

April 10, 2024

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
WEDNESDAY, APRIL 10, 2024, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. **REGULAR SESSION:** Meeting was called to order at 9:05 a.m.

PRESENT: Supervisors Nora Vargas, Chair; Terra Lawson-Remer, Vice-Chair; Joel Anderson; Monica Montgomery Steppe, Jim Desmond; also, Ryan Sharp, Assistant Clerk of the Board of Supervisors.

- B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.
- C. Closed Session Report
- D. Non-Agenda 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.
- E. Approval of the Statement of Proceedings/Minutes for the meeting of March 13, 2024.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Montgomery Steppe, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of March 13, 2024.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond
NOT PRESENT: Lawson-Remer

- F. Consent Calendar
- G. Discussion Items

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|--|
| 1. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION
(03/13/2024 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN
ORDINANCE; 04/10/2024 - SECOND READING OF AN ORDINANCE, UNLESS
ORDINANCE IS MODIFIED ON SECOND READING)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT] |
| 2. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
LOCAL MICROENTERPRISE HOME KITCHEN OPERATION ORDINANCE
AMENDMENT AND RELATED CEQA EXEMPTION (3/13/2024 - Introduction
and First Reading; 4/10/2024 - Second Reading) |
| 3. | A RESOLUTION TRANSMITTING THE ANNUAL REPORT OF THE
COUNTY'S MAINTAINED ROADS - 2023, TO THE STATE DEPARTMENT OF
TRANSPORTATION AND RELATED CEQA FINDINGS |
| 4. | A RESOLUTION ADOPTING THE COUNTY OF SAN DIEGO'S 2025
TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS
FOR FISCAL YEARS 2024-25 THROUGH 2028-29 AND RELATED CEQA
[FUNDING SOURCE: TRANSNET REVENUE] |
| 5. | ADOPT A RESOLUTION FOR THE PURPOSE OF AUTHORIZING
APPLICATIONS AND AGREEMENTS FOR ACCEPTANCE OF STATE
FUNDING FOR ALL CALRECYCLE GRANTS FOR WHICH THE COUNTY OF
SAN DIEGO IS ELIGIBLE AND RELATED CEQA EXEMPTION AND
AUTHORIZATIONS |
| 6. | ALL COUNTY OF SAN DIEGO AIRPORTS - OPTION TO AMEND ALL
AVIATION LEASES LOCATED AT ALL COUNTY OF SAN DIEGO AIRPORTS
TO ADD UP TO FIVE YEARS TO EACH CURRENT TERM TO ADDRESS
COVID RELATED IMPACTS, WAIVE ASSOCIATED FEES, AND RELATED
CEQA EXEMPTION
[FUNDING SOURCE: AVAILABLE AIRPORT ENTERPRISE FUND FUND
BALANCE]
(4 VOTES) |
| 7. | EL CAPITAN COUNTY PRESERVE - AUTHORIZATION FOR THE
AMENDMENT OF AGRICULTURAL LAND CONSERVATION CONTRACT
NUMBER 5152-4900, ACCEPTANCE OF REAL PROPERTY DONATION OF
APPROXIMATELY 75 ACRES OF OPEN SPACE LAND, RELATED CEQA
EXEMPTION, AND ADOPTION OF RESOLUTION (LAKESIDE'S RIVER
PARK CONSERVANCY) (4/10/2024 - HOLD HEARING) |

8. ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF WATER RESOURCES COUNTY DROUGHT RESILIENCE PLANNING ASSISTANCE PROGRAM AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE (GPR)]
9. SET A HEARING FOR MAY 22, 2024:
MOUNT OLYMPUS COUNTY PRESERVE - APPROVE ACQUISITION OF APPROXIMATELY 220 ACRES OF OPEN SPACE LAND AND RELATED CEQA EXEMPTION (MORITZKY TRUST) (4/10/2024 - SET HEARING; 5/22/2024 - HOLD HEARING)
[FUNDING SOURCE: EXISTING DPR GENERAL PURPOSE REVENUE]
10. UPDATE ON ENERGY SUPPLY STUDY AND AUTHORIZE SINGLE SOURCE PROCUREMENT WITH THE ALLIANCE FOR SUSTAINABLE ENERGY LLC AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: EXISTING ONE-TIME GENERAL PURPOSE REVENUE IN THE LAND USE AND ENVIRONMENT EXECUTIVE OFFICE]
11. ADJUST THE WARNER SPRINGS COMMUNITY PLAN BOUNDARY TO INCLUDE THE LOS COYOTES TRIBAL LAND
12. NOTICED PUBLIC HEARING:
HILLSIDE MEADOWS OPEN SPACE VACATION AND AN ADDENDUM TO PREVIOUSLY ADOPTED ENVIRONMENTAL IMPACT REPORT; LAKESIDE COMMUNITY PLAN AREA (2/28/2024 - SET HEARING; 4/10/2024 - HOLD HEARING)
[FUNDING SOURCE: GLEICH PROPERTIES, LLC C/O RANDY LANG (THE APPLICANT)]
13. NON-AGENDA PUBLIC COMMUNICATION

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**1. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA
EXEMPTION (03/13/2024 - ADOPT RECOMMENDATIONS
INCLUDING INTRODUCING AN ORDINANCE; 04/10/2024 - SECOND
READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED
ON SECOND READING) (DISTRICTS: 1 & 5)**

OVERVIEW

On March 13, 2024 (08), the Board of Supervisors took action to further consider and adopt the Ordinance on April 10, 2024.

The Traffic Advisory Committee (TAC) supports the Department of Public Works (DPW) traffic engineering program. The TAC was established by the Board of Supervisors (Board) in the 1960s to provide traffic regulations and recommendations within the unincorporated areas of the region. To be effective, the TAC proposes policies that will enhance safety, reduce congestion, and be legally enforceable. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County of San Diego (County) maintained roads.

Members of the public and other agencies can make requests or recommendations for transportation needs within the unincorporated areas of the region. The TAC also relies on various community engagement methods such as the Tell Us Now! Mobile app, toll-free hotlines, and a customer service request program to intake reports on a wide variety of traffic concerns and ensure the concerns are addressed. Requests or recommendations such as changes to traffic control, speed limits, stop signs, traffic signals, or parking regulations require direction and approval from the Board of Supervisors (Board). Upon receipt of a request or recommendation for the implementation of a traffic safety measure in unincorporated areas, the TAC reviews and investigates the requested item, including using engineering and traffic condition studies. The TAC recommendations are provided to the Board for consideration.

The TAC recommends the Board act on five items from the October 27, 2023, TAC meeting agenda:

Items from the 10/27/2023 TAC Meeting			
District	Item	Location	Action
1	1-A*	Sweetwater Road from State Route 54 to Central Avenue in Bonita	Reduce the 45 MPH speed limit to 40 MPH and certify.
5	5-A*	Poinsettia Avenue from South Santa Fe Avenue to Smilax Road in San Marcos	Reduce the 40 MPH speed limit to 35 MPH and certify.
5	5-B*	South Santa Fe Avenue from the Vista city limits to Smilax Road in Vista/San Marcos	Reduce the 45 MPH speed limit to 40 MPH and certify.

5	5-C*	Mission Road from Winter Haven Road to Hill Avenue in Fallbrook	(1) Reduce the 50 MPH speed limit to 45 MPH and certify. (2) Certify the 35 MPH speed limit.
5	5-D*	Lake Wohlford Road from Guejito Road to the Escondido city limits in Valley Center	Reduce the 50 MPH speed limit to 45 MPH and certify.
* Indicates second reading of the ordinance is required. These items are not in the vicinity of tribal lands.			

Approval of Item 1-A Sweetwater Road in Bonita (District 1), Item 5-A on Poinsettia Avenue in San Marcos (District 5), Item 5-B on South Santa Fe Avenue in Vista/San Marcos (District 5), Item 5-C on Mission Road in Fallbrook (District 5), and Item 5-D on Lake Wohlford Road in Valley Center (District 5) would support speed enforcement which enhances roadway safety. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for enforcement. If approved, DPW shall install or revise existing speed limit signs and striping to implement the Board's direction within 30 days.

The Board's action on Item 1-A Sweetwater Road in Bonita (District 1), Item 5-A on Poinsettia Avenue in San Marcos (District 5), Item 5-B on South Santa Fe Avenue in Vista/San Marcos (District 5), Item 5-C on Mission Road in Fallbrook (District 5), and Item 5-D on Lake Wohlford Road in Valley Center (District 5) would introduce an ordinance to amend speed limit zones. This action would revise the County Code and requires two steps. On March 13, 2024, the Board would consider the TAC items. If the Board takes action as recommended on March 13, then on April 10, 2024, a second reading and adoption of ordinance amending the County Code would be necessary to implement the Board's direction. If the proposed ordinance is altered on April 10, 2024, then on that date a subsequential meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S) **TRAFFIC ADVISORY COMMITTEE**

District 1:

Item 1-A. Sweetwater Road from State Route 54 to Central Avenue in Bonita - Reduce the existing 45 MPH speed limit to 40 MPH and certify the 40 MPH speed limit for radar enforcement.

District 5:

Item 5-A. Poinsettia Avenue from South Santa Fe Avenue to Smilax Road in San Marcos - Reduce the existing 40 MPH speed limit to 35 MPH and certify the 35 MPH speed limit for radar enforcement.

Item 5-B. South Santa Fe Avenue from the Vista city limits (near Montgomery Drive) to Smilax Road in Vista/San Marcos - Reduce the existing 45 MPH speed limit to 40 MPH and certify the 40 MPH speed limit for radar enforcement.

