Exhibit A
A. Roll Call

B. Approval of Statement of Board of Supervisor’s Proceedings/Minutes for the Meeting November 9, 2011.

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. Time Certain:

<table>
<thead>
<tr>
<th>Time</th>
<th>Item</th>
<th>Subject</th>
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<tr>
<td>9:00 A.M.</td>
<td>3.</td>
<td>RED TAPE REDUCTION TASK FORCE REPORT AND RECOMMENDATIONS</td>
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<td>TIME CERTAIN: 9:00 A.M.</td>
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Board of Supervisors’ Agenda Items

1. NOTICED PUBLIC HEARING:
   SUNSET REVIEW OF BOARD OF SUPERVISORS POLICY I-63, GENERAL PLAN AMENDMENTS AND ZONING GUIDELINES AND AMENDMENTS TO THE SAN DIEGO COUNTY ADMINISTRATIVE CODE; POD11-009 (FIRST READING – 12/07/11; ADOPT ORDINANCE – 01/9/12)

2. NOTICED PUBLIC HEARING:
   FALLBROOK OAKS MAJOR SUBDIVISION (18 LOTS); 3600 05-015 (R), 3100 5449 (TM), 3500 07-009 (STP), 3000 08-054 (AD), 3910 05-02-029 (ER); FALLBROOK COMMUNITY PLAN AREA

3.* RED TAPE REDUCTION TASK FORCE REPORT AND RECOMMENDATIONS

   TIME CERTAIN: 9:00 A.M.

4. AMEND COUNTY CODE AND AUTHORIZE AMENDMENT OF GRANT AGREEMENTS TO ALLOW A MENTORED, JUNIORS-ONLY WILD TURKEY HUNT AT SANTA YSABEL EAST PRESERVE (FIRST READING – 12/07/11; SECOND READING - 01/25/12)

*Presentation
5. COUNTY OF SAN DIEGO TRACT NO. 5021-1, REVERSION TO ACREAGE (FERNANDEZ TENTATIVE MAP) FINAL MAP NO. 13229, LOCATED IN VALLEY CENTER PLANNING GROUP AREA (12/07/11 – ADOPT RECOMMENDATIONS; 01/09/12 – ADOPT FINDINGS AND APPROVE FINAL MAP)

6. COUNTY OF SAN DIEGO TRACT NO. 5005-1 (MAP NO. 13617): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY, AND EXTENSION OF TIME) LOCATED IN SAN DIEGUITO COMMUNITY PLAN AREA

7. ADOPT A RESOLUTION TO SUMMARILY VACATE A PORTION OF WELTY STREET (ROAD SURVEY NO. 1624) IN RAINBOW (VACATION NO. 2011-0154) [FUNDING SOURCE(S): ROAD FUND FUND BALANCE AVAILABLE THROUGH AN INTERNAL AGREEMENT WITH THE DEPARTMENT OF GENERAL SERVICES]

8. BEAR VALLEY PARKWAY NORTH WIDENING PROJECT IN ESCONDIDO – APPROVAL OF REAL PROPERTY CONTRACTS FOR PARCEL NUMBERS 2008-0318-D (PEREZ) AND 2008-0329-D (PARK) [FUNDING SOURCE(S): ROAD FUND FUND BALANCE AS A RESULT OF PROPOSITION 1B RECEIVED]

9. COUNTY OF SAN DIEGO TRACT NO. 5412-1 (MAP NO. 15654): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY, AND EXTENSION OF TIME) LOCATED IN LAKESIDE COMMUNITY PLAN AREA

10. COUNTY OF SAN DIEGO TRACT NO. 5140-1 (FINAL MAP 15524): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY AND EXTENSION OF TIME) LOCATED IN LAKESIDE COMMUNITY PLAN AREA

11. ADMINISTRATIVE ITEM: SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS (11/09/11 - ADOPT RECOMMENDATIONS; 12/07/11 - SECOND READING OF ORDINANCES)

Supporting documentation and attachments for items listed on this agenda can be viewed online at www.sdcounty.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.
1. **SUBJECT:** NOTICED PUBLIC HEARING: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICY I-63, GENERAL PLAN AMENDMENTS AND ZONING GUIDELINES AND AMENDMENTS TO THE SAN DIEGO COUNTY ADMINISTRATIVE CODE; POD11-009 (FIRST READING – 12/07/2011; ADOPT ORDINANCE – 01/09/2012) (DISTRICTS: ALL)

**OVERVIEW:**
On October 26, 2011(1), the Board of Supervisors received a report from staff regarding the sunset review of Board Policy I-63 (Policy) to determine if the Policy should be retained, amended or eliminated. At the hearing, the Board directed that Board Policy I-63 be eliminated in its current form, and provided direction on the approach and contents of a new policy. This item will present the proposed new Policy for review and consideration by the Board. Additionally, in conjunction with the Board’s direction, staff is proposing an amendment to the County Fee Ordinance which will create a new fee, effective February 10, 2012 for a General Plan Amendment Initial Consultation process.

**FISCAL IMPACT:**
If approved, the ordinance allows for a new fee for conducting a General Plan Amendment Initial Consultation in association with the new Board Policy I-63. This is not a new process, only a new fee to cover a portion of what was previously covered by a time and materials deposit. Funds for this request are included in the Fiscal Year 2011-12 Operational Plan in DPLU. If approved, this request will result in revenues of approximately $16,920 in Fiscal Year 2011-12 and $25,380 in Fiscal Year 2012-13. The $4,230 flat fee would result in full cost recovery of staff time to conduct the review and analysis, meet with the applicant, and prepare a letter to the applicant. No additional staff years are required.

**BUSINESS IMPACT STATEMENT:**
N/A

**RECOMMENDATION:**
**CHIEF ADMINISTRATIVE OFFICER**
1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15061(b)(3) and 15273 of the CEQA Guidelines for the reasons detailed in the Notice of Exemption dated September 23, 2011, on file with the Department of Planning and Land Use (DPLU), Project Number POD11-009 (Attachment D), and approve the findings in Attachment D pursuant to CEQA Guidelines Section 15273(c).

2. Adopt new Board of Supervisors Policy I-63, General Plan Amendment Guidelines, as shown on the attached draft policy. (Attachment A)
3. Approve the introduction of the proposed Administrative Code amendment (first reading), read title and waive further reading of the following ordinance (Attachment B):

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE TO ADD A REVIEW FEE RELATING TO GENERAL PLAN AMENDMENT INITIAL CONSULTATION.

If, on December 7, 2011 the Board takes the actions recommended in Items 1-3, then on January 9, 2012:

Adopt the Ordinance (Attachment B):

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE TO ADD A REVIEW FEE RELATING TO GENERAL PLAN AMENDMENT INITIAL CONSULTATION.

2. SUBJECT: NOTICED PUBLIC HEARING:
FALLBROOK OAKS MAJOR SUBDIVISION (18 LOTS); 3600 05-015 (R), 3100 5449 (TM), 3500 07-009 (STP), 3000 08-054 (AD), 3910 05-02-029 (ER); FALLBROOK COMMUNITY PLAN AREA (DISTRICT: 5)

OVERVIEW:
This is a request to subdivide 27.2 acres into 18 residential lots. The project includes the development of approximately 21.6 acres and the preservation of approximately 5.6 acres within permanent open space. The Zone Reclassification would change an existing portion of C36, General Commercial Use Regulations to A70, Limited Agricultural Use Regulations. Access to the project site would be from a private road from Reche Road along the western boundary. The project would be served by the Rainbow Municipal Water District for water and sewer service. A Site Plan is also proposed in accordance with the I-15 Corridor Design Review Guidelines as is an Administrative Permit for lot area averaging. The project site is located at the intersection of Ranger Road and Reche Road in the Fallbrook Community Plan area within the unincorporated area of San Diego County (2011 Thomas Guide Page 1028, F-3, F-4 & E-4).

FISCAL IMPACT:
N/A

BUSINESS IMPACT STATEMENT:
N/A
RECOMMENDATION:
PLANNING COMMISSION
1. Adopt the environmental findings included in Attachment G.

2. Adopt the Ordinance titled:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE FALLBROOK COMMUNITY PLAN AREA, REF: R05-015. (Attachment B)

3. Adopt the Resolution Approving Tentative Map 5449 RPL\(^1\), which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with state law and County of San Diego Regulations. (Attachment C)

4. Grant Site Plan 07-009 and impose the requirements and conditions set forth in the Site Plan Form of Decision. (Attachment D)

5. Grant Administrative Permit 08-054 and impose the requirements and conditions set forth in the Administrative Permit Form of Decision. (Attachment E)

DEPARTMENT OF PLANNING AND LAND USE
The Department concurs with the Planning Commission recommendation.

3. SUBJECT:  RED TAPE REDUCTION TASK FORCE REPORT AND RECOMMENDATIONS (DISTRICTS: ALL)

OVERVIEW:
On March 2, 2011 (1) and April 13, 2011 (2), the Board of Supervisors directed formation of the Red Tape Reduction Task Force (Task Force) and adopted a resolution forming the Task Force, respectively. The purpose of the Task Force was to examine the land development permitting process and identify opportunities for operational improvements that will result in efficiencies in the permitting process. This item includes the Task Force's final report which contains a description of the methodology used to evaluate the process, the findings made and the recommendations proposed to improve the land development permitting process.

