

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
WEDNESDAY, JUNE 26, 2024, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

A. REGULAR SESSION: Meeting was called to order at 9:39 a.m.

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

B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.

C. Closed Session Report

D. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.

E. Approval of the Statement of Proceedings/Minutes for the meeting of June 5, 2024.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Montgomery Steppe, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of June 5, 2024.

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

F. Consent Calendar

G. Discussion Items

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

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|--|
| 1. | ESTABLISH AUTHORITY TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR COLLIER PARK COMMUNITY GARDEN UNDER THE COMMUNITY FOOD PRODUCTION PROGRAM AND CEQA EXEMPTION [FUNDING SOURCE: AMERICAN RESCUE PLAN ACT GRANT FUNDING ALLOCATED DIRECTLY TO THE COUNTY OF SAN DIEGO] |
| 2. | 2024 SEVERE WINTER STORMS: RATIFY THE PROCUREMENT ACTION IN THE AMOUNT OF \$200,000 PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050(C)(2) FOR THE EMERGENCY CONSTRUCTION SERVICES THAT STABILIZED, REMOVED, ASSESSED, AND RESET THE DAVE PHAIR MEMORIAL BRIDGE AT SWEETWATER ROAD IN THE UNINCORPORATED AREA OF BONITA AND RELATED CEQA EXEMPTION [FUNDING SOURCES: CALIFORNIA DISASTER ASSISTANCE ACT AND EXISTING GENERAL FUND FUND BALANCE IN DPR] |
| 3. | REVISION TO ADVISORY BOARD BYLAWS FOR COUNTY SERVICE AREAS NO'S. 26 AND 128, RESOLUTION, AND CEQA EXEMPTION |
| 4. | LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL CRISIS AND RELATED CEQA EXEMPTION |
| 5. | NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2024-25 LEVIES IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO SAN DIEGO AND NO. 2 - JESS MARTIN PARK AND RELATED CEQA EXEMPTION [FUNDING SOURCE: PROPERTY OWNER PAID ASSESSMENTS AND A PORTION OF ANNUAL COUNTYWIDE PROPERTY TAX REVENUES THAT WAS ALLOCATED BY FORMULA TO SPECIAL DISTRICTS AS A RESULT OF PROPOSITION 13 (1978) AND SUBSEQUENT LEGISLATION, INCLUDING ASSEMBLY BILL 8 (1979)] |
| 6. | CONFIRM FISCAL YEAR 2024-25 LEVIES FOR COMMUNITY FACILITIES DISTRICTS AND RELATED CEQA EXEMPTION [FUNDING SOURCES: SPECIAL TAX LEVIES FROM CFD NO. 2008-01, CFD NO. 2013-01, CFD NO. 2019-02, CFD NO. 2019-01, CFD NO. 2019-03, CFD NO. 2022-01, CFD NO. 04-1, AND CFD NO. 09-1 AND ARE PAID BY PROPERTY TAX OWNERS]

(RELATES TO SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ITEM FP02) |

7. PUBLIC HEARING TO CONFIRM FISCAL YEAR 2024-25 LEVIES FOR PERMANENT ROAD DIVISION ZONES, COUNTY SERVICE AREAS AND ZONES, SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ZONES, AND STORMWATER MAINTENANCE ZONES
[FUNDING SOURCE: ASSESSMENT LEVIES ON PROPERTY OWNERS WITHIN THE IDENTIFIED DISTRICTS]

(RELATES TO FLOOD CONTROL DISTRICT ITEM FL02 AND SAN DIEGO COUNTY FIRE PROTECTION DISTRICT TEM FP01)
8. NOTICED PUBLIC HEARING:
PUBLIC HEARING TO APPROVE FEES AND CHARGES FOR FISCAL YEAR 2024-25 TAX ROLL OF SAN DIEGO COUNTY SANITATION DISTRICT, CAMPO WATER MAINTENANCE DISTRICT, AND COUNTY SERVICE AREA NO. 137 - LIVE OAK SPRINGS WATER SYSTEM AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: ASSESSMENT CHARGES ON PROPERTY OWNERS WITHIN THE IDENTIFIED DISTRICTS]

(RELATES TO SANITATION DISTRICT ITEM SA02)
9. NOTICED PUBLIC HEARING:
PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR MOSQUITO, VECTOR, AND DISEASE CONTROL BENEFIT ASSESSMENT, AND MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGE FOR FISCAL YEAR 2024-25 AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT, MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGE, AVAILABLE VECTOR CONTROL DISTRICT TRUST FUND FUND BALANCE, AND INCOME FROM INTEREST AND OTHER SERVICE CONTRACTS]
10. TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION (06/26/2024 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN ORDINANCE; 7/17/2024 - SECOND READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED ON SECOND READING)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT]
11. NON-AGENDA PUBLIC COMMUNICATION

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1. **SUBJECT: ESTABLISH AUTHORITY TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR COLLIER PARK COMMUNITY GARDEN UNDER THE COMMUNITY FOOD PRODUCTION PROGRAM AND CEQA EXEMPTION (DISTRICT: 2)**

OVERVIEW

On June 8, 2021 (3), the County of San Diego (County) Board of Supervisors (Board) voted on the recommended framework for use of American Rescue Plan Act (ARPA) funding, in which \$20 million was dedicated to food assistance. Of the \$20 million, \$7 million was set aside for the Community Food Production Program led by the Health and Human Services Agency (HHS), Public Health Services Department. On January 25, 2022 (5), the Board approved this framework.

The purpose of the Community Food Production Program is to allocate funds to support a variety of projects with the intended purpose of increasing food sovereignty in low-income communities and communities of color. Community food production includes all efforts to grow, raise, and harvest crops, fish, or forage food, and process these products for human consumption.

Of the \$7 million set aside for the Community Food Production Program, \$6 million was allocated for community-led projects and \$1 million was allocated for County-led projects. In April 2022, HHS engaged in a grant agreement with the San Diego Foundation to implement the community-led projects according to program guidelines. County-led projects have similar intended populations and objectives as community-led projects, including but not limited to, community gardens on County-owned properties, sustainable agricultural projects in local juvenile and adult correctional settings, or garden and cooking classes for youth.

The Department of Parks and Recreation (DPR) proposed two community garden projects for consideration: Calavo Park in Spring Valley and Collier Park in Ramona. Both were accepted to receive a portion of the \$1 million allocated for County-led projects. The Board approved the authority to advertise and award the construction contract for Calavo Park on November 16, 2022 (3).

Today's request will authorize the Department of Purchasing and Contracting Director to advertise and award a construction project contract estimated at \$300,000 for the Collier Park Community Garden, including a 10 percent contingency, and remaining funds of approximately \$100,000 will be used for related project expenses, including design, construction management, and project administration for a total project cost of \$400,000, using the ARPA grant funding. If approved, construction is expected to begin in Summer 2024 with anticipated completion by Spring 2025.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15301, 15303, and 15304.

2. Authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract and take any other action authorized by section 401 et seq. of the Administrative Code with respect to contracting for the construction of Collier Park Community Garden.
3. Designate the Director, Department of Parks and Recreation, or designee, as the County of San Diego Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

EQUITY IMPACT STATEMENT

Collier Park is located two blocks from public transit, directly across from multi-family housing, and less than half a mile from both an elementary and high school. The population that will be served by the community garden at Collier Park is classified as a 2023 Assembly Bill 1550 low-income community with a Per Capita Income in the 44th percentile and identified as an underserved community, calculated by the U.S. Department of Housing and Urban Development (HUD) as Low-Income Housing Tax Credit Qualified Census Tracts, having 50 percent of households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of 25 percent or more. The community garden at Collier Park will provide opportunities for local residents to grow their own fresh foods and learn about healthy living through programming and partnerships with schools and community organizations. Access to community gardens and programming that supports healthy living helps to improve food security for communities in low-income and low-food access areas.

SUSTAINABILITY IMPACT STATEMENT

Community gardens promote a diverse and sustainable food system that is improved through community engagement and input, promoting access to affordable, local, and healthy food, and creating healthy environments that increase the well-being of our residents and our environments.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan for the Capital Outlay Fund. If approved, this request will result in project costs of \$400,000 for Capital Project 1025464, Collier Park Community Garden in Fiscal Year 2024-2025. Construction costs are estimated at \$300,000 including a 10% contingency, and remaining funds of approximately \$100,000 will be used for project-related expenses, including design, construction management, and project administration for a total project cost of \$400,000. The funding source for this request is the American Rescue Plan Act grant funding allocated directly to the County of San Diego (\$400,000). Upon project completion, annual operations and maintenance will be provided by existing Department of Parks and Recreation staff. There will be no change in the net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Noting for the record that an Errata was submitted that made changes to the Overview and Fiscal Impact Statement; ON MOTION of Supervisor Desmond, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent.

