

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING AGENDA

TUESDAY, MAY 6, 2025, 9:00 AM AND WEDNESDAY, MAY 7, 2025, 9:00 AM
COUNTY ADMINISTRATION CENTER,
BOARD CHAMBER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CA 92101

LAND USE LEGISLATIVE SESSION
WEDNESDAY, MAY 7, 2025, 9:00 A.M.

Order of Business

A. REGULAR SESSION: Meeting was called to order at 9:04 a.m.

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

ABSENT: (District 1 Seat Vacant)

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: Individuals can address the Board on topics within its jurisdiction that are not on the agenda. According to the Board's Rules of Procedure, each person may speak at only one Non-Agenda Public Communication session per meeting. Speakers can choose to speak during either the General Legislative or Land Use Legislative Session.

E. Consent Agenda

F. Discussion Items

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

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|---|
| 1. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA FINDING
(04/23/2025 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN
ORDINANCE AND ESTABLISHING SAFETY CORRIDORS; 05/07/2025 -
SECOND READING OF AN ORDINANCE, UNLESS ORDINANCE IS
MODIFIED ON SECOND READING) |
| 2. | LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY
FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL
CRISIS AND RELATED CEQA EXEMPTION |
| 3. | GILLESPIE FIELD DEVELOPMENT COUNCIL: TENTH AMENDMENT TO
THE JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY
OF SAN DIEGO AND THE CITY OF EL CAJON CREATING THE GILLESPIE
FIELD DEVELOPMENT COUNCIL AND RELATED CEQA FINDING |
| 4. | NOTICED PUBLIC HEARING:
SANTA YSABEL COUNTY PRESERVE - APPROVE ACQUISITION OF
APPROXIMATELY 540 ACRES OF OPEN SPACE PRESERVE FROM PALO
VERDE LAND DEVELOPMENT, LP, A CALIFORNIA LIMITED
PARTNERSHIP, AND RELATED CEQA EXEMPTION ([4/9/2025] - SET
HEARING; [5/7/2025] - HOLD HEARING) |
| 5. | NOTICED PUBLIC HEARING:
SET A HEARING FOR MAY 21, 2025:
ADOPT A RESOLUTION AND ORDINANCE FOR THE FORMATION OF THE
UNDERGROUND UTILITY DISTRICT (UUD) FOR BONITA ROAD PHASE 4
IN THE COMMUNITY OF SWEETWATER AND RELATED CEQA FINDING
(5/7/25 - FIRST READING; 05/21/25 - SECOND READING AND ADOPTION) |
| 6. | SET A HEARING FOR MAY 21, 2025:
COST RECOVERY PROPOSAL TO adopt ordinances related to fees and deposits
TO LAND DEVELOPMENT EFFECTIVE FISCAL YEAR 2025-2026 AND CeQA
EXEMPTION (5/7/2025 - FIRST READING; 5/21/2025 - SECOND READING
UNLESS ORDINANCE IS MODIFIED ON SECOND READING) |
| 7. | SET A HEARING FOR MAY 21, 2025:
COST RECOVERY PROPOSAL TO ADOPT ORDINANCES RELATED TO
FEES AND DEPOSITS IN THE DEPARTMENT OF ENVIRONMENTAL
HEALTH AND QUALITY EFFECTIVE FISCAL YEAR 2025-26, Waive Board
Policy b-29, AND CeQA EXEMPTION (05/07/2025 - FIRST READING;
05/21/2025 - SECOND READING UNLESS ORDINANCE IS MODIFIED ON
SECOND READING) |

8. SET A HEARING FOR MAY 21, 2025:
COST RECOVERY PROPOSAL TO ADOPT ORDINANCES RELATED TO
FEES IN THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND
MEASURES EFFECTIVE FISCAL YEAR 2025-26 AND CEQA EXEMPTION
(5/7/2025 - FIRST READING; 5/21/2025 - SECOND READING UNLESS
ORDINANCE IS MODIFIED ON SECOND READING)
9. NON- AGENDA PUBLIC COMMUNICATION

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**1. SUBJECT: ADMINISTRATIVE ITEM:
 SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
 TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA FINDING
 (04/23/2025 - ADOPT RECOMMENDATIONS INCLUDING
 INTRODUCING AN ORDINANCE AND ESTABLISHING SAFETY
 CORRIDORS; 05/07/2025 - SECOND READING OF AN ORDINANCE,
 UNLESS ORDINANCE IS MODIFIED ON SECOND READING)
 (DISTRICTS: 1, 2, 4, & 5)**

OVERVIEW

On April 23, 2025 (02), the Board of Supervisors took action to further consider and adopt the Ordinance on May 7, 2025.

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 1950s 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 two months 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. 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 engineering and traffic condition studies. The TAC recommendations are provided to the Board for consideration.

The TAC recommends the Board act on 13 items from the December 6, 2024 TAC meeting. Twelve of the items involve periodic speed limit reviews required every seven years. The 13th item seeks approval to lower speed limits by 5MPH on 13 road segments, as allowed by State law, for high-collision areas.

Items from the 12/06/2024 TAC Meeting			
* Indicates a second reading of the ordinance is required.			
District	Item	Location	Action
2	2-A	San Vicente Road from Barona Mesa Road to one mile east of Wildcat Canyon Road in Ramona	Certify the 45 mile per hour (MPH) speed limit for radar enforcement.
2	2-B*	San Vicente Road from one mile east of Wildcat Canyon Road to Hanson Lane in Ramona	Establish a 45 MPH speed limit and certify for radar enforcement based on safety corridor designation.
2	2-C*	San Vicente Road from Hanson Lane to Eleventh Street in Ramona	Establish a 45 MPH speed limit and certify for radar enforcement.
2	2-D	San Vicente Road/Tenth Street from Eleventh Street to State Route 67 in Ramona	Certify the 40 MPH speed limit for radar enforcement.

Items from the 12/06/2024 TAC Meeting

* Indicates a second reading of the ordinance is required.

District	Item	Location	Action
2	2-E*	Dehesa Road from El Cajon city limit (east of Granite Hills Road) to 390' east of Willow Glen Drive in Hillsdale	Relocate the eastern endpoint and certify the 45 MPH speed limit for radar enforcement.
2	2-F*	Dehesa Road from 390' east of Willow Glen Drive to 1,000' east of Mile Post 7.0 in Dehesa	Relocate the endpoints and establish and certify a 45 MPH speed limit for radar enforcement based on safety corridor designation.
2	2-G*	Dehesa Road from Sycuan Road to Tavern Road in Dehesa	Establish and certify a 45 MPH speed limit for radar enforcement.
2	2-H*	Vista Ramona Road from Old Julian Highway to 1,000' east of Rutherford Road in Ramona	Establish 45 MPH and 40 MPH speed limits and certify for radar enforcement.
4	4-A*	Broadway/Campo Road from the Lemon Grove city limit (south of Fairway Drive) to the State Route 125 On-ramp in Spring Valley	Reduce the 40 MPH speed limit to 35 MPH and certify for radar enforcement based on safety corridor designation.
4	4-B	Campo Road from the State Route 125 On-ramp to Bancroft Drive in Spring Valley	Certify the 35 MPH speed limit for radar enforcement.
4	4-C*	Campo Road from Bancroft Drive to South Granada Avenue in Casa de Oro	Reduce the 35 MPH speed limit to 30 MPH and certify for radar enforcement based on safety corridor designation.
4	4-D	Campo Road from South Granada Avenue to Agua Dulce Boulevard in Casa de Oro	Certify the 40 MPH speed limit for radar enforcement.
1, 2, 4, & 5	A*	Speed Reduction on Designated Safety Corridors (13 speed zone segments)	Reduce speed limits by 5 MPH based on safety corridor designation and certify for radar enforcement.
These items have no impact on tribal lands.			

Approval of these items would support speed enforcement which enhances roadway safety. Properly posted speed limits inform drivers on safe speeds, reduce the number and severity of collisions, and allow for enforcement.

The Board's action on Items 2-A on San Vicente Road in Ramona (District 2), 2-D on San Vicente Road/Tenth Street in Ramona (District 2), Item 4-B on Campo Road in Casa de Oro (District 4), and Item 4-D on Campo Road in Casa de Oro (District 4) does not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore does not require a second reading of an ordinance. Board direction on April 23, 2025, would allow implementation by DPW.

The Board's action on Items 2-B on San Vicente Road in Ramona (District 2), 2-C on San Vicente Road in Ramona (District 2), 2-E on Dehesa Road in Hillsdale (District 2), 2-F on Dehesa Road in Dehesa (District 2), 2-G on Dehesa Road in Dehesa (District 2), 2-H on Vista Ramona Road in Ramona (District 2), 4-A on Broadway/Campo Road in Spring Valley (District 4), 4-C on Campo Road in Casa de Oro (District 4), and Item A on Speed Reduction on Designated Safety Corridors (Districts 1, 2, 4, and 5) would introduce an ordinance to amend speed limit zones. This action would revise County Code and requires two steps. On April 23, 2025, the Board would consider the TAC items. If the Board takes action as recommended on April 23, 2025 then on May 7, 2025, a second reading and adoption of ordinances amending the County Code would be necessary to implement the Board's direction. If the proposed ordinance is altered on May 7, 2025, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. San Vicente Road from Barona Mesa Road to one mile east of Wildcat Canyon Road in Ramona - Certify the 45 MPH speed limit for radar enforcement.

Item 2-B. San Vicente Road from one mile east of Wildcat Canyon Road to Hanson Lane in Ramona - Designate the road segment as a safety corridor due to the occurrence of fatal or serious injury collisions, establish a 45 MPH speed limit, and certify for radar enforcement.

Item 2-C. San Vicente Road from Hanson Lane to Eleventh Street in Ramona - Establish a 45 MPH speed limit and certify for radar enforcement.

Item 2-D. San Vicente Road/Tenth Street from Eleventh Street to State Route 67 in Ramona - Certify the 40 MPH speed limit for radar enforcement.

