

October 22, 2014

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

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***BOARD OF SUPERVISORS  
REGULAR MEETING  
PLANNING AND LAND USE MATTERS***

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
REGULAR MEETING  
MEETING AGENDA  
**WEDNESDAY, OCTOBER 22, 2014, 09:00 A.M.**  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Regular Meeting was called to order at 9:02 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Bill Horn, Vice Chairman; Greg Cox; Dave Roberts; Ron Roberts; also Nicole C. Temple, Assistant Clerk.

Approval of Statement of Proceedings/Minutes for the meetings of September 17, 2014 and September 24, 2014.

**ACTION:**

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Cox, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meetings of September 17, 2014 and September 24, 2014.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

**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**

1.            NOTICED PUBLIC HEARING:  
SALE OF SURPLUS REAL PROPERTY - 20710 ELFIN FOREST ROAD, SAN MARCOS; ASSESSOR'S PARCEL NUMBER 223-082-21 (9/17/2014 - RESOLUTION OF INTENT TO SELL; 10/22/2014 - BID OPENING) (COUNTY PARCEL NO. 2013-0060-A)
  
2.            NOTICED PUBLIC HEARING:  
PETRA DEVELOPMENT OPEN SPACE EASEMENT VACATION; VAC 13-003; VALLE DE ORO COMMUNITY PLAN AREA (9/24/2014 – SET HEARING; 10/22/2014 – HOLD HEARING)

3. NOTICED PUBLIC HEARING:  
QUERENCIA OPEN SPACE EASEMENT VACATION; VAC 13-002; SAN DIEGUITO COMMUNITY PLAN AREA (9/24/2014 – SET HEARING; 10/22/2014 – HOLD HEARING)
4. NOTICED PUBLIC HEARING:  
SDG&E OPEN SPACE EASEMENT VACATION; VAC 14-003; CENTRAL MOUNTAIN SUBREGIONAL PLAN AREA (9/24/2014 – SET HEARING; 10/22/2014 – HOLD HEARING)
5. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR THE CONSTRUCTION OF AMMUNITION ROAD AND ALTURAS ROAD SIDEWALK IMPROVEMENTS IN FALLBROOK  
[FUNDING SOURCE(S): COMMUNITY DEVELOPMENT BLOCK GRANT AND HIGHWAY USER TAX ACCOUNT]  
(4 VOTES)
6. ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE PORTIONS OF IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES, IN THE VICINITY OF JAMUL (VACATION NO. 2014-0122)  
[FUNDING SOURCE(S): GENERAL PURPOSE REVENUE]
7. ADOPT A RESOLUTION TO ACCEPT GRANT FUNDS FROM THE CALIFORNIA STATE COASTAL CONSERVANCY FOR THE TIJUANA RIVER VALLEY REGIONAL PARK PUBLIC USE FEASIBILITY STUDY AND ECONOMIC ANALYSIS AND ESTABLISH APPROPRIATIONS BASED ON GRANT AWARD  
[FUNDING SOURCE(S): CALIFORNIA STATE COASTAL CONSERVANCY GRANT FUNDS AND NEIGHBORHOOD REINVESTMENT PROGRAM FUNDS FOR THE TIJUANA RIVER VALLEY REGIONAL PARK PUBLIC USE FEASIBILITY STUDY AND ECONOMIC ANALYSIS]  
(4 VOTES)
8. SET A HEARING FOR 12/3/2014:  
SYCAMORE CANYON/GOODAN RANCH PRESERVE – ACQUISITION OF 101.16 ACRES OF LAND FOR OPEN SPACE (POWAY FTC 142, LLC) (10/22/2014 – SET HEARING; 12/3/2014 – HOLD HEARING)  
[FUNDING SOURCE(S): STATE OF CALIFORNIA HABITAT CONSERVATION FUND AND MATCH FUNDS FROM THE MULTIPLE SPECIES CONSERVATION ACQUISITIONS FUND]
9. SET A HEARING FOR 12/3/2014:  
ESCONDIDO CREEK – ACQUISITION OF 244 ACRES OF LAND FOR OPEN SPACE (ELFIN ACRES PROPERTIES, LLC) (10/22/2014 – SET HEARING; 12/3/2014 – HOLD HEARING)

10. PROPERTY TAX EXCHANGE FOR PROPOSED JURISDICTIONAL CHANGES AND REORGANIZATION FOR PARKS SERVICES AND FIRE PROTECTION – CARLSBAD - SAN MARCOS REORGANIZATION
11. PROPERTY TAX EXCHANGE FOR PROPOSED JURISDICTIONAL CHANGES AND REORGANIZATION FOR THE FALLBROOK PUBLIC UTILITY DISTRICT AND RAINBOW MUNICIPAL WATER DISTRICT
12. COUNTY OF SAN DIEGO TRACT NO. 4823-1 (MAP NO. 14462): APPROVAL FOR TIME EXTENSION OF LIEN CONTRACT IMPROVEMENT AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR LIVE OAK RANCH LOCATED IN FALLBROOK COMMUNITY PLANNING AREA
13. COUNTY OF SAN DIEGO TRACT NO. 4736-1 (MAP NO. 13856): APPROVAL FOR TIME EXTENSION OF LIEN CONTRACT IMPROVEMENT AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR THE POLO CLUB LOCATED IN BONSALL COMMUNITY PLANNING AREA
14. APPROVAL OF STOP CONTROLS IN 4S RANCH; SAN DIEGUITO COMMUNITY PLANNING AREA
15. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS FOR 9/24/2014 AND 10/22/2014
16. CLOSED SESSION (CARRYOVER FROM 10/21/14 AGENDA NO. 20)
17. PUBLIC COMMUNICATIONS (DISTRICTS: ALL)

1. **SUBJECT: NOTICED PUBLIC HEARING:  
SALE OF SURPLUS REAL PROPERTY - 20710 ELFIN  
FOREST ROAD, SAN MARCOS; ASSESSOR'S PARCEL  
NUMBER 223-082-21 (9/17/2014 - RESOLUTION OF INTENT  
TO SELL; 10/22/2014 - BID OPENING) (COUNTY PARCEL  
NO. 2013-0060-A) (DISTRICT: 5)**

**OVERVIEW:**

On September 17, 2014 (10), the Board of Supervisors set a Hearing for October 22, 2014.