FISCAL IMPACT:
Some recommendations suggested by the Task Force would result in a fiscal impact.

BUSINESS IMPACT STATEMENT:
N/A
RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
1. Receive the report entitled “Red Tape Reduction Task Force, Report to the Board of Supervisors”.

2. Direct staff to evaluate the recommendations the Board selects and report back within 60 days.

4. SUBJECT: AMEND COUNTY CODE AND AUTHORIZE AMENDMENT OF GRANT AGREEMENTS TO ALLOW A MENTORED, JUNIORS-ONLY WILD TURKEY HUNT AT SANTA YSABEL EAST PRESERVE (FIRST READING – 12/07/2011; SECOND READING - 01/25/2012) (DISTRICT: 2)

Overview
On February 1, 2011 (4) and February 8, 2011 (11), the Board of Supervisors approved amendments to the County Code of Regulatory Ordinances to allow for a mentored, juniors-only wild turkey hunt at William Heise Regional Park and authorized the Director of Parks and Recreation to enter into an agreement with the San Diego Chapter of the National Wild Turkey Federation to conduct and oversee the March 2011 hunt at William Heise Regional Park. The Board directed the CAO to return to the Board with a revised ordinance that would establish future mentored, youth-only hunting events to be held at Santa Ysabel East Open Space Preserve. In addition, the Board directed the Chief Administrative Officer (CAO) to report back to the Board on the event and any illegal hunting activities in County parks.

The mentored, juniors-only turkey hunt was held on March 19 and 20, 2011, with six youth participating. Four of the six youth successfully harvested a turkey and no problems were encountered. The Department of Parks and Recreation has not experienced any significant problems with illegal hunting since the event.

This proposed action requires two steps. The first step would introduce an ordinance on December 7, 2011 and authorize the Director, Department of Parks and Recreation to enter into an agreement, subject to annual review, with the San Diego Chapter of the National Wild Turkey Federation and amend grant related documents with the State of California Wildlife Conservation Board and the California Department of Transportation to allow for an annual two day mentored juniors-only wild turkey hunt at Santa Ysabel East Preserve. The second step would be the second reading which is scheduled for January 25, 2012.

Fiscal Impact
There is no fiscal impact associated with approval of the Ordinance amendment. However, if the Director of the Department Parks and Recreation is authorized to enter into an agreement with the San Diego Chapter of the National Wild Turkey Federation, this will result in estimated costs and revenue up to $2,500 in Fiscal Year 2011-12. Funds for this request are not included in Fiscal Year 2011-12 Operational
Plan in the Department of Parks and Recreation. Additional appropriations are not needed as costs of up to $2,500 will be absorbed with existing appropriations. Revenue of up to $2,500 will provide full cost recovery of County staff time to secure the Preserve during the two day hunt, provide appropriate signage, and submit public notices. The agreement will be subject to annual review. There will be no additional staff years associated with today's actions.

Business Impact Statement
N/A

Recommendation(s)
CHIEF ADMINISTRATIVE OFFICER
On December 7, 2011
1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15304 because the proposed project will allow a minor, temporary use of land having negligible or no permanent effects on the environment.

2. Approve the introduction of the Ordinance (First Reading) on December 7, 2011, read title and waive further reading of the Ordinance:

   AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE SAN DIEGO COUNTY CODE TO ALLOW AN ANNUAL, MENTORED, JUNIORS-ONLY TURKEY HUNT IN SANTA YSABEL EAST PRESERVE.

3. Authorize the Director of the Department of Parks and Recreation to enter into a full cost recovery agreement, upon review and approval by County Counsel, with the San Diego Chapter of the National Wild Turkey Federation to conduct and oversee a mentored, juniors-only two day turkey hunt at Santa Ysabel East Preserve (Preserve). The agreement will be reviewed on an annual basis and will define the responsibilities of the parties including hunting dates and hours, hunting locations within the Preserve, restrictions/rules during the hunt, insurance, and defense and indemnification.

4. Authorize the Director of the Department of Parks and Recreation to amend the Grant Agreement with the State of California Wildlife Conservation Board, as well as negotiate and approve an Agreement Declaring Restrictive Covenants with the State of California Department of Transportation to allow an annual mentored, juniors-only two day turkey hunt in Santa Ysabel East Preserve.

If on December 7, 2011, the Board takes the actions recommended in Items 1-2 above, then on January 25, 2012:

Submit the Ordinance for further Board consideration and adoption (Second Reading).
5. **SUBJECT:** COUNTY OF SAN DIEGO TRACT NO. 5021-1, REVERSION TO ACREAGE (FERNANDEZ TENTATIVE MAP) FINAL MAP NO. 13229, LOCATED IN VALLEY CENTER PLANNING GROUP AREA (12/07/11 – ADOPT RECOMMENDATIONS; 01/09/12 – ADOPT FINDINGS AND APPROVE FINAL MAP) (DISTRICT: 5)

**OVERVIEW:**
The project is a subdivision consisting of 12 single-family residential lots, and a total of 29.59 acres. It is located in the Valley Center area, at the intersection of Rodriguez Road and Mountain Ridge Road (2009 Thomas Guide Page 1069, C-2).

At the owner’s request, this project is being brought before the Board to take actions necessary to revert to acreage County of San Diego Tract No. 5021-1, Final Map No. 13229. Reversion is appropriate because all dedications or offers of dedication shown on Final Map No. 13229 will no longer be necessary once the subdivision is reverted to acreage and the owner has by virtue of her request that today’s action be initiated consented to the reversion to acreage.

**FISCAL IMPACT:**
N/A

**BUSINESS IMPACT STATEMENT:**
N/A

**RECOMMENDATION:**
**CHIEF ADMINISTRATIVE OFFICER**
On December 7, 2011, take the following action:
1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the state CEQA Guidelines.

2. Approve and authorize the Clerk of the Board of Supervisors to execute Release of Joint Lien Contract and Termination of Holding and Joint Improvement Agreements. (Attachment C)

3. Authorize the Director of the Department of Public Works of the County of San Diego to execute and cause to be recorded documents reflecting the contract amendments made in accordance with the Release of Joint Lien Contract and Termination of Holding and Joint Improvement Agreements.

4. Initiate proceedings to revert Tentative Map 5021-1, Final Map No. 13229, to acreage.

If the Board takes the action recommended on December 7, 2011, take the following action on January 9, 2012:
1. Adopt the findings required by Government Code Section 66499.16 as set forth in Attachment D.
2. Approve the Final Map reverting Tentative Map 5021-1, Final Map No. 13229, to acreage subject to the retention of all previously paid fees and deposits.

3. Authorize the Director of the Department of Public Works for the County of San Diego to take such additional action, including without limitation the negotiation, execution and recordation of lien releases and other documents, as may be necessary to complete the reversion of Tentative Map 5021-1, Final Map No. 13229, to acreage.

6. **SUBJECT:** COUNTY OF SAN DIEGO TRACT NO. 5005-1 (MAP NO. 13617): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY, AND EXTENSION OF TIME) LOCATED IN SAN DIEGUITO COMMUNITY PLAN AREA (DISTRICT: 5)

**OVERVIEW:**
This project is a subdivision consisting of 80 commercial condominium units with five residential lots, two recreational lots, and one private street lot on a total of 31.56 acres. The project is located in the Fairbanks Ranch area, on Rancho Valencia Drive just east of Rancho Valencia Road (2009 Thomas Guide Page 1168, F-7). Final Map No. 13617 was approved for this subdivision on August 12, 1998 (4). At the time the Final Map was approved, the subdivider entered into a joint secured agreement to guarantee the construction of public improvements required as a condition of approval of the subdivision. This agreement required the improvements to be completed by August 12, 2000. Subsequent Time Extensions have extended this date to June 23, 2012.

This is a request to approve amendment to the joint secured agreement to extend the time to complete improvements to June 23, 2014, substitute a new owner in place of the original subdivider, and replace required improvement security. An extension of time will ensure responsibility remains with the new owner and will allow for construction of the needed infrastructure such as streets, drainage, and water facilities by the new owner.

**FISCAL IMPACT:**
N/A

**BUSINESS IMPACT STATEMENT:**
N/A
RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
1. Approve and authorize Clerk of the Board to execute and record Amendment to Joint Agreement to Improve Subdivision including Substitution of Parties, Extension of Time, and Substitution of Security. This joint agreement extends time to complete improvements to June 23, 2014. (Attachment B)

2. Authorize the Clerk of the Board to release the original Faithful Performance Bond (Bond No. 1563071) and Labor and Material Bond (Bond No. 1563071) from the Joint Agreement to Improve Major Subdivision approved by the Board on August 12, 1998, and accept in their place the bonds from the new owner [Bond Nos. 4368330 and 4368331]. (Attachments C and D)

7. SUBJECT: ADOPT A RESOLUTION TO SUMMARILY VACATE A PORTION OF WELTY STREET (ROAD SURVEY NO. 1624) IN RAINBOW (VACATION NO. 2011-0154) (DISTRICT: 5)

OVERVIEW:
The Department of General Services, Real Estate Services Division is processing a request from the Department of Public Works to summarily vacate a public service easement shown on Amended Map of Rainbow No. 880 that was adopted by the Board of Supervisors in 1902. The proposed vacation is located south of Fifth Street and west of Rainbow Valley Boulevard in the unincorporated community of Rainbow (2010 Thomas Guide Page 998, J5).