Item 2-E. Dehesa Road from El Cajon city limit (east of Granite Hills Road) to 390' east of Willow Glen Road in Hillsdale - Relocate the eastern endpoint from 390' east of Willow Glen Road to Willow Glen Road and certify the 45 MPH speed limit for radar enforcement.

Item 2-F. Dehesa Road from 390' east of Willow Glen Road to 1,000' east of Mile Post 7.0 in Dehesa - Relocate the western endpoint from 390' east of Willow Glen Road to Willow Glen Road, relocate the eastern endpoint from 1,000' east of Mile Post 7.0 to Sycuan Road, designate the road segment as a safety corridor due to the occurrence of fatal or serious injury collisions, reduce the 50 MPH speed limit to 45 MPH, and certify the 45 MPH speed limit for radar enforcement.

Item 2-G. Dehesa Road from 1,000' east of Mile Post 7.0 to Tavern Road in Dehesa - Relocate the western endpoint from 1,000' east of Mile Post 7.0 to Sycuan Road, establish a 45 MPH speed limit, and certify the speed limit for radar enforcement.

Item 2-H. Vista Ramona Road from Old Julian Highway to 1,000' north of Rutherford Road in Ramona - Establish a 45 MPH speed limit on Vista Ramona Road from Old Julian Highway to Timber Passage, establish a 40 MPH speed limit on Vista Ramona Road from Timber Passage to 1,000' north of Rutherford Road, and certify both speed limits for radar enforcement.

District 4:

Item 4-A. Broadway/Campo Road from the Lemon Grove city limits (west of Fairway Drive) to the State Route 125 on-ramp in Spring Valley - Designate the road segment as a safety corridor due to the occurrence of fatal or serious injury collisions, reduce the 40 MPH speed limit to 35 MPH, and certify the speed limit for radar enforcement.

Item 4-B. Campo Road from the State Route 125 on-ramp to Bancroft Drive in Spring Valley - Certify the 35 MPH speed limit for radar enforcement.

Item 4-C. Campo Road from Bancroft Drive to South Granada Avenue in Casa de Oro - Designate the road segment as a safety corridor due to the occurrence of fatal or serious injury collisions, reduce the 35 MPH speed limit to 30 MPH and certify the speed limit for radar enforcement.

Item 4-D. Campo Road from South Granada Avenue to Agua Dulce Boulevard in Casa de Oro - Certify the 40 MPH speed limit for radar enforcement.

Districts 1, 2, 4, & 5:

Item A - Speed Reduction on Designated Safety Corridors (13 segments) - Designate 13 road segments as safety corridors due to the occurrence of fatal or serious injury collisions. Find that after completing an engineering and traffic survey, the speed limits on these routes are still more than is reasonable or safe and approve the reduction of the speed limits by 5 MPH, reduce speed limits by 5 MPH on 13 speed zone segments, and certify the speed limits for radar enforcement:

1-a. Jamacha Boulevard from Sweetwater Road to La Presa Avenue in Spring Valley - Reduce the 40 MPH speed limit to 35 MPH and certify the 35 MPH speed limit for radar enforcement.

1-b. Jamacha Boulevard from La Presa Avenue to 1,000' east of Omega Street in Spring Valley - Reduce the 45 MPH speed limit to 40 MPH and certify the 40 MPH speed limit for radar enforcement.

1-c. Paradise Valley Road from the San Diego city limit to Elkelton Boulevard in La Presa - Reduce the 45 MPH speed limit to 40 MPH and certify the 40 MPH speed limit for radar enforcement.

2-a. Wildcat Canyon Road from Willow Road to Barona Indian Reservation (south limit) in Lakeside/Barona - Reduce the 50 MPH and certify the 45 MPH speed limit for radar enforcement.

2-b. Wildcat Canyon Road from Barona Indian Reservation (south limit) to San Vicente Road in Barona/Ramona - Reduce the 50 MPH speed limit to 45 MPH and certify the 45 MPH speed limit for radar enforcement.

1 and 4-a. Sweetwater Road from Lemon Grove city limit (north of Shannonbrook Court) to Jamacha Boulevard/Paradise Valley Road in Spring Valley - Reduce the 45 MPH speed limit to 40 MPH and certify the 40 MPH speed limit for radar enforcement.

5-a. Gopher Canyon Road from Spa Haven Way to Champagne Boulevard in Bonsall - Reduce the 50 MPH speed limit to 45 MPH and certify the 45 MPH speed limit for radar enforcement.

5-b. Mission Road from Winter Haven Road to State Route 76 in Fallbrook - Reduce the 50 MPH speed limit to 45 MPH and certify the 45 MPH speed limit for radar enforcement.

5-c. Mission Road from 450' east of Stage Coach Lane to Old Highway 395 in Fallbrook - Reduce the 45 MPH speed limit to 40 MPH and certify the 40 MPH speed limit for radar enforcement.

5-d. Pala Temecula Road from Nejo Road to Riverside County line in Pala - Reduce the 45 MPH speed limit to 40 MPH and certify the 40 MPH speed limit for radar enforcement.

5-e. Lilac Road/Old Castle Road from Valley Center Road to Champagne Boulevard in Valley Center - Reduce the 45 MPH speed limit to 40 MPH and certify the 40 MPH speed limit for radar enforcement.

5-f. Bear Valley Parkway from Escondido city limit (at Choya Canyon Road) to State Route 78 in Escondido - Reduce the 50 MPH speed limit to 45 MPH and certify the 45 MPH speed limit for radar enforcement.

5-g. Bear Valley Parkway from State Route 78 to Escondido city limit (near Boyle Avenue) in Escondido - Reduce the 50 MPH speed limit to 45 MPH and certify the 45 MPH speed limit for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

Adopt the following Ordinance:

ORDINANCE ADDING SECTIONS 72.169.35.3., 72.169.35.4., 72.169.21.2., AND 72.161.21.2. AND AMENDING SECTIONS 72.169.21., 72.169.21.1., 72.173.11.1., 72.173.81., 72.161.21.1., 72.163.12., 72.163.1., 72.167.5., 72.160.01., 72.160.02., 72.163.41., 72.161.41.1., 72.169.53., 72.169.74., 72.161.23., 72.161.24.3., 72.161.38.1., AND 72.161.39. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-B, 2-C, 2-E through 2-H, 4-A, 4-C, & A)

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 reviews correctable collisions along road segments within the unincorporated areas of the region and utilizes the Healthy Places Index (3.0) and CalEnviroScreen (4.0) to ensure underserved populations are prioritized. The Traffic Advisory Committee (TAC) relies on the Local Roadway Safety Plan 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 proposed actions have social, health and well-being, and environmental sustainability benefits. The Traffic Advisory Committee has made addressing sustainability a top priority by partnering with local communities and industry leaders in a public forum every two months 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 2024-25 Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in costs and revenue of \$82,307.00 in Fiscal Year 2024-25 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 Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent, and adopted Ordinance No. 10939 (N.S.) entitled: ORDINANCE ADDING SECTIONS 72.169.35.3., 72.169.35.4., 72.169.21.2., AND 72.161.21.2. AND AMENDING SECTIONS 72.169.21., 72.169.21.1., 72.173.11.1., 72.173.81., 72.161.21.1., 72.163.12., 72.163.1., 72.167.5., 72.160.01., 72.160.02., 72.163.41., 72.161.41.1., 72.169.53., 72.169.74., 72.161.23., 72.161.24.3., 72.161.38.1., AND 72.161.39. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY

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

ABSENT: (District 1 Seat Vacant)

2. **SUBJECT: LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL CRISIS AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

On June 27, 2023 (16), the County of San Diego (County) Board of Supervisors (Board), issued a Proclamation of Local Emergency (Proclamation) as a result of the continued conditions for detrimental impacts to the environment, economy, and property within San Diego county, caused by persistent impacts from cross-border sewage pollution and sewage impacted ocean waters. The Proclamation was issued pursuant to the San Diego County Code of Regulatory Ordinances sections 31.101 et seq. and California Government Code section 8630. The Proclamation further asked the Governor to proclaim a State of Emergency in San Diego County. Government Code section 8630(c) requires local governing bodies to review the need for continuing the local emergency at least once every 60 days until the local emergency is terminated.

On July 19, 2023 (4), September 13, 2023 (3), November 8, 2023 (2), December 6, 2023 (2), January 24, 2024 (1), March 13, 2024 (3), May 1, 2024 (4), June 26, 2024 (4), July 17, 2024 (6), September 11, 2024(3), October 22, 2024 (09), December 11, 2024 (01), January 29, 2025 (2), and March 13, 2025 (2) the Board found that there is a continuing need for the local emergency. This is a request to find that a review of the local emergency has been conducted and that the local emergency will remain in effect.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proclamation of local emergency is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and (3), 15061(b)(3), and 15378(b)(4)&(5) because the action is an administrative action intended to facilitate state and federal funding, does not commit the County to a specific project, and will not have a reasonably foreseeable direct or indirect effect on the environment.

2. Find that there is a need to continue the local emergency and that the local emergency shall continue subject to review requirements until terminated pursuant to Government Code section 8630(d).

EQUITY IMPACT STATEMENT

The communities closest to the San Diego International Border, including the communities of Imperial Beach, San Ysidro, Otay Mesa, and Tijuana River Valley are identified by SB 535 (2012) and CalEnviroScreen 4.0 as being Environmental Justice communities having high pollution burdens for impaired water bodies, elevated PM2.5, elevated linguistic isolation, and poverty rates. By supporting the local emergency proclamation, the County of San Diego remains committed to working with local, state, federal, and Mexican authorities to improve conditions for these communities. Local Environmental Justice communities who have decades of suffering from various pollution sources, have been advocating and working to raise their concerns to the various agencies, and have engaged to elevate the need for data collection to document environmental injustices.

