

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, SEPTEMBER 27, 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 13, 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. | NOTICED PUBLIC HEARING:
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. REVITALIZING CASA DE ORO
[FUNDING SOURCE: FY 2017/2018 DISTRICT TWO NEIGHBORHOOD REINVESTMENT PROGRAM]
3. RATIFY AND APPROVE FISCAL YEAR 2017-18 REVENUE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE LOCAL OVERSIGHT PROGRAM
[FUNDING SOURCE: REVENUE AGREEMENT WITH STATE OF CALIFORNIA WATER RESOURCES CONTROL BOARD]
4. APPROVE ASIAN CITRUS PSYLLID BULK CITRUS PROGRAM REVENUE AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE
[FUNDING SOURCES: CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE, STATE UNCLAIMED GAS TAX, AND GENERAL PURPOSE REVENUE]
5. ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR LEMON CREST DRIVE DRAINAGE IMPROVEMENTS PROJECT
[FUNDING SOURCE: AVAILABLE PRIOR YEAR ROAD FUND FUND BALANCE]

1. **SUBJECT: NOTICED PUBLIC HEARING:
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

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

Upon close of the hearing on September 27, 2017, the Board of Supervisors (Board) for the County of San Diego (County) is requested to take the following actions:

1. Find that the Environmental Impact Report (EIR) for the Hillside Meadows Project, dated July 26, 2000, State Clearinghouse Number 98041146, on file in Planning & Development Services as Environmental Review No. 98-10-014 as modified by the Addendum thereto dated September 13, 2002 (collectively EIR), 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 EIR prior to approving the project; and the EIR reflects the independent judgment and analysis of the Board.
2. Find that the currently proposed actions are within the scope of the 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 EIR (CEQA Guidelines Section 15162) was prepared.
3. Adopt the Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO FORMING AND ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2017-01 AND AUTHORIZING SUBMITTAL OF THE LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF SUCH COMMUNITY FACILITIES DISTRICT (HILLSIDE MEADOWS MAINTENANCE).
4. 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. 2017-01 (HILLSIDE MEADOWS MAINTENANCE) PROPOSITIONS REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN THE COMMUNITY FACILITIES DISTRICT TO FINANCE PARK MAINTENANCE AND PARK SERVICES THEREIN AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT.
5. Adopt the Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING THE RESULTS OF THE SPECIAL ELECTIONS FOR COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2017-01 (HILLSIDE MEADOWS MAINTENANCE) ON THE PROPOSITIONS WITH RESPECT TO (i) THE ANNUAL LEVY OF SPECIAL TAXES, AND (ii) THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT AND AUTHORIZING THE RECORDATION OF THE NOTICE OF SPECIAL TAX LIEN.

6. Approve 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, LEVYING A SPECIAL TAX WITHIN AND RELATING TO THE COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2017-01 (HILLSIDE MEADOWS MAINTENANCE).

If on September 27, 2017, the Board takes the recommended actions [Items 1-6] and the Clerk of the Board certifies the election results supporting the imposition of a special tax, then on October 11, 2017, the Board will:

1. Adopt (second reading) the ordinance entitled:

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANDIEGO, 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: REVITALIZING CASA DE ORO (DISTRICT: 2)

OVERVIEW

In September 2015, the Casa de Oro Community Alliance (Alliance) was formed by a coalition of residents, business owners, landlords, faith-based groups, law enforcement, school officials and other stakeholders with the mission to develop a comprehensive revitalization plan to enrich and beautify the Casa de Oro area. Their vision aims to make future improvements to develop a historically rich, culturally diverse, and thriving community that is attractive, safe, and pedestrian-friendly creating a better place to live, conduct business and center point for community pride.

Recently, the Casa de Oro Community Alliance has expressed a desire to hire an “urban planner” who would help implement their vision.

Today’s action directs the Chief Administrative Officer to secure an outside consultant to develop a plan with timeline and cost that would meet the goals and objectives of the Casa de Oro Community Alliance’s conceptual plan.