A road was not built over the proposed vacation area since its adoption by the Board in 1902; nor has it been used by the public for road purposes. Pursuant to Streets and Highway Code Section 8333(a), when a public service easement has not been used for the purpose for which it was dedicated for five consecutive years immediately preceding the vacation, it may be vacated. The proposed vacation will eliminate public access over a “paper street” on property owned by the Vallecitos School District and the County of San Diego. Today’s request is to adopt a resolution to summarily vacate a portion of Welty Road that has not been used for public road purposes. A utility easement within the proposed vacation area will be expressly reserved.

FISCAL IMPACT:
Funds for this request are included in the Fiscal Year 2011-12 Operational Plan for the Department of Public Works. If approved, this request will result in current year costs of $3,500 for County staff to review, process and prepare the vacation. The funding source is Road Fund fund balance available through an Internal Agreement with the Department of General Services. This request will result in no net General Fund costs and no additional staff years.
BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
1. Find that the proposed project is exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations.

2. Adopt a Resolution entitled, “RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE A PORTION OF WELTY STREET (ROAD SURVEY 1624) IN THE UNINCORPORATED AREA OF RAINBOW (VACATION NO. 2011-0154).”

3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2011-0154 pursuant to Streets and Highway Code Section 8336.

8. SUBJECT:  BEAR VALLEY PARKWAY NORTH WIDENING PROJECT IN ESCONDIDO – APPROVAL OF REAL PROPERTY CONTRACTS FOR PARCEL NUMBERS 2008-0318-D (PEREZ) AND 2008-0329-D (PARK) (DISTRICTS: 3 AND 5)

OVERVIEW:
The Bear Valley Parkway North Widening project will relieve traffic congestion by widening a one-mile segment of Bear Valley Parkway, between State Route 78 and Boyle Avenue in the unincorporated area of Escondido (2010 Thomas Guide, page 1130-D3, D4). Construction of the project requires acquisition of property rights from 50 properties within the project area. To date, 35 of the 50 property owners have signed real property contracts agreeing to sell the required interests to the County. Of these, 12 were previously approved by your Board on June 29, 2011 (4), and August 3, 2011 (4), and 21 contracts, which were for less than $150,000 each, were approved by the Director of General Services pursuant to Section 73 of the Administrative Code which authorizes such approvals. The remaining two contracts require your Board’s approval.

Today, the Board is requested to approve Real Property Contracts for the full fee acquisition of Parcel Number 2008-0318-D (Perez) for the appraised value of $370,000 and Parcel Number 2008-0329-D (Park) for the appraised value of $350,000. County staff is continuing negotiations with the remaining 15 unsigned property owners.
FISCAL IMPACT:
Funding for this request is included in the Fiscal Year 2011-2012 Operational Plan for the Department of Public Works, Detailed Work Program. If approved, this request will result in Fiscal Year 2011-12 costs of $727,500 ($720,000 for the acquisition of the property and an additional $7,500 for escrow and title fees). The funding source is Road Fund fund balance as a result of Proposition 1B received. There will be no impact to the General Fund and no additional staff years.

BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
1. Find that the Final Environmental Impact Report (FEIR) and Errata thereof for the Bear Valley Parkway North Widening Project, dated April 2010, SCH No. 2009-021015, on file at the Department of Public Works, was prepared in compliance with California Environmental Quality Act (CEQA) and the CEQA Guidelines, and that the decision making body has reviewed and considered the information contained therein prior to approving the project; and

Find that the currently proposed action is within the scope of the FEIR; that there are no changes in the project or in the circumstances under which it is to be undertaken that would result in significant environmental impacts beyond those considered in the certified FEIR, 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 FEIR was prepared.

2. Approve and authorize the Director of the Department of General Services to execute two originals of the Real Property Contract for the purchase of Parcel No. 2008-0318-D from Gregorio Perez for the appraised value of $370,000.

3. Approve and authorize the Director of the Department of General Services to execute two originals of the Real Property Contract for the purchase of Parcel No. 2008-0329-D from Jeremy Park and Bruce Park for the appraised value of $350,000.

4. Authorize the Director of the Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of the parcel.
9. **SUBJECT:** COUNTY OF SAN DIEGO TRACT NO. 5412-1 (MAP NO. 15654): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY, AND EXTENSION OF TIME) LOCATED IN LAKESIDE COMMUNITY PLAN AREA (DISTRICT: 2)

**OVERVIEW:**

This project is a subdivision consisting of seven single family residential lots on a total of 3.26 acres. It is located in the Lakeside area, on the easterly side of First Street at the intersection with Greta Street (2009 Thomas Guide Page 1251, H-2). Final Map No. 15654 was approved for this subdivision on December 5, 2007 (16). At the time the Final Map was approved, the subdivider entered into a joint secured agreement to guarantee the construction of public improvements required as a condition of approval of the subdivision. This agreement required the improvements to be completed by September 10, 2009. In December 2009, the subdivider requested, and was granted, an extension of time from the Department of Public Works for the improvements to be completed by September 11, 2011. The property has subsequently been purchased by a new owner.

This is a request by the new owner to approve an amendment to the joint secured agreement to extend the time to complete improvements by another two years to December 7, 2013, substitute a new owner in place of the original subdivider and replace required improvement security. A two-year extension will ensure responsibility and allow for construction of the needed infrastructure such as streets, drainage, and water facilities by the new owner.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Approve and authorize Clerk of the Board to execute Amendment to Joint Agreement to Improve Major Subdivision including Substitution of Parties, Extension of Time, and Substitution of Security [Improvement Security Agreement-Cash Deposit]. This amended agreement extends time to complete improvements to December 7, 2013. (Attachment B)

2. Authorize the Clerk of the Board to release the original Faithful Performance Bond (Bond No. 227-18-47) and Labor and Material Bond (Bond No. 227-18-47) from the Joint Agreement to Improve Major Subdivision approved by the Board on December 5, 2007 (16), and accept in their place the Improvement Security Agreement-Cash Deposit from the new owner. (Attachment C)
10. **SUBJECT:** COUNTY OF SAN DIEGO TRACT NO. 5140-1 (FINAL MAP 15524): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY AND EXTENSION OF TIME) LOCATED IN LAKESIDE COMMUNITY PLAN AREA (DISTRICT: 2)

**OVERVIEW:**
This project is a subdivision consisting of 31 single-family residential lots and one open space lot on a total of 56.0 acres. The project is in the Lakeside area east of Lakeview Road at the easterly end of Sohail Street (2009 Thomas Guide Page 1232, D-4).

This is a request by the new owner to approve an amendment to the joint secured agreement to extend the time to complete improvements by another two years to December 7, 2013, substitute a new owner in place of the original divider and replace required improvement security. A two-year extension will ensure responsibility and allow for construction of the needed infrastructure such as streets, drainage, and water facilities by the new owner.

**FISCAL IMPACT:**
N/A

**BUSINESS IMPACT STATEMENT:**
N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**
1. Approve and authorize Clerk of the Board to execute Amendment to Joint Agreement to Improve Subdivision including Substitution of Parties, Extension of Time and Substitution of Security. This agreement extends time to complete improvements to December 7, 2013. (Attachment B)

2. Authorize the Clerk of the Board to release the original Faithful Performance Bond (Bond No. 726788S) and Labor and Material Bond (Bond No. 726788S) from the Joint Agreement to Improve Major Subdivision approved by the Board on February 28, 2007 (1 and 15) and accept in their place the bonds from the new owner. (Attachments C and D)

**OVERVIEW:**
On November 9, 2011 (3), the Board of Supervisors introduced Ordinance for further consideration and adoption on December 7, 2011.

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Eight items were on the Committee's September 16, 2011 meeting agenda. The Committee recommends your action on all eight items.

This action requires two steps. On November 9, 2011, the Board will consider eight Traffic Advisory Committee items. If the Board takes action on November 9, 2011, then on December 7, 2011, a second reading of Ordinances amending Section 72.167.5. (Item 2-A), adding Section 72.163.55.1. (Item 2-B), amending Section 72.169.92.2., and deleting Section 72.169.92.3. (Item 2-E) of the San Diego County Code of Regulatory Ordinances is necessary to implement the Board’s direction.

**FISCAL IMPACT:**
Funds for this proposal are included in the Department of Public Works Road Fund Fiscal Year 2011-12 Operational Plan. If approved, there will be no change in net General Fund cost and require no additional staff years.