The County of San Diego owns 1.82 acres of land improved with a single-family residential house located at 20710 Elfin Forest Road in San Marcos. The property is identified as County Parcel Number 2013-0060-A and was acquired in 1992 due to its close proximity to the San Marcos Landfill, which closed in 1997. The property was one of three parcels purchased to fulfill the mitigation requirements of the Environmental Impact Report (EIR) for the San Marcos Landfill expansion. The house was leased to private individuals until July 2012. All remediation activities for the landfill have been completed and the property is now considered to be surplus to the County's needs.

Today's request regarding County Parcel Number 2013-0060-A requires two steps. On September 17, 2014, the Board of Supervisors will consider adopting a Resolution declaring its intention to sell the property, directing the Clerk of the Board to advertise the County's adoption of the Resolution declaring its intent to sell County Parcel Number 2013-0060-A, and setting a date for a bid-opening hearing. If the Board takes the actions recommended on September 17, 2014, then after making necessary environmental findings, the Board is requested to conduct a bid opening and approve the sale of the property to the highest responsible bidder on October 22, 2014. The minimum bid for County Parcel 2013-0060-A is \$765,000.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan for the Department of Public Works Solid Waste Environmental Trust Fund. If approved, sale of County Parcel 2013-0060-A will result in total revenue of at least \$765,000 (the minimum bid). The revenue will be deposited to the Department of Public Works Solid Waste Environmental Trust Fund. Transaction costs for the Department of General Services - Real Estate Services Division are estimated to be \$25,000. The transaction costs will be reimbursed by the Department of Public Works Solid Waste Environmental Trust Fund. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

If this sale is completed, the sale of the property may generate minor business activity from the long-term use as a single family residence.

**RECOMMENDATION:  
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the sale of County Parcel 2013-0060-A is categorically exempt from the provisions of CEQA Guidelines pursuant to CEQA Guidelines Section 15312 as the sale of surplus government property.
2. Conduct the bid opening and approve the sale of County Parcel 2013-0060-A to the highest responsible bidder.
3. Authorize the Director, Department of General Services, to perform all necessary actions to complete the sale of County Parcel 2013-0060-A, including the execution of a Purchase and Sale Agreement, escrow instructions, Grant Deed, and other documents necessary to close escrow.
4. Authorize the Auditor and Controller to deposit all proceeds resulting from the sale of County Parcel 2013-0060-A into the Department of Public Works Solid Waste Environmental Trust Fund.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, accepting the bid from Scott MacKinnon in the amount of \$850,000.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

2. **SUBJECT: NOTICED PUBLIC HEARING:  
PETRA DEVELOPMENT OPEN SPACE EASEMENT  
VACATION; VAC 13-003; VALLE DE ORO COMMUNITY  
PLAN AREA (9/24/2014 – SET HEARING; 10/22/2014 – HOLD  
HEARING) (DISTRICT: 2)**

**OVERVIEW:**

On September 24, 2014 (5), the Board of Supervisors set a Hearing for October 22, 2014.

Application date: September 27, 2013

This is a request for the Board of Supervisors (Board) to consider the vacation of 4,478 square feet of dedicated open space easement on Lots 3 and 4 (Subdivision Map 15624), in order to allow access to Lot 3. An adjustment of the boundary between Lots 3 and 4 is also needed for the access, thus Boundary Adjustment, BC 13-0053, has been conditionally approved pending the vacation of the open space easement. The vacation is pursuant to Board Policy I-103: Open Space Easement Vacations and the Streets and Highways Code. The portion of the easement requested to be vacated by the applicant was dedicated in association with the Sitto Tentative Map (TM 5127), which was approved by the Planning and Environmental Review Board (PERB) on July 19, 2001. A Mitigated Negative Declaration (MND) was adopted for Sitto Tentative Map under Environmental Log No. 98-14-005.

The existing open space easement was dedicated on the subject property for the sole purpose of meeting the Valle De Oro Community Plan Slope Development Policy. In order to remain consistent with the Policy, 4,487 square feet of open space is proposed to be rededicated on the project site. The case numbers for this project are: PDS2013-VAC-13-003 and PDS2013-BC-13-053.

It should also be noted that a "Development Restriction Easement" covers the entirety of Lots 4, 5 and 6 of the Sitto Subdivision. This easement requires that the landowner obtain approval of a Site Plan prior to issuance of a building permit to ensure that landscaping and fencing on those lots maintain existing, open views from neighborhood residences. This Development Restriction Easement will not be modified in any way by this proposed Open Space Vacation.

The portion of the easement to be vacated is located at the eastern boundary of Lot 3 and western boundary of Lot 4 (Subdivision Map 15624, Attachment H) (Sundown Lane), within the Valle De Oro Community Plan area (57<sup>th</sup> Edition Thomas Guide, Page 1271, H/4).

Today's request requires two steps: on September 24, 2014, it is requested that the Board set a date for a public hearing on October 22, 2014 and provide notice of that hearing. If the Board takes the actions recommended for September 24, 2014, then on October 22, 2014, it is requested that the Board consider and adopt a resolution to vacate a portion of the referenced easement and record the resolution of vacation.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

1. Adopt the environmental findings included in Attachment D, which includes findings in accordance with Sections 15162 through 15164 of the California Environmental Quality Act (CEQA) Guidelines 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 which were not considered in the previously adopted MND dated July 19, 2001, 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.
2. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING PUBLIC SERVICE EASEMENT PDS2013-VAC-13-003. (Attachment C)

3. Direct the Clerk of the Board to record this resolution pursuant to the Streets and Highways Code Section 8325 and then record the rededication easement concurrently.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 14-150, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING PUBLIC SERVICE EASEMENT PDS2013 VAC-13-003.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

3. **SUBJECT: NOTICED PUBLIC HEARING:  
QUERENCIA OPEN SPACE EASEMENT VACATION;  
VAC 13-002; SAN DIEGUITO COMMUNITY PLAN AREA  
(9/24/2014 – SET HEARING; 10/22/2014 – HOLD HEARING)  
(DISTRICT: 5)**

**OVERVIEW:**

On September 24, 2014 (3), the Board of Supervisors set a Hearing for October 22, 2014.