SUSTAINABILITY IMPACT STATEMENT

This action letter aligns with the County of San Diego's (County) Sustainability Goals: protect health and wellbeing and the environment. The proposed action contributes to the County's Sustainability Goal No. 6 to protect the environment and promote our natural resources, diverse habitats, and cultivate a natural environment for residents, visitors, and future generations to enjoy.

FISCAL IMPACT

There is no fiscal impact associated with this request to continue the emergency. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

Increased beach water closures resulting from sewage impacts have a direct effect for the surrounding community due to decreased tourism, patronage of local businesses, and opportunities for youth recreation and camps. By continuing a local emergency, the County of San Diego will be able to engage businesses and non-profit service providers that have been impacted by the restricted access to local beaches and oceans with the goal of assisting in identifying ways to connect them to any state or federal relief programs.

ACTION:

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

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

ABSENT: (District 1 Seat Vacant)

3. SUBJECT: GILLESPIE FIELD DEVELOPMENT COUNCIL: TENTH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE CITY OF EL CAJON CREATING THE GILLESPIE FIELD DEVELOPMENT COUNCIL AND RELATED CEQA FINDING (DISTRICT: 2)

OVERVIEW

On March 19, 1974 (70), the Board approved the “Resolution Approving Joint Exercise of Powers Agreement Between the County of San Diego and the City of El Cajon Creating an Agency to be Known as the Gillespie Field Development Council (GFDC),” The GFDC was developed to serve as an advisory board overseeing the implementation of the Airport Master Plan for Gillespie Field and supporting the creation of consistent priorities, policies, and standards to apply to development within the Gillespie Field area. Furthermore, the GFDC guides the development of Gillespie Field by making recommendations to County Airports staff, the Board, and the City of El Cajon Council providing advice in the areas of aviation, industrial, and economic development which has led to a more efficient development of the airport and increased business and economic activity in the area. The GFDC holds regular bi-monthly public meetings which also provides a forum for community involvement and stakeholder input. The JPA has been amended nine times to extend its term, which is currently set to expire on June 30, 2025.

The County of San Diego (County) Department of Public Works (DPW) operates eight airports including Gillespie Field, which is located within the municipal limits of the City of El Cajon and the City of Santee and is the oldest and largest County-owned airport. The airport is a valuable community resource, providing local services and business opportunities through a unique mixture of land uses including non-aviation industrial and aviation-supporting businesses.

Today’s request is to approve the “Tenth Amendment to the Joint Exercise of Powers Agreement Between the County of San Diego and the City of El Cajon creating the Gillespie Field Development Council” (GFDC), which extends the term an additional 10 years until June 30, 2035 (Attachment A). This Amendment will enable the GFDC to continue to provide its expertise and guidance to County staff, the City of El Cajon, and the San Diego County Board of Supervisors. The original term length for the GFDC was ten years with subsequent term lengths varying from 1-11 years. The basis for the proposed 10-year extension is to minimize administrative actions and streamline County business allowing County staff and GFDC to focus on airport development and economic activities. Part of this amendment process is for the GFDC to recommend approval of the extension along with approval by El Cajon City Council. As such, this Amendment was placed before the El Cajon City Council on Tuesday, March 25, 2025 for their consideration, and the City of El Cajon voted unanimously to approve the Tenth Amendment. The City of Santee is not a signatory on the agreement and not required to vote on the agreement.

Beyond the extension of the agreement term, there are no changes to the proposed terms and functions of the GFDC. If the Tenth Amendment is not signed by June 30, 2025, the GFDC dissolves as a Development Council reducing the coordinated effort to engage stakeholders, complete the final stages of land development at the airport, and strategically engage with experts to strengthen the economic development of the region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that an amendment to the Joint Exercise of Powers Agreement is not subject to the California Environmental Quality Act (“CEQA”) under CEQA Guidelines Section 15060(c)(3) because the activity is not a project as defined by Section 15378 of the state CEQA Guidelines.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, the “Tenth Amendment to the Joint Exercise of Powers Agreement Between the County of San Diego and the City of El Cajon Creating the Gillespie Field Development Council”.

EQUITY IMPACT STATEMENT

The County of San Diego (County) owns and operates eight airports that provide essential air transportation hubs, emergency response facilities, and serve as regional 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, businesses that traditionally have less working capital, and business owners and managers who may be socially and economically underserved.

SUSTAINABILITY IMPACT STATEMENT

This request to authorize the “Tenth Amendment to the Joint Exercise of Powers Agreement Between the County of San Diego (County) and the City of El Cajon Creating the Gillespie Field Development Council” has regional economic and social sustainability benefits. The base monthly rent from business leases helps support economic and social sustainability by providing services for the region. The revenue that County of San Diego Airports (County Airports) continue to receive from current general and commercial aviation and charter operators will help operate, maintain, and improve the County Airport 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

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

If today’s action is not approved, the JPA would expire on June 30, 2025, and may result in the dissolution of the GFDC, which supports the development of Gillespie Field and future economic development and revenue generating activities.

BUSINESS IMPACT STATEMENT

Leases at airports benefit the local business community by creating jobs, increasing economic activity, providing business opportunities, and supporting infrastructure development. Leasing airport property attracts visitors, generates revenue, and helps small businesses grow, thus stimulating the local economy and improving the quality of life for residents. San Diego County Airports connect individuals to jobs and local communities to the world. Revenue derived from airport leases allows the Department of Public Works to operate and maintain the eight County airports safely, efficiently, and cost-effectively. Today’s action of authorizing the “Tenth Amendment to the Joint Exercise of Powers Agreement Between the County of San Diego and

the City of El Cajon Creating the Gillespie Field Development Council” promotes self-sufficiency by enhancing the economic viability of the County airport system.

ACTION:

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

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

ABSENT: (District 1 Seat Vacant)

- 4. SUBJECT: NOTICED PUBLIC HEARING:
SANTA YSABEL COUNTY PRESERVE - APPROVE ACQUISITION OF APPROXIMATELY 540 ACRES OF OPEN SPACE PRESERVE FROM PALO VERDE LAND DEVELOPMENT, LP, A CALIFORNIA LIMITED PARTNERSHIP, AND RELATED CEQA EXEMPTION ([4/9/2025] - SET HEARING; [5/7/2025] - HOLD HEARING) (DISTRICT: 5)**

OVERVIEW

On April 9, 2025 (02) the Board of Supervisors Set a Hearing for May 7, 2025.

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 significant natural resources. A core aspect of DPR’s conservation program is acquiring open space lands that support sensitive species and habitats. DPR has identified approximately 540 acres to expand the existing Santa Ysabel County Preserve and contribute towards DPR’s goal of acquiring 500 acres of land per year. If acquired, the existing approximately 6,900-acre Santa Ysabel County Preserve would be expanded to approximately 7,440 acres, conserving chamise chaparral, Engelmann oak woodland, and grassland habitat to help protect sensitive species, including mountain lion, mule deer, Stephen's kangaroo rat, and Engelmann oak.

This acquisition enhances conservation under the Multiple Species Conservation Program (MSCP) set by federal and state requirements for special-status species conservation. It also supports multiple County of San Diego (County) sustainability goals, habitat and biodiversity, biological connectivity, greenhouse gas reductions, and benefits water and air quality. Additionally, conservation of the property provides flood control benefits and protection of water quality.

The County entered into an Option Agreement with Palo Verde Land Development, LP (Seller), a California limited partnership for the purchase of approximately 540 acres identified as Assessor’s Parcel Numbers 248-010-05, 246-090-11, 248-010-06, and 248-090-10 (Property) for the appraised value of \$5,115,000 (\$9,500±/acre). The Property is subject to Agricultural Land Conservation Contract AP 81-08 made and entered into as of April 30, 1973, as amended by that First Amendment to Land Conservation Contract made and entered into as of January 26, 1982.

Today's request is for the County Board of Supervisors (Board) to set a hearing on April 9, 2025, to consider approval of the purchase of the Property, and to direct the Clerk of the Board to provide public notice of the hearing. If the Board approves this request, then on May 7, 2025, after making the necessary findings, the Board will be asked to authorize the Director, Department of General Services, to purchase the Property from the Seller for the appraised value of \$5,115,000. The total one-time County cost, including property acquisition, staff time, and initial stewardship, is \$5,754,500. Funds for one-time costs are included in the Fiscal Year (FY) 2024-25 Operational Plan of the MSCP Acquisition Fund. The annual costs to manage the Property are \$185,948, including ongoing stewardship, fire abatement, and supervision of the Preserve. These ongoing costs are included in the FY 2025-26 CAO Recommended Operational Plan for the Department of Parks and Recreation.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed acquisition of real property identified as APNs 248-010-05, 246-090-11, 248-010-06, and 248-090-10 are exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, 15311, 15313, 15316, and 15325 of the State CEQA Guidelines.
2. Find that the acquisition of real property identified as APNs 48-010-05, 246-090-11, 248-010-06, and 248-090-10 is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve and there is no other land within or outside the agricultural preserve that would have provided an acceptable substitute for the property being acquired.
3. Authorize the Director, DGS, or designee, to exercise the option to purchase real property identified as APNs 248-010-05, 246-090-11, 248-010-06, and 248-090-10 from Palo Verde Land Development, LP, a California limited partnership for the appraised value of \$5,115,000.
4. Authorize the Director, DGS, or designee, to execute all documents, including escrow documents, necessary to complete the purchase of real property identified as APNs 248-010-05, 246-090-11, 248-010-06, and 248-090-10.

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 Santa Ysabel and Julian community areas and will contribute acreage to multiple sustainability efforts, including expanding the draft North County Multiple Species Conservation Plan preserve area by approximately 540 acres and reducing greenhouse gas emissions by approximately 680 metric tons of carbon dioxide equivalent per year, equivalent to taking 160 cars off the road per year. The 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 540-acre property supports County Sustainability Goal No. 3 and the County's Climate Action Plan by contributing to greenhouse gas reductions by approximately 680 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) 2024-25 Operational Plan in the Multiple Species Conservation Program (MSCP) Acquisition Fund. If approved on May 7, 2025, this request will result in total one-time project costs for the Property of \$5,754,500 in FY 2024-25, which includes \$5,115,000 for property acquisition; \$150,000 staff time and appraisal reports to complete the transaction; \$10,000 for closing and title costs; and \$479,500 in one-time land improvement costs (including \$430,000 for comprehensively updating the existing Santa Ysabel County Preserve Resource Management Plan and initial species monitoring, and \$49,500 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 (\$5,754,500) in the MSCP Acquisition Fund.