RECOMMENDATION(S)

CHAIRWOMAN DIANNE JACOB

1. Direct the Chief Administrative Officer to secure an outside consultant to work with the Casa de Oro Alliance; which includes the Grossmont-Mt. Helix Improvement Association, the Spring Valley and Valle de Oro community planning groups, business and property owners to develop a plan with timeline and cost that would meet the goals and objectives of the Alliance’s conceptual plan.
2. Transfer appropriations of \$50,000 from the District 2 Neighborhood Reinvestment Program budget (Org 15655), Services & Supplies, to the Land Use and Environment Group, Planning & Development Services to secure an outside consultant.
3. Direct the Chief Administrative Officer to return to the Board within 120 days.

FISCAL IMPACT

The fiscal impact of today’s action is \$50,000. The funding source is FY 2017/2018 District Two Neighborhood Reinvestment Program. This action will result in the addition of no new staff years and any future costs associated with any additional work will be brought before the Board in 120 days for their consideration.

BUSINESS IMPACT STATEMENT

This action will develop and implement a revitalization plan to clean-up and beautify the Casa de Oro area.

3. SUBJECT: RATIFY AND APPROVE FISCAL YEAR 2017-18 REVENUE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE LOCAL OVERSIGHT PROGRAM (DISTRICTS: ALL)

OVERVIEW

The Department of Environmental Health (DEH) has been granted the authority by the State of California Water Resources Control Board (SWRCB) to be the local agency responsible for the Local Oversight Program, which oversees the investigation and cleanup of petroleum leaks from underground fuel storage tanks throughout the San Diego region. When a fuel tank leaks, the surrounding soils and groundwater can become contaminated. Early detection and cleanup of this pollution is important to prevent environmental and human health impacts from contaminated soil and groundwater.

DEH has been funded through a series of annual revenue agreements with the SWRCB since 1991 to ensure sites contaminated by leaking fuel tanks throughout the region are properly cleaned. The most recent agreement was ratified by the Board of Supervisors on March 15, 2017 (9), authorizing DEH to execute a revenue agreement with the SWRCB for the period of July 1, 2016 through June 30, 2017.

The County of San Diego received a final revenue contract for Fiscal Year 2017-18 from the SWRCB on August 15, 2017. Because this contract was not received until after the July 1, 2017 start date, this request is to waive Board Policy B-29, ratify the acceptance of the SWRCB Revenue Agreement and adopt a Resolution authorizing DEH to receive funds in the amount of \$1,607,379 to continue this work. Additionally, this request will authorize the Director, or their designee, to execute a revenue agreement with the SWRCB in the amount of \$1,607,379 for the period of July 1, 2017 through June 30, 2018.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Section 15061(b)(3) of the State of California Environmental Quality Act (CEQA) Guidelines, find that it can be seen with certainty that there is no possibility this project may have a significant effect on the environment and that it is therefore exempt from CEQA.
2. Waive Board Policy B-29, ratify acceptance and authorize the Director, Department of Environmental Health, or their designee, to execute a revenue agreement with the State of California Water Resources Control Board, in the amount of \$1,607,379 for the period of July 1, 2017 through June 30, 2018, to fund the Local Oversight Program.
3. Adopt a Resolution entitled: RESOLUTION AUTHORIZING EXECUTION OF A REVENUE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE LOCAL OVERSIGHT PROGRAM FOR FISCAL YEAR 2017-18.
4. Authorize the Director, Department of Environmental Health, or their designee, to execute any extensions, amendments, and or revisions thereof that do not materially impact or alter either the program or funding level.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in the Department of Environmental Health. If approved, this request will result in current year costs and revenue of \$1,607,379. The funding source is a revenue agreement with State of California Water Resources Control Board. This is a full cost recovery agreement. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

This program benefits business by ensuring that site cleanups related to leaks from underground fuel storage tanks meet state and local standards, enabling tank owners or operators to be reimbursed for costs through the State of California Water Resources Control Board's Underground Storage Tank Cleanup Fund. Additionally, lenders frequently request site cleanup closure letters from the Department of Environmental Health prior to providing loans to property owners/project proponents.