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

2. **SUBJECT: 2024 SEVERE WINTER STORMS: RATIFY THE PROCUREMENT ACTION IN THE AMOUNT OF \$200,000 PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050(C)(2) FOR THE EMERGENCY CONSTRUCTION SERVICES THAT STABILIZED, REMOVED, ASSESSED, AND RESET THE DAVE PHAIR MEMORIAL BRIDGE AT SWEETWATER ROAD IN THE UNINCORPORATED AREA OF BONITA AND RELATED CEQA EXEMPTION (DISTRICT: 1)**

OVERVIEW

On January 22, 2024, the San Diego region experienced catastrophic flooding from an extremely rare storm event, including the Bonita community. The Dave Phair Memorial Bridge (“bridge”), a pedestrian/equestrian breakaway bridge between Bonita Golf Course and Sunnyside Stables, was dislodged off its support structure (known as abutments) and fell into the Sweetwater River. The bridge performed as it was designed, to break away in times of heavy flow. Nine tons of miscellaneous debris from upstream gathered against the fallen bridge and impacted the flow of the river. The County of San Diego (County) needed to take immediate action to ensure the bridge was stabilized and develop a plan to remove, assess, repair, and reset the bridge.

In accordance with County Administrative Code Section 402, “Emergency Preparedness,” a notice to proceed was issued to remove the bridge and debris, assess, repair, and reset the bridge onto its existing support structure and any other related corrective work associated with the replacement of the dislodged bridge.

On January 24, 2024 (8), the County Board of Supervisors (Board) ratified the January 22, 2024, Proclamation of Local Emergency (Proclamation) issued by the Interim Chief Administrative Officer, serving as the County’s Director of Emergency Services. The Proclamation was issued as a result of conditions of extreme peril to persons and property from a severe atmospheric river that produced widespread flooding, mudslides, erosion, and storm debris throughout the unincorporated area, causing numerous road closures and severe damage to both public and private infrastructure. The Proclamation further requested the Governor proclaim a State of Emergency in San Diego County.

This Board Letter seeks ratification of a procurement action in the amount of \$200,000 pursuant to Public Contract Code section 22050(c)(2), for the emergency construction services that stabilized, removed, assessed, repaired, and reset the bridge and removed debris at Sweetwater Road in the unincorporated area of Bonita.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15269 (a) and (b) of the State CEQA Guidelines.
2. Pursuant to Public Contract Code section 22050(b)(3), receive the report for the emergency work at the Dave Phair Memorial Bridge in Bonita, as set forth in this Board letter, detailing that the need for emergency bridge and debris removal and bridge repair at this location did not permit the delay that would otherwise result from competitive solicitations for bids.
3. Pursuant to Section 402 of the County Administrative Code, ratify the contract with Flatiron West, Inc. for the emergency bridge and debris removal and bridge repair work at the Dave Phair Memorial Bridge in Bonita on the basis that the public interest and necessity demanded immediate expenditure of funds on emergency basis without competitive bidding. **(4 VOTES)**

EQUITY IMPACT STATEMENT

The Dave Phair Memorial Bridge is a publicly maintained facility that provides access and a linkage to the Sweetwater Regional Trail across the Sweetwater River in the unincorporated area of Bonita. The County of San Diego Department of Parks and Recreation is responsible for the continued maintenance of the trail system and bridge in this area. Ratification of the emergency work will provide an overall benefit to the members of the residential communities and to those who use the recreational trails in the area.

SUSTAINABILITY IMPACT STATEMENT

The emergency work contributed to health and well-being sustainability benefits. The project reduced the risk to life and property damage by restoring the proper function of the Dave Phair Memorial Bridge and the removal of nine tons of accumulated debris from Sweetwater River, which contributed to the safety of the public using the Sweetwater Regional Trail and lessens the chance for additional flooding in the immediate area.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan in the Department of Parks and Recreation (DPR). If approved, this request will result in estimated costs and revenue of \$200,000 in FY 2023-24. The funding source is the California Disaster Assistance Act (\$150,000) and existing General Fund fund balance in DPR (\$50,000). If approved, this request will result in 25% of the total cost of the project or \$50,000, pending approval of California Disaster Assistance Act (CDAA) CDAA 2024-04 in accordance with California Government Code, Chapter 7.5 Disaster Assistance Act and California Code of Regulations, Title 19, Division 2, Chapter 6 California Disaster Assistance Act. If CDAA funds are not approved, the total project cost of \$200,000 will be funded by existing General Fund fund balance in DPR. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Noting for the record that an Errata was submitted that made a change to recommendation #3; ON MOTION of Supervisor Desmond, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent.

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

3. SUBJECT: REVISION TO ADVISORY BOARD BYLAWS FOR COUNTY SERVICE AREAS NO'S. 26 AND 128, RESOLUTION, AND CEQA EXEMPTION (DISTRICTS: 1, 2, AND 4)

OVERVIEW

The Department of Parks and Recreation (DPR) operates several park facilities within defined County Service Areas (CSA) and Landscape Maintenance District Zones (LMDZ). CSAs and LMDZs are used by property owners for non-road related infrastructure and to maintain landscape, parks, and to pay for fire prevention and emergency medical services. DPR manages six CSAs and two LMDZs related to park operations and maintenance in multiple communities throughout the County. To support transparent forums in which the public can provide input regarding the annual operations and maintenance of the local park facilities and programs within these defined CSAs/LMDZs, Advisory Committees may be formed. The recommendations provided by the committees are considered and used to inform DPR on decisions regarding funding allocations, future improvement projects, maintenance priorities and services. The criteria for membership, including the nomination and appointment process, are defined in each Advisory Board's bylaws pursuant to Board of Supervisors Policy A-74, Participation in County Boards, Commissions and Committees.

On January 15, 2022, the County Independent Redistricting Commission completed the redistricting plan of the supervisorial boundaries. A comprehensive review was completed to determine impacts to all park facilities, including those within CSA and LMDZ-defined areas. Per the review, park facilities in CSA No. 26/LMDZ No. 1 and CSA No. 128 were noted to now reside in new supervisorial districts. To align the composition of these committees with current district boundaries, revisions to the Advisory Boards' bylaws have been drafted. The proposed revisions would amend the supervisorial nominating district for both committees, the number of seats allocated to each supervisorial nominating district, and adjust the minimum number of seats required to meet quorum requirements for CSA No. 26/LMDZ No.1.

Specifically, the CSA No. 26/LMDZ No. 1 - Rancho San Diego Local Park District Advisory Board bylaws have been amended to change the supervisorial nominating district for all nine seats from District Two to District Four. CSA No. 26/LMDZ No. 1 has overlapping supervisorial districts within its sphere of influence (SOI), so population data was used to determine seat allocations. In addition, to ease quorum requirements, a reduction to the minimum number of seats for the committee is being recommended. Currently, two of the five minimum seats required are filled to reach quorum. This has been a consistent challenge for the CSA No. 26/LMDZ No. 1 Advisory Board and has led to difficulty reaching a quorum at monthly meetings which limits their ability to provide input and recommendations regarding the

operations and maintenance of parks in the Rancho San Diego Local Park District. By decreasing the total minimum number of seats for the committee from five to three it would promote the committee's ability to more regularly conduct business on behalf of the community.

The bylaws for CSA No. 128 - San Miguel Local Park District Advisory Board have been amended to change the supervisorial nominating district from District Two to District One and District Four. Since CSA No. 128 has overlapping supervisorial districts within its SOI, population data was used to determine seat allocations for each district. Based on the proportional counts for each District, District One will be the nominating district for four of the seven seats and District Four will be the nominating district for three of the seven seats on the committee. There are no changes being recommended to the current seven seats on the committee.

Today's request is for the Board to adopt a Resolution for the amendments to CSA No. 26/LMDZ No. 1 and CSA No. 128 bylaws. The proposed amendments would revise the supervisorial nominating district(s) for both advisory boards to align with current district boundaries and adjust the minimum number of seats for CSA No. 26/LMDZ No. 1. If approved, the amended bylaws would take effect in 30 days.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(2) and (3) and 15378(b)(5).
2. Approve the Resolution titled: A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TO AMEND THE BYLAWS OF CSA No. 26 - RANCHO SAN DIEGO LOCAL PARK DISTRICT ADVISORY BOARD AND CSA No. 128 – SAN MIGUEL LOCAL PARK DISTRICT CITIZEN ADVISORY BOARD.
3. Approve amendments to bylaws for CSA No. 26/LMDZ No. 1 and CSA No. 128 (Attachment A - Redline Changes to CSA No. 26/LMDZ No. 1; Attachment B - Clean Version of CSA No. 26/LMDZ No. 1; Attachment C - Redline Changes to CSA No. 128; and Attachment D - Clean Version of CSA No. 128).