There is no change in net General Fund cost and no additional staff years in FY 2024-25. Total annual ongoing costs for assessments, monitoring, operations, and management of the Property are estimated at \$185,948, itemized as follows: approximately \$15,000 for adaptive management and biological monitoring, \$72,450 for annual total operating costs for managing the site, and the salary and benefit costs of \$98,498 for existing staff. Ongoing costs and funding sources are included in the FY 2025-26 CAO Recommended Operational Plan in the Department of Parks and Recreation (DPR). The funding source is existing General Purpose Revenue in DPR. 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 Lawson-Remer, seconded by Supervisor Montgomery Steppe, the Board of Supervisors closed the Hearing and took action as recommended.

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

ABSENT: (District 1 Seat Vacant)

**5. SUBJECT: NOTICED PUBLIC HEARING:
SET A HEARING FOR MAY 21, 2025:
ADOPT A RESOLUTION AND ORDINANCE FOR THE FORMATION
OF THE UNDERGROUND UTILITY DISTRICT (UUD) FOR BONITA
ROAD PHASE 4 IN THE COMMUNITY OF SWEETWATER AND
RELATED CEQA FINDING (5/7/25 - FIRST READING; 05/21/25 -
SECOND READING AND ADOPTION) (DISTRICT: 1)**

OVERVIEW

The County of San Diego's (County) Department of Public Works (DPW) has worked with utility companies, including San Diego Gas and Electric (SDG&E), for over 50 years to enhance community aesthetics, improve public safety, and increase utility reliability through utility undergrounding. In 1967, the California Public Utilities Commission (CPUC) established the Electric Tariff Rule 20A Program (20A Program), which requires investor-owned utilities to set aside funds in the form of credits to underground their utility lines in areas that meet specific public interest criteria, such as major thoroughfares, scenic corridors, and locations with significant public benefit. In response to the 20A Program, the Board of Supervisors (Board) established Board Policy J-17 (J-17) Undergrounding of Existing Overhead Utility Facilities in 1970. The policy outlines the process for managing undergrounding projects and establishing an Underground Utilities Advisory Committee (UUAC). The UUAC includes DPW staff and representatives from SDG&E, AT&T, and other telecommunication companies. The UUAC reviews projects that meet the criteria for undergrounding, coordinates plans and construction of these projects and develops a long-range plan for undergrounding in the unincorporated area.

After the UUAC has recommended a project, the next step is to form an Underground Utility District (UUD). A UUD is a designated area created by ordinance that requires all current and future utility facilities to be located underground. Undergrounding offers numerous benefits to the local community by significantly improving neighborhood aesthetics by removing visible power lines and poles from the landscape, creating a cleaner, more visually appealing environment with unobstructed views. Vegetation management and community beautification projects are easier to implement with fewer utility wires to work around. Another benefit provided to the community is the enhancement of wildlife and habitat conservation in the adjacent open space area by removing utility lines that can obstruct flight paths and be an electrical hazard to birds. Undergrounding utility lines reduces fire hazards, accidents, safety risks, and power outages due to downed lines. Following emergencies, communities can also recover more quickly if key infrastructure remains intact. The Board established the County's first UUD in 1968, and since then, it has created over one hundred UUDs across the unincorporated area including one currently in design on Cole Grade Road in Valley Center.

In the early 2000s, the County identified a corridor along Bonita Road that qualified for the 20A Program extending from Bonita Christian Center Drive at the Chula Vista City Limit to the intersection of Bonita Road and San Miguel Road. This project was divided into four phases due to its size and available 20A Program credits. Construction on the first three phases, extending from Bonita Christian Center Drive at the Chula Vista City Limit to 400 feet southwest of Frisbie Street, were all completed by mid-2011. The fourth phase was never completed which left a gap on Bonita Road where utility poles and overhead lines are still present.

DPW recommends forming a UUD in Sweetwater on Bonita Road between 400 feet southwest of Frisbie Street and San Miguel Road to complete the fourth and final phase of undergrounding on Bonita Road which will create a continuous stretch of underground utilities along Bonita Road. This UUD represents a collaborative effort supported by the UUAC and Sweetwater Community Planning Group. Creating the UUD before June 8, 2025 will make this an active 20A Program project which allows the project to utilize available 20A Program credits paid by SDG&E. SDG&E has confirmed that they are prepared to add this project to their list of active 20A Program projects and will initiate the work when directed by DPW staff, following the UUD creation.

Today's request is for the Board of Supervisors to adopt a resolution of intention to set a public hearing date for forming the UUD, and to adopt an ordinance creating the Bonita Road Phase 4 UUD at a second hearing scheduled for May 21, 2025. After creating a UUD, County Code section 89.103 requires a resolution setting the time within which such removal and underground installation shall be accomplished. DPW will return to the Board at a later date to request Board action to set a deadline for the utility companies to relocate their equipment underground.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On May 7, 2025, take the following actions:

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15378(b)(5) of the State CEQA Guidelines because it is an administrative activity that does not result in direct or indirect physical changes to the environment. The action involves the adoption of a resolution and ordinance to form the Underground Utility District (UUD) for Bonita Road Phase 4. The establishment of a UUD is a procedural step that does not itself authorize, approve, or commit the County to specific construction activities; as such, the action is not subject to CEQA.
2. Adopt a Resolution setting a public hearing for May 21, 2025, entitled: RESOLUTION OF INTENTION TO FORM THE UNDERGROUND UTILITY DISTRICT NO. 118 BONITA ROAD (Attachment B).
3. Introduce the following ordinance (first reading): AN ORDINANCE ADDING SECTION 89.319 TO THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO FORM AN UNDERGROUND UTILITY DISTRICT ON BONITA ROAD UNDERGROUND UTILITY DISTRICT NO. 118. (Attachment C)

If the Board takes the recommended actions on May 7, 2025, take the following action on May 21, 2025:

1. Adopt the following Ordinance (second reading): AN ORDINANCE ADDING SECTION 89.319 TO THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO FORM AN UNDERGROUND UTILITY DISTRICT ON BONITA ROAD UTILITY DISTRICT NO. 118. (Attachment C)

EQUITY IMPACT STATEMENT

The proposed Underground Utility District (UUD) falls within an underserved community within the Southeastern San Diego Live Well Community. The Live Well San Diego program has identified long-standing inequities and disparities in social indicators of health, safety, and the ability to thrive. The project will remove utility poles and overhead wires, thereby creating a more scenic and aesthetic roadway for all residents, businesses, and visitors to the area.

SUSTAINABILITY IMPACT STATEMENT

The proposed action will have social and environmental sustainability benefits. The proposed action to form an Underground Utility District (UUD) will support the County of San Diego's sustainability goal to transition to a green, carbon-free economy by: providing space for large trees and reducing exposure for wildlife; increasing reliability during most extreme weather events including high winds and storms, as undergrounding eliminates nearly all the risk of wildfire ignition from a power line; and reducing greenhouse gas emissions by reducing the need for vegetation management and overhead cable management.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2025-26 CAO Recommended Operational Plan in the Department of Public Works (DPW) General Fund. If approved, this request will result in costs and revenue of \$50,000 in Fiscal Year 2025-26 for DPW staff time to establish the Underground Utility District (UUD), conduct outreach, and coordinate with San Diego Gas & Electric (SDG&E). The funding source is existing General Purpose Revenue (GPR) in DPW.

Future fiscal years' cost for staff time to coordinate and oversee the utility work and to return to the Board of Supervisors to set a deadline are estimated to be up to \$50,000 annually. The funding source for future years' cost is existing GPR in DPW. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Utility undergrounding can have a positive impact on local businesses by significantly reducing power outages caused by weather events, leading to less lost revenue during disruptions, improving aesthetics which can attract more customers, and potentially increasing property values in the area. By creating a more attractive and reliable business environment, undergrounding can stimulate economic growth and attract new businesses to the area. The initial construction phase may cause temporary disruptions to business operations. However, the long-term benefits of utility undergrounding for local businesses are expected to outweigh the short-term challenges.

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Anderson, the Board of Supervisors closed the Hearing, took action as recommended, and adopted Resolution No. 25-027 entitled: RESOLUTION OF INTENTION TO FORM UNDERGROUND UTILITY DISTRICT NO. 118 BONITA ROAD; set a Hearing and introduced the Ordinance for further Board consideration and adoption on May 21, 2025.

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

ABSENT: (District 1 Seat Vacant)

6. **SUBJECT: SET A HEARING FOR MAY 21, 2025:
COST RECOVERY PROPOSAL TO ADOPT ORDINANCES RELATED
TO FEES AND DEPOSITS TO LAND DEVELOPMENT EFFECTIVE
FISCAL YEAR 2025-2026 AND CeQA EXEMPTION (5/7/2025 - FIRST
READING; 5/21/2025 - SECOND READING UNLESS ORDINANCE IS
MODIFIED ON SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to adopt the land development cost recovery proposal, which includes hourly rates, fees, and deposits for the processing of discretionary land development and building permit applications by Planning & Development Services (PDS), Department of Public Works (DPW), and Department of Parks and Recreation (DPR) (collectively “the Departments”).