Application Date: September 10, 2013

This is a request for the Board of Supervisors (Board) to consider the vacation of two portions (0.97 acre) of a dedicated biological open space easement pursuant to Board Policy I-103: Open Space Easement Vacations and the Streets and Highways Code. The two portions requested to be vacated are part of an easement dedicated in association with a four-lot Tentative Parcel Map (TPM 20773) which was approved by the Planning Director on May 16, 2006. The existing open space easement was dedicated as mitigation for impacts to southern maritime chaparral, coastal sage scrub, non-native grassland, and several sensitive plant and animal species. The vacation areas are narrow, located at the edges of the open space and substantially surrounded by development; thus they would have minimal long-term conservation value. Mitigation for the open space vacation has already been provided by the applicant in advance of Board consideration of the request by purchasing 3.88 acres of southern maritime chaparral in the Carlsbad Oaks Conservation Bank. In addition, the applicant is voluntarily adding 0.07 acre of sensitive habitat to the on-site open space easement.

The subject property is located at the southeast corner of Rambla de las Flores and El Acebo in Rancho Santa Fe, within the San Dieguito Community Plan area (2013 Thomas Guide page 1168, A/4). The case number for this project is PDS2013-VAC-13-002.



Today's request requires two steps: on September 24, 2014, it is requested that the Board set a date for a public hearing on October 22, 2014 and provide notice of that hearing. If the Board takes the actions recommended for September 24, 2014, then on October 22, 2014, it is requested that the Board consider and adopt a resolution to vacate portions of the referenced easement and record the resolution of vacation.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

1. Adopt the environmental findings included in Attachment D, which includes a finding that the project is exempt from further environmental review pursuant to Section 15183 of the California Environmental Quality Act (CEQA) Guidelines.
2. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING PUBLIC SERVICE EASEMENT PDS2013-VAC-13-002. (Attachment C)
3. Direct the Clerk of the Board to record this resolution pursuant to the Streets and Highways Code Section 8325 and then record the rededication easements concurrently.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 14-151, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING PUBLIC SERVICE EASEMENT PDS2013-VAC-13-002.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

4. **SUBJECT: NOTICED PUBLIC HEARING:  
SDG&E OPEN SPACE EASEMENT VACATION;  
VAC 14-003; CENTRAL MOUNTAIN SUBREGIONAL PLAN  
AREA (9/24/2014 – SET HEARING; 10/22/2014 – HOLD  
HEARING) (DISTRICT: 2)**

**OVERVIEW:**

On September 24, 2014 (4), the Board of Supervisors set a Hearing for October 22, 2014.

Application date: July 15, 2014

This is a request for the Board of Supervisors (Board) to consider the vacation of an archaeological open space easement pursuant to Board Policy I-103: Open Space Easement Vacations and the Streets and Highways Code. The archaeological open space easement requested to be vacated by the applicant was recorded in association with the Cheroske Tentative Parcel Map (TPM 18216) which was approved on December 20, 1985. A Parcel Map associated with this project was never recorded, and the Tentative Parcel Map has since expired. Therefore, the easement is no longer required to mitigate impacts related to the Tentative Parcel Map under the California Environmental Quality Act (CEQA). San Diego Gas & Electric (SDG&E) has purchased the 155-acre parcel on which the easement is located for mitigation purposes for the Sunrise Powerlink project. Due to land acquisition regulations, SDG&E must remove encumbrances, such as open space easements prior to conveyance to the Cleveland National Forest. Once the easement is vacated, the land will be conveyed to the Cleveland National Forest for ongoing ownership and preservation of the land as open space. The case number for this project is: PDS2014-VAC-14-003.

The easement to be vacated totals approximately 23.7 acres in size and is located at 10152 Sunrise Highway, within the Pine Valley community of the Central Mountain Subregional Plan area (57<sup>th</sup> Edition Thomas Guide, Page 1238).

Today's request requires two steps: on September 24, 2014, it is requested that the Board set a date for a public hearing on October 22, 2014 and provide public notice of that hearing. If the Board takes the actions recommended on September 24, 2014, then on October 22, 2014, it is requested that the Board consider and adopt a resolution to vacate the referenced easement and record the resolution of vacation.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

1. Adopt the environmental findings included in Attachment D, which include a finding that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.
2. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING PUBLIC SERVICE EASEMENT PDS2014-VAC-14-003. (Attachment C)
3. Direct the Clerk of the Board to record this resolution pursuant to the Streets and Highways Code Section 8325.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 14-152, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING PUBLIC SERVICE EASEMENT PDS2014-VAC-14-003.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

5. **SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR THE CONSTRUCTION OF AMMUNITION ROAD AND ALTURAS ROAD SIDEWALK IMPROVEMENTS IN FALLBROOK (DISTRICT: 5)**

**OVERVIEW:**

The Department of Public Works was successful in obtaining a federal Community Development Block Grant (CDBG) for a sidewalk construction project in the unincorporated community of Fallbrook (57th Edition Thomas Guide Page 1027, E4-F4). The project will construct sidewalks and benefit the community by enhancing pedestrian safety, accessibility and walkability in this heavily-traveled area.

This is a request to establish appropriations and approve the advertisement and subsequent construction contract award to the lowest responsive bidder for this project. The estimated construction cost for the project is \$235,000, including contingency. The project is scheduled to begin in early 2015 and be completed by spring 2015.

**FISCAL IMPACT:**

Funds for this request are partially included in the Fiscal Year 2014-15 Operational Plan in the Department of Public Works Detailed Work Program. If approved, this request will result in costs and revenue of \$ 235,000, including contingency, in Fiscal Year 2014-15 for the Ammunition Road and Alturas Road Sidewalk Improvements project. The funding sources are \$175,000 of Community Development Block Grant (\$106,750 budgeted and \$68,250 to be appropriated)

and Highway User Tax Account (\$60,000). 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.

**RECOMMENDATION:**

**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 state CEQA Guidelines because it involves the minor alteration of existing public roadway involving no or negligible expansion of existing use.
2. Establish appropriations of \$68,250 in the Department of Public Works Detailed Work Program for construction of the Ammunition Road and Alturas Road sidewalk improvements based on unanticipated revenue from the Community Development Block Grant (CDBG) program. **(4 VOTES)**
3. 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.
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.