EQUITY IMPACT STATEMENT

The proposed action to approve the amended bylaws for CSA No. 26/LMDZ No. 1 and CSA No. 128 will assist with the continuation of a transparent public forum in which citizens and stakeholders can weigh in on the ongoing operations, programming, and budget considerations of the park and recreation facilities within the defined CSA and LMDZ. These facilities provide spaces that are vital to the health, well-being, and safety of the communities they serve through a variety of amenities that include playgrounds, sports fields, trails, a community center and gym, a splash pad, community garden and open space.

SUSTAINABILITY IMPACT STATEMENT

The approval of the amended bylaws for CSA No. 26/LMDZ No. 1 and CSA No. 128 would support several of the County of San Diego’s Sustainability Goals, including engaging the community in meaningful ways by facilitating a public process that is transparent, accessible, and encourages people to participate in decisions that impact their lives and communities. This proposed action would also support the County’s sustainability goal of protecting the health and well-being of everyone in the region by providing a space for collaboration between the community, local stakeholders, and partners to help expand access to outdoor recreation opportunities and alleviate food insecurities in underserved communities like Spring Valley through services like community gardens and healthy food distribution programs.

FISCAL IMPACT

There are no fiscal impacts associated with today’s recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-070, entitled: A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TO AMEND THE BYLAWS OF CSA NO. 26-RANCHO SAN DIEGO LOCAL PARK DISTRICT CITIZEN ADVISORY BOARD AND CSA NO. 128 SAN MIGUEL LOCAL PARK DISTRICT ADVISORY BOARD.

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

4. **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), and May 1, 2024 (4) 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 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 sustainability goals 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: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

5. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2024-25 LEVIES IN
THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND
LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO
SAN DIEGO AND NO. 2 - JESS MARTIN PARK AND RELATED CEQA
EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

On June 5, 2024 (03), the Board of Supervisors set a Hearing for June 26, 2024.

Special districts are created to provide new or enhanced local services and infrastructure to specific communities. The special districts in today’s action were created to fund community parks and streetlights in the unincorporated areas of the region. Services are primarily funded by property owners and paid through assessments that are collected through the tax roll, reducing administrative costs from billing and payment collection. District boundaries, services, and maximum rates were established by voters or as a condition of development at the time of formation. The method for calculating how much each parcel pays is established in the ordinance adopted at the time of formation and may be based on a variety of factors, commonly including the type of land use, or parcel acreage. The rate cannot exceed the maximum amount in the adopted ordinance without voter approval from affected property owners. At the time of formation, residents in some districts voted to include cost escalators in their ordinances, which allow the maximum rate to increase each year to keep pace with inflation. The most commonly used cost escalator is the Consumer Price Index (CPI), which measures the cost of consumer goods.

Board of Supervisors Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* directs departments to recover the full cost of services provided to the residents of special districts. County of San Diego (County) staff reviewed budgets for the three districts included in today’s action to determine if revenues were adequate for services or if rates should be adjusted. Staff determined the proposed rates for Fiscal Year (FY) 2024-25 are needed to continue to fund services and to ensure compliance with Board Policy B-29. Some of these rates are proposed to increase while others are proposed to remain at the current rate. Rates are also necessary to maintain financial reserves to fund future services, facility repairs, emergency repairs, improvements, and replacements. The proposed rates are the subject of today’s action and are in accordance with Articles XIII A-D of the California Constitution (Proposition 218) as amended to date and are within maximum rates set forth in each district’s adopted ordinance. Therefore, these rates do not require voter approval from affected property owners. Under Proposition 218, voters must approve the formation of the special district and the maximum amount that can be collected from property owners.

San Diego County Street Lighting District

The San Diego County Street Lighting District is managed by the County Department of Public Works (DPW). The Street Lighting District funds the operations and maintenance of public streetlights across the unincorporated areas of San Diego County. The proposed annual assessment rate will remain at the current amount of \$2.00 per single-family residence. The current assessment is sufficient to continue to fund operation and maintenance of streetlights for the next fiscal year.

Landscape Maintenance District Zone No. 1 - Rancho San Diego

Landscape Maintenance District Zone (LMDZ) No. 1 - Rancho San Diego - is managed by the County Department of Parks and Recreation (DPR) to fund ongoing park operation, maintenance, and improvements within the unincorporated community of Rancho San Diego in District 4. The proposed annual assessment rate will increase by 3% from \$38.58 to \$39.74 per single-family residence. Although the Consumer Price Index rose 3.80% due to inflation in 2023, the voter-approved maximum annual rate increase is set at 3%. The additional revenue will support ongoing services. Without the additional revenue, services would be reduced, resulting in deferred maintenance and more costly future repairs. The proposed rate is within the maximum in the ordinance and does not require voter approval from affected property owners for this action.

Landscape Maintenance District Zone No. 2 - Jess Martin Park

LMDZ No. 2 - Jess Martin Park - is managed by DPR to fund ongoing maintenance of amenities and construction of minor capital improvements at Jess Martin Park in the unincorporated community of Julian in District 2. The proposed annual assessment rate will remain at the current amount of \$47.82 per single-family residence. The voters did not approve an annual cost escalator at the time of the district's formation; however, the Board did approve an allocation of County General Purpose Revenue (GPR) to offset the benefit from park visitors who do not reside in the district. Since there is no proposed rate increase a vote from affected property owners is not required for this action. The proposed rate is sufficient to fund services for FY 2024-25.

This is a request to adopt resolutions to confirm assessments and authorize levies for three special districts administered by DPW and DPR. Upon adoption, the assessments will be placed on the tax roll for FY 2024-25. The deadline to place these assessments on the FY 2024-25 tax rolls is August 10, 2024. These actions are discretionary after consideration of public testimony.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT. (Attachment G)
2. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1. (Attachment H)

3. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2. (Attachment I)

EQUITY IMPACT STATEMENT

Today's action continues the County's commitment to provide programs and services that enhance our communities. Assessments and special taxes fund services for special districts which improve the health, safety, and economic interests of local communities. Levying charges on the Fiscal Year (FY) 2024-25 tax rolls for the County of San Diego and San Diego County Street Lighting District will have a direct impact on communities throughout the unincorporated areas of the county. These levies fund street lighting and community park services to residents of approximately 110,000 parcels. Special district revenues also offset the need for the County to fund these services, which allow additional County funds to be allocated toward services in underserved communities.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports the County's Sustainability Goals to protect the health and wellbeing of residents, provide just and equitable access to County services, and make investments in energy efficiency by continuing to fund the operation, maintenance, and improvements of streetlights and parks. Streetlights enhance the health and safety of all residents and visitors who use County roads. Regular streetlight maintenance protects the health and wellbeing of everyone in the region and supports economic sustainability by preventing more costly maintenance treatments in the future. The Street Lighting District also supports the County's goal to invest in energy efficiency and reduce greenhouse gas emissions through the conversion of streetlight assets to LED fixtures. Specific LED fixtures are installed within dark sky designated communities to reduce light pollution and maintain compliance with the County's Dark Sky Ordinance. The nine County parks included in this action provide access to outdoor recreation and nature. Funding the operation and maintenance of these parks aligns with the County's sustainability goals to promote the health and wellbeing of citizens and allow equitable access to County facilities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2024-25 Operational Plan in the Departments of Public Works and Department of Parks and Recreation. There is no proposed change in the assessment for the San Diego County Street Lighting District and Landscape Maintenance District Zone No. 2 - Jess Martin Park. A rate increase is proposed for Landscape Maintenance District Zone No. 1 - Rancho San Diego. If approved, this request will result in costs and revenue of approximately \$295,104 for the Street Lighting District, \$185,347 for LMDZ No. 1 - Rancho San Diego, and \$99,843 for LMDZ No. 2 Jess Martin Park. The funding source for this request comes from property owner paid assessments and a portion of annual countywide property tax revenues that was allocated by formula to special districts as a result of Proposition 13 (1978) and subsequent legislation, including Assembly Bill 8 (1979). There will be no change in net General Fund cost and no additional staff years.

The proposed assessment levies are evaluated annually in an amount sufficient to recover the full cost as required by Board Policy B-29: *Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery*. Accordingly, there is no projected unrecovered cost, and a waiver of Board Policy B-29 is not needed. The funding source is assessment levies on property owners within the identified districts.