Using cost recovery funding, the Departments provide services that range in diversity and complexity and serve a wide variety of customers. Services include environmental and construction plan review, development project review, health and safety inspections of homes, and inspections of public infrastructure, such as roads, parks, and trails. The review of privately initiated land development and building permit applications ensures the safe design and construction of structures and infrastructure to protect the public. The Departments work in communities in the unincorporated area, conducting more than 35,000 inspections and processing more than 10,000 land development permits annually. This includes issuing of over 3,000 residential solar photovoltaic permits reducing dependence on fossil fuels. Through these services, the County of San Diego (County) balances environmental, community, and economic interests to enhance the quality of life for residents and visitors in the unincorporated area of the region.

Board of Supervisors Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* (Board Policy B-29) directs departments to recover the full cost of services provided to agencies or individuals. Exceptions require specific Board approval. The last cost recovery package was unanimously approved by the Board on May 22, 2024 (06). Since that time, the Departments have continued to provide services at the approved rates.

The fees proposed today for Fiscal Year (FY) 2025-26 are necessary to address cost changes, such as increased salaries and benefits costs and to ensure full cost recovery, except where the Board has previously directed the waiver of fees. This fee packages assumes the elimination of the Homeowner Relief Act fee waiver program due to realignment of resources. The cost recovery proposal also reflects standard assumptions made by the County and may not fully address cost increases based on pending negotiated labor agreements, due to the timing of the fee package and the labor negotiations.

Approximately 80% of the department’s costs are fixed, such as salary and benefits, retirement contributions, services, and facilities, while 20% of the department’s costs are determined by the department based on operational needs, such as services and supplies. The proposed cost recovery proposal reflects known costs as accurately as possible to ensure full cost recovery and continue delivering programs and services to customers and the communities. Regular cost recovery updates allow the Departments to recuperate costs in a consistent and predictable

manner without having to request County-provided one-time funding, while also providing stakeholders an opportunity to plan for smaller, more manageable fee increases as stakeholders have requested.

The hourly billing rate, fee, and deposit changes are a result of the cumulative increase of the cost drivers such as salaries and benefits, services and supplies, and associated departmental and countywide costs. The largest driver is salaries and benefits, the primary factor driving adjustments to our cost recovery proposal and fee changes. In the upcoming year, the County of San Diego is realigning resources due to overall County funding sources not keeping pace with the cost of doing business.

The first proposed change is ending the Homeowner Relief Act fee waiver program, which will enable the County to reallocate \$820,000 of ongoing General Purpose Revenue. The second change involves incorporating \$300,000 in frontline customer counter support into our fee calculations, which was previously funded by General Purpose Revenue. These changes are realigning resources due to overall County funding sources not keeping pace with the cost of doing business.

As part of this fee proposal, the Departments evaluated 153 fees and propose to increase 138 fees and decrease 5 fees. Additionally, 10 fees are proposed not to change. The Departments evaluated 110 intake deposits and propose to increase 108 deposits. There is a proposed decrease to one intake deposit and one intake deposit is proposed not to change.

For PDS, the proposed average flat fee increase requested in this cost recovery proposal is equivalent to a 4.8% increase, the average intake deposit change is a 6.5% increase, and the average hourly rate change is a 5.9% increase. For DPW, the proposed average flat fee increase requested is equivalent to a 4.5% increase, the average intake deposit change is a 7.5% increase, and the average hourly rate change is a 8.4% increase. DPR does not use fees or deposits and is only proposing to update its hourly rates; the proposed average hourly rate change is an 10% increase.

These increases in PDS and DPW may not fully address cost increases based on future negotiated labor agreements, due to the timing of the fee package and the labor negotiations currently underway. Recognizing that many customers are incurring rising costs due to inflation, the Departments continue to focus on cost containment through innovation, efficiencies, and streamlining so that those savings can be applied where possible. The Departments have worked to contain costs and have applied approximately \$2,650,000 in operational savings from streamlining measures or efficiencies. PDS has implemented cost savings programs, such as online payments, electronic approvals, expansion of online permit applications, text message building inspection management, and utilization of a mobile field inspection application. DPW has implemented tools that automate work previously done manually, such as reports and stormwater inspection scheduling, self-service tools, and a mobile inspection application. For PDS, without this cost containment, building fees would have needed to increase an additional 8.8%, and planning and land development hourly rates would have increased an additional 4.0% on average. For DPW, the average intake deposit would have increased an additional 2.9%, and land development hourly rates would have increased an additional 4.3% on average without cost containment efforts.

Today's proposal requests five actions from the Board.

The first action is for the Board to find the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15273(a) of the CEQA Guidelines.

The second action is for the Board to set a hearing for May 21, 2025, for consideration and adoption of an Ordinance amending Section 364.3 of the San Diego County Administrative Code, relating to fees and hourly rates charged.

The third action is to approve Board-directed fee waivers as part of Board Policy B-29 for approximately \$1,380,000, in PDS related to appeals, fees for rebuilding structures damaged or destroyed by a natural disaster, plan review and building fees for the Green Building Incentive Program, permit fees associated with the Urban Agricultural Incentive Zone program, fees associated with political signage permits, and abatement fees associated with graffiti removal. These programs encourage health, safety, sustainability, and housing availability in the unincorporated region. The Green Building Incentive Program reduces plan check and permitting fees to encourage builders to use energy-saving materials when constructing homes. Waiving abatement fees associated with graffiti removal helps to reduce the impacts of graffiti on unincorporated communities by proactively removing blight, and the Urban Agricultural Incentive Zone program waives permitting fees associated with maintaining a property in active agricultural use for a period of five years to promote and protect agricultural uses and recognize the public benefits of agriculture. The Board has previously directed these fees to be waived and provided General Purpose Revenue or General Fund fund balance appropriations to facilitate access to the appeal process, assist homeowners impacted by natural disasters, and strengthen support and promotion of sustainable building practices and additional housing units.

The fourth action is to sunset the fee waiver for permit fees associated with the Homeowner/Business Owner Relief Act and the Homeowner and Business Owner Relief Act program. This includes minor permits, such as water heater replacements, reroofs, siding replacement, and window replacement.

The fifth action is to approve the introduction, read title, and waiver further reading of the ordinance amendments in the San Diego County Administrative Code Sections 362, 362.1, 362.2 and 362.3 relating to the fees, deposits, and hourly rates for the Land Development process on May 7, 2025. If the Board approves the five actions on May 7, 2025, after making necessary findings, the Board on May 21, 2025, will be requested to consider and adopt the ordinance amending Sections 362, 362.1, 362.2 and 362.3 of the San Diego County Administrative Code, relating to fee, deposits, and hourly rates for the Land Development process. In accordance with Board Policy B- 29, the Land Development team will review fees annually and return to the Board with any changes.

If this fee proposal is not approved, it would require one-time alternative County funding in the total amount of \$2,149,050 to maintain services at their current level. If the cost recovery proposal is not approved and no alternative County funding is provided, the Departments would have operational impacts including increased processing times, reduced ability to conduct community outreach and perform research and data analysis to support data-driven

decision-making. Resources would be shifted away from innovation, customer support, and data analysis to front-line operations, and we anticipate a backlog would be created. This would impact customers by increasing overall costs to applicants as well as reduce our ability to focus on innovation, streamlining, and meeting operational goals. In addition, there will be a cumulative impact to customers and the changes in future fee updates will be compounded based on the need to cover the increases in this proposal, plus future year budget adjustments.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On May 7, 2025:

1. Find in accordance with Section 15273(a) of the California Environmental Quality Act (CEQA) Guidelines that the proposed changes to existing fees are exempt from CEQA. Approve the findings in Attachment C pursuant to CEQA Guidelines Section 15273(c).
2. Set a hearing for May 21, 2025, for consideration and adoption of an Ordinance amending Section 364.3 of the San Diego County Administrative Code, relating to fees and hourly rates charged.
3. Waive Board Policy B-29: *Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery*, for fees relating to appeals, rebuilding structures damaged or destroyed by a natural disaster, plan review and permit fees for the Green Building Incentive Program, Political Campaign Signage, Graffiti Abatement, and Urban Agriculture Incentive Zone program in Planning & Development Services.
4. Approve the sunset of the Homeowner’s Relief Act (HRA) / Business Owner’s Relief Act (BORA) starting on July 1, 2025, which currently waive certain building permits for single-family dwellings, duplexes, etc. in unincorporated areas funded with \$820,000 in General Purpose Revenue annually. If approved, homeowners in unincorporated areas, will be required to pay the full cost of these building permits.
5. Approve the introduction of the Ordinance (first reading):
ORDINANCE AMENDING PORTIONS OF THE ADMINISTRATIVE CODE
RELATING TO FEES AND DEPOSITS FOR THE DEPARTMENTS OF PLANNING &
DEVELOPMENT SERVICES, PUBLIC WORKS, AND PARKS AND RECREATION
(Attachment A).

If, on May 7, 2025, the Board takes the action in Recommendations 1 through 5 above, then on May 21, 2025:

1. Consider and adopt the following Ordinance (second reading) entitled:
ORDINANCE AMENDING PORTIONS OF THE ADMINISTRATIVE CODE
RELATING TO FEES AND DEPOSITS FOR THE DEPARTMENTS OF PLANNING &
DEVELOPMENT SERVICES, PUBLIC WORKS, AND PARKS AND RECREATION
(Attachment A).

EQUITY IMPACT STATEMENT

The County of San Diego strives to preserve, enhance, and promote quality of life, health and safety, sustainability, equity, and environmental resources through the implementation of programs and services that enhance the community by increasing the well-being of our

residents and our environments while simultaneously complying with mandatory federal, State, and local regulations governing the land development process. The Departments utilized approved County methodology to ensure all direct and indirect project costs are fully recovered. This ensures that privately initiated project applicants are paying for the full costs needed to recover department costs associated with their project while ensuring development is designed and built to be safe, striving to meet or exceed federal, State, and local building, sustainability, and energy standards and provide opportunities for growth and development that meet the needs of the communities. In some instances, fees have been waived by the Board of Supervisors to ensure equitable opportunities for all communities to increase housing availability. Reviewing and updating fees and hourly rates ensures only project costs are being paid for by applicants and general public dollars are not used to subsidize privately initiated development projects. The Departments also continue to identify ways to reduce departmental costs to provide services to the public with cost containment efforts savings of over \$2,650,000 annually. Full cost recovery for privately initiated land development projects ensures that other tax dollars can be used for programs that improve equity throughout the organization.