**ACTION:**

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

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

6. **SUBJECT: ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE PORTIONS OF IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES, IN THE VICINITY OF JAMUL (VACATION NO. 2014-0122) (DISTRICT: 2)**

**OVERVIEW:**

On May 21, 2014 (8), on the recommendation of Chairwoman Dianne Jacob, the Board of Supervisors directed the Chief Administrative Officer to vacate the unneeded portions of those Irrevocable Offers of Dedication (IODs) for public highway purposes for SC-760, in the unincorporated area of the county, in the vicinity of Jamul. The proposed vacation is located east of Ma Lou Drive and north of Olive Vista Drive (2010 Thomas Guide Page 1293-A1).

Today's request is to adopt a resolution to summarily vacate portions of two IODs that have been superseded by the relocation of the IOD for public highway purposes. The portions of the IODs requested for vacation were never accepted by the County; and no improvements were made within the IODs by the County. The IODs have not been used for the purpose for which they were dedicated or acquired. No property owner would be land-locked, and no public service easements would be terminated by the proposed vacation. Pursuant to Streets and Highways Code Section 8330, those portions of the IODs that have been superseded by relocation may be summarily vacated.

Those portions of the IODs not being vacated will remain and may be accepted at any time by the County, unless terminated by the statutory procedure for street vacations.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2014-2015 Operational Plan for the Department of General Services. If approved, the transaction costs for the Department of General Services – Real Estate Services Division are estimated to be \$4,000. The funding source will be General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not subject to review under California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060 (c)(2) and (3) because it does not have a direct or indirect effect on the environment as it will only result in the vacation of unnecessary easement interests, and the action is not a project as defined in Section 15378 of the CEQA Guidelines.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE PORTIONS OF IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES, IN THE VICINITY OF JAMUL (VACATION NO. 2014-0122).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2014-0122 pursuant to Streets and Highways Code Section 8336.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-153, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE PORTIONS OF IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES, IN THE VICINITY OF JAMUL (VACATION NO. 2014-0122).

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

7. **SUBJECT: ADOPT A RESOLUTION TO ACCEPT GRANT FUNDS FROM THE CALIFORNIA STATE COASTAL CONSERVANCY FOR THE TIJUANA RIVER VALLEY REGIONAL PARK PUBLIC USE FEASIBILITY STUDY AND ECONOMIC ANALYSIS AND ESTABLISH APPROPRIATIONS BASED ON GRANT AWARD (DISTRICT: 1)**

**OVERVIEW:**

The California State Coastal Conservancy is a state agency that strives to preserve, protect, restore and enhance coastal resources. The County of San Diego's Tijuana River Valley Regional Park is a resource that encompasses more than 1,700 acres, including coastal maritime habitat and is home to dozens of sensitive or endangered species.

On May 6, 2014 (9), the Board of Supervisors approved the use of \$100,000 of Neighborhood Reinvestment Program funds by the Department of Parks and Recreation for the public use feasibility study and economic analysis for potential recreational elements within the Tijuana River Valley. On October 2, 2014, the California State Coastal Conservancy approved grant funding of \$100,000 to supplement the County's Tijuana River Valley Regional Park Public Use Feasibility Study and Economic Analysis Project (project). Total project costs are anticipated to be \$200,000. The project will consist of analysis and feasibility studies which will include review of all existing plans relevant to open space and recreation for the valley, identify new opportunities for recreational activities, and will result in a comprehensive and coordinated vision for recreational opportunities within the Tijuana River Valley.

This request is to adopt a resolution authorizing the Department of Parks and Recreation to accept \$100,000 of California State Coastal Conservancy grant funds. This request will also establish appropriations of \$100,000 in the Department of Parks and Recreation based on the grant award and authorize the Director, Department of Parks and Recreation to conduct all negotiations and to execute and submit all documents necessary to accept the awarded grant funds.

**FISCAL IMPACT:**

Funds for this request are partially included in the Fiscal Year 2014-15 Operational Plan for the Department of Parks and Recreation (DPR). If approved, this request will result in costs and revenue of \$200,000 in Fiscal Year 2014-15. The funding sources are California State Coastal Conservancy grant funds of \$100,000 and \$100,000 in Neighborhood Reinvestment Program funds for the Tijuana River Valley Regional Park Public Use Feasibility Study and Economic Analysis. There is no match required for this grant. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:  
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action falls under the California Environmental Quality Act (CEQA) Guidelines Section 15262 exemption because the project only involves feasibility and planning studies for possible future actions which the Board has not approved, adopted or funded. In addition, the proposed action is exempt from CEQA in accordance with CEQA Guidelines Section 15306 because the activities are basic data collection, research, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.
2. Adopt the Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING THE AWARD OF GRANT FUNDS FROM THE CALIFORNIA STATE COASTAL CONSERVANCY FOR THE TIJUANA RIVER VALLEY REGIONAL PARK PUBLIC USE FEASIBILITY STUDY AND ECONOMIC ANALYSIS.
3. Establish appropriations of \$100,000 in the Department of Parks and Recreation, services and supplies, for the Tijuana River Valley Regional Park Public Use Feasibility Study and Economic Analysis based on a grant award from the California State Coastal Conservancy. **(4 VOTES)**
4. Authorize the Director, Department of Parks and Recreation, or designee, as agent of the County, to conduct all negotiations and submit all documents including, but not limited to, contracts and payment requests to accept the awarded grant funds and to execute the grant agreements, including any extensions or amendments thereof that do not materially impact or alter the grant programs or funding levels.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent adopting Resolution No. 14-154, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING THE AWARD OF GRANT FUNDS FROM THE CALIFORNIA STATE COASTAL CONSERVANCY FOR THE TIJUANA RIVER VALLEY REGIONAL PARK PUBLIC USE FEASIBILITY STUDY AND ECONOMIC ANALYSIS.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

8. **SUBJECT: SET A HEARING FOR 12/3/2014:  
SYCAMORE CANYON/GOODAN RANCH PRESERVE –  
ACQUISITION OF 101.16 ACRES OF LAND FOR OPEN  
SPACE (POWAY FTC 142, LLC) (10/22/2014 – SET  
HEARING; 12/3/2014 – HOLD HEARING) (DISTRICT: 2)**

**OVERVIEW:**

The County has identified 101.16 acres in the unincorporated area near Poway area west of State Route 67 and south of Scripps Poway Parkway available for inclusion in the Sycamore Canyon/Goodan Ranch Preserve (57<sup>th</sup> Edition Thomas Guide page 1191, D-5). The acquisition of this property will help preserve important habitat within the Pre-Approved Mitigation Area of the Multiple Species Conservation Program (MSCP) South County Subarea Plan and may provide a suitable connection for the Trans County Trail and City of Poway trails in the future. The property, which is owned by Poway FTC 142, LLC, was appraised at \$810,000.