4. **SUBJECT: APPROVE ASIAN CITRUS PSYLLID BULK CITRUS PROGRAM
REVENUE AGREEMENT WITH THE STATE OF CALIFORNIA
DEPARTMENT OF FOOD AND AGRICULTURE (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Department of Agriculture, Weights and Measures (AWM) provides essential services that promote a thriving agricultural community, safe and healthy residents, and a balanced environment. Many of these services are funded by revenue agreements with the State of California Department of Food and Agriculture (CDFA). This is a request for authorization to enter into a revenue agreement with CDFA for \$340,997.49. This agreement will allow AWM to conduct regulatory activities related to the existing Asian citrus psyllid (ACP) quarantine response for the period of October 1, 2017 through June 30, 2018. These activities prevent the artificial spread of ACP, the insect that transmits the world's most destructive disease of citrus, huanglongbing. The disease has been found in Riverside, Orange, and Los Angeles counties and south of the border. Although, the disease has not been found in San Diego, the entire county is under quarantine for ACP. This disease threatens the livelihood of the region's citrus growers who contribute a \$126 million crop to California's \$2 billion citrus industry and the tree health of all residential citrus. Any break in the contracted services would increase the risk of the artificial movement of ACP and the potential spread of HLB to our local citrus industry. Therefore, this is also a request for a waiver of Board Policy B-29 and authorization for the County Agricultural Commissioner to renew this revenue agreement for the next five fiscal years provided there are no substantive changes to the funding or the program.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15061(b)(3) and 15378(b)(4).
2. Waive Board Policy B-29 Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery with regard to full-cost recovery, the effective date of contracted services and the contract docket date.

3. Authorize the County of San Diego Agricultural Commissioner to execute upon receipt the Asian citrus psyllid Bulk Citrus program revenue agreement in the amount of \$340,997.49 with California Department of Food and Agriculture (CDFA) for the period of October 1, 2017 through June 30, 2018.
4. Authorize the County of San Diego Agricultural Commissioner to execute future revenue agreements with CDFA for regulatory activities related to the existing Asian citrus psyllid quarantine response and all required revenue agreement documents, including any extensions, amendments or revisions thereof that do not materially impact either the program or funding level, for a period of five years through and including a revenue agreement for Fiscal Year 2022-23.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in the Department of Agriculture, Weights and Measures. If approved, this request will result in costs and revenue of \$408,055.49 in Fiscal Year 2017-18 for Asian citrus psyllid quarantine response and regulatory compliance activities. The funding sources are California Department of Food and Agriculture (\$340,997.49), State Unclaimed Gas Tax (\$26,153.00) and General Purpose Revenue (\$40,905.00).

A waiver of Board Policy B-29 Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, is requested as the agreement does not reimburse all costs associated with the Department of Agriculture, Weights and Measures' administrative overhead. The total unrecovered cost per Board Policy B-29 is \$40,905.00 in Fiscal Year 2017-18 and will be supported by General Purpose Revenue. Unrecovered costs in all future years would be funded with General Purpose Revenue. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

Huanglongbing (HLB) is a disease that kills citrus trees and there is no cure for the disease yet. Studies have shown that Florida's citrus production costs increased by 40% and that industry lost over \$7 billion and 6,600 jobs over the last five years due to the presence of HLB. California's \$2 billion citrus industry is threatened. The establishment of a HLB quarantine would prevent the sale or movement of citrus trees and further restrict the movement of citrus fruit causing revenue losses to nurseries and orchards located in the quarantine area.

5. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR LEMON CREST DRIVE DRAINAGE IMPROVEMENTS PROJECT (DISTRICT: 2)**

OVERVIEW

The Lemon Crest Drive Drainage Improvements project will alleviate flooding on Lemon Crest Drive between Winter Gardens Boulevard and Edie Lane within the unincorporated community of Lakeside. The road and surrounding properties often flood because the existing drainage system is unable to carry all of the stormwater runoff. The proposed drainage project will collect stormwater from an existing channel on the south side of Lemon Crest Drive and convey the water under the road into a large culvert that will connect to a downstream storm drain system. The project will also construct curb and storm drain inlets on Lemon Crest Drive to reduce ponding in the road.

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 late winter 2017 and be completed by summer 2018. The construction cost is estimated to be \$1,400,000, including contingencies and the funding source is available prior year Road Fund fund balance.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that the proposed improvements are categorically exempt from CEQA review because they involve the minor alteration of an existing County-maintained public roadway involving no or negligible expansion of 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 Lemon Crest Drainage Improvements 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.

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, total estimated construction project costs will be \$1,400,000, including contingencies. 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.