SUSTAINABILITY IMPACT STATEMENT

The Departments proposed amendments to the hourly billing rates, fees, and deposits for services that are provided to the public will cover the full cost of services for the department's internal operations. The hourly billing rate, fee, and deposit changes are a result of the cumulative increase of the cost drivers such as salaries and benefits, services, and supplies, and associated departmental and countywide costs. The adjustments to the fees are based on available expenditure and revenue data, time studies, and service counts. Sustainability means efficiently using and effectively protecting natural resources, balancing economic growth, and ensuring just and equitable provision of public services, without compromising the ability of future generations to also flourish and thrive. The proposed actions support the County of San Diego's Strategic Initiative of Sustainability to align the County's available resources with services to maintain fiscal stability and that promote economic stability.

FISCAL IMPACT

The proposed increases to fees and deposits are included in the Fiscal Year (FY) 2025-26 CAO Recommended Operational Plan in Planning & Development Services (PDS), Department of Public Works (DPW), and Department of Parks and Recreation (DPR).

If approved, the proposed fee and deposit adjustments will result in additional estimated costs and revenue of \$1,700,000 in PDS, \$ 449,000 in DPW, and \$750 in DPR, effective FY 2025-26, a total amount of \$2,149,750. The funding source is fees paid by privately initiated land development projects and building permit applicants.

A waiver of Board Policy B-29: *Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery* (Board Policy B-29) is requested to continue previously directed fee waivers, including appeal fees, plan review and permit fees for the Green Building Incentive Program, , Political Campaign Signage, Graffiti Abatement, and Urban Agriculture Incentive Zone program. These items are proposed to be less than full cost recovery, and a waiver of Board Policy B-29 is requested since the proposed fees do not cover all operating costs. The total unrecovered cost of the items combined is approximately \$1,380,000 for FY 2025-26 and is proposed to be funded by existing and one-time General Purpose Revenue. In the future fiscal

years, the Departments will return to the Board to identify the unrecovered cost and funding source. There will be no additional staff years needed as a result of the waiver.

BUSINESS IMPACT STATEMENT

These recommendations would enable Planning & Development Services, the Department of Public Works, and the Department of Parks and Recreation to continue to align fees to the actual costs of services provided to fee payers in each fee category. These fees, deposits, and hourly rates allow the Departments to continue to meet program objectives, provide a level of service expected by stakeholders and customers, and fully recover costs. When individuals pay for services they receive, it ensures those agencies or individuals benefiting from the services pay for those services rather than the general public which ensures that public tax dollars do not subsidize individual private projects.

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, set a Hearing and introduced the Ordinance for further Board consideration and adoption on May 21, 2025.

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

ABSENT: (District 1 Seat Vacant)

7. **SUBJECT: SET A HEARING FOR MAY 21, 2025:
COST RECOVERY PROPOSAL TO ADOPT ORDINANCES RELATED
TO FEES AND DEPOSITS IN THE DEPARTMENT OF
ENVIRONMENTAL HEALTH AND QUALITY EFFECTIVE FISCAL
YEAR 2025-26, WAIVE BOARD POLICY B-29, AND CEQA
EXEMPTION (05/07/2025 - FIRST READING; 05/21/2025 - SECOND
READING UNLESS ORDINANCE IS MODIFIED ON SECOND
READING) (DISTRICTS: ALL)**

OVERVIEW

This is a request for the County of San Diego (County) Board of Supervisors (Board) to adopt the Department of Environmental Health and Quality (DEHQ) cost recovery proposal, which includes fees, deposit and hourly rates for services associated with food, pools, housing, body art, massage, organized camps programs, wells, septic systems, site assessment and mitigation programs, hazardous materials programs, and the Solid Waste Local Enforcement Agency. This proposal also includes fees for the radiological health program, services in the vector laboratory, and miscellaneous department fees, such as rates for specialized technical staff services.

DEHQ protects public health, the environment, and the community with over 40 programs that prevent disease, promote environmental responsibility, and enforce environmental and public health laws. DEHQ operates environmental health programs that regulate restaurants, public swimming pools, body art, substandard housing, septic systems, water wells, and hazardous materials. In addition, DEHQ serves as the Certified Unified Program Agency (CUPA) for hazardous materials and hazardous waste, the Solid Waste Local Enforcement Agency (LEA), and is delegated the duties to implement and enforce the authority of a mosquito abatement and vector control district. DEHQ works in communities across the region, conducting more than

70,000 inspections annually, including oversight of over 15,000 food facilities and around 15,000 businesses with hazardous materials. Through these services, DEHQ balances environmental, community, and economic interests to enhance the quality of life for residents and visitors.

Board Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* (Board Policy B-29) directs departments to recover the full cost of services provided to agencies or individuals. Exceptions require specific Board approval. The last cost recovery proposal was unanimously approved by the Board on May 22, 2024 (5). Since that time, DEHQ has continued to provide services at the approved rates. The Board also approved a B-29 waiver for fee waivers and use of departmental one-time funds in certain DEHQ programs, such as discretionary projects, and the food, body art, pools, septic, and hazardous material programs in Fiscal Year (FY) 2024-25.

Today's cost recovery proposal reflects standard assumptions made by the County and may not fully address cost increases based on future negotiated labor agreements, due to the timing of the fee package and the labor negotiations currently underway. Increased costs during FY 2025-26 due to approved labor negotiations will be reflected in future cost recovery packages. The Departments will require alternative funding identified as part of the Fiscal Year 2025-26 CAO recommended Operational Plan to cover potential increased costs from negotiated labor agreements.

The fees proposed today for FY 2025-26 (Attachments A and B, Ordinances) are necessary to address cost changes, such as increased salaries and benefits costs and to ensure full cost recovery, except where the Board has previously directed fee waivers, such as fee waivers for non-profit temporary event permits and charitable feeding permits, and the County's support to offset fees such as the food, body art, state small water system, well, and hazardous material programs. This fee package assumes the reduction and/or elimination of the DEHQ Permanent Food, Housing and Pools Facility Annual Permit Fee Reduction Program due to realignment of resources.

Approximately 82% of the department's costs are fixed, such as salary and benefits, retirement contributions, enterprise-wide services, and facilities, while 18% of the department's costs are determined by the department based on operational needs, such as services and supplies. This proposal reflects known costs and ensures full cost recovery for continued delivery of programs and services to customers and communities. By reviewing and updating fees annually, DEHQ can recover costs in a consistent and predictable manner, while also providing stakeholders an opportunity to plan for smaller, more incremental fee increases as stakeholders have requested.

As part of this fee proposal, DEHQ evaluated 237 fees, hourly rates, and deposits, and proposes to increase 222 fees, decrease two fees, delete four fees, and modify two fees by adjusting the fee structure. Additionally, seven fees are proposed not to change. The fee adjustments in this proposal will generate \$1,619,316 in additional revenue next fiscal year, equivalent to a 5.0% increase on average per fee. This fee package includes the sunseting of non-profit fee reductions for permanent non-profit businesses that have food, housing, and pools annual permits, which will enable the County to reallocate \$200,000 of ongoing General Purpose Revenue to realign resources. This fee package includes the continuing of the fee waivers for Non-profit Temporary Event and Charitable Feed Organizations, as well as the state-mandated Veteran's fee waiver.

DEHQ continues to focus on cost containment through innovation, efficiencies, and streamlining processes to apply savings where possible. Since FY 2016-17, DEHQ has applied \$1,031,740 in ongoing savings from cost containment measures such as consolidating office space; expanding the online document library; converting to electronic applications; becoming accredited to provide mandated continuing education internally; developing plan check submittal templates for mobile food facilities, developing and implementing a mobile app to conduct temporary event inspections; implementing the plan check digital review portal; developing and implementing new data tracking methods and a report that allows for increased quality control in land use programs; creating digital inspection tracker and landfill gas monitoring files in the LEA program; streamlining hazardous materials processes; and combining PCR testing in the Vector program.

The practice of continuous improvement, implementing operational efficiencies, and prioritizing resources has positioned DEHQ to respond to evolving program and regulatory changes. In addition to the efforts made in prior years, this fiscal year DEHQ has \$131,784 in new operational savings from efficiencies or streamlining measures implemented since the last cost recovery proposal. The efficiencies applied include combining prior year efforts, along with the efficiencies implemented this year. DEHQ has been able to apply a total of \$1,163,524 in savings from all cost containment measures to this proposal, reducing costs by 2.7%.

Additionally, DEHQ is proposing to use \$1,047,193 in one-time restricted departmental funding to limit the fee increases and provide continued relief for businesses still impacted from the current economic conditions in the food, body art, organized camps, state small water system, well program and hazardous materials programs. This use of available funding will benefit nearly 129,000 customers and help reduce costs by 2.4%. Without cost containment efforts (2.7%) and use of one-time department funding (2.4%), fees would need to increase an additional 5.1%.

Today's proposal requires six actions from the Board. The first action is for the Board to find the adjustments to fees and charges are not subject to the California Environmental Quality Act (CEQA) in accordance with Section 15273(a) of the CEQA Guidelines. The second action is to approve a waiver of Board Policy B-29 related to fees not being full cost recovery for food, body art, organized camps, state small water system, well program and hazardous materials programs, and for reduced or waived fees for non-profit temporary event permits and charitable feeding permits. The third action is to approve the sunset of the Permanent Food, Housing and Pools Facility Annual Permit Fee Reduction Program starting July 1, 2025. The fourth action is to find that the adjustments in fees and changes contained in the proposed ordinance are necessary to meet operations in FY 2025-26. The fifth action is to approve the first reading of DEHQ's cost recovery proposal on May 7, 2025. The sixth action is for the Board to set a hearing for May 21, 2025, for consideration and adoption of amendments to the San Diego County Code of Regulatory Ordinances.