**BUSINESS IMPACT STATEMENT:**
N/A

**RECOMMENDATION:**
**TRAFFIC ADVISORY COMMITTEE**
Adopt Ordinances entitled:

AN ORDINANCE AMENDING SECTION 72.167.5 OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-A)

AN ORDINANCE ADDING SECTION 72.163.55.1. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-B)

AN ORDINANCE AMENDING SECTION 72.169.92.2. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-E)

AN ORDINANCE DELETING SECTION 72.169.92.3. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-E)
Exhibit B
Should the Board direct us to do so, County staff would be able implement the highlighted recommendations now.

For those not highlighted, staff requests 60 days to evaluate those recommendations and return to the Board.

Procedures and Training

1. Implement ongoing and consistent staff training to enable planners to recognize unnecessary steps.
2. Establish an ongoing training and mentoring program for employees. (8.1)¹

Service First Initiative/Citygate Study

1. Customer service must be a top priority in the land development permitting process. (1)
2. Establish an ongoing customer service training program. (1.10)
3. Assign project managers to project applications early in the process and have them remain as the customer’s go-to person on ALL aspects of the project through completion. (1.8)
4. Develop a LUEG-wide sense of urgency and timeliness of development processes; encourage, support and promote staff that embraces this philosophy. (1.12)
5. Eliminate multiple “bites of the apple” during the development review permitting process. (4.3) (A specific proposal for defining the scope of additional and subsequent reviews is defined in Attachment A.)
6. Complete the implementation of the new permitting system (Accela) and maintain the program. (1.13, 7)
7. Create a program manager level position to function as a problem-solver or troubleshooter. (10.7)

Incentives

1. Empower and reward those employees who demonstrate results within and across divisional and departmental lines. (3.6)
2. Look for ways to provide additional performance incentives for staff recognition (e.g., processing a project quickly and taking it to a decision-making body).

Organizational Structure

1. Organize [the departments] around the development review permitting process, rather than within the historical silos. (10)
2. Combine DPW Land Development with DPLU and create a new unified department. (10.1)

¹ The numbers in parentheses following the recommendations indicate the number of the same recommendation in the Functional and Organizational Analysis of the Department of Planning and Land Use prepared by Citygate Associates, LLC.
3. Transfer the DPW Transportation Planning and Traffic Engineering functions, DEH Land Development functions and DPR Land Development functions into the new unified department.

4. Empower the project manager to make decisions. (Similar to 3.2)

Land Use Jurisdictions
1. Do not require approvals from other local land use jurisdictions during project processing or in project conditioning.

Project Processing and Conditioning
1. Omit from project processing requirements and discretionary approvals/permits conditions of approval that require permittees to obtain specified permits from outside agencies or provide documentation from those specified agencies that the permits are not required. Although it is not necessary, the County may include a written notice in each discretionary approval/permit such as the following notice provided by the City of San Diego in its approvals/permits: “Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).”

Metrics
1. Performance measures need to address project timelines, not just the tasks of individual employees.
2. Reduce “task-centric” focus on metrics. Increase focus on project completion or “end-game” metrics. (Similar to 6.1 and 6.3)

Continuous Improvement
1. Fund a Continuous Improvement Program to ensure that the Service First Recommendations are being continuously implemented.
2. The Board of Supervisors should appoint an external “Audit Committee” to review the performance of the departments involved with development review permitting against the recommendations in the Service First Initiative and this report.
   a. The “Audit Committee” should be comprised of members of the public with experience in land use and land development.
   b. The new department involved with development review permitting should use clear, ongoing, verifiable performance standards (developed in conjunction with the “Audit Committee”) to ensure that the major recommendations are being implemented with focus on project completion.
   c. The “Audit Committee” shall meet two or three times per year and report their findings and any follow-up recommendations back to the Board of Supervisors.

Community Planning/Sponsor Groups
Modify the existing Planning Group structure to either:
1. Remove Community Planning and Sponsor Groups (CPGs) from the County’s ‘umbrella’ and rescind Board Policy I-1; and
   • Require applicants for discretionary projects to prepare a Public Participation Plan (PPP) to inform residents of the community of the proposed project. The PPP shall be required for the following projects: TPM’s, TM’s, MUP’s, Rezones, Specific Plans, General Plan Amendments or other similar permit types. The PPP shall include one publicly noticed community meeting to be held in the community.

   -OR-

2. Leave CPGs under the County’s ‘umbrella’ with the following changes:
   • Limit the scope of their review to the preparation and amendment of the General Plan and Community Plan and the PPP as described below.
   • Staff each CPG meeting with a senior level planner and County Counsel.
   • Institute term limits on CPG members to a maximum of two, two-year terms, in a ten year period.
   • Limit the number of CPG members for each group to seven.
   • Revise Board Policy I-1 to reflect the changes listed herein.
   • Revise the Fee Ordinance to clarify that CPG’s no longer receive free appeals to the Board of Supervisors.
   • Require applicants for discretionary projects to prepare a Public Participation Plan (PPP) to inform residents of the community of the proposed project. The PPP shall be required for the following projects: TPM’s, TM’s, MUP’s, Rezones, Specific Plans, General Plan Amendments or other similar permit types. The PPP shall include one publicly noticed community meeting to be held in the community.

Self Certification
1. Allow licensed professionals to “self-certify” their drawings and submittals as appropriate to their license classification and professional registration for private improvements.

Cost Control
1. Except for applicant originated changes, establish reasonable, not-to-exceed costs for discretionary plan review. (This is similar to how a private sector land use consultant would establish charges for their services.)

Condition Timing
1. Revise the timing for condition satisfaction and mitigation. Utilize Accela to allow for condition satisfaction to occur at the latest point possible (e.g., permit approval, concurrent with actual impact, prior-to-occupancy). Establish a Mitigation Monitoring Reporting Program wherein all mitigation required for a particular project will be located in one place, including phasing, if any.
Red Tape Reduction Task Force Recommendations

Off Map Conditioning
1. Record all possible items on the map (as opposed to off-map by separate document) unless there is a specific legal requirement that recordation be done by separate document.

Stormwater Priority Projects
1. Review stormwater requirements with respect to what constitutes a “priority project” and where possible, provide options to keep smaller, lower-risk projects out of the priority designation.

Residential Design Guidelines
1. Do not adopt the additional, new residential design guidelines as currently proposed.

Resource Protection Ordinance
1. Rely upon existing local, state and federal laws and eliminate the RPO.

EIR Risk Assumption Finding
1. In exchange for appropriate indemnification, allow project applicants to decide whether to include additional information or make additional revisions to an EIR, once the EIR meets reasonable standards.

General Recommendations
1. Applicants should not be required to submit applications or studies not otherwise required by written policy.
2. Consider outsourcing or managed competition for smaller, more routine discretionary permit processing and plan review functions.
3. Development standards enforced via local County ordinances should be subject to the vesting provisions of the Map Act (i.e. grandfathering).
4. Continue to shift as many project approvals as possible to ministerial, through projects such as the Tiered Wineries Ordinance.
5. The County should support CEQA reform efforts through its legislative program, California State Association of Counties and the California Legislature.
Exhibit C
REGULAR SESSION – Regular Meeting was called to order at 9:03 a.m.

Present: Supervisors Bill Horn, Chairman; Ron Roberts, Vice Chairman; Greg Cox; Dianne Jacob; Pam Slater-Price; also David C. Hall, Assistant Clerk of the Board.

Approval of Statement of Board of Supervisor’s Proceedings/Minutes for the Meeting November 9, 2011.

ACTION:
ON MOTION of Supervisor Slater-Price, seconded by Supervisor Cox, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Meeting of November 9, 2011.

AYES: Cox, Jacob, Slater-Price, Horn
ABSENT: Roberts

Time Certain:

<table>
<thead>
<tr>
<th>Time</th>
<th>Item</th>
<th>Subject</th>
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<tbody>
<tr>
<td>9:00 A.M.</td>
<td>3</td>
<td>RED TAPE REDUCTION TASK FORCE REPORT AND RECOMMENDATIONS</td>
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Board of Supervisors’ Agenda Items

1. NOTICED PUBLIC HEARING:
   SUNSET REVIEW OF BOARD OF SUPERVISORS POLICY I-63, GENERAL PLAN AMENDMENTS AND ZONING GUIDELINES AND AMENDMENTS TO THE SAN DIEGO COUNTY ADMINISTRATIVE CODE; POD11-009 (FIRST READING – 12/07/11; ADOPT ORDINANCE – 01/9/12)

2. NOTICED PUBLIC HEARING:
   FALLBROOK OAKS MAJOR SUBDIVISION (18 LOTS); 3600 05-015 (R), 3100 5449 (TM), 3500 07-009 (STP), 3000 08-054 (AD), 3910 05-02-029 (ER); FALLBROOK COMMUNITY PLAN AREA
3. *RED TAPE REDUCTION TASK FORCE REPORT AND RECOMMENDATIONS

TIME CERTAIN: 9:00 A.M.