If the Board of Supervisors does not adopt the resolutions, the proposed assessments cannot be placed on the tax rolls for FY 2024-25. Without the funds generated by the assessments, services for street lighting and landscape maintenance would be greatly reduced unless other funding sources are identified.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors closed the Hearing, took action as recommended and adopted the following:

1. Resolution No. 24-071, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT;
2. Resolution No. 24-072, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1; and,
3. Resolution No. 24-073, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

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

6. **SUBJECT: CONFIRM FISCAL YEAR 2024-25 LEVIES FOR COMMUNITY FACILITIES DISTRICTS AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

In accordance with County of San Diego (County) Board of Supervisors (Board) Policy I-136, *Comprehensive Goals and Policies for Community Facilities Districts (CFDs)*, the County manages eight CFDs throughout the region. In addition, the San Diego County Fire Protection District manages two CFDs. A CFD is established to create a funding mechanism for public facilities and services such as streets, sewer facilities, stormwater facilities, fire protection, parks, and libraries. Through this funding mechanism, these public facilities and services are paid for by property owners within the boundaries of the district since they benefit the most from the services and are typically established as part of the development process for new or infill housing to support the residents of those housing developments.

The method used to calculate CFD levies can be based on a variety of factors, including parcel acreage or land use type (single-family or multi-family). The rate is established in each district's Rate and Method of Apportionment (RMA) as adopted by the Board at the time each CFD is formed. The RMA provides the methodology used to determine the maximum annual special tax allowable for each district. Any changes to an RMA require approval by voters within the CFD's boundaries. CFDs are levied annually on each parcel's property tax bill, reducing the cost to the ratepayer by eliminating the administrative costs that arise from annual billing and payment collection. The annual adoption of a resolution is required to provide for the levies of a special tax for CFDs on the tax rolls.

Today's request is for the County Board of Supervisors and San Diego County Fire Protection District Board of Directors, acting as the Governing Body of the CFDs, to adopt resolutions to authorize the Fiscal Year (FY) 2024-25 levies for eight CFDs: CFD No. 2008-01 (Harmony Grove Village), CFD No. 2013-01 (Horse Creek Ridge Maintenance), CFD No. 2019-02 (Sweetwater Place Maintenance), CFD No. 2019-01 (Meadowood Maintenance), CFD No. 2019-03 (Park Circle Maintenance), CFD No. 2022-01 (Piper Otay Preserve Maintenance), CFD No. 04-1 (located in southeast San Diego county), and CFD No. 09-1 (located in southwest San Diego county). Upon approval, the annual levies will be placed on the tax roll so that the property owners can continue to pay the levy through their property tax bills.

If today's actions are approved, levies will be adopted for eight CFDs. All proposed levies are within approved maximum rates in accordance with the RMAs for each district and would not require voter approval. RMAs are established as part of the CFDs' creation and any amendments to an RMA, such as changes to rates or services provided, require voter approval. If today's proposed actions to levy on the tax bill are not approved, the previously approved FY 2023-24 rates will be levied. There would be no reduction in revenue from not placing the collection of the assessments on the tax roll, but administrative expenses would increase for annual billing and payment collection if the payments are collected separately instead of on the tax roll. If the rates are not increased as proposed, maintenance and bond repayment would be impacted, and available fund balance would be used to mitigate any shortfalls for FY 2024-25.

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. Staff reviewed each district's budget to determine if revenues were adequate for services or if rates should be increased or decreased based on the budget. Staff determined that the proposed rate increases for FY 2024-25 are needed to fund costs for services and that available fund balance is needed for working capital, future services, facility repair, improvements, or replacement, and to ensure compliance with Board Policy B-29.

The following is the summary of proposed levies for FY 2024-25:

Community Facilities District No. 2008-01 (Harmony Grove Village). The Harmony Grove Village subdivision is located within the San Dieguito Community Plan area in Supervisorial District 3. The site is approximately 418 acres and includes 736 residential dwelling units and three public park sites. The proposed maximum annual Special Tax A will increase from \$1,406,387.38 to \$1,433,439.94 for Improvement Area No. 1 and will increase from \$1,178,324.32 to \$1,199,830.92 for Improvement Area No. 2. Special Tax A funds costs related to the construction of public facilities including parks, roads, wastewater, and flood control facilities built by the developer, through a bond series approved by the Board on December 5, 2017 (23) and December 10, 2019 (25). Special Tax B will increase in both Improvement Areas from \$930,510.08 to \$962,820.48 in accordance with the RMA, adopted June 25, 2008 (9). Special Tax B funds CFD administration, operation, and maintenance costs for flood control structures, public park and recreation facilities, street lighting, and emergency response services which are provided by Rancho Santa Fe Fire Protection District. Harmony Grove Village 4th of July Park, Harmony Grove Village Community Park, and Harmony Grove Village Equestrian Park are located within the CFD.

Community Facilities District No. 2013-01 (Horse Creek Ridge Maintenance). The Horse Creek Ridge subdivision is located within the Fallbrook Community Plan area in Supervisorial District 5. The site is approximately 416 acres and approved for 741 single-family and multi-family dwelling units and a public sports park and staging area site. Special Tax A funds costs related to open space, trails, a park, recreational facility maintenance, and CFD administration. Special Tax B funds storm drainage and detention basin facilities maintenance. Special Tax C funds fire protection, suppression, and emergency medical services provided by the North County Fire Protection District. The proposed maximum special tax will increase from \$536,335.38 to \$547,065.44 for Special Tax A, from \$218,847.88 to \$223,221.26 for Special Tax B, and from \$164,795.40 to \$168,090.00 for Special Tax C, all in accordance with the RMA, adopted January 29, 2014 (1). This increase is needed to fund increased costs to operate and maintain a regional sports park complex, staging area and park trails, onsite and offsite open space, fire services, and detention basins within the CFD. Horse Creek Ridge County Park is located within the CFD.

Community Facilities District No. 2019-02 (Sweetwater Place Maintenance). The Sweetwater Place subdivision is located within the Spring Valley Community Plan area in Supervisorial District 4. The site is approximately 18 acres and is approved for 122 single-family and multi-family dwelling units and a two-acre public park. This CFD was established to finance ongoing operations and maintenance of the park within the CFD. The proposed maximum special tax will increase from \$139,753.44 to \$146,897.76 in accordance with the RMA, adopted May 1, 2019 (2). This increase is needed to fund increased costs to operate and maintain the two-acre Sweetwater Place County Park, which is located within the CFD.

Community Facilities District No. 2019-01 (Meadowood Maintenance). The Meadowood subdivision is located within the Fallbrook Community Plan area in Supervisorial District 5. The site is approximately 389 acres and is approved for 844 single-family and multi-family dwelling units and a park. The Meadowood subdivision is still being built out, and the number of parcels increased from 464 to 704 between FY 2023-24 and FY 2024-25. This increase in parcels paying into the CFD has resulted in a larger-than-usual increase in the special tax. The increase in units is anticipated to result in higher usage of the park and subsequently higher operational and maintenance costs. Special Tax A funds costs related to open space, trails, a park, recreational facility maintenance, and CFD administration. Special Tax B funds storm drainage and detention basin facilities maintenance. Special Tax C funds fire protection, suppression, and emergency medical services provided by the North County Fire Protection District. The proposed maximum special tax will increase from \$276,322.82 to \$437,725.80 for Special Tax A, from \$159,216.84 to \$252,218.92 for Special Tax B, and from \$118,424.62 to \$188,848.40 for Special Tax C in accordance with the amended RMA, adopted May 6, 2020 (3). The increases are needed to fund the costs of operating and maintaining a park, park trails, fire services, and stormwater drainage and treatment facilities within the CFD. Willow Grove County Park is the park located within the CFD.

Community Facilities District No. 2019-03 (Park Circle Maintenance). The Park Circle subdivision is located within the Valley Center Community Plan area in Supervisorial District 5. The site is approximately 74 acres and is approved for 322 single-family dwelling units and a 2.6-acre public park. This CFD was established to finance ongoing operations and maintenance of Harvest County Park, the park located within the CFD. The proposed maximum special tax

will increase from \$269,407.36 to \$317,617.76 due to FY 2023-24 to FY 2024-25 having an increase from 296 to 332 total parcels to be levied in accordance with the RMA, adopted June 5, 2019 (4). These increases are needed to fund the cost of operations and maintenance of Harvest County Park.

Community Facilities District No. 2022-01 (Piper Otay Preserve Maintenance). The Piper Otay subdivision is located within the East Otay Mesa Business Park Specific Plan in Supervisorial District 1. Special Tax A funds costs related to ongoing operations and maintenance to manage the Piper Otay Preserve. Special Tax B funds costs related to CFD administration. The proposed maximum special tax will increase from \$23,354.47 to \$24,405.43 for Special Tax A and from \$15,788.33 to \$16,104.04 for Special Tax B in accordance with the RMA, adopted April 6, 2022 (6). The increases are needed to fund the cost of operations and maintenance of the preserve within the CFD.