Item 5-C. Mission Road from Winter Haven Road to Hill Avenue in Fallbrook - (1) Reduce the existing 50 MPH speed limit to 45 MPH and certify the 45 MPH speed limit for radar enforcement from Winter Haven Road to 880' south of Pepper Tree Lane. (2) Certify the existing 35 MPH speed limit for radar enforcement from 880' south of Pepper Tree Lane to Hill Avenue.

Item 5-D. Lake Wohlford Road from Guejito Road to the Escondido city limit (east of Valley Center Road) in Valley Center - Reduce the existing 50 MPH speed limit to 45 MPH and certify the 45 MPH speed limit for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.161.35.1., 72.164.55., 72.169.52., 72.169.62., AND 72.169.62.1., DELETING SECTION 72.169.55., AND ADDING SECTION 72.164.55.1. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (All Items)

EQUITY IMPACT STATEMENT

The review of traffic signs, intersection controls, and roadway markings supports vehicle safety on County of San Diego-maintained roads. The transportation system must be safe for all road users, for all modes of transportation, in all communities, and for people of all incomes, races, ethnicities, ages, and abilities. Understanding travel patterns, where correctable crashes are occurring, and the disproportionate impacts on certain communities will allow the Department of Public Works to identify actions to address the underlying causes, improve safety, and ensure there is justice in the enforcement of traffic regulations.

DPW's Local Roadway Safety Plan (LRSP) reviews correctable collisions along road segments within the unincorporated areas of the region and uses the Healthy Places Index (3.0) and CalEnviroScreen 4.0 to ensure underserved populations are prioritized. The Traffic Advisory Committee (TAC) relies on the LRSP and performs reviews of regulatory traffic control devices such as signs and markings. While adherence to sign and marking standards developed by the California Department of Transportation is crucial to obtaining the compliance of most drivers, the TAC also relies on various community engagement methods such as the Tell Us Now! Mobile app, toll-free hotlines, and a customer service request program to intake reports on a wide variety of traffic concerns and ensure the concerns are addressed.

SUSTAINABILITY IMPACT STATEMENT

The Traffic Advisory Committee has made addressing sustainability a top priority by partnering with local communities and industry leaders in a public forum every six weeks to find timely, reasonable, and cost-effective in-road traffic solutions that reduce costly traffic delays, mitigate vehicle idling to reduce emissions, improve fire response times and regional readiness, and ensure justice in enforcement of traffic regulations.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan of the Department of Public Works Road Fund. If approved, this request will result in costs and revenue of \$13,992 in FY 2023-24 for staff time, materials, and supplies. The funding source is State Highway User Tax Account. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Ordinance No. 10898 (N.S.), entitled: ORDINANCE AMENDING SECTIONS 72.161.35.1., 72.164.55., 72.169.52., 72.169.62., AND 72.169.62.1., DELETING SECTION 72.169.55., AND ADDING SECTION 72.164.55.1. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

NOT PRESENT: Lawson-Remer

2. **SUBJECT: ADMINISTRATIVE ITEM:**
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
LOCAL MICROENTERPRISE HOME KITCHEN OPERATION
ORDINANCE AMENDMENT AND RELATED CEQA EXEMPTION
(3/13/2024 - Introduction and First Reading; 4/10/2024 - Second Reading)
(DISTRICTS: ALL)

OVERVIEW

The Department of Environmental Health and Quality (DEHQ) is the local enforcement agency of the California Retail Food Code for all 18 incorporated cities, as well as the unincorporated communities in the region. There are two types of home-based food service facilities that DEHQ regulates as part of their Food Program; Cottage Food Operation (CFO) and Microenterprise Home Kitchen Operation (MEHKO). A CFO is a home-based business where certain low-risk food products not requiring refrigeration are made in private home kitchens and sold as a fully packaged and labeled product to consumers. A MEHKO is a home-based business where home cooks can prepare and sell a wide range of foods in a home kitchen that require time and temperature control to prevent bacteria growth that can lead to foodborne illness.

On November 8, 2023 (6), the Board approved the first reading of the proposed MEHKO and the CFO program ordinance, including a few decisions from the dais that needed to be incorporated into the written ordinance attached to the Board letter for the second reading. On December 6, 2023 (1), the Board took unanimous action to approve the second reading of the proposed MEHKO and CFO program. However, due to an administrative error, the ordinance attached to the Board letter at the second reading on December 6, 2023, inadvertently did not include all of the Board's decisions made during the first reading on November 8, 2023.

The ordinance approved on December 6, 2023, which became effective January 5, 2024, included Board selected options to:

- Authorize the continuation of a permanent MEHKO Program.
- Authorize MEHKO businesses to sell non-potentially hazardous food with up to two permitted carts.
- Allow MEHKO business to serve as a commissary with up to two permitted carts.
- Authorize CFO Businesses to sell non-potentially hazardous food with up to two permitted carts.

The ordinance approved on December 6, 2023, which became effective January 5, 2024, inadvertently did not include the Board's decision on November 8, 2023, regarding the following selected options to:

- Approve an increase in the number of meals that a MEHKO business operating a cart can serve from current State Law of a maximum of 30 meals per day and no more than 90 meals per week to 80 meals per day and no more than 200 meals per week.
- Approve an increase in the maximum gross annual sales that a MEHKO business operating a cart can sell from current State Law of \$100,000 per year to \$150,000 per year.

Today, the Board is being requested to adopt an amendment to the ordinance for the MEHKO Program that includes the Board direction from November 8, 2023, that was not included in the December 6, 2023, approval due to an administrative error. Adoption of the proposed ordinances requires two steps. On March 13, 2024, the Board heard the first reading of the ordinance. The Board recommendation on March 13, 2024, inadvertently stated that the first hearing would adopt the Ordinance, instead of a first reading and introduction. Today's action on April 10, 2024 will officially adopt the Ordinance on second reading.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the following Ordinance amending the County Code of Regulatory Ordinances (second reading).

ORDINANCE AMENDING A MICROENTERPRISE HOME KITCHEN OPERATION (MEHKO) PROGRAM THROUGHOUT THE COUNTY OF SAN DIEGO

EQUITY IMPACT STATEMENT

Continuing to permit and regulate home-based food business, such as Microenterprise Home Kitchen Operation (MEHKO) and/or Cottage Food Operation (CFO), in the region would result in economic benefits to local communities and home cooks from a wide variety of backgrounds. Data from Riverside County, the first county to adopt a MEHKO program, found that MEHKO operators were 85% people of color and 60% women. Currently, there are 606 CFO and 73 MEHKO home based food businesses in the San Diego region. Home based food businesses create opportunities for self-reliance and empowerment for local community members, such as immigrants, by increasing their family income and contributing positively to the local economy.

SUSTAINABILITY IMPACT STATEMENT

The Microenterprise Home Kitchen Operation (MEHKO) program promotes new, home-based businesses, supporting the County of San Diego (County) Strategic Initiative of creating policies to reduce and eliminate poverty, promoting economic sustainability for all, by providing just and equitable access to vulnerable populations in partnerships with communities. Additionally, the MEHKO Program supports the County Strategic Initiative of protecting and promoting our agricultural resources by protecting the health and wellbeing of everyone in region by expanding the market for healthy, sustainable, and local food.

FISCAL IMPACT

There is no fiscal impact associated with today's recommendation to adopt an amendment to the ordinance for the MEHKO Program. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Due to the high start-up costs for restaurants, it is challenging for many cooks to benefit independently from their labor, skills, and limited resources, reducing an opportunity to produce a viable income. Alternatively, home cooks may choose to operate illegally, which can be treated as a criminal act. Home-based businesses, such as Microenterprise Home Kitchen Operation and Cottage Food Operation Programs, have the following positive impacts:

- Regulates unsafe private kitchen practices that may cause foodborne illness when food is cooked at unpermitted facilities.
- Promotes food justice in communities that do not have access to healthy and affordable food options.
- Enables home cooks, who are mostly underrepresented groups such as women, immigrants, and people of color, to use their skills to generate income.

Home-based businesses allow home cooks of all socioeconomic levels the opportunity to start a home-based business, preparing and serving food to the public throughout the region.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Ordinance No. 10899 (N.S.), entitled: ORDINANCE AMENDING A MICROENTERPRISE HOME KITCHEN OPERATION (MEHKO) PROGRAM THROUGHOUT THE COUNTY OF SAN DIEGO.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

NOT PRESENT: Lawson-Remer

3. SUBJECT: A RESOLUTION TRANSMITTING THE ANNUAL REPORT OF THE COUNTY'S MAINTAINED ROADS - 2023, TO THE STATE DEPARTMENT OF TRANSPORTATION AND RELATED CEQA FINDINGS (DISTRICTS: ALL)

OVERVIEW

The County of San Diego (County) Department of Public Works (DPW) is responsible for ensuring the nearly 2,000 centerline miles of County-maintained roads in the unincorporated region are safe, reliable, and well-maintained to serve the public and help ensure safe and thriving communities. The total road mileage of County-maintained roads is used by the State to calculate the annual distribution of gas tax funds to counties and cities statewide. State gas tax funding is key to ensure DPW can annually fund operations, maintenance, and new capital projects for the publicly maintained roadway network and the other services DPW provides.

Section 2121 of the California Streets and Highways Code requires the County to annually submit to the California Department of Transportation (Caltrans) any additions or exclusion of mileage of County-maintained roads. The most recent update was approved by the Board of Supervisors (Board) on April 5, 2023 (1) and certified by Caltrans shortly thereafter. Since the last certification, the total mileage of County-maintained roads has increased by 0.35 centerline miles and is now 1,947.44 centerline miles. In 2023, two new roads were constructed by private developers and were accepted by the County to improve safety and circulation. All development projects that made improvements to County roads were approved by Planning & Development Services (PDS).