4. AMEND COUNTY CODE AND AUTHORIZE AMENDMENT OF GRANT AGREEMENTS TO ALLOW A MENTORED, JUNIORS-ONLY WILD TURKEY HUNT AT SANTA YSABEL EAST PRESERVE (FIRST READING – 12/07/11; SECOND READING - 01/25/12)

5. COUNTY OF SAN DIEGO TRACT NO. 5021-1, REVERSION TO ACREAGE (FERNANDEZ TENTATIVE MAP) FINAL MAP NO. 13229, LOCATED IN VALLEY CENTER PLANNING GROUP AREA (12/07/11 – ADOPT RECOMMENDATIONS; 01/09/12 – ADOPT FINDINGS AND APPROVE FINAL MAP)

6. COUNTY OF SAN DIEGO TRACT NO. 5005-1 (MAP NO. 13617): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY, AND EXTENSION OF TIME) LOCATED IN SAN DIEGUITO COMMUNITY PLAN AREA

7. ADOPT A RESOLUTION TO SUMMARILY VACATE A PORTION OF WELTY STREET (ROAD SURVEY NO. 1624) IN RAINBOW (VACATION NO. 2011-0154)
   [FUNDING SOURCE(S): ROAD FUND FUND BALANCE AVAILABLE THROUGH AN INTERNAL AGREEMENT WITH THE DEPARTMENT OF GENERAL SERVICES]

8. BEAR VALLEY PARKWAY NORTH WIDENING PROJECT IN ESCONDIDO – APPROVAL OF REAL PROPERTY CONTRACTS FOR PARCEL NUMBERS 2008-0318-D (Perez) AND 2008-0329-D (PARK)
   [FUNDING SOURCE(S): ROAD FUND FUND BALANCE AS A RESULT OF PROPOSITION 1B RECEIVED]

9. COUNTY OF SAN DIEGO TRACT NO. 5412-1 (MAP NO. 15654): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY, AND EXTENSION OF TIME) LOCATED IN LAKESIDE COMMUNITY PLAN AREA

10. COUNTY OF SAN DIEGO TRACT NO. 5140-1 (FINAL MAP 15524): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY AND EXTENSION OF TIME) LOCATED IN LAKESIDE COMMUNITY PLAN AREA

11. ADMINISTRATIVE ITEM:
    SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS (11/09/11 - ADOPT RECOMMENDATIONS; 12/07/11 - SECOND READING OF ORDINANCES)
12. CLOSED SESSION (CARRYOVER FROM 12/06/11, AGENDA NO. 37)
13. PUBLIC COMMUNICATION
1. **SUBJECT:** NOTICED PUBLIC HEARING: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICY I-63, GENERAL PLAN AMENDMENTS AND ZONING GUIDELINES AND AMENDMENTS TO THE SAN DIEGO COUNTY ADMINISTRATIVE CODE; POD11-009 (FIRST READING – 12/07/2011; ADOPT ORDINANCE – 01/09/2012) (DISTRICTS: ALL)

**OVERVIEW:**
On October 26, 2011, the Board of Supervisors received a report from staff regarding the sunset review of Board Policy I-63 (Policy) to determine if the Policy should be retained, amended or eliminated. At the hearing, the Board directed that Board Policy I-63 be eliminated in its current form, and provided direction on the approach and contents of a new policy. This item will present the proposed new Policy for review and consideration by the Board. Additionally, in conjunction with the Board’s direction, staff is proposing an amendment to the County Fee Ordinance which will create a new fee, effective February 10, 2012 for a General Plan Amendment Initial Consultation process.

**FISCAL IMPACT:**
If approved, the ordinance allows for a new fee for conducting a General Plan Amendment Initial Consultation in association with the new Board Policy I-63. This is not a new process, only a new fee to cover a portion of what was previously covered by a time and materials deposit. Funds for this request are included in the Fiscal Year 2011-12 Operational Plan in DPLU. If approved, this request will result in revenues of approximately $16,920 in Fiscal Year 2011-12 and $25,380 in Fiscal Year 2012-13. The $4,230 flat fee would result in full cost recovery of staff time to conduct the review and analysis, meet with the applicant, and prepare a letter to the applicant. No additional staff years are required.

**BUSINESS IMPACT STATEMENT:**
N/A

**RECOMMENDATION:**
CHIEF ADMINISTRATIVE OFFICER
1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15061(b)(3) and 15273 of the CEQA Guidelines for the reasons detailed in the Notice of Exemption dated September 23, 2011, on file with the Department of Planning and Land Use (DPLU), Project Number POD11-009 (Attachment D), and approve the findings in Attachment D pursuant to CEQA Guidelines Section 15273(c).

2. Adopt new Board of Supervisors Policy I-63, General Plan Amendment Guidelines, as shown on the attached draft policy. (Attachment A)
3. Approve the introduction of the proposed Administrative Code amendment (first reading), read title and waive further reading of the following ordinance (Attachment B);

   AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE TO ADD A REVIEW FEE RELATING TO GENERAL PLAN AMENDMENT INITIAL CONSULTATION.

If, on December 7, 2011 the Board takes the actions recommended in Items 1-3, then on January 9, 2012:
Adopt the Ordinance (Attachment B):

   AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE TO ADD A REVIEW FEE RELATING TO GENERAL PLAN AMENDMENT INITIAL CONSULTATION.

ACTION:
ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board closed the Hearing and took action as recommended, with modifications to Board of Supervisors Policy I-63 to include “Step 1” to read: “Step 1: General Plan Amendment Initial Consultation (Optional)” and “Step 2” to include forwarding a copy of the Scoping letter to the applicable Community Planning Group; and introducing Ordinance for further Board consideration and adoption on January 9, 2012.

AYES: Cox, Jacob, Slater-Price, Roberts
NOES: Horn

2. SUBJECT: NOTICED PUBLIC HEARING:
   FALLBROOK OAKS MAJOR SUBDIVISION (18 LOTS); 3600 05-015 (R), 3100 5449 (TM), 3500 07-009 (STP), 3000 08-054 (AD), 3910 05-02-029 (ER); FALLBROOK COMMUNITY PLAN AREA (DISTRICT: 5)

OVERVIEW:
This is a request to subdivide 27.2 acres into 18 residential lots. The project includes the development of approximately 21.6 acres and the preservation of approximately 5.6 acres within permanent open space. The Zone Reclassification would change an existing portion of C36, General Commercial Use Regulations to A70, Limited Agricultural Use Regulations. Access to the project site would be from a private road from Reche Road along the western boundary. The project would be served by the Rainbow Municipal Water District for water and sewer service. A Site Plan is also proposed in accordance with the I-15 Corridor Design Review Guidelines as is an Administrative Permit for lot area averaging. The project site is located at the
intersection of Ranger Road and Reche Road in the Fallbrook Community Plan area within the unincorporated area of San Diego County (2011 Thomas Guide Page 1028, F-3, F-4 & E-4).

**FISCAL IMPACT:**
N/A

**BUSINESS IMPACT STATEMENT:**
N/A

**RECOMMENDATION:**

**PLANNING COMMISSION**
1. Adopt the environmental findings included in Attachment G.

2. Adopt the Ordinance titled:

   AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE FALLBROOK COMMUNITY PLAN AREA, REF: R05-015. (Attachment B)

3. Adopt the Resolution Approving Tentative Map 5449 RPL\(^1\), which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with state law and County of San Diego Regulations. (Attachment C)

4. Grant Site Plan 07-009 and impose the requirements and conditions set forth in the Site Plan Form of Decision. (Attachment D)

5. Grant Administrative Permit 08-054 and impose the requirements and conditions set forth in the Administrative Permit Form of Decision. (Attachment E)

**DEPARTMENT OF PLANNING AND LAND USE**
The Department concurs with the Planning Commission recommendation.

**ACTION:**
ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 10189 (N.S.), entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY; and adopting Resolution No. 11-170, entitled: RESOLUTION OF SAN DIEGO COUNTY CONDITIONALLY APPROVING TENTATIVE MAP NO. 5449RPL\(^1\).

AYES: Cox, Jacob, Slater-Price, Roberts, Horn
3. SUBJECT: RED TAPE REDUCTION TASK FORCE REPORT AND RECOMMENDATIONS (DISTRICTS: ALL)

OVERVIEW:
On March 2, 2011 (1) and April 13, 2011 (2), the Board of Supervisors directed formation of the Red Tape Reduction Task Force (Task Force) and adopted a resolution forming the Task Force, respectively. The purpose of the Task Force was to examine the land development permitting process and identify opportunities for operational improvements that will result in efficiencies in the permitting process. This item includes the Task Force’s final report which contains a description of the methodology used to evaluate the process, the findings made and the recommendations proposed to improve the land development permitting process.

FISCAL IMPACT:
Some recommendations suggested by the Task Force would result in a fiscal impact.

BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
1. Receive the report entitled “Red Tape Reduction Task Force, Report to the Board of Supervisors”.