Community Facilities District No. 04-1 (CFD No. 04-1). Located in southeast San Diego County in Supervisorial District 2, CFD No. 04-1 encompasses approximately 4,549 acres of land (868 acres classified as developed property with 47 residential parcels and 2 non-residential parcels, and 3,584 undeveloped acres) within the communities of Lake Morena, Jacumba, Jamul, and Lyons Valley. This CFD was formed to fund fire protection, suppression, and paramedic services, as well as the construction or acquisition of fire stations, fire training facilities, fire dispatch centers, fire communication systems, and fire equipment with a useful life of five years or more. The special tax was established to fund fire protection expenses through the collection of Special Tax A and Special Tax B. The Special Tax A Requirement is applied to all eligible properties as an ongoing, annual assessment. In FY 2024-25, the proposed maximum Special Tax A Requirement will increase from \$20,372.78 to \$21,709.04. Special Tax B is a one-time special tax levied on a property the first year following development and will increase from \$0.00 in FY 2023-24 to \$1726.82 in FY 2024-25 due to 3 parcels being eligible for the one-time assessment. The proposed special tax levies for both Special Tax A and Special Tax B are in accordance with the RMA, adopted January 6, 2004. The increase in Special Tax A is needed to fund fire protection operations, equipment, facilities, and staffing.

Community Facilities District No. 09-1 (CFD No. 09-1). Located in the southwestern portion of San Diego County in Supervisorial District 1, CFD No. 09-1 is between the Otay River Valley to the north, the international border with Mexico to the south, the San Ysidro Mountains to the east, and the City of San Diego to the west, encompassing approximately 3,068 acres of land. The special tax was established by the former Rural Fire Protection District to fund authorized facilities (Temporary Sheriff's Substation, Fire Station, and Permanent Sheriff's Substation) through the issuance of bonds secured by the levy of Special Tax A. The RMA, adopted September 22, 2009, identifies specific expenses that are eligible for funding under the Special Tax A Requirements before and after the issuance of bonds. For example, prior to the issuance of bonds, Special Tax A funds could only be used to pay lease payments for the Temporary Sheriff's Station and administrative expenses. In contrast, the requirements for Special Tax B are not affected by the issuance of bonds and were established to pay for the ongoing cost of operations and maintenance of fire facilities. In FY 2024-25, the collection of Special Tax A remains suspended as the temporary lease for the Sheriff's substation is not currently needed and there are no present plans to proceed with the issuance of bonds. The proposed maximum special

tax rate for Special Tax B will increase in accordance with the RMA from \$1,768,989.96 to \$2,133,113.94 in FY 2024-25. The increase is needed to fund the operation and maintenance of fire facilities that serve the approximately 134 parcels within the boundaries of the CFD, 43 of which are currently developed.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the adoption of eight resolutions to authorize levies during Fiscal Year 2024-25 is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3), 15378(b)(4) and (5), and 15273(b) of the State CEQA Guidelines and incorporate the findings attached hereto as Attachment Q.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25.
3. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25.
4. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-02 (SWEETWATER PLACE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25.
5. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25.
6. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25.
7. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-01 (PIPER OTAY PRESERVE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25.

Acting as the Board of Directors, San Diego County Fire Protection District:

1. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 04-1 AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 09-1 AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25.

EQUITY IMPACT STATEMENT

Levying special taxes that fund special districts would result in additional community services and resources that improve the health, safety, and economic interests of local communities.

Therefore services provided through the levying charges on the FY 2024-25 tax rolls will have a positive impact on communities throughout the unincorporated areas of the county, including providing fire protection, flood control protection, parks, and paramedic services.

SUSTAINABILITY IMPACT STATEMENT

Today's action to confirm special district assessments supports economic stability, promotes the health and well-being of citizens, and provides equitable access to County services. Timely road maintenance prevents more costly repairs in the future, contributing to economic and infrastructural sustainability. Fire protection, flood control protection, emergency communication, and paramedic services protect the health and well-being of citizens and their properties. County parks provide citizens equitable access to outdoor recreation and nature opportunities. This action will help maintain a strong and resilient community through the continued collection of levies.

FISCAL IMPACT

The proposed special tax levies are included in the Fiscal Year (FY) 2024-25 Operational Plan for the Department of Public Works, Department of Parks and Recreation, and San Diego County Fire Protection District. If approved, the proposed rate increases will result in additional estimated revenue of \$80,869.56 in the Department of Public Works for Community Facilities District (CFD) No. 2008-01 Harmony Grove Village; and a total of \$399,948.27 in the Department of Parks and Recreation for CFD No. 2013-01 Horse Creek Ridge Maintenance (\$18,398.04), CFD No. 2019-02 Sweetwater Place Maintenance (\$7,144.32), CFD No. 2019-01 Meadowood Maintenance (\$324,828.84), CFD No. 2019-03 Park Circle Maintenance (\$48,210.40), and CFD No. 2022-01 Piper Otay Preserve Maintenance (\$1,366.67). If approved, the proposed rates for the San Diego County Fire Protection District will result in estimated additional revenue of \$3,063.08 for CFD No. 04-01 Lake Morena, Jacumba, Jamul, and Lyons Valley, and \$364,123.98 for CFD No. 09-1 East Otay Mesa. If approved, the cumulative proposed rate increases will result in additional estimated total revenue of \$848,004.89 to the County. The funding sources are special tax levies from CFD No. 2008-01, CFD No. 2013-01, CFD No. 2019-02, CFD No. 2019-01, CFD No. 2019-03, CFD No. 2022-01, CFD No. 04-1, and CFD No. 09-1 and are paid by property owners. There will be no change in net General Fund cost and no additional staff years.

The proposed assessment levies are evaluated annually in an amount sufficient to recover the full cost as required by Board Policy B-29: *Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery* (Board Policy B-29). There is no projected unrecovered cost, and a waiver of Board Policy B-29 is not needed. The funding source is assessment levies paid by property owners within the identified CFDs.

If the Board of Supervisors does not adopt the resolutions, the proposed assessments cannot be placed on the tax rolls for FY 2024-25. Without the funds generated by the assessments, services for streets, sewer facilities, stormwater facilities, fire protection, parks, and libraries would be reduced unless other funding sources are identified. Without the funds generated by the assessments, bond repayments would not be funded, and the bonds could go into default.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ITEM FP02)

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended and adopted the following:

1. Resolution No. 24-074, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25;
2. Resolution No. 24-075, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25;
3. Resolution No. 24-076, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-02 (SWEETWATER PLACE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25;
4. Resolution No. 24-077, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25;

5. Resolution No. 24-078, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25; and,
6. Resolution No. 24-079, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-01 (PIPER OTAY PRESERVE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2024-25.

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

7. **SUBJECT: PUBLIC HEARING TO CONFIRM FISCAL YEAR 2024-25 LEVIES FOR PERMANENT ROAD DIVISION ZONES, COUNTY SERVICE AREAS AND ZONES, SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ZONES, AND STORMWATER MAINTENANCE ZONES (DISTRICTS: ALL)**

OVERVIEW

Special districts are created by residents of a community to deliver specialized services the local County or City does not provide. There are a variety of special districts, and each type is governed under different State laws. The County of San Diego (County), San Diego County Flood Control District (Flood Control District), and San Diego County Fire Protection District (Fire District) use special districts as a funding mechanism to provide services, such as fire protection, flood control protection, private road and landscape maintenance, parks, emergency communication, and paramedic services, across the unincorporated region and in six cities (Del Mar, Solana Beach, Encinitas, Santee, and portions of Poway and San Diego) in San Diego county.

Services are primarily funded by property owners through assessments or special taxes that are collected through annual property tax bills, reducing the cost to ratepayers by eliminating the administrative costs from annual billing and payment collection. District boundaries were established at the time of formation by voters or as a condition of development. Services are primarily funded by parcels within each district's boundaries. The method for calculating how much each parcel pays varies based on the type of district and ordinances adopted when the districts were formed. The most common method for calculating the rate per parcel is based on a variety of factors, including land use, parcel acreage, or use type (single-family or multi-family). The assessments or special taxes cannot exceed the maximum amount in the adopted ordinance without an additional vote of the affected community. At the time of formation, some of the ordinances included cost escalators, tied to a specific cost index, to allow special districts to increase the maximum rate each year to keep pace with inflation. The most commonly used cost indices are the Consumer Price Index (CPI) which measures the cost of consumer goods, and the Construction Cost Index (CCI) which measures the cost of construction materials and labor.

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. Staff reviewed each district to determine if revenues were adequate for services or if rates should be increased or decreased based on the budget. Staff determined that the proposed rates for Fiscal Year (FY) 2024-25 are needed to fund services and to ensure compliance with Board Policy B-29. Rates are also necessary to maintain financial reserves to fund future services, facility repairs, improvements, or replacements. All proposed rates are in accordance with Articles XIII A-D of the California Constitution (Proposition 218), as amended to date. All proposed rates are within the maximum rates set forth in each district's adopted ordinance; and therefore, do not require voter approval from affected property owners. Under Proposition 218, voters must approve special district formations and the maximum amount that can be collected from property owners. Without the funds generated by assessments, services would be reduced, and maintenance would be deferred.