If the Board approves the six actions above on May 7, 2025, after making the necessary findings, the Board, on May 21, 2025, will be requested to consider and adopt the ordinance amending the County of San Diego Code of Regulatory Ordinances relating to permit fees and procedures for businesses and health-regulated activities in DEHQ effective FY 2025-26. In accordance with Board Policy B-29, DEHQ will review fees annually and return to the Board with any changes.

If this cost recovery proposal is not approved, DEHQ would require one-time alternative County funding in the amount of \$1,619,316 to maintain services at their current level. If the cost recovery proposal is not approved and no alternative County funding is provided, DEHQ would experience operational impacts, such as a focus on complaints only response for food programs, increased processing or plan review times for land use projects, reduced ability to conduct community outreach, reduced ability to proactively assist unpermitted hazardous material facilities with obtaining compliance, and decreased opportunity to perform non-mandated functions such as research and data analysis to support data-driven decision-making. Resources would be shifted away from innovation and data analysis to front-line operations and a backlog in tasks such as extended review times in septic is anticipated. This would impact customers by increasing overall costs to applicants as well as reducing the ability to focus on innovation, streamlining, and meeting operational goals. In addition, there will be a cumulative impact to customers due to compounded future fee increases based on the need to cover the increases in this proposal plus future year budget adjustments.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

On May 7, 2025:

1. Find that in accordance with Section 15273(a) of the California Environmental Quality Act (CEQA) Guidelines that the proposed changes to existing fees are exempt from CEQA. Approve the findings in Attachment E Findings Pursuant to CEQA Guidelines Section 15273(a) setting forth the basis for the applicability of this exemption.
2. Waive Board Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* for fees for the food, body art, organized camps, state small water system well program and hazardous materials program fees, and reduced or waived fees related to non-profit organization temporary event permits and fee waiver for charitable feeding permits.
3. Approve the sunset of the Permanent Food, Housing and Pools Facility Annual Permit Fee Reduction Program starting on July 1, 2025, which currently provides non-profit organizations with a 50% reduction in permit costs funded with \$200,000 in General Purpose Revenue annually. If approved, non-profit organizations that operate permanent food, pools and housing facilities will be required to pay the full cost of the required annual operating permit.
4. Find that the adjustments in fees and changes contained in the proposed Ordinance Amending the San Diego County Code of Regulatory Ordinances to Adjust Department of Environmental Health AND QUALITY Regulatory Program Fees AND ASSOCIATED ORDINANCE REVISIONS are necessary to meet operations in Fiscal Year 2025-26.
5. Approve the introduction of the Ordinance (first reading):
ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO ADJUST DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY REGULATORY PROGRAM FEES AND ASSOCIATED ORDINANCE REVISIONS.

6. Set a hearing for May 21, 2025, for consideration and adoption of an Ordinance amending the San Diego County Code of Regulatory Ordinances.

If, on May 7, 2025, the Board takes action as requested in Recommendations 1 through 6 above then, on May 21, 2025:

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

EQUITY IMPACT STATEMENT

The County of San Diego (County) strives to preserve, enhance, and promote quality of life, health and safety, sustainability, equity, and environmental resources through the implementation of programs and services that enhance the community by increasing the well-being of residents and the environment while simultaneously complying with mandatory federal, state, and local regulations. The Department of Environmental Health and Quality (DEHQ) utilized County-approved methodologies to ensure all direct and indirect costs are fully recovered. These recommendations will allow DEHQ to continue to provide important services to prevent disease, promote environmental responsibility, and ensure a level playing field for businesses.

SUSTAINABILITY IMPACT STATEMENT

The Department of Environmental Health and Quality's proposed amendments to the hourly billing rates, fees, and deposits for services that are provided to the public will cover the full cost of services for the department's internal operations. The hourly billing rate, fee, and deposit changes are a result of the cumulative increase of the cost drivers such as salaries and benefits, services and supplies, and associated departmental and countywide costs. Today's action supports the County of San Diego (County) Sustainability Goal No.1 which is to engage the community by offering diverse engagement opportunities to provide feedback on the programs described in this item moving forward. The adjustments to the fees are based on available expenditure and revenue data, time studies, and service counts. Sustainability means efficiently using and effectively protecting natural resources, balancing economic growth, and ensuring just and equitable provision of public services, without compromising the ability of future generations to also flourish and thrive. The proposed actions support the County Strategic Initiative of Sustainability Goal No.2 which is to provide just and equitable access to resource allocation to align the County's available resources with services to maintain fiscal stability.

FISCAL IMPACT

The proposed increases to fees are included in the Fiscal Year (FY) 2025-26 CAO Recommended Operational Plan in the Department of Environmental Health and Quality (DEHQ). If approved, the overall proposed fee adjustments will result in additional estimated costs and revenue of \$1,619,316, including additional estimated costs and revenue of \$334,326 in the food program, \$298,407 in the water program, \$485,791 in the housing program, \$498,062 in the hazardous materials program and \$2,730 in the radiological health program and services in the vector laboratory, effective FY 2025-26. The funding source is fees paid by DEHQ customers.

A waiver of Board of Supervisor's Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* (Board Policy B-29) is requested because the proposed fees do not cover all operating costs in the food, body art, organized camps, state small water systems, well program and hazardous materials program fees. The total unrecovered cost, per Board

Policy B-29, for permit fees that are not full cost recovery is \$1,047,193, and if approved, will be funded with \$459,412 in restricted General Fund fund balance, \$111,200 in 1991 Health Realignment revenue, and \$476,581 from the Environmental Health Trust Fund.

Additionally, a waiver of Board Policy B-29 is requested to continue to implement Board direction to reduce fees for temporary event permits requested by non-profit organizations and fee waiver for charitable feeding permits. The total unrecovered cost per Board Policy B-29 for these Board directed waivers is approximately \$364,000 in DEHQ for FY 2025-26, and if approved, will be funded with existing General Purpose Revenue in DEHQ. Inclusive of all funding sources and programs, the total unrecovered cost per Board Policy B-29 for DEHQ in FY 2025-26 is \$1,411,193. In future fiscal years, DEHQ will return to the Board to identify any unrecovered costs and funding sources. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

These recommendations would enable the Department of Environmental Health and Quality (DEHQ) to continue to align fees to the actual costs of services provided to fee payers in each fee category. These fees allow DEHQ to continue to meet program objectives, provide a level of service expected by stakeholders and customers, and fully recover costs.

ACTION:

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, set a Hearing and introduced the Ordinance for further Board consideration and adoption on May 21, 2025.

AYES: Lawson-Remer, Montgomery Steppe, Desmond

NOT PRESENT: Anderson

ABSENT: (District 1 Seat Vacant)

8. **SUBJECT: SET A HEARING FOR MAY 21, 2025:
COST RECOVERY PROPOSAL TO ADOPT ORDINANCES RELATED
TO FEES IN THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND
MEASURES EFFECTIVE FISCAL YEAR 2025-26 AND CEQA
EXEMPTION (5/7/2025 - FIRST READING; 5/21/2025 - SECOND
READING UNLESS ORDINANCE IS MODIFIED ON SECOND
READING) (DISTRICTS: ALL)**

OVERVIEW

This is a request for the County of San Diego (County) Board of Supervisors (Board) to adopt the cost recovery proposal for the Department of Agriculture, Weights and Measures (AWM), which includes fees and hourly rates for services related to Agricultural Export, Certified Farmers' Market, Industrial Hemp Cultivation, Hazardous Materials Inventory, Price Accuracy, and Weights and Measures Devices programs.

This proposal provides the resources needed for AWM to continue providing services that support public health and safety, a resilient food supply, agricultural trade, consumer confidence, and a sustainable environment for the region. Through these services, the County balances community, economic, and environmental interests to enhance the quality of life for residents

and visitors. AWM has over 30 diverse programs that conduct over 350,000 inspections annually regionwide. Fee-related programs ensure the acceptance of about 10,000 agricultural export shipments at destination, the integrity of produce sold at 40 Certified Farmers' Markets, and the verification of price accuracy at over 4,500 different retail locations.

Board Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* (Board Policy B-29) directs departments to recover the full cost of services provided to agencies or individuals. Exceptions require specific Board approval. The last cost recovery proposal was unanimously approved by the Board on May 22, 2024 (4). Since that time, AWM has continued to provide services at the approved rates.

The fees proposed today for Fiscal Year (FY) 2025-26 (Attachments A and B, Ordinances) are necessary to address cost changes, such as increased salaries and benefits costs and to ensure full cost recovery, except where the Board has previously directed the County's support to offset fees such as the Agricultural Export, Certified Farmers' Market, and Industrial Hemp Cultivation fees. It is consistent with the Board's commitment to a resilient food supply, continuing agricultural trade, enhanced consumer confidence, and a sustainable environment, and to serve as required matching funds for State supplemental funding. Today's cost recovery proposal considers the impacts of potential reductions in revenues that AWM receives from the State and federal funding sources by ensuring that proposed fees account for any reductions in revenues or reallocation of County funding to allow continuity of mandated programming. The cost recovery proposal also reflects standard assumptions made by the County and may not fully address cost increases based on future negotiated labor agreements, due to the timing of the fee package and the labor negotiations currently underway. Increased costs during FY 2025-26 due to approved labor negotiations will be reflected in future cost recovery packages. The department will require alternative funding identified as part of the FY 2025-26 CAO Recommended Operational Plan to cover potential increased costs from negotiated labor agreements.

Approximately 86% of the department's costs are fixed, such as salaries and benefits, retirement contributions, enterprise-wide services, and facilities, while 14% of the department's costs are determined by the department based on operational needs, such as services and supplies. This cost recovery proposal reflects known costs as accurately as possible and ensures full cost recovery and continued delivery of programs and services to our customers and communities. By reviewing and updating fees annually, AWM can recover costs in a consistent and predictable manner, while also providing stakeholders an opportunity to plan for smaller, more incremental fee increases.