2. Direct staff to evaluate the recommendations the Board selects and report back within 60 days.

3.1 ACTION:
ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board took the following actions:
1. Approved the Red Tape Reduction Task Force recommendations that staff identified at today’s meeting, as follows:

   1. Procedures/Training Finding
      • Implement ongoing and consistent staff training to enable planners to recognize unnecessary steps.
      • Establish an ongoing training and mentoring program for employees. (8.1)

   2. Service First Initiative/Citygate Study Finding
      • Customer service must be a top priority in the land development permitting process. (1)
      • Establish an ongoing customer service training program. (1.10)
      • Assign project managers to project applications early in the process and have them remain as the customer’s go-to person on ALL aspects of the project through completion. (1.8)
• Develop a LUEG-wide sense of urgency and timeliness of development processes; encourage, support and promote staff that embraces this philosophy. (1.12)
• Eliminate multiple “bites of the apple” during the development review permitting process. (4.3) (A specific proposal for defining the scope of additional and subsequent reviews is defined in Attachment A.)
• Complete the implementation of the new permitting system (Accela) and maintain the program. (1.13, 7)

3. Incentives
• Empower and reward those employees who demonstrate results within and across divisional and departmental lines. (3.6)
• Look for ways to provide additional performance incentives for staff recognition (e.g., processing a project quickly and taking it to a decision-making body).

4. Organizational Structure
• Empower the project manager to make decisions. (Similar to 3.2)

7. Metrics Finding
• Performance measures need to address project timelines, not just the tasks of individual employees.
• Reduce “task-centric” focus on metrics. Increase focus on project completion or “end-game” metrics. (Similar to 6.1 and 6.3)

8. Continuous Improvement Finding
• The Board of Supervisors should appoint an external “Audit Committee” to review the performance of the departments involved with development review permitting against the recommendations in the Service First Initiative and this report.
  o The “Audit Committee” should be comprised of members of the public with experience in land use and land development.
  o The new department involved with development review permitting should use clear, ongoing, verifiable performance standards (developed in conjunction with the “Audit Committee”) to ensure that the major recommendations are being implemented with focus on project completion.
  o The “Audit “Committee” shall meet two or three times per year and report their findings and any follow-up recommendations back to the Board of Supervisors.
14. Stormwater Priority Projects
   • Review stormwater requirements with respect to what constitutes a “priority project” and where possible, provide options to keep smaller, lower-risk projects out of the priority designation.

18. General Recommendations
   • Continue to shift as many project approvals as possible to ministerial, through projects such as the Tiered Wineries Ordinance.
   • The County should support CEQA reform efforts through its legislative program, California State Association of Counties and the California Legislature.

2. Directed the Chief Administrative Officer to return to the Board on February 29, 2012 with further analysis of all the remaining recommendations, excluding the Red Tape Reduction Task Force Report Item 9, Community Planning/Sponsor Groups Finding.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

3.2 ACTION:
   ON MOTION of Supervisor Jacob, seconded by Supervisor Horn, the Board directed the Chief Administrative Officer to return on February 29, 2012 with further analysis of the Red Tape Reduction Task Force Report Item 9, Community Planning/Sponsor Groups Finding.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

4. SUBJECT: AMEND COUNTY CODE AND AUTHORIZE AMENDMENT OF GRANT AGREEMENTS TO ALLOW A MENTORED, JUNIORS-ONLY WILD TURKEY HUNT AT SANTA YSABEL EAST PRESERVE (FIRST READING – 12/07/2011; SECOND READING - 01/25/2012) (DISTRICT: 2)

Overview
On February 1, 2011 (4) and February 8, 2011 (11), the Board of Supervisors approved amendments to the County Code of Regulatory Ordinances to allow for a mentored, juniors-only wild turkey hunt at William Heise Regional Park and authorized the Director of Parks and Recreation to enter into an agreement with the San Diego Chapter of the National Wild Turkey Federation to conduct and oversee the March 2011 hunt at William Heise Regional Park. The Board directed the CAO to return to the Board with a revised ordinance that would establish future mentored, youth-only hunting events to be held at Santa Ysabel East Open Space Preserve. In
addition, the Board directed the Chief Administrative Officer (CAO) to report back to the Board on the event and any illegal hunting activities in County parks.

The mentored, juniors-only turkey hunt was held on March 19 and 20, 2011, with six youth participating. Four of the six youth successfully harvested a turkey and no problems were encountered. The Department of Parks and Recreation has not experienced any significant problems with illegal hunting since the event.

This proposed action requires two steps. The first step would introduce an ordinance on December 7, 2011 and authorize the Director, Department of Parks and Recreation to enter into an agreement, subject to annual review, with the San Diego Chapter of the National Wild Turkey Federation and amend grant related documents with the State of California Wildlife Conservation Board and the California Department of Transportation to allow for an annual two day mentored juniors-only wild turkey hunt at Santa Ysabel East Preserve. The second step would be the second reading which is scheduled for January 25, 2012.

**Fiscal Impact**
There is no fiscal impact associated with approval of the Ordinance amendment. However, if the Director of the Department Parks and Recreation is authorized to enter into an agreement with the San Diego Chapter of the National Wild Turkey Federation, this will result in estimated costs and revenue up to $2,500 in Fiscal Year 2011-12. Funds for this request are not included in Fiscal Year 2011-12 Operational Plan in the Department of Parks and Recreation. Additional appropriations are not needed as costs of up to $2,500 will be absorbed with existing appropriations. Revenue of up to $2,500 will provide full cost recovery of County staff time to secure the Preserve during the two day hunt, provide appropriate signage, and submit public notices. The agreement will be subject to annual review. There will be no additional staff years associated with today’s actions.

**Business Impact Statement**
N/A

**Recommendation(s)**

**CHIEF ADMINISTRATIVE OFFICER**

**On December 7, 2011**

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15304 because the proposed project will allow a minor, temporary use of land having negligible or no permanent effects on the environment.
2. Approve the introduction of the Ordinance (First Reading) on December 7, 2011, read title and waive further reading of the Ordinance:

   AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE SAN DIEGO COUNTY CODE TO ALLOW AN ANNUAL, MENTORED, JUNIORS-ONLY TURKEY HUNT IN SANTA YSABEL EAST PRESERVE.

3. Authorize the Director of the Department of Parks and Recreation to enter into a full cost recovery agreement, upon review and approval by County Counsel, with the San Diego Chapter of the National Wild Turkey Federation to conduct and oversee a mentored, juniors-only two day turkey hunt at Santa Ysabel East Preserve (Preserve). The agreement will be reviewed on an annual basis and will define the responsibilities of the parties including hunting dates and hours, hunting locations within the Preserve, restrictions/rules during the hunt, insurance, and defense and indemnification.

4. Authorize the Director of the Department of Parks and Recreation to amend the Grant Agreement with the State of California Wildlife Conservation Board, as well as negotiate and approve an Agreement Declaring Restrictive Covenants with the State of California Department of Transportation to allow an annual mentored, juniors-only two day turkey hunt in Santa Ysabel East Preserve.

If on December 7, 2011, the Board takes the actions recommended in Items 1-2 above, then on January 25, 2012:

Submit the Ordinance for further Board consideration and adoption (Second Reading).

ACTION:
ON MOTION of Supervisor Jacob, seconded by Supervisor Horn, the Board took action as recommended, modifying Section 3 in the ordinance to amend San Diego County Code Section 41.117(b)(4) to read “To allow a mentored, juniors-only turkey hunt for up to 20 juniors and their mentors, using shotguns or bows and arrows, at Santa Ysabel East Preserve for a maximum of two days per year during a State-established juniors-only turkey hunting season, subject to all applicable State and federal laws and regulations.”, and introducing Ordinance for further Board consideration and adoption on January 25, 2011.

AYES: Cox, Jacob, Horn
NOES: Slater-Price, Roberts
5. SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5021-1, REVERSION TO ACREAGE (FERNANDEZ TENTATIVE MAP) FINAL MAP NO. 13229, LOCATED IN VALLEY CENTER PLANNING GROUP AREA (12/07/11 – ADOPT RECOMMENDATIONS; 01/09/12 – ADOPT FINDINGS AND APPROVE FINAL MAP) (DISTRICT: 5)

OVERVIEW:
The project is a subdivision consisting of 12 single-family residential lots, and a total of 29.59 acres. It is located in the Valley Center area, at the intersection of Rodriguez Road and Mountain Ridge Road (2009 Thomas Guide Page 1069, C-2).

At the owner’s request, this project is being brought before the Board to take actions necessary to revert to acreage County of San Diego Tract No. 5021-1, Final Map No. 13229. Reversion is appropriate because all dedications or offers of dedication shown on Final Map No. 13229 will no longer be necessary once the subdivision is reverted to acreage and the owner has by virtue of her request that today’s action be initiated consented to the reversion to acreage.

FISCAL IMPACT:
N/A

BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
On December 7, 2011, take the following action:
1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the state CEQA Guidelines.
2. Approve and authorize the Clerk of the Board of Supervisors to execute Release of Joint Lien Contract and Termination of Holding and Joint Improvement Agreements. (Attachment C)
3. Authorize the Director of the Department of Public Works of the County of San Diego to execute and cause to be recorded documents reflecting the contract amendments made in accordance with the Release of Joint Lien Contract and Termination of Holding and Joint Improvement Agreements.
4. Initiate proceedings to revert Tentative Map 5021-1, Final Map No. 13229, to acreage.
If the Board takes the action recommended on December 7, 2011, take the following action on January 9, 2012:
1. Adopt the findings required by Government Code Section 66499.16 as set forth in Attachment D.

2. Approve the Final Map reverting Tentative Map 5021-1, Final Map No. 13229, to acreage subject to the retention of all previously paid fees and deposits.

