the ongoing administration costs for the District, estimated at \$20,000 annually in 2017. The Rate and Method of Apportionment establishes a special tax rate of \$773 annually per residential unit and \$4,733 annually per acre of undeveloped property, subject to an annual adjustment.

The ongoing operations, maintenance, administration costs and levying of the special tax may be scheduled to begin in Fiscal Year 2018-19, 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

N/A

2. **SUBJECT: UPDATE ON PUBLIC PARTICIPATION FOR DEVELOPMENT OF A GROUNDWATER SUSTAINABILITY PLAN FOR THE SAN PASQUAL VALLEY GROUNDWATER BASIN (DISTRICTS: 2, 3, AND 5)**

OVERVIEW

This is an update to the Board of Supervisors (Board) on the approach to public participation during development of a Groundwater Sustainability Plan (Plan) for the San Pasqual Valley Groundwater Basin (Basin). The County of San Diego (County) and City of San Diego (City) will jointly prepare a Plan and collaborate on public participation to comply with the requirements of the Sustainable Groundwater Management Act (SGMA). Comprehensive public participation will ensure direct involvement in developing a Basin Plan for those stakeholders most affected by SGMA.

On June 21, 2017 (4), the Board adopted a Memorandum of Understanding between the County and City to memorialize each agency's role and responsibilities in developing a Plan that is required to achieve long-term groundwater sustainability. The Board took further action and directed the Chief Administrative Officer to negotiate with the City and work with property owners to: develop options for governance structures that allow for meaningful input and public participation throughout Plan development; create an issue resolution and appeal mechanism designed to resolve disputes; provide regular updates to the Board; allow for public review of the Plan; and return to the Board within 120 days for an update. This item provides an update on the progress of these efforts.

Today's recommendations include: 1) authorizing the Director of Planning & Development Services to collaborate with the City to establish the joint advisory committee(s) to aid in developing a Plan for the Basin; and 2) waiving Board Policy A-74 - Citizen Participation in County Boards, Commissions and Committees since the advisory committee(s) will be mutually established by the City and County.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15060(c)(3), 15378, and 15061(b)(1) pursuant to Water Code Section 10728.6.
2. Authorize the Director of Planning & Development Services to collaborate with the City of San Diego to establish the advisory committee(s) to aid in development of a Groundwater Sustainability Plan for the San Pasqual Valley Groundwater Basin.
3. Waive Board of Supervisors Policy A-74 Citizen Participation in County Boards, Commissions and Committees since the advisory committee(s) will be mutually established by the City of San Diego and County of San Diego to provide recommendations to the Groundwater Sustainability Agency.

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

3. **SUBJECT: ADOPT A RESOLUTION APPROVING A LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 AS APPROPRIATED IN THE ADOPTED OPERATIONAL PLAN FOR FISCAL YEAR 2017-18 AND ADVERTISE AND AWARD CONSTRUCTION CONTRACTS FOR CONSTRUCTION OF COUNTYWIDE ASPHALT CONCRETE OVERLAY AND SLURRY SEAL TREATMENTS FOR FISCAL YEAR 2017-18 (DISTRICTS: 1, 2, 3, & 5)**

OVERVIEW

On April 28, 2017, the Governor approved Senate Bill 1 (SB 1), the Road Repair & Accountability Act of 2017 (Road Repair Act), to address the statewide funding gap for road maintenance. The Road Repair Act established the Road Maintenance and Rehabilitation Account (RMRA) to be funded by increases in gasoline taxes and other charges to finance transportation-related projects, including the repair and rehabilitation of roads maintained by cities and counties. The California State Association of Counties projects that the County of San Diego (County) will receive approximately \$538 million of Road Repair Act revenues over the next 10 years, which is in addition to the existing road maintenance funding the County currently receives.

On May 2, 2017 (11), the Board of Supervisors approved the use of RMRA funding to achieve an average Pavement Condition Index of 70 within the entire County road network in 5 years. In order to receive RMRA funding, the County must submit a resolution with a project list to the California Transportation Committee by October 16, 2017. The Department of Public Works has developed a list of 115 road resurfacing locations totaling 84 centerline miles based on priorities identified through field reviews, resident and community input, and data collection from the department's pavement management system. The proposed projects will improve the overall condition of the roads and will protect roads from deterioration and costly future repairs.

This is a request to adopt a resolution Approving a List of Projects Funded by SB 1: The Road Repair and Accountability Act of 2017 as Appropriated in the Adopted Operational Plan for Fiscal Year 2017-18. Upon Board approval, the resolution and road list will be submitted to California Transportation Committee for their submittal to the state Controller.

This is also a request for the Board to approve the advertisement and subsequent award of multiple construction contracts to the lowest responsive and responsible bidders for asphalt concrete overlay and slurry seal treatments on county-maintained roads. The estimated construction cost will be \$42,000,000, including contingency. The funding sources are SDG&E Franchise Fees, available prior year Road Fund fund balance, Road Fund Reserves, Highway User Tax Account, TransNet, and Road Maintenance and Rehabilitation Account. Construction is scheduled to begin spring 2018 and be completed by the end of 2018.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) that the proposed project is categorically exempt from CEQA review because it involves the maintenance of existing public roads involving no or negligible expansion of existing use.