Today's request is to adopt a resolution to transmit the County's annual report of road mileage to Caltrans. Upon Board approval, the Resolution will be submitted to Caltrans to certify the newly reported road mileage to the State Controller. The changes in the Annual Report have already been finalized throughout the year, including any roadway acceptances, and the Resolution is to formally report those finalized changes to the State.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the State CEQA Guidelines since the proposed action will not result in a direct or reasonably foreseeable indirect physical change in the environment.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TRANSMITTING THE ANNUAL REPORT OF THE COUNTY'S MAINTAINED ROADS - 2023, TO THE STATE DEPARTMENT OF TRANSPORTATION.

EQUITY IMPACT STATEMENT

The review and updating of the County of San Diego's annual roadway mileage supports the ability to receive the correct amount of allocated State gas tax funding. This funding is used to maintain Department of Public Works (DPW) operations and funded improvement projects that benefit the public within the unincorporated areas of the region. When evaluating projects, DPW

uses the Healthy Places Index and CalEnviroScreen 4.0 in the project prioritization process to ensure our most vulnerable and underserved populations are prioritized. DPW uses a project prioritization ranking process to identify and implement projects to ensure an equitable distribution of projects with a special focus on improving underserved communities.

SUSTAINABILITY IMPACT STATEMENT

The proposal to transmit the County's annual report of road mileage to Caltrans has economic and social sustainability benefits. This action supports the sustainability initiatives of the County of San Diego (County) by correctly accounting for all mileage in the County-maintained road system, which allows the County to receive the correct amount of allocated State gas tax funding. This funding can be used for roadway maintenance and improvements that use sustainable practices. The Department of Public Works (DPW) currently uses 25% reclaimed asphalt pavement (RAP) in asphalt concrete resurfacing operations and is evaluating and testing the use of 100% RAP for seal resurfacing operations. This effort has already recycled more than 250,000 tons of old deteriorated pavement into new asphalt concrete roads which further the County's sustainability goals of increased recycling and providing just and equitable access to County services to everyone in the region.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-023, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TRANSMITTING THE ANNUAL REPORT OF THE COUNTY'S MAINTAINED ROADS - 2023, TO THE STATE DEPARTMENT OF TRANSPORTATION.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

NOT PRESENT: Lawson-Remer

4. **SUBJECT: A RESOLUTION ADOPTING THE COUNTY OF SAN DIEGO'S 2025 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2024-25 THROUGH 2028-29 AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

In 1987, San Diego region voters approved the San Diego Transportation Improvement Program (TransNet) to establish a half-cent sales tax increase for 20 years to provide funding to help relieve traffic congestion, advance safety, and improve air quality. In 2004, the sales tax increase was set to expire, and the San Diego region voters approved extending TransNet for an additional 40 years through 2048. The accompanying TransNet Extension Ordinance and

Expenditure Plan outlined funding for specific highway and transit corridor projects and allocated a percentage of the overall funding for local street and road projects that are identified by local jurisdictions on a biennial basis.

The San Diego Association of Governments (SANDAG) is responsible for administering the TransNet program and for consolidating the projects that will be funded with TransNet revenue into one long-term regional transportation plan. SANDAG is also required by federal and State law to develop and approve a Regional Transportation Improvement Program (RTIP) that includes all transportation projects in the region that will receive federal, State, or local funds over a five-year period, including projects that are funded with sales tax revenue from TransNet.

The County of San Diego (County) represents more than 500,000 residents who live within the unincorporated communities throughout the region. The Department of Public Works (DPW) is responsible for the maintenance and operation of the County-maintained roadway transportation infrastructure, including nearly 2,000 centerline miles of roads that connect those communities to each other and the region. A percentage of the TransNet revenue collected by SANDAG is distributed to local agencies, including the County, through the TransNet Local Streets and Roads Program (LSRP) based on population and miles of road maintained within a jurisdiction.

The County receives funds from the LSRP annually to fund roadway improvements. Every two years, the County is required to provide SANDAG with an updated five-year County Program of Projects (POP) that outlines how the County will use LSRP funds. The County's POP is then included in a regional POP for approval by SANDAG. SANDAG allows amendments to the POP on a quarterly basis to account for changes to project scopes, schedules, and costs that can occur over time as a project is developed and requirements change.

The County's proposed 2025 TransNet POP (2025 Program) will use \$203.6 million of TransNet revenue to develop and construct projects from DPW's Capital Improvement Plan (CIP) that reduce congestion, maintain roads, enhance emergency response and evacuation routes, increase safety for road users, expand services for pedestrians and bicyclists, and improve water quality. The projects will also help reduce flooding in communities. The projects will upgrade roadways and associated infrastructure, including culverts and storm drains, to be able to handle rain events and mitigate flood risks. Some projects will include additional features such as bioswales that will help capture stormwater and assist with groundwater recharge instead of sending water downstream.

The projects included in the 2025 Program incorporate federal, State, and local design standards and guidelines to provide a safe, sustainable, integrated, and efficient transportation system within the public road right-of-way. Design standards and guidelines are used to enhance projects in several ways: Green Streets are considered during project development to slow, filter, and clean stormwater runoff using trash capture devices, vegetation, and impervious surfaces to protect the environment, reduce pollutants, and strengthen overall community health; projects are also evaluated for the application of Americans with Disabilities Act (ADA) standards and guidelines to ensure new or improved facilities are accessible to people with disabilities; and, DPW implements the County's Complete Streets policy by considering appropriate accommodation for persons of all abilities, and using all modes of transportation allowed within the public road right-of-way including, without limitation, people walking, people on bikes, users of transit, and drivers of motor vehicles.

The 2025 Program accommodates changes to project funding and schedules, programs unspent revenue from the County's 2023 Program, and allocates forecasted TransNet revenue for two additional program years. Those changes are summarized below.

- Increase TransNet funding for the following currently programmed projects: South Santa Fe Avenue South in North County Metro; Cole Grade Road in Valley Center; Ashwood Street in Lakeside; Bradley Avenue in El Cajon (Bostonia); Camino Del Rey in Bonsall; Etcheverry Street in Ramona; and Countywide roadway maintenance and overlay projects.
- Decrease TransNet funding for currently programmed roadway extension projects on Dye Road and on Ramona Street in Ramona.
- Add funding for new intersection improvements on Riverford Road at State Route 67 in Lakeside and on Paseo Delicias at El Camino Del Norte in Rancho Santa Fe.

The proposed changes also include reallocating approximately \$50,563 from the Alpine Boulevard Streetscape Improvements project which was previously completed. The total amount remaining on the Alpine Boulevard Streetscape Improvements project will be reallocated to the South Santa Fe Avenue South project in North County Metro. The total amount to be transferred is estimated to be \$50,563 but may vary at the time of transfer depending on accrued interest.

The County relies on TransNet funding to build, reinforce, and maintain transportation facilities that elevate roadway safety and promote smart growth development, including road infrastructure to support essential transit options. Today's request is for a resolution to adopt the County's proposed 2025 Program and reallocate programming from the Alpine Boulevard Streetscape Improvements project to the South Santa Fe Avenue South project. Upon Board approval, the resolution will be submitted to SANDAG for approval as part of the biennial 2025 POP adoption.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the recommended action to approve the County of San Diego's (County) 2025 TransNet Local Street Improvement Program is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15276 of the CEQA Guidelines because it relates to the development or adoption of a regional transportation improvement program and involves the identification of potential projects to establish funding without a commitment to a specific project.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2024-25 THROUGH 2028-29.

3. Direct that projects in the 2025 TransNet Local Street Improvement Program of Projects (POP), along with road and bridge projects receiving federal and State funds, be integrated into the County element of the POP for Fiscal Years 2024-25 through 2028-29, respectively.
4. Authorize the Director, Department of Public Works, to submit the County's TransNet Local Street Improvement Program of Projects Resolution to the San Diego Association of Governments and the TransNet Independent Taxpayer Oversight Committee.

EQUITY IMPACT STATEMENT

The transportation system must be safe and accessible for all road users and modes of transportation in all communities, and for people of all income levels, races, ethnicities, ages, and abilities. Data-driven safety and access initiatives are developed and administered considering equity as a key factor. The County of San Diego's 2025 TransNet Local Street Improvement Program of Projects for Fiscal Years 2024-25 through 2028-29 (2025 Program) provides vital transportation infrastructure improvements and road maintenance services to unincorporated communities in the region. The County's proposed 2025 Program includes projects that reduce congestion, maintain roads, reduce flooding, enhance emergency response and evacuation routes, elevate vehicle and pedestrian safety, expand services for pedestrians and bicyclists, and improve water quality. Additionally, the 2025 Program includes regular maintenance on critical transportation infrastructure extends the lifespan of roads, allows for better facilitation of transit, and promotes the economic interest of all communities.

To ensure that underserved populations are prioritized during the project selection process, the most recent available data is used by the Department of Public Works to evaluate and identify vulnerable populations, including data from the Healthy Places Index, CalEnviroScreen, San Diego Live Well communities, Environmental Justice Communities, and other relevant data sources.