3. Authorize the Director of the Department of Public Works for the County of San Diego to take such additional action, including without limitation the negotiation, execution and recordation of lien releases and other documents, as may be necessary to complete the reversion of Tentative Map 5021-1, Final Map No. 13229, to acreage.

**ACTION:**
ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

6. **SUBJECT:** COUNTY OF SAN DIEGO TRACT NO. 5005-1 (MAP NO. 13617): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY, AND EXTENSION OF TIME) LOCATED IN SAN DIEGUITO COMMUNITY PLAN AREA (DISTRICT: 5)

**OVERVIEW:**
This project is a subdivision consisting of 80 commercial condominium units with five residential lots, two recreational lots, and one private street lot on a total of 31.56 acres. The project is located in the Fairbanks Ranch area, on Rancho Valencia Drive just east of Rancho Valencia Road (2009 Thomas Guide Page 1168, F-7). Final Map No. 13617 was approved for this subdivision on August 12, 1998 (4). At the time the Final Map was approved, the subdivider entered into a joint secured agreement to guarantee the construction of public improvements required as a condition of approval of the subdivision. This agreement required the improvements to be completed by August 12, 2000. Subsequent Time Extensions have extended this date to June 23, 2012.

This is a request to approve amendment to the joint secured agreement to extend the time to complete improvements to June 23, 2014, substitute a new owner in place of the original subdivider, and replace required improvement security. An extension of time will ensure responsibility remains with the new owner and will allow for construction of the needed infrastructure such as streets, drainage, and water facilities by the new owner.
FISCAL IMPACT:
N/A

BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
1. Approve and authorize Clerk of the Board to execute and record Amendment to Joint Agreement to Improve Subdivision including Substitution of Parties, Extension of Time, and Substitution of Security. This joint agreement extends time to complete improvements to June 23, 2014. (Attachment B)

2. Authorize the Clerk of the Board to release the original Faithful Performance Bond (Bond No. 1563071) and Labor and Material Bond (Bond No. 1563071) from the Joint Agreement to Improve Major Subdivision approved by the Board on August 12, 1998, and accept in their place the bonds from the new owner [Bond Nos. 4368330 and 4368331]. (Attachments C and D)

ACTION:
ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

7. SUBJECT: ADOPT A RESOLUTION TO SUMMARILY VACATE A PORTION OF WELTY STREET (ROAD SURVEY NO. 1624) IN RAINBOW (VACATION NO. 2011-0154) (DISTRICT: 5)

OVERVIEW:
The Department of General Services, Real Estate Services Division is processing a request from the Department of Public Works to summarily vacate a public service easement shown on Amended Map of Rainbow No. 880 that was adopted by the Board of Supervisors in 1902. The proposed vacation is located south of Fifth Street and west of Rainbow Valley Boulevard in the unincorporated community of Rainbow (2010 Thomas Guide Page 998, J5).

A road was not built over the proposed vacation area since its adoption by the Board in 1902; nor has it been used by the public for road purposes. Pursuant to Streets and Highway Code Section 8333(a), when a public service easement has not been used for the purpose for which it was dedicated for five consecutive years immediately preceding the vacation, it may be vacated. The proposed vacation will eliminate public access over a “paper street” on property owned by the Vallecitos School District and the County of San Diego. Today’s request is to adopt a resolution to summarily vacate a portion of Welty Road that has not been used for public road
purposes. A utility easement within the proposed vacation area will be expressly reserved.

**FISCAL IMPACT:**
Funds for this request are included in the Fiscal Year 2011-12 Operational Plan for the Department of Public Works. If approved, this request will result in current year costs of $3,500 for County staff to review, process and prepare the vacation. The funding source is Road Fund fund balance available through an Internal Agreement with the Department of General Services. This request will result in no net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**
N/A

**RECOMMENDATION:**
CHIEF ADMINISTRATIVE OFFICER
1. Find that the proposed project is exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations.

2. Adopt a Resolution entitled, “RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE A PORTION OF WELTY STREET (ROAD SURVEY 1624) IN THE UNINCORPORATED AREA OF RAINBOW (VACATION NO. 2011-0154).”

3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2011-0154 pursuant to Streets and Highway Code Section 8336.

**ACTION:**
ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, adopting Resolution No. 11-171, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE A PORTION OF WELTY STREET (ROAD SURVEY 1624) IN THE UNINCORPORATED AREA OF RAINBOW (VACATION NO. 2011-0154)

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

8. **SUBJECT:** BEAR VALLEY PARKWAY NORTH WIDENING PROJECT IN ESCONDIDO – APPROVAL OF REAL PROPERTY CONTRACTS FOR PARCEL NUMBERS 2008-0318-D (PEREZ) AND 2008-0329-D (PARK) (DISTRICTS: 3 AND 5)

**OVERVIEW:**
The Bear Valley Parkway North Widening project will relieve traffic congestion by widening a one-mile segment of Bear Valley Parkway, between State Route 78 and Boyle Avenue in the unincorporated area of Escondido (2010 Thomas Guide, page
Construction of the project requires acquisition of property rights from 50 properties within the project area. To date, 35 of the 50 property owners have signed real property contracts agreeing to sell the required interests to the County. Of these, 12 were previously approved by your Board on June 29, 2011 (4), and August 3, 2011 (4), and 21 contracts, which were for less than $150,000 each, were approved by the Director of General Services pursuant to Section 73 of the Administrative Code which authorizes such approvals. The remaining two contracts require your Board’s approval.

Today, the Board is requested to approve Real Property Contracts for the full fee acquisition of Parcel Number 2008-0318-D (Perez) for the appraised value of $370,000 and Parcel Number 2008-0329-D (Park) for the appraised value of $350,000. County staff is continuing negotiations with the remaining 15 unsigned property owners.

**FISCAL IMPACT:**
Funding for this request is included in the Fiscal Year 2011-2012 Operational Plan for the Department of Public Works, Detailed Work Program. If approved, this request will result in Fiscal Year 2011-12 costs of $727,500 ($720,000 for the acquisition of the property and an additional $7,500 for escrow and title fees). The funding source is Road Fund fund balance as a result of Proposition 1B received. There will be no impact to the General Fund and no additional staff years.

**BUSINESS IMPACT STATEMENT:**
N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Final Environmental Impact Report (FEIR) and Errata thereof for the Bear Valley Parkway North Widening Project, dated April 2010, SCH No. 2009-021015, on file at the Department of Public Works, was prepared in compliance with California Environmental Quality Act (CEQA) and the CEQA Guidelines, and that the decision making body has reviewed and considered the information contained therein prior to approving the project; and

   Find that the currently proposed action is within the scope of the FEIR; that there are no changes in the project or in the circumstances under which it is to be undertaken that would result in significant environmental impacts beyond those considered in the certified FEIR, 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 FEIR was prepared.

2. Approve and authorize the Director of the Department of General Services to execute two originals of the Real Property Contract for the purchase of Parcel No. 2008-0318-D from Gregorio Perez for the appraised value of $370,000.
3. Approve and authorize the Director of the Department of General Services to execute two originals of the Real Property Contract for the purchase of Parcel No. 2008-0329-D from Jeremy Park and Bruce Park for the appraised value of $350,000.

4. Authorize the Director of the Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of the parcel.

ACTION:
ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

9. SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5412-1 (MAP NO. 15654): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY, AND EXTENSION OF TIME) LOCATED IN LAKESIDE COMMUNITY PLAN AREA (DISTRICT: 2)

OVERVIEW:
This project is a subdivision consisting of seven single family residential lots on a total of 3.26 acres. It is located in the Lakeside area, on the easterly side of First Street at the intersection with Greta Street (2009 Thomas Guide Page 1251, H-2). Final Map No. 15654 was approved for this subdivision on December 5, 2007 (16). At the time the Final Map was approved, the subdivider entered into a joint secured agreement to guarantee the construction of public improvements required as a condition of approval of the subdivision. This agreement required the improvements to be completed by September 10, 2009. In December 2009, the subdivider requested, and was granted, an extension of time from the Department of Public Works for the improvements to be completed by September 11, 2011. The property has subsequently been purchased by a new owner.

This is a request by the new owner to approve an amendment to the joint secured agreement to extend the time to complete improvements by another two years to December 7, 2013, substitute a new owner in place of the original subdivider and replace required improvement security. A two-year extension will ensure responsibility and allow for construction of the needed infrastructure such as streets, drainage, and water facilities by the new owner.

FISCAL IMPACT:
N/A
BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER
1. Approve and authorize Clerk of the Board to execute Amendment to Joint Agreement to Improve Major Subdivision including Substitution of Parties, Extension of Time, and Substitution of Security [Improvement Security Agreement-Cash Deposit]. This amended agreement extends time to complete improvements to December 7, 2013. (Attachment B)

2. Authorize the Clerk of the Board to release the original Faithful Performance Bond (Bond No. 227-18-47) and Labor and Material Bond (Bond No. 227-18-47) from the Joint Agreement to Improve Major Subdivision approved by the Board on December 5, 2007 (16), and accept in their place the Improvement Security Agreement-Cash Deposit from the new owner. (Attachment C)

ACTION:
ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

10. SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5140-1 (FINAL MAP 15524): APPROVAL OF AMENDMENT TO JOINT AGREEMENT TO IMPROVE SUBDIVISION (INCLUDING SUBSTITUTION OF PARTIES, SECURITY AND EXTENSION OF TIME) LOCATED IN LAKESIDE COMMUNITY PLAN AREA (DISTRICT: 2)

OVERVIEW:
This project is a subdivision consisting of 31 single-family residential lots and one open space lot on a total of 56.0 acres. The project is in the Lakeside area east of Lakeview Road at the easterly end of Sohail Street (2009 Thomas Guide Page 1232, D-4).