Based on the value of habitat, wildlife and trail connectivity, in June 2014, the County was awarded a State of California Habitat Conservation Fund (HCF) grant to acquire this property. The grant will cover \$200,000 of the purchase price of the land. The HCF grant is competitive and requires a dollar-for-dollar funding match.

The acquisition of Assessor's Parcel Numbers 324-011-15 and 324-070-29 requires two steps. On October 22, 2014, it is requested that the Board set a hearing for December 3, 2014 and provide public notice of the hearing. If the Board takes the action recommended on October 22, 2014, then on December 3, 2014, after making the necessary findings the Board is requested to approve the purchase of 101.16 acres from Poway FTC 142, LLC for the appraised value of \$810,000.

**FISCAL IMPACT:**

Funds for this request are partially budgeted in the Fiscal Year 2014-15 Operational Plan for Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in Fiscal Year 2014-15 cost of \$873,500 itemized as follows: \$810,000 for property acquisition; \$32,000 for staff and due diligence expenses to complete the transaction; \$9,000 for closing and title costs; and \$22,500 in one-time land protection costs for activities including signage and access control measures. The Habitat Conservation Fund is competitive and requires a dollar-for-dollar funding match. The funding sources are a grant from the State of California Habitat Conservation Fund (\$200,000) and match funds from the Multiple Species Conservation Acquisitions Fund (\$673,500).

Total annual costs for required land monitoring and management of the 101.16 acres are estimated at \$17,000. In addition, there will be an annual cost of \$6 for the fixed charge assessments for mosquito and vector control on the property. These costs will be absorbed within the Department of Parks and Recreation existing budget. There will be no change in net General Fund costs and no additional staff years.



**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

On October 22, 2014:

1. Set a hearing for December 3, 2014 at which time the Board may consider approving the purchase of 101.16 acres of land, consisting of Assessor Parcel Numbers (APN) 324-011-15 and 324-070-29 for the appraised value of \$810,000.
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication and posting as required by law.

If, on October 22, 2014, the Board takes the actions recommended in items 1-2 above then on December 3, 2014:

1. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15325 and 15311 (a) as it involves the acquisition of land to preserve natural conditions and open space for park purposes and installation of on-premise signs.
2. Establish appropriations of \$200,000 in the Multiple Species Conservation Program Acquisitions Fund, for the acquisition of 101.16 acres of land for Open Space, based upon grant award from the State of California Habitat Conservation Fund. **(4 VOTES)**
3. Approve and authorize the Director, Department of General Services, to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of APNs 324-011-15 and 324-070-29 from Poway FTC 142, LLC for the purchase price of \$810,000.
4. Authorize the Director, Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of the property.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, setting a Hearing for December 3, 2014.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

9. **SUBJECT: SET A HEARING FOR 12/3/2014:  
ESCONDIDO CREEK – ACQUISITION OF 244 ACRES OF  
LAND FOR OPEN SPACE (ELFIN ACRES PROPERTIES,  
LLC) (10/22/2014 – SET HEARING; 12/3/2014 – HOLD  
HEARING) (DISTRICT: 5)**

**OVERVIEW:**

The County has identified approximately 244 acres of land available for inclusion in the Escondido Creek Preserve in the unincorporated area north of Harmony Grove Road and south of Indian Ridge Road (57<sup>th</sup> Edition Thomas Guide page 1129, A-6). Acquisition of the property preserves a significant block of southern mixed chaparral habitat for the threatened California gnatcatcher, preserving an important wildlife corridor in the Escondido Creek watershed. The property is within the Pre-Approved Mitigation Area of the Multiple Species Conservation Program Draft North County Plan. The property, which is owned by Elfin Acres Properties LLC, was appraised at \$4 million.

Today's request requires two steps. On October 22, 2014, it is requested that the Board set a hearing for December 3, 2014, and provide public notice of the hearing. If the Board takes the actions recommended for October 22, 2014, then on December 3, 2014, after making the necessary findings, the Board is requested to approve the purchase, from Elfin Acres Properties, LLC, of Assessor's Parcel Numbers 222-130-06 (portion), -13 (portion) and -19 for the appraised value of \$4 million.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2014-15 Operational Plan for Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in a current year cost of \$4,326,625 itemized as follows: \$4,000,000 for property acquisition; \$31,800 for staff and due diligence expenses to complete the transaction; \$11,225 for closing and title costs; and \$283,600 in one-time land protection costs to update the Escondido Creek Preserve Resource Management Plan and for boundary surveys, signage, fencing erosion and vegetation management. The property to be acquired includes a telecommunications site lease that will be assigned to the County. The annual lease revenue is approximately \$21,080, which increases 2.5% per year and expires on May 31, 2021. The lessee has an option to extend the lease for two additional five (5) year terms.

Total annual costs for required land monitoring and management of the 244 acres are estimated at \$35,000. In addition, there will be an annual cost of approximately \$11,191 for fixed charge assessments including vector control and water standby charges. These costs will be partially offset by cell tower revenue with the remainder to be managed through an agreement with The Escondido Creek Conservancy and absorbed within the Department of Parks and Recreation existing budget. There will be no change in current year net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

On October 22, 2014:

1. Set a hearing for December 3, 2014, at which time the Board may consider approving the purchase of Assessor's Parcel Numbers (APNs) 222-130-06 (portion), -13 (portion) and -19 for the appraised value of \$4 million from Elfin Acres Properties.
2. Direct the Clerk of the Board of Supervisors to publish notice of said hearing via publication and posting as required by law.