Permanent Road Division Zones (County District)

There are 67 Permanent Road Division (PRD) Zones managed by the County Department of Public Works (DPW). Forty-nine of the 67 PRD Zones levy property owner assessments or special taxes. The 18 PRD Zones that do not levy an assessment or special tax are funded by a portion of annual countywide property tax revenues that was allocated by formula to special districts as a result of Proposition 13 (1978) and subsequent legislation, including Assembly Bill 8 (1979). The revenue these PRD Zones receive is adequate for services planned in FY 2024-25. Private road maintenance services funded by these PRD Zones are provided in multiple unincorporated communities. The amount each parcel is charged is determined by factors such as the type of land use, parcel size, and the number of dwelling units, which is represented by "benefit units." Benefit units are used to quantify the specific level of benefit each parcel receives from the services. Rates will remain the same in 45 of the 49 PRD Zones that levy property owner assessments or special taxes. Four proposed rate increases will fund multi-year maintenance plans for road resurfacing, culvert repairs, and future road replacements. One PRD Zone will have a rate increase based on voter approval. Three PRD Zones will have rate increases based on their approved cost escalators. The approved cost escalator for the three PRD Zones is the Los Angeles Construction Cost Index (CCI), which measures construction labor and materials costs and is frequently used to account for inflation for construction projects in the San Diego region, as Los Angeles is the closest region to have a CCI for these zones. The four (4) proposed rate increases are:

1. PRD Zone 104-Artesian Road is located in the unincorporated community of San Dieguito (District 3). The proposed rate will increase from \$9.00 to \$85.00 per benefit unit based on a property owner-approved rate increase, with the average single-family residence assigned 13.3 benefit units, or \$1,130.50 annually. The current revenues are insufficient to fund recommended and community supported maintenance and repairs. The additional revenue will help fund planned pavement repairs and ongoing road and culvert maintenance to maintain the roads and culverts in good condition.
2. PRD Zone 117-Legend Rock is located in the unincorporated community of Hidden Meadows (District 5). The proposed special tax will increase from \$1,586.54 to \$1,730.28 per parcel, based on the voter approved cost escalator. The increase is due to inflation, based on a 9.06% escalation in the Los Angeles CCI for 2023. Additional revenue will provide funding for planned road and culvert maintenance at current costs.

3. PRD Zone 133-Ranch Creek Road is located in the unincorporated community of Valley Center (District 5). The proposed rate will increase from \$1,595.64 to \$1,740.20 based on the voter approved cost escalator, with a single-family residence assigned one and a quarter benefit unit, for a total of \$2,175.26 annually. The increase is due to inflation, based on a 9.06% escalation in the Los Angeles CCI for 2023. Additional revenue will provide funding for planned road and culvert maintenance at current costs.
4. PRD Zone 1017-Kalbaugh/Haley/Toub Streets is located in the unincorporated community of Ramona (District 2). The proposed rate will increase from \$277.34 to \$302.47 based on a voter approved cost escalator, with a single-family residence assigned two benefit units, for a total of \$604.93 annually. The increase is due to inflation, based on a 9.06% escalation in the Los Angeles CCI for 2023. Additional revenue will provide funding for ongoing road maintenance at current costs.

County Services Areas (County District)

There are 10 County Services Areas (CSA) funded by assessments that are managed by multiple County departments based on the services provided. CSAs provide maintenance and operations for parks, landscaping, flood control, open space management, and emergency medical/paramedic services in multiple unincorporated communities and six incorporated cities (Del Mar, Solana Beach, Encinitas, Santee, and portions of Poway and the City of San Diego). Rates will remain the same in six of the 10 CSAs that levy assessments because revenues can fully fund planned services. The approved cost escalator for CSAs is the San Diego Consumer Price Index (CPI), which is based on a broad range of labor costs, goods, and services. Four rate increases are proposed, which are based on the voter-approved San Diego CPI increase of 3.80%:

1. CSA 83A-San Dieguito Local Parks District is managed by the Department of Parks and Recreation and provides park amenities and services in the unincorporated community of 4S Ranch (District 2). The proposed rate will increase from \$148.84 to \$154.49 per single-family residence. The increase is due to inflation, based on a 3.80% escalation in the San Diego CPI for 2023, with a voter-approved maximum cost escalator of 5%. It is anticipated that the additional revenue will be sufficient to fund increased costs for park maintenance and operations for FY 2024-25.
2. CSA 17-San Dieguito Emergency Medical Services is managed by San Diego County Fire and provides services to the cities of Del Mar, Solana Beach, Encinitas, and the City of San Diego communities of Del Mar Heights, and Del Mar Terrace, the unincorporated communities of Rancho Santa Fe, 4S Ranch, and a portion of Elfin Forest. (Districts 2 & 3). The proposed maximum annual special tax will increase from \$36.69 to \$38.08 per single-family residence. The increase is due to inflation, based on a 3.80% escalation in the San Diego CPI for 2023. The additional revenue will ensure the CSA has adequate working capital.

3. CSA 26 Zone A-Cottonwood Village is managed by DPW and provides open space fire-fuel management and landscape maintenance services in the unincorporated community of Rancho San Diego (District 4). The proposed rate will increase from \$112.00 to \$116.26, per average single-family residence. The rate increase is due to inflation, based on a 3.80% escalation in the San Diego CPI for 2023. The increase will ensure the CSA can fund annual fire-break services and maintain adequate working capital.
4. CSA 26 Zone B-Monte Vista is managed by DPW and provides landscape maintenance services in the unincorporated community of Rancho San Diego (District 4). The proposed rate will increase from \$199.44 to \$200.00 per single-family residence. The 0.28% rate increase is due to inflation, based on a 3.80% escalation in the San Diego CPI for 2023 and the district's maximum rate of \$200.00. The increase will ensure the CSA can fund routine landscape maintenance services and maintain adequate working capital.

San Diego County Fire Protection District (Fire District)

There are 10 zones in the San Diego County Fire Protection District funded by assessments or special taxes managed by San Diego County Fire that provide funds to supplement the cost of fire protection and emergency medical services across multiple unincorporated communities. Rates will remain the same in nine of the 10 zones that levy assessments or special taxes because revenues are adequate to fully fund services; in addition, there is no voter approved cost price escalator for these nine zones. One rate increase is being proposed:

1. Fire District-Palomar Mountain provides services within the unincorporated community of Palomar Mountain (District 5). The proposed maximum annual special tax will increase from \$175.61 to \$180.88 per single-family residence. The increase is due to inflation, based on a 3.80% escalation in the San Diego CPI for 2023, with a voter approved maximum cost escalator of 3%. The additional revenue will be used to fund firefighting personnel and fire protection equipment and apparatus.

Flood Control District Stormwater Maintenance Zones (Flood Control District)

There are three Stormwater Maintenance Zones (SMZ) funded by assessments managed by the Flood Control District in DPW that provide maintenance of flood control facilities in multiple unincorporated communities. Rates will remain the same in two of the three zones that levy assessments because revenues can fully fund planned services. One rate increase is being proposed:

1. SMZ No. 4-4249-3-Lake Rancho Viejo is located in the unincorporated community of Fallbrook (District 5). The proposed special tax will increase from \$351.12 to \$405.65 per single-family residence, based on the voter approved cost escalator. The increase is due to inflation, based on a 15.53% escalation in the Los Angeles CCI from September 2022 to September 2023. The additional revenue will be used to provide funding for planned stormwater facility maintenance and operations.