SUSTAINABILITY STATEMENT

The 2025 TransNet Local Street Improvement Program of Projects for Fiscal Years 2024-25 through 2028-29 (2025 Program) includes development and construction of projects from DPW's Capital Improvement Program. The program will contribute to social, economic, and environmental sustainability benefits. The 2025 Program includes maintenance projects that will extend the useful life of roadways and reduce future repair costs for the County and save motorists money on vehicle repairs. The roadway improvement projects in the 2025 Program aim to increase safety for road users and expand services for pedestrians and cyclists, which supports reduction of greenhouse gas emissions and other pollution from vehicles. The projects also incorporate enhancements that improve water quality, which will reduce the amount of pollution that reach streams and the ocean. Additionally, to advance sustainability goals, DPW requires contractors to recycle or reuse construction materials, use products with recycled content, and use of low-emissions construction equipment and vehicles whenever possible.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations for Fiscal Year (FY) 2023-24. If approved, this request will result in costs and revenue of \$200,634,550 in FY 2024-25 through FY 2028-29. The funding source is TransNet revenue. Individual projects will be brought before the Board of Supervisors for consideration as part of future year Operational Plans. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-024, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2024-25 THROUGH 2028-29.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond
NOT PRESENT: Lawson-Remer

5. **SUBJECT: ADOPT A RESOLUTION FOR THE PURPOSE OF AUTHORIZING APPLICATIONS AND AGREEMENTS FOR ACCEPTANCE OF STATE FUNDING FOR ALL CALRECYCLE GRANTS FOR WHICH THE COUNTY OF SAN DIEGO IS ELIGIBLE AND RELATED CEQA EXEMPTION AND AUTHORIZATIONS (DISTRICTS: ALL)**

OVERVIEW

The State Department of Resources Recycling and Recovery (CalRecycle) is a department within the California Environmental Protection Agency. CalRecycle offers funding opportunities to assist public and private entities in the safe and effective management of various types of waste and recyclable materials. This is a request to adopt a Resolution authorizing applications for State funding from CalRecycle for recycling, cleanup, and resource management grant programs. CalRecycle requires each applying jurisdiction to submit resolutions from its governing body that allow for the application and administration of recycling, cleanup, and resource management grants.

The Department of Public Works' (DPW's) current Resolution and accompanying minute order that allow for application and administration of recycling, cleanup, and resource management grant programs is valid through Fiscal Year 2023-24; therefore, to be eligible for future rounds of funding, DPW must submit a new Resolution to CalRecycle that, at a minimum, covers Fiscal Year (FY) 2024-25 through FY 2028-29.

Previously, DPW received Board of Supervisors authority in five-year increments, most recently from FY 2019-20 through FY 2023-24. The Resolution in today's action follows that practice and expands it to include additional departments, providing authority for the Departments of General Services, Parks and Recreation, and Planning & Development Services to apply for and administer funding for recycling, cleanup, and resource management grant programs for FY 2024-25 through FY 2028-29.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, that it can be seen with certainty that there is no possibility that applying for State-funded grants may have a significant effect on the environment and that it is therefore exempt from CEQA review.
2. Adopt a Resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO AUTHORIZING SUBMITTAL OF APPLICATIONS FOR ALL CALRECYCLE GRANTS FOR WHICH THE COUNTY OF SAN DIEGO IS ELIGIBLE (Multi-Year Resolution).
3. Authorize the Directors, Departments General Services, Parks and Recreation, Planning & Development Services, and Public Works, or their designees, as agent of the County, to conduct all negotiations, execute and submit all documents including, but not limited to, applications, contracts, payment requests, agreements and amendments, which may be necessary to secure, accept and manage the use of program funds.

EQUITY IMPACT STATEMENT

In collaboration with stakeholders, the Department of Public Works created a Strategic Plan to Reduce Waste, which was approved by the Board of Supervisors (Board) on April 26, 2017 (2). This plan set a goal to achieve 75% waste diversion by 2025. The County of San Diego's (County) 2018 Climate Action Plan subsequently added a goal to achieve 80 percent waste diversion by 2030. Since this time, the County and its partners in the community have worked to expand recycling programs to achieve these goals. If the Board adopts today's Resolution, it will allow the County to use grant funds to continue to promote waste reduction and recycling outreach and education to the unincorporated community, while also helping local businesses and residents participate in recycling programs and reduce their waste.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to adopt a Resolution will facilitate application and receipt of funds, if awarded, for recycling, cleanup, and resource management grant programs which may contribute to County of San Diego's (County) sustainability goals. This includes engaging the community and reducing pollution and waste. This Resolution will support the Departments of General Services, Parks and Recreation, Planning & Development Services, and Public Works to apply for CalRecycle grants, including Public Works' application for the State Bill 1383 Local Assistance Grant program (anticipated to be approximately \$850,535), which will positively impact unincorporated area residents and businesses. Community engagement through education and outreach, site visits and continued correspondence will be a major component of these

grants, allowing the County to promote proper management of waste materials and increase recycling efforts, as well as reach County goals of 75 percent waste diversion by 2025 and 80 percent by 2030.

FISCAL IMPACT

There is no current year fiscal impact associated with these recommendations. On July 24, 2019 (5), the Board of Supervisors (Board) approved the application and administration of recycling, cleanup, and resource management grant programs through Fiscal Year (FY) 2023-24. If this current request is approved, it will extend the application ability through FY 2028-29. If a grant is awarded, the department will return to the Board to appropriate as needed. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-025, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO AUTHORIZING SUBMITTAL OF APPLICATIONS FOR ALL CALRECYCLE GRANTS FOR WHICH THE COUNTY OF SAN DIEGO IS ELIGIBLE (Multi-Year Resolution).

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

NOT PRESENT: Lawson-Remer

6. **SUBJECT: ALL COUNTY OF SAN DIEGO AIRPORTS - OPTION TO AMEND ALL AVIATION LEASES LOCATED AT ALL COUNTY OF SAN DIEGO AIRPORTS TO ADD UP TO FIVE YEARS TO EACH CURRENT TERM TO ADDRESS COVID RELATED IMPACTS, WAIVE ASSOCIATED FEES, AND RELATED CEQA EXEMPTION (DISTRICTS: 2, 3 AND 5)**

OVERVIEW

There are eight airports owned by the County of San Diego (County) and operated by the County Department of Public Works (DPW). They are Gillespie Field, McClellan-Palomar Airport, Fallbrook Airpark, Ramona Airport, Borrego Valley Airport, Jacumba Airport, Ocotillo Airport, and Agua Caliente Airport. The County Airports system is operated, maintained, and improved using lease revenues and federal and State grant funding. County Airports' infrastructure and facilities include runways, taxiways, air traffic control towers, communications, and related equipment. Services available to corporate and general aviation users include hangar and tie-down rentals, aviation fuel sales, aircraft repair, maintenance, parts, pilot supplies, flight training, and out-of-state flights. County airports serve the public by housing aviation facilities and equipment used by local law enforcement agencies, aerial firefighting, and other emergency service providers, and provides flights to the general public. County airports include industrial-zoned land that allows for other airport-compatible uses of the property such as manufacturing, storage, and other commercial uses such as those in our Gillespie Field and

McClellan-Palomar Airport industrial parks. Leasing airport land generates revenue for the Airport Enterprise Fund (AEF), which DPW uses to ensure that all County airports are properly maintained and safe for users and surrounding communities.

County of San Diego Airport Lessees were greatly impacted by the COVID-19 pandemic. On February 14, 2020, the San Diego County Public Health Officer issued a Declaration of Local Health Emergency, pursuant to California Health and Safety Code Section 101080. Additionally, on that day, pursuant to California Government Code 8630, the Chief Administrative Officer, serving as the County of San Diego (County) Director of Emergency Services and as the Coordinator of the Unified San Diego County Emergency Services Organization, issued a Proclamation of Local Emergency.

On April 7, 2020, (4) the Board approved renters of County-owned residential and commercial property located in incorporated and unincorporated areas impacted by the COVID-19 emergency to be entitled to rent deferral and a moratorium on eviction, in accordance with the resolution adopted on March 24, 2020 (19). Gillespie Field lessees accepted the County's rent deferral method and applied it to their leases to alleviate some of the economic hardship the lessees encountered since the onset of the COVID-19 pandemic. The Gillespie Field Development Council, an advisory committee, requested that aviation leases located at all eight County Airports be given an optional five-year term extension of their current term to help restore revenue lost from the effects of COVID-19. County Airports agrees this is an equitable opportunity to provide an option to extend to all aviation leases at all eight County Airports. This is a request to authorize the Director of Airports to execute amendments to all aviation leases at all County Airports, extending their termination dates up to five years, provided that specified conditions, discussed further in Background, are met.

This request comes forth on behalf of the aviation lessees based on economic need following the COVID-19 pandemic and its continued effects on individuals, families, and small businesses located at the eight County airports and in the surrounding community. With the proposed action, the lessees' current monthly rent will not be increased along with this proposed action; however, affected lessees will continue to pay their current monthly rent and will continue to be subject to all other terms of the lease language, including language that may increase their rent during this five-year extension such as, scheduled rent adjustments, and annual CPI increases. If a lease that will be extended in accordance with this action is scheduled for a rent adjustment or any action that increases the monthly rent is due at the time of the lease extension, the increase of rent will be applied as scheduled pursuant to the language of the lease.

Lessees interested in amending their leases in accordance with this Board action shall request amendments from County Airports staff in writing within six months, and execute the amendment within one year of April 10, 2024. The amendment will add language requiring the leases to be in compliance with the Working Families Ordinance that became effective on April 1, 2022. This amendment will also add language requiring tenants to be in compliance with the Working Families Ordinance, which is effective on new and amended leases from April 1, 2022 onward. However, historical and customary equity payment to the County, and the capital improvement requirement that accompanies the extension of lease term, will not be applied to these leases. The equity payment is reversionary interest paid to County and is applied to all extension of term requests. The capital improvement item is also usually applied to all requests

for extension of term and is an amount tenants will be applying to the leasehold in the form of improvements to the current dwellings or land, or in new additional dwellings on the leasehold.