If, on October 22, 2014, the Board takes the actions recommended in Items 1-2 above then, on December 3, 2014 :

1. Find, in accordance with Sections 15325, 15311 (a), 15301, and 15304 of the California Environmental Quality Act (CEQA) Guidelines, that the purchase of APNs 222-130-06 (portion), -13 (portion) and -19 is categorically exempt from the provisions of the CEQA, as it involves the transfer of ownership of land to preserve open space and natural conditions, minor alterations to land and existing facilities, and the lease of an existing facility.
2. Approve and authorize the Director, Department of General Services, to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of APNs 222-130-06 (portion), -13 (portion) and -19 from Elfin Acres Properties, LLC for the purchase price of \$4 million.
3. Authorize the Director, Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of the property.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, setting a Hearing for December 3, 2014.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

10. **SUBJECT: PROPERTY TAX EXCHANGE FOR PROPOSED JURISDICTIONAL CHANGES AND REORGANIZATION FOR PARKS SERVICES AND FIRE PROTECTION – CARLSBAD - SAN MARCOS REORGANIZATION (DISTRICT: 5)**

**OVERVIEW:**

State law requires that the Board of Supervisors (Board) adopt a property tax exchange resolution before the Local Agency Formation Commission (LAFCO) can process a proposal for jurisdictional changes.

Board Policy B-45 provides guidance for processing tax exchanges and states that the adoption of a resolution establishing a tax exchange does not imply Board support for the proposed reorganization.

The proposed reorganization includes multiple parcels that have been grouped into three separate proposal areas. Area 1 involves annexation to the City of San Marcos of four unincorporated parcels (totaling approximately 11.01 acres) that each front South Santa Fe Road and are owned by the City of San Marcos. Area 2 involves an exchange of incorporated territory between the City of Carlsbad, the City of San Marcos and the San Marcos Fire Protection District (FPD) (totaling approximately 2.77-acres) consisting of three right-of-way areas along Rancho Santa Fe Road. Area 3 involves annexation of five unincorporated right-of way areas (totaling approximately 1.35 acres) on San Elijo Road to the City of San Marcos and the FPD. Annexation of the unincorporated roadways to the City of San Marcos and the FPD would also require their concurrent detachment from County Service Area (CSA) No. 83 (San Dieguito Local Parks) and CSA No. 107 (Elfin Forest/Harmony Grove Fire Department).

The tax exchange for Area 1 and Area 3 is subject to a Master Property Tax Transfer Agreement approved by the Board of Supervisors on November 20, 1984. The tax exchange for Area 2 is negotiated. Today's request is for the Board to adopt a resolution for the exchange of property taxes associated with the proposed reorganization.

**FISCAL IMPACT:**

If approved, this proposal will transfer future property tax revenue for the affected properties to the annexing agencies. The transfer of tax revenue for Areas 1 and 3 is subject to a Master Property Tax Transfer Agreement approved by the Board on November 20, 1984. The transfer of tax base revenue to the City of San Marcos during Fiscal Year 2014-2015 for Area 1 will be \$140.79, including \$110.26 from the County General Fund and \$30.53 from San Diego County Flood Control. The transfer of tax base revenue to the City of San Marcos and the Fire Protection District during Fiscal Year 2014-2015 for Area 3 will be \$9.18, including \$7.05 from the County General Fund, \$0.74 from San Diego County Flood Control, \$0.34 from CSA No. 83 (San Dieguito Local Parks), and \$1.05 from CSA No. 107 (Elfin Forest/Harmony Grove Fire Department). Area 2 includes right-of-way parcels that do not have an assessed value and do not generate property tax revenue. The net loss of property tax revenue from the General Fund for Fiscal Year 2014-2015 will be \$117.31.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt the Resolution entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-155, entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**11. SUBJECT: PROPERTY TAX EXCHANGE FOR PROPOSED JURISDICTIONAL CHANGES AND REORGANIZATION FOR THE FALLBROOK PUBLIC UTILITY DISTRICT AND RAINBOW MUNICIPAL WATER DISTRICT (DISTRICT: 5)**

**OVERVIEW:**

The Fallbrook Public Utility District (Fallbrook PUD) has initiated proposed jurisdictional changes through Local Agency Formation Commission (LAFCO) requesting the dissolution of the Rainbow Municipal Water District (Rainbow MWD), annexation of the territory currently within the Rainbow MWD, and expansion of Fallbrook PUD latent sewer powers covering the territory served by the Rainbow MWD. The Rainbow MWD Board of Directors opposes the proposed changes and officially adopted a resolution of objection to the proposed dissolution and reorganization on July 22, 2014.

While it is the sole responsibility of LAFCO to approve or deny the proposed jurisdictional changes, State law requires that the Board of Supervisors (Board) adopt a property tax exchange resolution before the Local Agency Formation Commission (LAFCO) can process a proposal for jurisdictional changes. A resolution has been prepared that would reallocate all tax revenue to the Fallbrook PUD if LAFCO approves the proposed reorganization. Adoption of the resolution would allow Rainbow MWD to retain all property tax revenue associated with the affected properties in the event LAFCO denies the reorganization.

Today's request provides an opportunity for the Board to provide guidance solely on the tax exchange pursuant to Board Policy B-45, Property Tax Exchanges Resulting from Jurisdictional Changes. The policy clearly states that the adoption of a resolution establishing a tax exchange does not imply Board support for proposed jurisdictional changes. Therefore, any decision that is made regarding the tax exchange should be based solely on the responsibilities of the Board associated with tax revenue not on the merits of the reorganization itself.

**FISCAL IMPACT:**

If LAFCO authorizes the dissolution of the Rainbow MWD, this proposal will transfer all property tax revenue for the affected properties from the Rainbow MWD to the Fallbrook PUD. During Fiscal Year 2013-2014, property tax revenue generated by the Rainbow MWD totaled \$346,552.80. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt the Resolution entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor R. Roberts, the Board took action as recommended, adopting Resolution No. 14-156, entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

12. **SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 4823-1 (MAP NO. 14462): APPROVAL FOR TIME EXTENSION OF LIEN CONTRACT IMPROVEMENT AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR LIVE OAK RANCH LOCATED IN FALLBROOK COMMUNITY PLANNING AREA (DISTRICT: 5)**

**OVERVIEW:**

The purpose of this item is for the Board of Supervisors (Board) to review and approve a time extension of the lien contract improvement agreement for public and private improvements for Live Oak Ranch. This project is a subdivision consisting of 19 single family residential lots on a total of 58.03-acres. County of San Diego Tract No. 4823-1 (Map 14462), known as Live Oak Ranch, is located within the Fallbrook Community Planning area, on the south side of Live Oak Park Road just northeasterly of Ridge Creek Drive (2009 Thomas Guide, Page 1028, C-2).