This is a request for the Board to adopt resolutions to confirm assessments and special taxes and authorize levies for the 72 special districts administered by the County, the Fire District, and the Flood Control District. Upon adoption, the assessments and special taxes will be placed on the tax roll for FY 2024-25. These actions are discretionary after consideration of public testimony.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(3), as activities outlined in CEQA Guidelines Section 15378, such as the establishment of government funding mechanisms without a commitment to any particular project, are exempt from CEQA review under Section 15378(b)(4) because the activity is the establishment of government funding mechanisms without a commitment to any particular project which may result in a significant impact on the environment.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000 ZONES, ADOPTING ASSESSMENTS AND SPECIAL TAXES AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25. (ATTACHMENT A)
3. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREAS CSA 26A-COTTONWOOD VILLAGE AND CSA 26B-MONTE VISTA, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25. (ATTACHMENT B)
4. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA CSA 136-SUNDANCE DETENTION BASIN, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25. (ATTACHMENT C)
5. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 26-RANCHO SAN DIEGO LOCAL PARK DISTRICT, COUNTY SERVICE AREA NO. 128-SAN MIGUEL LOCAL PARK DISTRICT, COUNTY SERVICE AREA NO. 83, ZONE A-SAN DIEGUITO LOCAL PARK DISTRICT 4S RANCH, ADOPTING CHARGES AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25. (ATTACHMENT D)

6. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 135, ZONES B-DEL MAR, H-SOLANA BEACH, AND F-POWAY, ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25. (ATTACHMENT E)
7. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 17-SAN DIEGUITO EMERGENCY MEDICAL SERVICES DISTRICT, ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25. (ATTACHMENT F)

Acting as the Board of Directors, San Diego County Fire Protection District:

1. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ACTING AS THE GOVERNING BODY OF THE SPECIAL ASSESSMENT SERVICE ZONES, ADOPTING SPECIAL ASSESSMENTS AND CONFIRMING REPORTS RE: SPECIAL ASSESSMENTS TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25. (ATTACHMENT G)

Acting as the Board of Directors, San Diego County Flood Control District:

1. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FLOOD CONTROL DISTRICT ACTING AS THE GOVERNING BODY OF STORMWATER MAINTENANCE ZONES 3-4978-1 BLACKWOLF, 4-4249-3 LAKE RANCHO VIEJO, AND 3-5142-1 PONDEROSA, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25. (ATTACHMENT H)

EQUITY IMPACT STATEMENT

Today's action continues the County's commitment to providing programs and services that enhance our communities. Assessments and special taxes fund services that include fire protection, flood control protection, private road maintenance, landscaping, parks, emergency communication, and paramedic services which improve the health and safety of our local communities.

SUSTAINABILITY IMPACT STATEMENT

Today's action to confirm special district assessments and taxes supports economic stability, promotes the health and well-being of citizens, and provides equitable access to County services. Maintaining roads in a timely manner prevents more costly maintenance in the future, contributing to economic sustainability. Fire protection, flood control protection, emergency communication and paramedic services protect the health and well-being of citizens and their properties. County parks provide citizens equitable access to outdoor recreation and nature opportunities. This action will help maintain a strong and resilient community.

FISCAL IMPACT

The proposed assessment revenues are included in Fiscal Year (FY) 2024-25 Operational Plan for the Departments of Public Works (DPW), Department of Parks and Recreation (DPR), Sheriff's Department, San Diego County Fire (County Fire), San Diego County Flood Control District (Flood Control District), and the San Diego County Fire Protection District (Fire District). The proposed rate increases for 10 special districts will result in increases in revenue from property owner assessments of \$168,502 for DPW, \$75,098 for County Fire, \$92,012 for DPR, \$2,145 for the Fire District, and \$15,486.52 in total for the Flood Control District. There is no proposed change in rates for 62 special districts. The funding source is the assessment levies on property owners within the identified districts. There will be no change in net General Fund cost and no additional staff years.

If the Board of Supervisors, acting on behalf of the County and other independent districts, does not adopt the resolutions, the proposed assessments and special taxes cannot be placed on the tax rolls for FY 2024-25. Without the funds generated by assessments, services for flood control protection, private road maintenance, parks, and landscape services would be reduced, and maintenance would be deferred. Fund balance would be leveraged to fill the gap for public safety communications systems, structural fire protection, and emergency medical services, which would impact the funding available for working capital.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO FLOOD CONTROL DISTRICT ITEM FL02 AND SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ITEM FP01)

ACTION:

This item was withdrawn at the request of the Chief Administrative Officer.

8. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING TO APPROVE FEES AND CHARGES FOR FISCAL YEAR 2024-25 TAX ROLL OF SAN DIEGO COUNTY SANITATION DISTRICT, CAMPO WATER MAINTENANCE DISTRICT, AND COUNTY SERVICE AREA NO. 137 - LIVE OAK SPRINGS WATER SYSTEM AND RELATED CEQA EXEMPTION (DISTRICTS: 1, 2, & 4)**

OVERVIEW

The County of San Diego (County) operates one sewer system through the San Diego County Sanitation District (District) that provides sewer service to approximately 37,000 customers and two drinking water systems that provide drinking water to approximately 300 customers. Sewer service charges and water service charges are collected along with property taxes on the tax roll to avoid a separate and costly billing process. A public hearing is required annually for preparation of the Districts' tax rolls. The sewer charges described in this report were previously approved by the Board of Directors of the San Diego County Sanitation District on May 3, 2023 (#SA01) by Ordinance 10840. The water charges were previously approved by the Board of Supervisors on April 6, 2011 (1) by Ordinance No. 10139.

The District provides sanitary sewer service to several unincorporated communities including Spring Valley, Lakeside, Alpine, Winter Gardens, East Otay Mesa, Campo, Julian, and Pine Valley. The District operates and maintains an extensive sewer network of over 430 miles of pipelines and pumpstations, as well as three local wastewater treatment plants. In addition to a preventative maintenance program, District staff conduct ongoing system-wide pipeline inspections and manage a long-term capital rehabilitation and replacement program to ensure the system is effectively treating sewage to prevent backup, overflow, runoff, and flooding. Field crews are on call 24 hours a day, 7 days a week to respond to any emergencies and ensure the protection of public health, property, and the environment. The District's priority is to provide a well-maintained sewer system that protects the health and well-being of the community, protects water quality, and the environment. The County of San Diego (County) Board of Supervisors (Board) serves as the Sanitation District's Board of Directors (Board of Directors). Sanitation District annual sewer service charges are collected on the property tax roll.

The County also operates the Campo Water Maintenance District (Water District), which provides water service to a portion of the unincorporated community of Campo, and County Service Area No. 137 - Live Oak Springs Water System (CSA 137). CSA 137 is a special district where the County provides water service to portions of the unincorporated community of Boulevard. Annual water service charges for both the Campo Hills zone of the Water District and CSA 137 are currently collected on the property tax roll.

Campo Water Maintenance District

On April 6, 2011 (1), the Board approved water rates for the approximately 222 drinking water customers served by the Campo Hills zone of the Campo Water District. Today's recommended action is to place the annual water rate charges on the tax roll for FY 2024-25. This action does not change the previously approved annual water rates for Campo Hills, and the annual water rate for FY 2024-25 will remain unchanged from FY 2023-24 at \$1,320 per year for residential and commercial customers.

Live Oak Springs Water System (CSA 137)

On November 18, 2020 (3), the Board approved a three-year water rate package through FY 2022-23 for the Live Oak Springs Water System (CSA 137), which serves approximately 90 residential and commercial customers. Today's recommended action is to place the annual water rate charges on the tax roll for FY 2024-25. Water charges are comprised of two components, a fixed base charge and a variable consumption charge. The base charge for FY 2024-25 is \$99.86 per month. The variable consumption charge includes a two-tiered rate structure based on the amount of water a customer uses measured in hundred cubic feet (HCF). Tier 1 represents typical indoor water usage for a household with two occupants at rate of \$11.01 per HCF. For Tier 2, it represents a higher water usage for a household that may include more than two occupants and landscape irrigation demand the rate is \$13.70 per HCF. The annual water rate for FY 2024-25 will remain unchanged from FY 2023-24.

Sewer Service Charges

On May 3, 2023 (#SA01), the Board of Directors approved a five-year sewer rate package through Fiscal Year (FY) 2027-28. Single-family residential customers, which make up 87% of the Sanitation District's approximately 37,000 customers, will be assessed an annual sewer charge of \$578.15 per equivalent dwelling unit (EDU). An EDU is a standard unit of measure

based on the average volume of wastewater flow generated by a typical single-family residential dwelling. For commercial entities, the amount each parcel is charged is determined by the type of commercial use and the estimated discharge volume to the sewer as shown in Attachment B.

Collecting sewer and water service charges through the tax roll minimizes administrative costs by eliminating the need for monthly billing and payment collection. These savings are passed along to the customers when the annual fee is established. Today's action does not approve or revise the associated charges and fees for water or sewer which have been established through separate actions of the Board of Directors and the Board. The Board of Directors approved the sewer rates for FY 2023-24 on May 3, 2023. The Board previously approved water charges for the Water District and CSA 137 and charges will remain unchanged from FY 2023-24.

A public hearing on these tax roll reports will be held at today's meeting to allow the public an opportunity to comment on sewer and water service charges on the property tax roll. Today's action also includes a request to conduct a public hearing on the San Diego County Sanitation District, Campo Water Maintenance District, and CSA 137 tax roll reports, and to adopt resolutions approving collection of sewer and water service charges on the FY 2024-25 tax rolls. At the hearing, any interested person may appear, and object or protest said reports.