These payments are not required as part of providing tenants the COVID-19 lease extension. If approved, this action would authorize the Director of Airports to execute amendments to all aviation leases at all County Airports, extending their termination dates up to five years, provided that specified conditions, discussed further in Background, are met. Thereafter, lease term extension requests will be completed as normal, following all County of San Diego requirements for County Airports, and applying the customary practices for such leases. As such, the per acre per month value that is applied to aviation-related leases will be reviewed and newly calculated during, or at the end of the same five-year timeframe. The new per acre per month will be applied to all aviation leases at all eight County airports during the next rent adjustment period, lease term extension, or any change or update to the lease language.

The impact to the Airport Enterprise Fund in the amount of \$126,000 as a result of taking this action is expected to be recuperated over the life of the leases and at the next term extension request. The waiving of the fees will contribute to the recovery of financial hardship experienced as a result of the pandemic. Our stakeholders will be able to take advantage of the longer terms to seek more favorable rates from lenders and to help amortize current loans for previous and future capital improvements of their assets.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that the proposed lease amendment is categorically exempt from CEQA review as it consists of the leasing of existing facilities involving negligible or no expansion of existing or former use.
2. Approve and authorize the Director of Airports to execute, upon receipt, three copies of each lease amendment meeting the requirements of this Board letter and take any other actions necessary to administer the lease amendments. **(4 VOTES)**
3. Waive the application of Board Policy B-29, full cost recovery, to the proposed lease extensions, which are proposed to address the negative impacts of the COVID-19 pandemic for aviation lessees at all County Airport Leases.

EQUITY IMPACT STATEMENT

The County of San Diego (County) has eight airports that are owned and operated by the County which provide vital air transportation hubs, emergency response facilities, and economic engines. The County pursues delivery of these services in a fair and equitable manner and actively works to remove barriers by providing airport guests with general airport information in the County's threshold languages, encouraging participation, and providing competitive opportunities for small businesses and businesses that traditionally have less working capital, and business owners and managers who may be socially and economically underserved.

SUSTAINABILITY IMPACT STATEMENT

This request will authorize the Director of Airports to execute amendments extending the terms of all aviation leases up to five years, provided the specified conditions are met. The base monthly rent from these leases help support economic and social sustainability by providing services for the region. The revenue that aviation businesses at the eight County airports will be able to earn because of this lease extension will help operate, maintain, and improve the County airports system consistent with the County sustainability goal of providing just and equitable access to County services and resources in support of sustainable communities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Airport Enterprise Fund. If approved, today's recommendation will extend aviation lease agreements by five years. County Airports, authorized under Section 85.422 of the County Code of Regulatory Ordinances, charges a lease processing fee that will be waived. The fee waiver will result in a loss of revenue of approximately \$126,000. The funding source is available Airport Enterprise Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Leases at airports benefit the local business community by creating jobs, increasing economic activity, providing business opportunities, and supporting infrastructure development. They attract visitors, generate revenue, and help small businesses grow, thus stimulating the local economy and improving the quality of life for residents. Airports connect individuals to jobs and local communities to the world. Revenue derived from airport leases allows DPW to operate and maintain the eight County airports, airstrips, and airpark safely, efficiently, and cost-effectively. Today's action of implementing a five-year extension of term to all aviation leases promotes self-sufficiency by helping businesses to remain open and enhances the economic viability of the County airport system since impacted by COVID-19.

ACTION:

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

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

NOT PRESENT: Lawson-Remer

7. **SUBJECT: EL CAPITAN COUNTY PRESERVE - AUTHORIZATION FOR THE AMENDMENT OF AGRICULTURAL LAND CONSERVATION CONTRACT NUMBER 5152-4900, ACCEPTANCE OF REAL PROPERTY DONATION OF APPROXIMATELY 75 ACRES OF OPEN SPACE LAND, RELATED CEQA EXEMPTION, AND ADOPTION OF RESOLUTION (LAKESIDE'S RIVER PARK CONSERVANCY) (4/10/2024 - HOLD HEARING) (DISTRICT: 2)**

OVERVIEW

The Department of Parks and Recreation (DPR) enhances the quality of life in San Diego County by providing exceptional parks and recreation experiences and preserving natural resources. A

core aspect of DPR's conservation program is the acquisition of open space lands that support sensitive species and habitats. Lakeside's River Park Conservancy, a 501(c)(3) nonprofit organization, has offered to donate to the County of San Diego (County) approximately 75 acres of vacant land, further identified as Assessor's Parcel Number (APN) 390-071-01-00 (Property) located on El Monte Road in Lakeside. If accepted, the Property would connect existing DPR facilities El Capitan County Preserve, the Historic Flume Corridor, and El Monte County Park, enhancing regional trail opportunities and conserving native habitat. The Property is subject to an Agricultural Land Conservation Contract (also known as a Williamson Act Contract) (El Monte Agricultural Preserve #7) which, among other things, restricts dividing the property into parcels smaller than 160 acres. This contract requires an amendment to allow the County's acceptance of this 75-acre Property.

This acquisition enhances conservation under the Multiple Species Conservation Program (MSCP) set by federal and State requirements for special status species conservation and supports multiple County sustainability goals, habitat and biodiversity, biological connectivity, greenhouse gas reductions, and benefits to water and air quality.

Through the County's MSCP Program, the County has acquired over 46,200 acres of open space land for conservation within the three MSCP Subareas. The acreage of preserve lands within the three MSCP Plan Areas include approximately: 14,000 acres within the South County Plan Area, 25,000 acres within the draft North County Plan Area, and 7,200 acres within the proposed East County Plan Area. This acquisition would add 75 acres to the draft North County Plan Area and reduce greenhouse gas emissions by approximately 95 metric tons of carbon dioxide equivalent per year. Additionally, conservation of the property provides flood control benefits and protection of water quality.

The County entered into an Option Agreement with Lakeside's River Park Conservancy for the land donation of approximately 75 acres, which appraised at \$1,500,000 (\$20,000/acre). The Option Agreement is typical for all acquisitions to confirm all details needed as part of the proposed transfer of property from Lakeside's River Park Conservancy to the County. Lakeside's River Park Conservancy has secured grant funding from the California Natural Resources Agency (CNRA) and Wildlife Conservation Board (WCB) to fund the purchase of the property. Once Lakeside's River Park Conservancy acquires it from the current owner using grant funding, Lakeside's River Park Conservancy will donate it to the County for ongoing ownership and management as conservation land. As a condition of the grant funding, CNRA will require a deed restriction and WCB will require a Board Resolution to ensure the County's use and management of the Property will protect conservation values in perpetuity while allowing passive recreation such as trails.

Today's request is for the Board of Supervisors (Board) to authorize the Director, Department of General Services (DGS), to amend the Agricultural Land Conservation Contract to allow the creation of a parcel of not less than 70 acres, provided the parcel is adjacent to and included within the El Capitan County Preserve, to adopt a resolution declaring the Property will be used for conservation purposes in perpetuity, and to approve the acceptance of the donation of the Property.

The total one-time County cost, including staff time and initial stewardship, is \$453,000. Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan of the Multiple Species Conservation Program Acquisition Fund. The annual costs to manage the Property are \$129,071, including ongoing stewardship, fire abatement, and supervision of the preserve. These ongoing costs will be included in the FY 2024-25 Operational Plan in the Department of Parks and Recreation (DPR).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed acquisition of APN 390-071-01-00 is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, 15311, 15313, 15316 and 15325 of the State CEQA Guidelines.
2. Authorize the Director, DGS, or designee, to execute an amendment to the County of San Diego Agricultural Land Conservation Contract 5152-4900 to allow for the creation of a parcel of not less than 70 acres provided the divided parcel is adjacent to and included within the El Capitan County Preserve.
3. Authorize the Director, DGS, or designee, to exercise the Option Agreement to accept the donation to acquire the real property interest identified as APN 390-071-01-00 (Property) and execute all related documents necessary to complete the acquisition process.
4. Authorize the Director, Department of Parks and Recreation, or designee as agent of the County of San Diego, to conduct negotiations and submit all documents, including but not limited to, grant contracts, grant agreements, including any extensions or amendments thereof that do not materially impact or alter the conditions of the donation.
5. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING ENTERING INTO GRANT AGREEMENTS WITH THE CALIFORNIA WILDLIFE CONSERVATION BOARD AND THE CALIFORNIA NATURAL RESOURCES AGENCY AND AUTHORIZING THE ACQUISITION OF ASSESSOR'S PARCEL NUMBER 390-071-01 TOTALING APPROXIMATELY 75 ACRES IN SAN DIEGO COUNTY.

EQUITY IMPACT STATEMENT

The Department of Parks and Recreation conservation program's acquisition of properties with high-quality habitat is anticipated to result in positive public health impacts by improving water and air quality for all residents. The acquisition of the Property is within the Lakeside community areas and will contribute acreage to multiple sustainability efforts, including expanding the adopted South County Multiple Species Conservation Plan preserve area by approximately 75 acres and reducing greenhouse gas emissions by approximately 95 metric tons of carbon dioxide equivalent per year. Acquisition of conservation land reduces emissions that would have occurred if the land were developed and prevents the loss of critical habitat.