This is the fourth request to extend, for a period of two years, the performance completion date of the lien contract improvement agreement for public and private improvements for County of San Diego Tract No. 4823-1 (Map 14462).

The owners do not wish to construct the project at this time. A two-year extension will ensure responsibility for constructing needed infrastructure, such as streets, drainage and water facilities, will remain with the owner, and allow them to retain development rights on this project.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:  
CHIEF ADMINISTRATIVE OFFICER**

Extend to September 18, 2016 the performance completion date for County of San Diego Tract No. 4823-1, Final Map 14462.

**ACTION:**

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

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

13. **SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 4736-1 (MAP NO. 13856): APPROVAL FOR TIME EXTENSION OF LIEN CONTRACT IMPROVEMENT AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR THE POLO CLUB LOCATED IN BONSALL COMMUNITY PLANNING AREA (DISTRICT: 5)**

**OVERVIEW:**

The purpose of this item is for the Board of Supervisors (Board) to review and approve a time extension of lien contract improvement agreement for public and private improvements for The Polo Club. This project is a subdivision consisting of 165 single family residential lots and two open space lots on a total of 449.54-acres. County of San Diego Tract No. 4736-1 (Map 13856), known as The Polo Club, is located within the Bonsall Community Planning area, on the north side of Gopher Canyon at Vista Valley Road (2009 Thomas Guide, Page 1068, C-6).

This is a request to extend, for a period of two years, the performance completion date of the lien contract improvement agreement for public and private improvements for County of San Diego Tract No. 4736-1 (Map 13856).

The owners do not wish to construct the project at this time. A two-year extension will ensure responsibility for constructing needed infrastructure, such as streets, drainage and water facilities, will remain with the owner, and allow them to retain development rights on this project

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:  
CHIEF ADMINISTRATIVE OFFICER**

Extend to October 22, 2016 the performance completion date for County of San Diego Tract No. 4736-1, Final Map 13856.

**ACTION:**

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

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**14. SUBJECT: APPROVAL OF STOP CONTROLS IN 4S RANCH;  
SAN DIEGUITO COMMUNITY PLANNING AREA  
(DISTRICT: 3)**

**OVERVIEW:**

The purpose of this item is for the Board of Supervisors (Board) to review and approve a request from the 4S Ranch developer, Newland Communities, to install additional stop controls at 30 locations within 4S Ranch in the San Dieguito Planning Area. The proposed stop control locations are within areas covered by units two and three of Tentative Map 5229. If approved, stop signs will be installed as part of the road improvements that the developer is required to construct prior to acceptance into the County Maintained Road System. The applicant has provided a traffic analysis supporting the installation of the stop controls and the Department of Public Works (DPW) and Planning & Development Services (PDS) have reviewed and accepted the analysis findings.

**FISCAL IMPACT:**

The stop controls proposed to be installed in this project, if approved, would be constructed and implemented by the developer prior to the road improvements being accepted into the County Maintained Road System. If approved, and following acceptance into the County Maintained Road System, funds for long term maintenance of traffic control devices in this proposal will be included in future DPW Road Fund Detailed Work Programs as part of the Operational Plan and there will be no change in net General Fund costs and no additional staff years required.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

Establish all-way stop controls at the following intersections:

1. Ralphs Ranch Road and Alva Road (57<sup>th</sup> Edition Thomas Guide Page 1149-F7)  
4S RANCH -- Establish an all-way stop control.
2. Albert Avenue and Paseo de Linda (57<sup>th</sup> Edition Thomas Guide Page 1169-E2)  
4S RANCH -- Establish an all-way stop control.
3. Albert Avenue and Ralphs Ranch Road (57<sup>th</sup> Edition Thomas Guide Page 1169-F1) 4S RANCH -- Establish an all-way stop control.



4. Albert Avenue and 4S Ranch Parkway (57<sup>th</sup> Edition Thomas Guide Page 1169-F1) 4S RANCH -- Establish an all-way stop control.
5. Monterey Ridge Drive and 4S Ranch Parkway (57<sup>th</sup> Edition Thomas Guide Page 1169-F2) 4S RANCH -- Establish an all-way stop control.

Establish stop controls at the following intersections:

6. Galena Canyon Road and Hunters Ridge Road (57<sup>th</sup> Edition Thomas Guide Page 1149-E7) 4S Ranch -- Establish stop controls for both directions of traffic on Galena Canyon Road.
7. Hunters Ridge Place and Hunters Ridge Road (57<sup>th</sup> Edition Thomas Guide Page 1149-E7) 4S Ranch -- Establish stop controls for both directions of traffic on Hunters Ridge Place.
8. Wood Duck Drive and Hunters Ridge Road (57<sup>th</sup> Edition Thomas Guide Page 1149-F7) 4S Ranch -- Establish a stop control for westbound traffic on Wood Duck Drive.
9. Black Granite Drive and Hedera Hills Road (57<sup>th</sup> Edition Thomas Guide Page 1149-F7) 4S Ranch -- Establish a stop control for northbound traffic on Black Granite Drive.
10. Black Granite Drive and Black Opal Drive (57<sup>th</sup> Edition Thomas Guide Page 1169-F1) 4S Ranch -- Establish a stop control for southbound traffic on Black Granite Drive.
11. Hedera Hills Road and 4S Ranch Parkway (57<sup>th</sup> Edition Thomas Guide Page 1169-F1) 4S RANCH -- Establish a stop control for westbound traffic on Hedera Hills Road.
12. Black Opal Road and 4S Ranch Parkway (57<sup>th</sup> Edition Thomas Guide Page 1169-F1) 4S RANCH -- Establish a stop control for westbound traffic on Black Opal Road.
13. Blue Granite Drive and 4S Ranch Parkway (57<sup>th</sup> Edition Thomas Guide Page 1169-F1) 4S RANCH -- Establish a stop control for westbound traffic on Blue Granite Drive.
14. Richard Road and 4S Ranch Parkway (57<sup>th</sup> Edition Thomas Guide Page 1169-F1) 4S RANCH -- Establish stop controls for both directions of traffic on Richard Road.
15. Rosedust Glen Drive and 4S Ranch Parkway (57<sup>th</sup> Edition Thomas Guide Page 1169-F1) 4S RANCH -- Establish stop controls for both directions of traffic on Rosedust Glen Drive.