AWM evaluated 77 fees for this cost recovery proposal and proposes to increase 24 fees and leave 53 fees unchanged. Of the 53 unchanged fees, 44 are capped by the State, of which 38 are for Weights and Measures device annual registration, and six are for Pesticide Regulation annual business registration. Of the remaining nine, five are related to services infrequently requested by customers, and four of the fees remain unchanged due to operational efficiencies. A State surcharge for the Certified Unified Program Assessment will be implemented for the registrants in AWM's Hazardous Materials Inventory Program.

The AWM fee adjustments in this proposal will generate \$139,715 in additional revenue next fiscal year, equivalent to a \$7.00 or 5.2% increase on average per fee. AWM receives County and State funding to partially recuperate the cost of eligible agricultural programs, a portion of

which, along with savings from operational efficiencies, was applied to these programs to mitigate cost increases. The County General Purpose Revenue (GPR) support in the amount of \$174,699 serves as required matching funds for State supplemental funding and is consistent with the Board's commitment to and support for agriculture in the region as stated in Board Policy I-133: *Support and Encouragement of Farming in San Diego County*.

In FY 2023-24, the total cost of all agricultural programs was \$22.9 million. Local growers paid a fee total of \$363,000, or 2%, and out-of-county agricultural operators a fee total of \$1.2 million, or 4% of the total cost. For the remaining 94% of the total cost, the County provided \$7.9 million, or about 35%, while State and federal contributions of \$13.5 million covered about 59%. State law mandates that counties provide fiscal support as a matching fund to receive the State supplemental funding. This State funding fluctuates annually and is a separate, dedicated revenue source to supplement, not supplant, the available County funding for eligible agricultural programs. The total amount of \$297,460 in State supplemental funding is applied to limit fee increases for State-mandated agricultural programs in this cost recovery proposal.

Recognizing that many customers are managing economic uncertainties due to possible interruptions to their business operations and rising input costs, AWM continues to leverage the essential use of technology and business process streamlining to limit cost increases, improve customer service, and promote regulatory compliance. AWM has obtained additional cost containment in the Certified Farmers' Market Program by utilizing support staff instead of technical staff and implementing a standard operating procedure for all communications with customers. Additionally, efficiencies were obtained through expedited data entry and certificate issuance in our Agricultural Export Program. These business process improvements include streamlining the customer assignment and review process for grower certification. Efficiencies are also seen due to staff proficiency in previously implemented cost containment measures such as the use of existing mobile inspection apps, field inspection tools, consolidation of activities with dedicated staff, combining field inspections, and the use of resource documents that reduce paperwork, billable time, and training hours and increase industry engagement for improved compliance and the need for fewer re-inspections. Increased staff proficiency with technological innovations and newly implemented business processes, along with past efficiencies, has provided AWM customers with savings of \$715,000 over the past five fiscal years. New cost savings and past cost savings continue to be applied to cost proposals to reduce cost increases. Without these operational efficiencies implemented in these past five fiscal years, fees would have needed to increase an additional 5% on average each fiscal year.

Today's proposal requests four actions from the Board.

The first action is for the Board to find this proposal exempt from the California Environmental Quality Act (CEQA) as specified under Section 15273(a) of the CEQA Guidelines. The second action is to set a hearing for May 21, 2025, for consideration and adoption of the ordinance. The third action is to approve a waiver of Board Policy B-29 for a total of \$174,699 for operational costs of the Agricultural Export, Certified Farmers' Market, and Industrial Hemp Cultivation Programs, which will be funded by existing GPR in AWM. The fourth action is to approve the introduction of the ordinance for the first reading of AWM's cost recovery proposal and the amendments in the County Administrative Code Section 364.3 relating to the fees and hourly rates on May 7, 2025.

If the Board approves the four actions on May 7, 2025, after making the necessary findings, the Board, on May 21, 2025, will be requested to consider and adopt the ordinance amending Section 364.3 of the County Administrative Code, relating to fees charged by AWM. In accordance with Board Policy B-29, AWM will review fees annually and return to the Board with any changes.

If this cost recovery proposal is not approved, AWM would require one-time alternative County funding in the amount of \$139,715 to maintain services at their current level. If the cost recovery proposal is not approved and no alternative County funding is provided, AWM would experience operational impacts, including reduced effectiveness in regulatory functions, decreased community outreach aimed at fostering understanding of regulations and thus promoting compliance, and these reduced services may increase the risk of not meeting State mandates. These operational impacts would also have a reduction in services that would impact customers by reducing our ability to focus on innovation and streamlining processes that enhance efficiency in meeting operational goals. In addition, there will be a cumulative impact on customers, and the changes in future fee updates will be compounded based on the need to cover the increases in this proposal, plus future year budget adjustments.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

On May 7, 2025:

1. Find in accordance with Section 15273(a) of the California Environmental Quality Act (CEQA) Guidelines that the proposed changes to existing fees are exempt from CEQA. Approve the findings in Attachment C pursuant to CEQA Guidelines Section 15273(c).
2. Set a hearing for May 21, 2025, for consideration and adoption of an Ordinance amending the San Diego County Administrative Code, relating to fees and hourly rates charged.
3. Waive Board Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* for fees relating to the Agricultural Export, Certified Farmers' Market, and Industrial Hemp Cultivation Programs.
4. Approve the introduction of the Ordinance (first reading):
ORDINANCE AMENDING SECTION 364.3 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO FEES CHARGED BY THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES.

If on May 7, 2025, the Board takes action as requested in Recommendations 1 through 4 above, then, on May 21, 2025:

1. Consider and adopt the Ordinance amending the San Diego County Administrative Code, relating to fees charged by the Department of Agriculture, Weights and Measures (second reading).

EQUITY IMPACT STATEMENT

The Department of Agriculture, Weights and Measures (AWM) strives to preserve, enhance, and promote quality of life, health and safety, economic equity, access to healthy food, a diverse local economy, and environmental sustainability through our regulatory programs and services.

AWM uses County-approved methodologies to ensure that regulated businesses receiving AWM's services are responsible for the associated costs, rather than the public. This proposal supports food security in underserved communities by providing access to locally grown fresh produce and promoting business continuity for small-scale farmers. It also supports consumer confidence and a fair and equitable marketplace by verifying customers are being charged correct prices at retail businesses that use point-of-sale stations to ensure fair business practices.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions will ensure the continuity of programs and services that contribute to the County of San Diego's (County) Sustainability Goals: provide just and equitable access to County services, protect health and wellbeing; and protect ecosystems, habitats, and biodiversity. The proposed actions contribute to County Sustainability Goal No. 1 to provide just and equitable access to County services by involving and considering stakeholder feedback in the cost recovery process and using available resources to improve access to services and positive outcomes. The proposed actions also contribute to County Sustainability Goal No. 4 to protect the health and wellbeing of residents and visitors of the entire region, including underserved communities, and benefit individuals as well as the community at large by protecting the food supply, ensuring price accuracy, and ensuring that operations are handling hazardous materials safely. Ensuring the continuity of the Agricultural Export Program ensures that AWM can protect the region from agricultural pests and disease and protect local habitats and biodiversity.

FISCAL IMPACT

The proposed fee increases are included in the Fiscal Year (FY) 2025-26 CAO Recommended Operational Plan in Agriculture, Weights and Measures (AWM). If approved, this request will result in additional costs and revenue of \$139,715 in FY 2025-26 in Agricultural Export, Certified Farmers' Market, Industrial Hemp Cultivation, Hazardous Materials Inventory, Verification of Agriculture, Price Accuracy, and Weights and Measures Devices programs. The funding source is fees paid by AWM customers. There will be no change in net General Fund cost and no additional staff years.

A waiver of Board of Supervisors (Board) Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* is requested since the proposed fees for Agricultural Export, Certified Farmers' Market, and Industrial Hemp Cultivation do not cover all operating costs. The total unrecovered cost per Board Policy B-29 for FY 2025-26 is approximately \$174,699, and if approved, these programs will be partially funded with existing General Purpose Revenue (GPR) in AWM. The County GPR support serves as required matching funds for State supplemental funding and is consistent with the Board's commitment to and support for agriculture in the region, as stated in Board Policy I-133: *Support and Encouragement of Farming in San Diego County*. AWM will return to the Board with any future necessary fee adjustments, including identification of any unrecovered costs and funding reductions. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

If approved, these recommendations would enable the Department of Agriculture, Weights and Measures to continue providing the necessary services that support public health and safety, a resilient food supply, continuing agricultural trade, enhanced consumer confidence, a sustainable environment for the region, and support the region's \$1.66 billion agricultural industry.

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, set a Hearing and introduced the Ordinance for further Board consideration and adoption on May 21, 2025.

AYES: Lawson-Remer, Montgomery Steppe, Desmond

NOT PRESENT: Anderson

ABSENT: (District 1 Seat Vacant)

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

OVERVIEW

Dorothea Flanagan spoke to the Board regarding concerns of rumble strips in her neighborhood.

Cesar Javier spoke to the Board regarding concerns of corruption.

Purita Javier spoke to the Board regarding Chollas Creek.

Madison Rapp spoke to the Board regarding concerns of the social equity cannabis program.

Annie Abram spoke to the Board regarding concerns of animal abuse on Artesian Road.

Michael Fujimori spoke to the Board regarding concerns of animal abuse on Artesian Road.

Kate Iannone spoke to the Board regarding concerns of animal abuse on Artesian Road.

Cari Honowitz spoke to the Board regarding concerns of animal abuse on Artesian Road.

Zohra Fahim spoke to the Board regarding concerns of animal abuse on Artesian Road.

Elizabeth Porchuddu spoke to the Board regarding concerns of animal abuse on Artesian Road.

Christina spoke to the Board regarding concerns of animal abuse in San Diego County.

Susan Kohn spoke to the Board regarding concerns of animal abuse on Artesian Road.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned the Land Use Legislative Session at 1:54 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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