SUSTAINABILITY IMPACT STATEMENT

The proposed acquisition supports multiple County of San Diego (County) Sustainability Goals. Acquisition of the approximately 75-acre property supports County Sustainability Goal No. 3 and the County's Climate Action Plan by contributing to greenhouse gas reductions by approximately 95 metric tons of carbon dioxide equivalent per year through preservation of open space. The proposed acquisition site supports County Sustainability Goal No. 4 by expanding opportunities for community members to access outdoor recreation and nature and County Sustainability Goal No. 6 by expanding open space adjacent to native ecosystems and habitats.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan of the Multiple Species Conservation Program (MSCP) Acquisition Fund. If approved, this will result in total one-time project costs for the Property of \$453,000 in FY 2023-24, itemized as follows: \$40,000 for staff time and appraisal reports to complete the transaction; \$8,000 for closing and title costs; \$405,000 in one-time land improvement costs (which includes \$330,000 for the preparation of a preserve-specific Resource Management Plan and initial species monitoring, and \$75,000 to conduct initial stewardship that features signage, access control, vegetation management, land surveying, other supplies and services, and ongoing management). The funding source is available prior year General Fund fund balance (\$453,000).

Total annual ongoing costs for assessments, monitoring, and operations and management of the Property are estimated at \$129,071, itemized as follows: approximately \$10,000 for adaptive management and biological monitoring, \$25,000 for annual total operating costs for managing the site, and \$94,071 for the addition of one full-time equivalent position. Ongoing costs and funding sources will be included in the FY 2024-25 Operational Plan in the Department of Parks and Recreation (DPR). The funding source is existing DPR General Purpose Revenue.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-026, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING ENTERING INTO GRANT AGREEMENTS WITH THE CALIFORNIA WILDLIFE CONSERVATION BOARD AND THE CALIFORNIA NATURAL RESOURCES AGENCY AND AUTHORIZING THE ACQUISITION OF ASSESSOR'S PARCEL NUMBER 390-071-01 TOTALING APPROXIMATELY 75 ACRES IN SAN DIEGO COUNTY.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond
NOT PRESENT: Lawson-Remer

8. SUBJECT: ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF WATER RESOURCES COUNTY DROUGHT RESILIENCE PLANNING ASSISTANCE PROGRAM AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)

OVERVIEW

Senate Bill 552 (SB 552), passed and signed by Governor Gavin Newsom in September 2021, requires State and local governments to share responsibility for preparing and acting in the case of a water shortage event. These new requirements are expected to improve the ability of Californians to manage future droughts and help prevent catastrophic impacts to drinking water for communities vulnerable to climate change impacts. The bill outlines the new requirements for small water suppliers, county governments, the California Department of Water Resources (DWR), and the State Water Board to implement more proactive drought planning and be better prepared for future water shortage events or dry years. Each county is required to have a standing drought task force to facilitate drought and water shortage preparedness for state small water systems (serving 5 to 14 connections), domestic wells, and other privately supplied homes within the county's jurisdiction. Each county must also develop a plan demonstrating the potential drought and water shortage risk and proposed interim and long-term solutions for state small water systems and domestic wells within the county.

Following SB 552, DWR launched the County Drought Resilience Planning Assistance Program which aimed to provide up to \$125,000 in financial assistance or direct technical assistance to access one-time support to establish a standing Drought and Water Shortage Task Force and develop a County Drought Resilience Plan. As a result, the County of San Diego (County) Department of Parks and Recreation (DPR) analyzed 13 parks that currently have small water systems to determine the eligibility of funding based on the grant requirements. Out of the parks analyzed, DPR identified the following four parks as the most qualified parks for the DWR County Drought Resilience Planning Assistance Program: El Monte County Park, Oakoasis County Preserve, Santa Margarita County Preserve, and Louis A. Stelzer County Park. These parks support the County Drought Resilience Planning Assistance Program requirements as these parks are part of DPR's County Drought Resilience Plan and the grant funding would cover the remainder of the County's design consultant costs required to advance design of recommended improvement plans from 30 percent completion to final construction documents. The design documents will include improvements to potable and non-potable water tanks, distribution lines, well pumps, pressure tanks and/or chlorination systems to prevent catastrophic failures and reestablish high quality and reliable water services at these locations.

This request is to adopt a Resolution authorizing DPR to apply for and accept up to \$125,000 from DWR's County Drought Resilience Planning Assistance Program to complete the improvement plans for four qualified sites. The total estimated cost of the improvement plans is \$400,000. Funds for this request are partially included in Fiscal Year 2024-25 Chief Administrative Officer (CAO) Recommended Operational Plan of the Department of Parks and Recreation. Additionally, this request will authorize the Director, DPR, or designee, to conduct all negotiations and to execute and submit all documents that may be necessary to apply for and accept the grant funds.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the adoption of the Resolution is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.
2. Adopt a Resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS APPROVING THE APPLICATION FOR GRANT FUNDS FOR COUNTY DROUGHT RESILIENCE PLANNING ASSISTANCE PROGRAM.
3. 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, application, contracts, payment requests and to execute the grant agreement, including any extension or amendments thereof that do not materially impact or alter the grant program or funding levels.

EQUITY IMPACT STATEMENT

The proposed small water system improvement plans will serve the unincorporated communities of Lakeside and Fallbrook. Upon the completion of the improvement plans, the implementation of the recommendations made for these parks will provide clean water to both day users and overnight campers and eliminate catastrophic impacts in the event of drought or failed water infrastructure. The improvements will enable the Department of Parks and Recreation to continue to offer active and passive recreational activities to the residents of these regions.

Currently, El Monte County Park, Oakoasis County Preserve, Santa Margarita County Preserve, and Louis A. Stelzer County Park are located within disadvantaged communities according to the Healthy Places Index (HPI) and have low park accessibility. In addition to low park accessibility, these census tracts have a higher susceptibility to health inequities and lack outdoor greenspaces. They are also disproportionately exposed to climate change risks such as building loss, wildfires, and legacy pollution, underscoring that maintaining water services at these parks and preserves are even more crucial for the well-being of both residents and park users alike.

SUSTAINABILITY IMPACT STATEMENT

The proposed action of the Department of Parks and Recreation to accept grant funds through the County Drought Resilience Planning Assistance Program will protect the demand of potable water in communities that depend on a small water system for their water supply. Such action supports County Sustainability Goal No. 5 by protecting groundwater quality and ensuring the availability of potable water in times of drought.

FISCAL IMPACT

Funds for this request are included in Fiscal Year 2024-25 CAO Recommended Operational Plan of the Department of Parks and Recreation (DPR). If approved, today's actions would authorize the submittal of one application for grant funds up to \$125,000 to the County Drought Resilience Planning Assistance Program for costs associated with the completion of the ongoing Small Water System Emergency Action Improvement Plans. The total estimated cost of the improvement plans is \$400,000. The funding sources are existing General Purpose Revenue (GPR) in DPR (\$275,000) and if awarded, grant funds from the County Drought Resilience

Planning Assistance Program (\$125,000). If the grant is not awarded, the project scope will be adjusted. There will be no change in net General Fund cost and no additional staff years.

The Board approved a waiver of Board Policy B-29 for LUEG grants on June 24, 2020 (12); therefore, a waiver is not requested as part of this action. If a grant is awarded, any unrecovered cost per Board Policy B-29 would be funded by existing GPR in DPR as determined by the nature of the project(s) or program(s).

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-027, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS APPROVING THE APPLICATION FOR GRANT FUNDS FOR COUNTY DROUGHT RESILIENCE PLANNING ASSISTANCE PROGRAM.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

NOT PRESENT: Lawson-Remer

9. **SUBJECT: SET A HEARING FOR MAY 22, 2024:
MOUNT OLYMPUS COUNTY PRESERVE - APPROVE
ACQUISITION OF APPROXIMATELY 220 ACRES OF OPEN SPACE
LAND AND RELATED CEQA EXEMPTION (MORITZKY TRUST)
(4/10/2024 - SET HEARING; 5/22/2024 - HOLD HEARING)
(DISTRICT: 5)**

OVERVIEW

The Department of Parks and Recreation (DPR) enhances the quality of life in San Diego County by preserving significant natural resources. A core aspect of DPR's conservation program is the acquisition of open space lands that support sensitive species and habitats. DPR has identified a 222-acre property (Property) adjacent to the existing Mount Olympus County Preserve in Pala-Pauma. If acquired, the existing 1,200-acre Mount Olympus County Preserve would be expanded to over 1,400 acres, providing large, connecting chaparral habitat for deer, mountain lions, and other sensitive species.

This acquisition enhances conservation under the Multiple Species Conservation Program (MSCP) set by federal and State requirements for special status species conservation and supports multiple County of San Diego (County) sustainability goals, habitats and biodiversity, biological connectivity, greenhouse gas reductions, and benefits to water and air quality.

Through the County's MSCP Program, the County has acquired over 46,200 acres of open space land for conservation within the three MSCP Subareas. The acreage of preserve lands within the three MSCP Plan Areas include approximately: 14,000 acres within the South County Plan Area, 25,000 acres within the draft North County Plan Area, and 7,200 acres within the proposed East County Plan Area. This acquisition would add 222 acres to the draft North County Plan Area and

reduce greenhouse gas emissions by approximately 282 metric tons of carbon dioxide equivalent per year. Additionally, conservation of the property provides flood control benefits and protection of water quality.

The County implemented an Option Agreement with the Moritzky Trust (Seller) for the purchase of the Property for the appraised value of \$1,200,000 (approximately \$5,400/acre). The appraised value of the Property considers existing open space easements on the Property, which limit the Property's development potential.