16. Eagle Canyon Road and 4S Ranch Parkway (57th Edition Thomas Guide Page 1169-F1) 4S RANCH -- Establish stop controls for both directions of traffic on Eagle Canyon Road.
17. Teal Stone Street and Teal Stone Court (57th Edition Thomas Guide Page 1169-F1) 4S Ranch -- Establish a stop control for eastbound traffic on Teal Stone Street.
18. Eagle Canyon Place and Eagle Canyon Road (57th Edition Thomas Guide Page 1169-F1) 4S Ranch -- Establish a stop control for northbound traffic on Eagle Canyon Place.

Establish Through Highways with all intersecting roads regulated by stop controls on the following roadways:

19. Alva Road/Red Tail Road from the south line of Monterey Ridge Drive northerly to the south line of Ralphs Ranch Road and from the north line of Ralphs Ranch Road northwesterly to the north line of Hunters Ridge Place (57th Edition Thomas Guide Page 1169-F1) 4S RANCH -- Establish a Through Highway.
20. Ralphs Ranch Road from the south line of Monterey Ridge Drive northerly to the south line of Albert Avenue and from the north line of Albert Avenue northeasterly to the west line of Alva Road and from the east line of Alva Road easterly to the End (57th Edition Thomas Guide Page 1169-F2) 4S RANCH -- Establish a Through Highway.

**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 the minor alteration of future public facilities, specifically, the adjustment of regulatory traffic controls on planned road improvements that will become part of the County Maintained Road System. This minor traffic adjustment will result in negligible or no expansion of use beyond that existing at the time Board action.
2. Adopt the following Resolutions:
  - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO. (Attachment A, concerning 1 through 5 above)
  - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO. (Attachment B, concerning Items 5 through 18 above)
  - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN THE COUNTY OF SAN DIEGO. (Attachment C, concerning Items 19 and 20 above)

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting the following:

Resolution No. 14-157, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO;

Resolution No. 14-158, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO; and

Resolution No. 14-159, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN THE COUNTY OF SAN DIEGO.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

15. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF  
ORDINANCE: TRAFFIC ADVISORY COMMITTEE  
RECOMMENDATIONS FOR 9/24/2014 AND 10/22/2014  
(DISTRICTS: 2 & 5)**

**OVERVIEW:**

On September 24, 2014 (8) the Board introduced the Ordinance for further consideration and adoption on October 22, 2014.

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Three items were on the Committee's July 25, 2014 meeting agenda. The Committee recommends your action on all three items.

The Board of Supervisors' action on Item 2-A would amend the County Code of Regulatory Ordinances and requires two steps. On September 24, 2014, the Board will consider the Traffic Advisory Committee items. If the Board takes action on September 24, 2014, then on October 22, 2014, a second reading of an Ordinance amending Section 72.169.92.1. of the San Diego County Code of Regulatory Ordinances would be necessary to implement the Board's direction for Item 2-A.

**FISCAL IMPACT:**

Funds for this proposal are included in the Department of Public Works Road Fund Fiscal Year 2014-15 Operational Plan. If approved, there will be no change in net Road Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinance entitled: AN ORDINANCE AMENDING SECTION 72.169.92.1. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-A)

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Ordinance No. 10358 (N.S.), entitled: AN ORDINANCE AMENDING SECTION 72.169.92.1. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**16. SUBJECT: CLOSED SESSION (CARRYOVER FROM 10/21/14 AGENDA NO. 20) (DISTRICTS: ALL)**

**OVERVIEW:**

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Steven Swartwood, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 12-CV-1665
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Abdelrehiman v. Macchione, San Diego County Superior Court No. 37-2014-00028670; Kerchee v. Macchione, San Diego Superior Court No. 37-2013-00028649
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Landon Heath Wargnier, et al. v. County of San Diego, et al.; San Diego County Superior Court No. 37-2013-00046833
- D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Leo Townsend v. County of San Diego, et al.; United States District Court, Southern District, No. 14-CV-02073
- E. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Lorrie Lubsen, et al. v. County of San Diego, et al.; San Diego County Superior Court No. 37-2014-00083737
- F. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph 4 of subdivision (d) of Government Code section 54956.9: (Number of Cases – 1)

**G. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Government Code section 54957)

Title: Chief Administrative Officer

**ACTION:**

County counsel reported that for Closed Session on Wednesday, October 22, 2014, the Board of Supervisors took the following action:

Item 16A: *Steven Swartwood v County of San Diego*, a lawsuit challenging the actions of Child Welfare Services, by a vote of all five members of the Board present and voting "aye" the Board authorized County Counsel to seek further appellate review in the 9th Circuit.

Item 16F: *Sheriff Department v. Civil Service Commission*, by a vote of all five members of the Board present and voting "aye" the Board authorized the County to seek a writ of administrative mandamus from the San Diego Superior Court directing the San Diego County Civil Service Commission to vacate its decision in this matter.

**17. SUBJECT: PUBLIC COMMUNICATIONS (DISTRICTS: ALL)**

**OVERVIEW:**

Paola Potts spoke to the Board regarding heat warning signs and protecting children and pets in parked vehicles.

Robert Germann spoke to the Board regarding Gillespie Field Airport.

**ACTION:**

Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 11:55 a.m. in memory of Manuel Llera.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors  
County of San Diego, State of California

Consent: Miller


Discussion: Gomez

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.

Approved by the Board of Supervisors, on Wednesday, December 3, 2014.

  
DIANNE JACOB  
Chairwoman

Attest:

  
THOMAS J. PASTUSZKA  
Clerk of the Board

10/22/14