This is a request by the new owner to approve an amendment to the joint secured agreement to extend the time to complete improvements by another two years to December 7, 2013, substitute a new owner in place of the original subdivider and replace required improvement security. A two-year extension will ensure responsibility and allow for construction of the needed infrastructure such as streets, drainage, and water facilities by the new owner.

FISCAL IMPACT:
N/A
BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
1. Approve and authorize Clerk of the Board to execute Amendment to Joint Agreement to Improve Subdivision including Substitution of Parties, Extension of Time and Substitution of Security. This agreement extends time to complete improvements to December 7, 2013. (Attachment B)

2. Authorize the Clerk of the Board to release the original Faithful Performance Bond (Bond No. 726788S) and Labor and Material Bond (Bond No. 726788S) from the Joint Agreement to Improve Major Subdivision approved by the Board on February 28, 2007 (1 and 15) and accept in their place the bonds from the new owner. (Attachments C and D)

ACTION:
ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

11. SUBJECT: ADMINISTRATIVE ITEM:

OVERVIEW:
On November 9, 2011 (3), the Board of Supervisors introduced Ordinance for further consideration and adoption on December 7, 2011.

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Eight items were on the Committee's September 16, 2011 meeting agenda. The Committee recommends your action on all eight items.

This action requires two steps. On November 9, 2011, the Board will consider eight Traffic Advisory Committee items. If the Board takes action on November 9, 2011, then on December 7, 2011, a second reading of Ordinances amending Section 72.167.5. (Item 2-A), adding Section 72.163.55.1. (Item 2-B), amending Section 72.169.92.2., and deleting Section 72.169.92.3. (Item 2-E) of the San Diego County Code of Regulatory Ordinances is necessary to implement the Board’s direction.
FISCAL IMPACT:
Funds for this proposal are included in the Department of Public Works Road Fund Fiscal Year 2011-12 Operational Plan. If approved, there will be no change in net General Fund cost and require no additional staff years.

BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:
TRAFFIC ADVISORY COMMITTEE
Adopt Ordinances entitled:

AN ORDINANCE AMENDING SECTION 72.167.5 OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-A)

AN ORDINANCE ADDING SECTION 72.163.55.1. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-B)

AN ORDINANCE AMENDING SECTION 72.169.92.2. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-E)

AN ORDINANCE DELETING SECTION 72.169.92.3. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-E)

ACTION:
ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, adopting the following Ordinances entitled:

Item 2-A, Ordinance No. 10190 (N.S.), entitled: AN ORDINANCE AMENDING SECTION 72.167.5 OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO.

Item 2-B, Ordinance No. 10191 (N.S.), entitled: AN ORDINANCE ADDING SECTION 72.163.55.1. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO.

Item 2-E, Ordinance No. 10192 (N.S.), entitled: AN ORDINANCE AMENDING SECTION 72.169.92.2. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO.
Item 2-E, Ordinance No. 10193 (N.S.), entitled: AN ORDINANCE DELETING SECTION 72.169.92.3. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

12. SUBJECT: CLOSED SESSION (CARRYOVER FROM 12/06/11, AGENDA NO. 37) (DISTRICTS: ALL)

OVERVIEW:
A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9
Nikk Barringer, et al. v. County of San Diego, et al.; San Diego County Superior Court No. 37-2010-00103168-CU-PO-NC

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9: (Number of Cases – 1)

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9
County of San Diego v. San Diego Gas & Electric and Cox Communications; San Diego County Superior Court Nos. 2008-00093084-CPU-PO-CTL and 2008-00093085-CPU-PO-CTL

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9
Wier Construction Corp. v. County of San Diego; State Office of Administrative Hearings, Case No. A-0014-2011

E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9
Rancho Guejito Corporation v. County of San Diego, et al.; San Diego County Superior Court No. 37-2011-00097436-CU-TT-CTL

F. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9: (Number of Cases – 1)

G. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9: (Number of Cases – 1)
H. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9
States Court of Appeals, Ninth Circuit, Case No. 11-80202

I. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code section 54957)
Title: Chief Administrative Officer

ACTION:
In closed session on Tuesday, December 6, 2011, the Board of Supervisors took the
following reportable action:

With respect to two separate noticed items involving the initiation of litigation. In
those matters, the Board authorized the County of San Diego to initiate legal actions,
the defendants and other particulars of which shall be disclosed in the manner
authorized by Government Code §54957.1, once the actions have been formally
commenced.

13. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW:
Robert Germann spoke to the Board regarding Gillespie Field.

Janis Shackelford spoke to the Board regarding GMS website.

ACTION:
Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 12:15 p.m. in memory of
Anne Ratner.

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

Consent: Santos
Discussion: Mazyck

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.
Exhibit D
January 4, 2012

Chairman Bill Horn and Members
Board of Supervisors
County of San Diego

Demand for Cure and Correction: Violation of Ralph M. Brown Act

Dear Mr. Chairman and Members,

Californians Aware demands that the Board cure and correct a substantial violation of the Ralph M. Brown Act, namely the peremptory approval of a number of proposals in the report of the “Red Tape Reduction Task Force” at its December 7, 2011 meeting contrary to the expectation created by the agenda that the report would be received and some proposals would be referred to staff for study.

The agenda item stated, in its entirety:

3. SUBJECT: RED TAPE REDUCTION TASK FORCE REPORT AND RECOMMENDATIONS (DISTRICTS: ALL)

OVERVIEW:
On March 2, 2011 (1) and April 13, 2011 (2), the Board of Supervisors directed formation of the Red Tape Reduction Task Force (Task Force) and adopted a resolution forming the Task Force, respectively. The purpose of the Task Force was to examine the land development permitting process and identify opportunities for operational improvements that will result in efficiencies in the permitting process. This item includes the Task Force’s final report which contains a description of the methodology used to evaluate the process, the findings made and the recommendations proposed to improve the land development permitting process.

FISCAL IMPACT:
Some recommendations suggested by the Task Force would result in a fiscal impact.

BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
1. Receive the report entitled “Red Tape Reduction Task Force, Report to the Board of Supervisors”.
2. Direct staff to evaluate the recommendations the Board selects and report back within 60 days.

In contrast, you and you alone—not members of the public present at the meeting—were provided with a selectively highlighted version of the Task Force recommendations slugged “Possible recommendations staff can implement on 12 7.pdf.”
This cheat sheet advised you,

Should the Board direct us to do so, County staff would be able implement the highlighted recommendations now. For those not highlighted, staff requests 60 days to evaluate those recommendations and return to the Board.

You adhered to this script and caught the public completely off guard. Relying on the agenda listing and without benefit of the highlighted prompting, citizens had no way of knowing not only that selected recommendations would be referred for further staff review but that others would be given immediate effect.

The public was entitled to be alerted to this dual prospect by the agenda. Instead the agenda left the impression that a report would be received and some recommendations would be referred for further study—period.

Whether this effect was the result of administrative miscues or deliberate duplicity is, for purposes of the Brown Act at any rate, beside the point. Government Code Section 54954.2 requires only that agendas list “a brief general description of each item of business to be transacted or discussed.” It does not require disclosure of staff recommendations. But if the staff chooses to disclose its recommendations on the agenda, it must not do so in a manner calculated to mislead.

The most settled authority on this point held that a school board’s agenda was fatally underinformative for want of a few words that would have made the trustees’ literally hidden agenda—which told only half the story—clear to the public. Carlson v. Paradise Unified School District (1971) 18 Cal.App.3d 196. Just as in that case, the agenda for Item 3 of the December 7 meeting could have given fair warning by something like the following modifications to CAO recommendation 2:

Direct staff to implement the highlighted recommendations in the Task Force report and further evaluate other recommendations the Board selects and report back within 60 days.

Accordingly, Californians Aware demands that the Board of Supervisors rescind its December 7 actions—memorialized in Minute Order 3 of that date—in directing staff to implement the specified Red Tape Reduction Task Force recommendations and set them for discussion and action on a future agenda with adequate public notice.

Cordially,

Terry Francke
General Counsel
Dear Mr. Francke,

Chairman Bill Horn requested that I respond to your email and attached demand to cure alleged Brown Act violations. We have reviewed your demand and the authorities referenced therein and have determined that the Red Tape Reduction Task Force matter was properly placed on the Board of Supervisors agenda and that the actions taken by the Board of Supervisors complied with all Brown Act requirements. Therefore, there is no need for the County of San Diego Board of Supervisors to take any actions with respect to your demand letter.

Very truly yours,
Thomas Montgomery
County Counsel