Today's request is for the Board of Supervisors (Board) to set a hearing for May 22, 2024 to consider approval of the purchase of the Property and direct the Clerk of the Board to provide public notice of the hearing. If the Board approves the request, on May 22, 2024, after making the necessary findings, the Board will be requested to authorize the purchase of the Property. The total one-time County cost, including property acquisition, staff time, and initial stewardship is \$1,640,500. Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan of the MSCP Acquisition Fund. The annual costs to manage the Property are \$67,740, including ongoing stewardship, Resource Management Plan update, and supervision of the preserve. These ongoing costs are included in the FY 2023-24 Operational Plan of the Department of Parks and Recreation.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On April 10, 2024:

1. Set a hearing for May 22, 2024, at which time the Board of Supervisors (Board) may authorize the Director, Department of General Services (DGS), to exercise the option to purchase Assessor's Parcel Numbers (APNs) 109-351-16, -18 and -19 for the appraised value of \$1,200,000.
2. Direct the Clerk of the Board to provide notice of the May 22, 2024 hearing via publication and posting as required by law.

If, on April 10, 2024, the Board takes the actions recommended in Items 1-2 above, then on May 22, 2024:

1. Find that the proposed acquisition of APNs 109-351-16, -18 and -19 is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, 15304, 15311, 15313, 15316 and 15325 of the CEQA Guidelines.
2. Authorize the Director, DGS, or designee, to exercise the option to purchase APNs 109-351-16, -18 and -19 for the appraised value of \$1,200,000.
3. Authorize the Director, DGS, or designee, to execute all escrow and related documents necessary to complete the purchase of APNs 109-351-16, -18 and -19.

EQUITY IMPACT STATEMENT

The Department of Parks and Recreation conservation program's acquisition of properties with high-quality habitat is anticipated to result in positive public health impacts by improving water and air quality for all residents. The Property is within the Pala-Pauma and Rainbow community areas and its acquisition will contribute acreage to multiple sustainability efforts, including expanding the draft North County Multiple Species Conservation Plan preserve area by 222 acres and reducing greenhouse gas emissions by approximately 282 metric tons of carbon dioxide equivalent per year.

SUSTAINABILITY IMPACT STATEMENT

The proposed acquisition supports multiple County of San Diego (County) Sustainability Goals. Acquisition of the 222-acre property supports County Sustainability Goal No. 3 and the County's Climate Action Plan by contributing to greenhouse gas reductions by approximately 282 metric tons of carbon dioxide equivalent per year through preservation of open space. The proposed acquisition site supports County Sustainability Goal No. 4 by expanding opportunities for community members to access outdoor recreation and nature and County Sustainability Goal No. 6 by expanding open space adjacent to native ecosystems and habitats.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan of the Multiple Species Conservation Program (MSCP) Acquisition Fund. If approved on May 22, 2024, this request will result in total one-time project costs for the Property of \$1,640,500 in FY 2023-24, itemized as follows: \$1,200,000 for property acquisition; \$62,500 for staff time and appraisal reports to complete the transaction; \$8,000 for closing and title costs; and, \$370,000 in one-time land improvement costs (which includes \$348,000 for the preparation of a preserve specific Resource Management Plan and initial species monitoring, and \$22,000 to conduct initial stewardship that features signage, access control, and vegetation management, land surveying, and other supplies and services and ongoing management). The funding source is available prior year General Fund fund balance (\$1,640,500).

Total annual ongoing costs for assessments, monitoring, and operations and management of the Property are estimated at \$67,740, itemized as follows: \$7,940 for fixed charged assessments for vector control, road maintenance, and water availability; approximately \$12,800 for adaptive management and biological monitoring; and, \$47,000 for annual total operating costs for managing the site. Ongoing costs are included in the FY 2023-24 Operational Plan in the Department of Parks and Recreation (DPR). The funding source is existing DPR General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and set a Hearing for May 22, 2024.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

NOT PRESENT: Lawson-Remer

10. SUBJECT: UPDATE ON ENERGY SUPPLY STUDY AND AUTHORIZE SINGLE SOURCE PROCUREMENT WITH THE ALLIANCE FOR SUSTAINABLE ENERGY LLC AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)

OVERVIEW

This Board Letter is a request to authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with the Alliance for Sustainable Energy LLC (Alliance), the contracting authority for the U.S. Department of Energy's National Renewable Energy Laboratory (NREL), for a single source contract to procure Energy Supply Study services and award a contract for a term of one (1) year, with three (3) one-year option periods and up to an additional six (6) months if needed. NREL performs advanced, unbiased research, development, and analysis; has access to expertise and proprietary technology not available in the private sector; and is the preeminent authority in developing energy supply studies.

Led by the Office of Sustainability and Environmental Justice (OSEJ), the Energy Supply Study will analyze existing and potential capacity for residential, commercial, and other infill renewable energy and battery-storage infrastructure throughout the region and per Supervisorial district. It will also analyze how infill renewable energy options might impact factors such as ratepayer costs, grid reliability, resiliency, equity, and the environment. These factors will be considered within the context of the diverse landscapes in the region that include mountain, desert, and coastal ecosystems with communities of varying population densities throughout. It is imperative that decarbonization actions are equitable, therefore the study will assess access to rooftop and infill solar and battery storage for low income, vulnerable, and environmental justice communities impacted disproportionately by climate change.

On May 24, 2023 (09), the San Diego County Board of Supervisors (Board) directed the development of an Energy Supply Study that will expand and add additional local context to the analysis that began with the Regional Decarbonization Framework (RDF) Technical Report. The RDF Technical Report outlines science-based pathways to reach zero carbon emissions by mid-century by addressing the three highest greenhouse gas emitting sectors in the region: on-road transportation, electricity generation, and natural gas use in buildings. The Board also directed that the Energy Supply Study be prepared as a supplemental study to the RDF Technical Report, which was last presented to the Board of Supervisors on August 31, 2022 (5).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) because negotiating and awarding a contract to procure an Energy Supply Study is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378(b)(5).
2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with the Alliance for Sustainable Energy LLC and, subject to successful negotiations and a determination of a fair and reasonable price, award a contract for a term of one (1) year, with three (3) one-year option periods and up to an additional six (6) months if needed subject to the availability of funds and a need for services.

EQUITY IMPACT STATEMENT

As the County continues its decarbonization efforts, it is imperative to ensure that actions are equitable. The Energy Supply Study will analyze how rooftop and infill renewable energy options might impact factors such as ratepayer costs, grid reliability, resiliency, equity, and the environment. The study will assess access to rooftop and infill solar and battery storage for low income, vulnerable, and environmental justice communities impacted disproportionately by climate change.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports the County of San Diego Sustainability Goal #3, to transition to a green, carbon-free economy, reduce greenhouse gas emissions, support green job creation and workforce development, and prepare for impacts of a changing climate; and Sustainability Goal #4, to protect the health and wellbeing of everyone in the region, with a focus on collaborating with community partners and advocating for environmental justice for communities that have been disproportionately impacted. This study will build on the research of the Regional Decarbonization Framework Technical Report to analyze the local conditions relating to residential, commercial, and other infill renewable energy generation.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan in the Land Use and Environment Group Executive Office. If approved, this request will result in costs of \$250,000 for the first year of the contract. The funding source is existing one-time General Purpose Revenue in the Land Use and Environment Executive Office. There will be fiscal impact in subsequent years; if approved, this request will result in an estimated contract costs and revenue of \$875,000 for the 3 option years and 6 months, for a maximum total amount not to exceed \$1,125,000. If approved, future years' funding source will be identified and included in future years Operational Plans for the Land Use and Environment Executive Office. There will be no change in net General Fund cost and no additional staff years. There may be fiscal impacts associated with future related recommendations for which staff would return to the Board for consideration and approval.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took the following actions:

1. Found that the proposed actions are not subject to the California Environmental Quality Act (CEQA) because negotiating and awarding a contract to procure an Energy Supply Study is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378(b)(5).
2. In accordance with Board Policy A-87, Competitive Procurement, approved and authorized the Director, Department of Purchasing and Contracting to enter into negotiations with the Alliance for Sustainable Energy LLC and, subject to successful negotiations and a determination of a fair and reasonable price, award a contract for a term of one (1) year, with three (3) one-year option periods and up to an additional six (6) months if needed subject to the availability of funds and a need for services.

3. Directed the Interim Chief Administrative Officer to return to the Board for approval of each additional option period with Alliance for Sustainable Energy LLC.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

11. SUBJECT: ADJUST THE WARNER SPRINGS COMMUNITY PLAN BOUNDARY TO INCLUDE THE LOS COYOTES TRIBAL LAND (DISTRICT: 5)

OVERVIEW

The Warner Springs Community Sponsor Group (CSG) is a nine-seat advisory body made up of community members who reside or own property in the unincorporated community of Warner Springs. The community is located in District 5 in rural northeast San Diego County in a region broadly known as the “backcountry.” The Warner Springs CSG is a legally formed group and conducts business pursuant to Board of Supervisors (Board) Policy I-1. Members are appointed by the Board and serve local residents by advising County decision-makers such as the Director of Planning & Development Services (PDS), the Planning Commission, and the Board on matters concerning planning and land use.

Recently, the Chair of the CSG and the Los Coyotes Band of Indians (Los Coyotes) made a joint request to include the neighboring Los Coyotes tribal land into the Warner Springs community plan boundary to make Los Coyotes eligible to seat a member on the CSG. Tribal members from Los Coyotes frequently attend meetings and engage with the CSG on a range of topics and issues and they have expressed interest in participating in the advisory process more formally. In response, today’s action seeks to adjust the Warner Springs community plan boundary to include the Los Coyotes tribal land, making them eligible to nominate a member for appointment to the Warner Springs CSG.