2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING A LIST OF PROJECTS FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 AS APPROPRIATED IN THE ADOPTED OPERATIONAL PLAN FOR FISCAL YEAR 2017-18.
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award multiple construction contracts and to take other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for asphalt concrete overlay and slurry seal treatment projects on county-maintained roads.
4. Designate the Director, Department of Public Works, as the County Officer responsible for administering the construction contracts in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are appropriated in the Fiscal Year 2017-18 Adopted Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, construction costs are estimated to be \$42,000,000, including contingency. The funding sources are SDG&E Franchise Fees (\$5,000,000), available prior year Road Fund fund balance (\$9,691,663), Road Fund Reserves (\$10,294,000), Highway User Tax Account (\$3,005,337), TransNet (\$509,000), and Road Maintenance and Rehabilitation Account (\$13,500,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

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

4. **SUBJECT: DEPARTMENT OF PARKS AND RECREATION- ACCEPTANCE OF A DONATION OF THE RESTORATION OF FIFTEEN CHAPEL PEWS FOR USE AT RANCHO GUAJOME ADOBE PARK (DISTRICT: 5)**

OVERVIEW

Rancho Guajome Adobe Park is a 152-acre park located in the incorporated community of Vista (57th Edition Thomas Guide page 1087, F2). The park features the Guajome Ranch House that is on the National Register of Historic Places. This 1850's adobe hacienda includes a wedding chapel, gardens and other rooms used to educate visitors on the historic time period and for public/private events. The chapel includes fifteen pews that are almost 100 years old and in need of professional restoration. The restoration of the existing pews will not impact the historic nature of the Guajome Adobe chapel.

The San Diego County Parks Society (Parks Society), is a non-profit organization committed to promoting the County of San Diego Department of Parks and Recreation (DPR) and assisting in the support of its programs. The Parks Society proposes to donate the restoration of fifteen chapel pews owned by DPR in use at Rancho Guajome Adobe Park. The total value of the donation is estimated at \$13,900. If approved, the pews will be restored in Fall 2017.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that this project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301 because the project includes the restoration of the existing pews, which are currently part of the Guajome chapel interior furnishings, and does not involve the expansion of use beyond that which currently exists.
2. In accordance with Administrative Code Section 66, *Acceptance of Gifts* and Board Policy A-112, *Acceptance and Use of Gifts and Donations*, accept a donation from the San Diego County Parks Society valued at \$13,900, to restore fifteen pews to be used in the Guajome chapel at Rancho Guajome Adobe Park to the Department of Parks and Recreation.
3. Authorize the Chair of the Board of Supervisors to sign a letter of appreciation on behalf of the County of San Diego to the San Diego County Parks Society for the donation.

FISCAL IMPACT

There is no fiscal impact associated with accepting the donation from the San Diego County Parks Society, valued at \$13,900, to restore the fifteen pews. The Director, Department of Parks and Recreation (DPR), or his designee, shall oversee the restoration and use of the pews at Rancho Guajome Adobe Park. Ongoing maintenance of the pews will be provided by existing DPR staff. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

5. **SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR STEELE CANYON ROAD AT WILLOW GLEN DRIVE INTERSECTION IMPROVEMENTS PROJECT (DISTRICT: 2)**

OVERVIEW

On April 13, 2016 (7), the Board of Supervisors approved an intergovernmental agreement with the Jamul Indian Village to fund road improvements to mitigate traffic generated by the Hollywood Casino Jamul-San Diego. The project to improve the intersection of Steele Canyon Road at Willow Glen Drive in the unincorporated community of Valle de Oro is included in the intergovernmental agreement. The Steele Canyon Road at Willow Glen Drive Intersection Improvements project will benefit the communities of Valle De Oro and Jamul by improving traffic flow and reducing congestion at this very busy intersection. The project will add a second northbound left-turn lane on Steele Canyon Road turning onto westbound Willow Glen Drive which will allow vehicles to safely clear Steele Canyon Road and the intersection. The project will also enhance pedestrian safety and accessibility, specifically for school children to and from nearby Jamacha Elementary School, by upgrading the intersection with new curb ramps, pedestrian push buttons, and yellow school zone crosswalks to meet current Americans with Disabilities Act standards.

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 winter 2018 and be completed by summer 2018. The construction cost is estimated at \$400,000, including contingencies, and the project is fully funded through the intergovernmental agreement with Jamul Indian Village.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that Steele Canyon Road at Willow Glen Drive Intersection Improvements project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of an existing public roadway involving no or negligible expansion of existing use.
2. Establish appropriations of \$400,000 in the Department of Public Works Road Fund Fiscal Year 2017-18 Detailed Work Program for the Steele Canyon Road at Willow Glen Drive Intersection Improvements project based on revenues from the Intergovernmental Agreement between the County and the Jamul Indian Village. **(4 VOTES)**
3. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401, et seq. of the Administrative Code, with respect to contracting for the Steele Canyon Road at Willow Glen Drive Intersection Improvements project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 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 revenue from an Intergovernmental Agreement between the County and the Jamul Indian Village (\$400,000). 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.