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND

1. Find that the proposed actions are not a project pursuant to the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines.
2. Direct the Interim Chief Administrative Office (CAO) to research the feasibility of adjusting the Warner Springs community plan boundary to include the entirety of the Los Coyotes tribal land and return within 120 days with options to implement.

EQUITY IMPACT STATEMENT

Community engagement in the land use process is crucial to ensure the public’s interest is taken into consideration before the County acts on important topics relating to the physical use of land, road improvements, parks and recreation, stormwater, agriculture, and many others. Community Planning and Sponsor Groups (CPSGs) are at the cornerstone of the County’s public engagement process, and truly serve as a collective voice for each community. Making it so that a member from the Los Coyotes tribe could be appointed to the Warner Springs CSG would help bridge the gap between County and tribal governments and would allow their unique perspective, knowledge and lived experience to help shape our local land use process.

SUSTAINABILITY IMPACT STATEMENT

The County's commitment to sustainability requires us to consider the long-term consequences of our actions on the environment, economy, and social well-being of our communities. Community Planning and Sponsor Groups are uniquely set up to help us do just that. Making it so that a member from the Los Coyotes tribe could be appointed to the Warner Springs CSG would enhance the County's ability to understand the history of the land and would allow for a more diverse conversation that better considers impacts to tribal lands from actions taken in the unincorporated County.

FISCAL IMPACT

There is no fiscal impact associated with today's recommendations. There may be costs related to the research of feasibility of adjustments to the Warner Springs community plan boundary which will be absorbed within Planning & Development Services' Fiscal Year 2023-24 Operational Plan. Any future related actions with fiscal impacts would return back for consideration and approval by the Board. Upon return by staff, funding for future costs will need to be identified and will proceed once identified. At this time, there will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

NOT PRESENT: Lawson-Remer

12. **SUBJECT: NOTICED PUBLIC HEARING:
HILLSIDE MEADOWS OPEN SPACE VACATION AND AN
ADDENDUM TO PREVIOUSLY ADOPTED ENVIRONMENTAL
IMPACT REPORT; LAKESIDE COMMUNITY PLAN AREA (2/28/2024 -
SET HEARING; 4/10/2024 - HOLD HEARING) (DISTRICT: 2)**

OVERVIEW

On February 28, 2024 (03), the Board of Supervisors set a Hearing for April 10, 2024.

Planning & Development Services (PDS) is processing a request from Gleich Properties, LLC C/O Randy Lang (Applicant) for an Open Space Easement Vacation (Vacation) (see Attachment B, open space area to be vacated on Final Map 16556) for the Hillside Meadows project that is located on privately owned parcels (see Attachment E, ownership disclosure form) in the Lakeside Community Plan Area (see Attachment A, vicinity map).

The Vacation is proposed on nine individual lots located northeast of the extension of Mast Boulevard, west of Pinery Grove, and east of Ranchitos Place in the Lakeside Community Planning Area, within unincorporated San Diego County (APN 379-024-23). The parcel is privately owned by Lakeside Investment Company, L.P. and the property owner has authorized Gleich Properties, LLC C/O Randy Lang, the Applicant, to process the requested vacation. The Hillside Meadows project (Project) is located within an Infill Area under the County's Transportation Study Guide (TSG) for Vehicle Miles Traveled (VMT). The Project is a major subdivision that subdivides 37 acres into 142 single family lots, 2 industrial lots, a public park, and 20-foot trail easement.

The temporary easement for open space was granted as part of Final Map 16556 (see Attachment B). The Project proposes to vacate a temporary easement for open space on nine individual lots, initially dedicated based on a project condition that nine lots remain in open space until an agreement is reached with the neighbor (Hilliker Egg Ranch) to fund the construction of concrete floors at the existing egg ranch. This open space easement was not implemented as a mitigation measure. The condition also noted that the overall cost should not exceed \$100,000. An agreement has been reached between the property owners and the vacation can proceed (Attachment H), allowing the open space easement to be vacated and nine lots to be developed with single family residences. This Vacation is required for the future development of single family homes on lots 92, 135-141, and 143, identified in sheet 7 of Attachment B.

If the Vacation is approved, construction of all the homes within the project can proceed, which includes up to 142 single family homes. If the Vacation is not approved, the Project could still move forward, including construction of up to 133 homes, but nine of the lots would not be able to be developed with single family homes.

Today's request requires two steps: February 28, 2024, it is requested that the County of San Diego Board of Supervisors (Board) set a date for a public hearing on April 10, 2024, and provide public notice of that hearing, which includes posting at the project site. If the Board takes action recommended on February 28, 2024, then on April 10, 2024, it is requested that the Board consider and adopt a resolution to vacate a portion of the referenced open space easement and record A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING THE OPEN SPACE EASEMENT.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt the environmental findings, which include findings in accordance with Section 15162 and 15164 of the California Environmental Quality Act (CEQA) Guidelines. Confirm that there are no substantial changes in the Vacation or in the circumstances under which the Vacation is undertaken that involve significant new environmental impacts which were not considered in the Upper San Diego River Improvement Project Final Programmatic Environmental Impact Report (EIR), Log No. 98-10-014, State Clearinghouse (SCH) Number 98041146, completed in August 2000 (see Attachment C, environmental documentation) and An Addendum to the Previously Adopted Environmental Impact Report for the Upper San Diego River Improvement Project (USD RIP) for Purposes of Consideration of Hillside Meadows, TM 5203RPL1, Log No. 00-14-016 (Addendum), SCH Number 2002119034, completed in September 2002

(Attachment C). Confirm that the EIR and Addendum analyzed the impacts of all 142 residential units, 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 EIR and Addendum were adopted (Attachment C).

2. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING THE OPEN SPACE EASEMENT PDS2023-VAC-23-003 (Attachment D).
3. Direct the Clerk of the Board to record the Resolution pursuant to the Streets and Highways Code Section 8325.

EQUITY IMPACT STATEMENT

The approval of this Vacation is a step towards fostering increased housing development in the community. By removing the open space easement, this Vacation supports the goal of expanding residential opportunities and reflects a commitment to accommodating community growth and housing needs in the unincorporated area.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to vacate an existing open space easement facilitates a residential development aligned with the elements of the San Diego County General Plan, and the Upper San Diego River Improvement Project Specific Plan, demonstrating a commitment to organized and planned growth. The Vacation also aligns with the Lakeside Community Plan, specifically the policy and recommendation to confine higher density residential development to the areas that have all necessary public facilities; are within the existing sewer districts; and are adjacent to major roads and commercial areas. The proposed project is also within an Infill Area under the County's Transportation Study Guide (TSG) for Vehicle Miles Traveled (VMT). The development will also provide a public park and an equestrian trail. The proposed action will support development with a sustainability-conscious approach by ensuring reliance on existing infrastructure, reducing the need for extensive new infrastructure, and enhancing accessibility to green spaces and recreational opportunities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in Planning & Development Services. If approved, this request will result in estimated costs and revenue of \$10,699 for the Open Space Vacation and will cover the staff time involved with preparing the resolution, public notice, Board letter, and public hearing documents. The funding source for this project is provided by Gleich Properties, LLC C/O Randy Lang (The Applicant). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors closed the Hearing and took action as recommended, and adopted Resolution No. 24-028, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING THE OPEN SPACE EASEMENT PDS2023-VAC-23-003.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

13. SUBJECT: NON-AGENDA PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Audrey Reynolds spoke to the Board regarding the neglect and abuse of animals in East County.

Michele Walther spoke to the Board regarding the neglect and abuse of animals in East County.

Summer Light spoke to the Board regarding the dumping of asphalt at San Elijo Hills.

Michael Brando spoke to the Board regarding the neglect and abuse of animals in East County.

John Allen spoke to the Board regarding California Hiking Trails.

Consuelo spoke to the Board regarding public engagement.

Paul the Bold spoke to the Board regarding funding for wastewater treatment.

Terri-Ann Skelly spoke to the Board regarding concerns of mental disorders from the use of marijuana.

Kathleen Lippitt spoke to the Board regarding concerns of marijuana commercialization.

Kelly McCormick spoke to the Board regarding alcohol and drug prevention in youth.

Carmen Torres spoke to the Board regarding the neglect and abuse of animals in East County.

Gail Deyling spoke to the Board regarding concerns of water quality at El Monte Basin.

Nancy Wilkens spoke to the Board regarding concerns at water quality at El Monte Basin.

Robert Germann spoke to the Board regarding San Diego airports.

Luis Elizondo spoke to the Board regarding concerns of homeless encampments.

Samantha Prado spoke to the Board regarding the neglect and abuse of animals in East County.

Maryanne Vancio spoke to the Board regarding Sweetwater regional trail planning.

Jimmy Rosario spoke to the Board regarding concerns of homeless cabins in Spring Valley.

Kate Iannone spoke to the Board regarding the neglect and abuse of animals in East County.

Zohra Fahim spoke to the Board regarding the neglect and abuse of animals in East County.

Lori Saldana spoke to the Board regarding concerns of deaths of inmates in San Diego jails.

Truth spoke to the Board regarding actions of the Board of Supervisors.

Audra spoke to the Board regarding the neglect of children at the U.S. Border and the neglect and abuse of animals in East County.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 12:58 p.m.

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

Consent: Valdivia
Discussion: Zurita

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

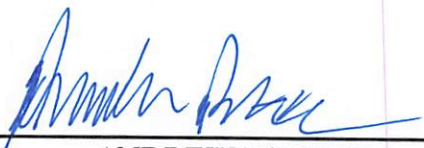
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Approved by the Board of Supervisors, on Wednesday, May 1, 2024.



NORA VARGAS
Chair

Attest:



ANDREW POTTER
Clerk of the Board

04/10/2024