If the Board of Directors and/or Board of Supervisors does not adopt the resolutions, the sewer and water service charges cannot be placed on the tax rolls for FY 2024-25. Without the funds generated by the assessments, services for sewer and water would be greatly reduced. This would include, but not be limited to: repair capabilities, preventative maintenance of system pipes and infrastructure, and other factors to maintain safe and reliable water and sewer. In addition, capital improvements would be deferred increasing the likelihood of major and costly failures that could have consequences of pipe failure impacting streams or rivers, underserved communities, roadways, or structures. If deferred, administrative costs to collect funds, set up accounts, and handle arrearages would be incurred and passed on to ratepayers.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Acting as Board of Supervisors:

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15060 (c)(3) of the state CEQA Guidelines because levying sewer and water service charges on the property tax roll is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378.
2. Adopt a Resolution titled: RESOLUTION AUTHORIZING WATER SERVICE CHARGES FOR FISCAL YEAR 2024-25 TO BE COLLECTED ON THE TAX ROLL (Attachment C).

Acting as the Board of Directors of the San Diego County Sanitation District:

3. Adopt a Resolution titled: RESOLUTION AUTHORIZING SEWER SERVICE CHARGES FOR FISCAL YEAR 2024-25 TO BE COLLECTED ON THE TAX ROLL (Attachment D).

EQUITY IMPACT STATEMENT

The San Diego County Sanitation District (Sanitation District), Campo Water Maintenance District, and County Service Area No. 137-Live Oak Springs Water System strive to implement programs and projects that preserve, enhance, and promote quality of life, health and safety, sustainability, equity, and environmental resources while simultaneously complying with mandatory federal, state, and local regulations. The services, maintenance, and infrastructure enhancements realized from the revenues generated by approved fee ordinances will benefit unincorporated communities by ensuring safe drinking water and reducing the risk of sewage spills and adverse impacts on water quality.

SUSTAINABILITY IMPACT STATEMENT

Implementation of a resolution authorizing sewer and water tax service charges for Fiscal Years 2024-25 to be collected on the tax roll has economic, environmental, and resiliency benefits as it relates to sustainability. Today's action will provide for essential sewer and water system operation, maintenance, and capital improvement, which contribute to the County's sustainability goals, including aligning the County's available resources with services to maintain fiscal stability and ensure long-term solvency; cultivating a natural environment for residents, visitors and future generations to enjoy; and ensuring the capability to respond and recover to immediate needs for individuals, families, and the region. A well-maintained sewer and water system protects the health and well-being of the communities served and help protect water quality, which are both key County sustainability goals.

FISCAL IMPACT

Funds for the proposed action are included in the Fiscal Year 2024-25 Operational Plan in the Department of Public Works, San Diego County Sanitation District (Sanitation District), Campo Water Maintenance District, and County Service Area No. 137 - Live Oak Springs Water System (CSA 137). The annual sewer and water service charges from customers will generate approximately \$31.10 million in revenue for the Sanitation District, \$0.29 million for the Campo Water Maintenance District, and \$0.17 million for Live Oak Springs Water System-CSA 137. Effective July 1, 2024, the sewer rate will reflect the increase approved by the Board of Directors of the Sanitation District on May 3, 2023 (SA#01); the CSA 137 water rate will reflect no increase for CSA 137 Live Oak Springs per the Board of Supervisors adopted ordinance on November 11, 2020 (03); the water rate will reflect no increase for Campo Water Maintenance District per the Board of Supervisors adopted ordinance on April 6, 2011 (01). There will be no change in net General Fund cost and no additional staff years.

The proposed charges are evaluated annually in an amount sufficient to recover the full cost as required by Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery. Accordingly, there is no projected unrecovered cost, and a waiver of Board Policy B-29 is not needed. The funding source is assessment charges on property owners within the identified districts.

If the Board of Directors and/or Board of Supervisors does not adopt the resolutions, the sewer and water service charges cannot be placed on the tax roll for FY 2024-25. If service charges are not placed on the tax roll, services for sewer and water would be greatly reduced, and capital improvements and maintenance would be deferred. If deferred, administrative costs to collect funds, set up accounts, and handle arrearages would be incurred and passed on to ratepayers.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO SANITATION DISTRICT ITEM SA02)

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing, took action as recommended, and adopted Resolution No. 24-080, entitled: RESOLUTION AUTHORIZING WATER SERVICE CHARGES FOR FISCAL YEAR 2024-25 TO BE COLLECTED ON THE TAX ROLL.

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

- 9. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR MOSQUITO, VECTOR, AND DISEASE CONTROL BENEFIT ASSESSMENT, AND MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGE FOR FISCAL YEAR 2024-25 AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

The Department of Environmental Health and Quality (DEHQ) Vector Control Program (VCP) protects residents and visitors from health risks associated with vectors, such as mosquitoes, rodents, and ticks that can transmit diseases including West Nile virus, Zika, dengue, plague, hantavirus, Lyme disease, and tularemia. San Diego County Code of Regulatory Ordinances defines “vector” as an animal that can transmit the causative agent of human disease. VCP conducts mosquito abatement throughout the San Diego region benefit assessment area, performs surveillance and testing of vectors that can cause human disease, and educates the public on actions to prevent vectors, protect themselves from vectors, and report breeding sources. Each year DEHQ has a goal to ensure the incidence of locally-acquired West Nile virus remains below 1 case per 100,000 persons, and in calendar year 2023, DEHQ achieved this goal with zero known locally-acquired cases.

The services performed by VCP are supported through the Mosquito, Vector, and Disease Control Benefit Assessment and the Mosquito Abatement and Vector Control Service Charge. According to California Proposition 218, approved by California voters in 1996, property owners may approve a benefit assessment through a mail ballot measure and, in subsequent years, the governing body may continue or adjust the levy on properties within the limitations set by the ballot measure. The benefit assessment rate is evaluated annually and must be approved by the Board of Supervisors (Board). On June 28, 2023 (4), the Board approved the Engineer’s Report, confirming the assessment diagram and assessment and ordering the continuation of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for Fiscal Year (FY) 2023-24.

The Engineer's Report defines the proposed benefit assessment by outlining program components, costs, and assessment required based on the program size. The benefit assessment would provide funding for mosquito, vector, and disease surveillance and control services throughout the San Diego region benefit assessment area. The benefit can be measured, in part, by the number of people who live on, work at, visit or otherwise use the property, because the people ultimately determine the value of the benefits by choosing to live, work, and/or recreate in the area.

Each year, DEHQ works to contain costs of the VCP through innovation, efficiencies, and streamlining so that those costs can be kept as low as possible for service recipients and savings can be applied to more efficient mosquito control approaches and laboratory techniques. Approximately 75% of VCP's costs are fixed, such as salary and benefits, retirement, enterprise-wide services, and facilities, while 25% of the programs' costs, such as services and supplies, are discretionary, meaning costs are determined by VCP based on operational needs. The proposed benefit assessment rate reflects known costs as accurately as possible to continue to protect public health, deliver programs and services to customers and communities, make data-driven decisions, and continue community outreach and engagement. To continue to meet these program objectives and maintain levels of service expected by stakeholders and customers, DEHQ has determined that the Mosquito, Vector, and Disease Control Benefit Assessment rate must increase in FY 2024-25.

The proposed FY 2024-25 rate is necessary to address cost changes, such as increased salary and benefit costs based on negotiated labor agreements and equity adjustments and impacts from increased facility and equipment costs. It is also necessary to support services, such as vector-borne disease prevention and response efforts. DEHQ contains increasing costs by applying savings and through efforts to maximize efficiencies and streamline operations. These efficiencies and cost containments total \$328,000 and will offset the proposed increase next fiscal year by 2.2%. The Vector trust fund consists of prior years' operation savings and serves as contingency funds, including for response to possible public health catastrophic events that require additional vector abatement, such as the Zika disease response work that occurred in 2015 to 2016 Zika. DEHQ also strategically uses the Vector trust fund to offset the increasing costs and help to smooth out future multiple years' rate increases for taxpayers. After evaluating the next five years of contingency fund needs and forecasted operational costs, DEHQ will apply approximately \$2.1 million from the Vector Control District Trust Fund fund balance and its interest for the upcoming fiscal year. Thus, the rate is expected to increase \$1.66, or 18.2% in FY 2024-25. Despite the proposed increase for FY 2024-25, the rate remains below the median of other benchmarked vector control district rates throughout the state.

This is a request to adopt a resolution to approve the Engineer's Report, confirm the assessment diagram and assessment, and order the levy of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for FY 2024-25. The proposed single-family equivalent dwelling rate for next fiscal year is \$10.76, which is a \$1.66 per year increase over the FY 2023-24 rate of \$9.10. Prior to FY 2023-24, DEHQ was able to hold the rate constant at \$8.37 for four years from FY 2019-20 through FY 2022-23 by strategically using the program's trust fund, applying savings, and through efforts to maximize efficiencies and streamline operations. Combined with the FY 2023-24 increase of \$0.73 and the proposed rate adjustment for FY 2024-25, this would equate to an average increase of \$0.48 annually over five years from FY 2019-20 through 2024-25.

The Board is also being asked to approve a resolution adopting service charges and confirming reports regarding levies for Mosquito Abatement and Vector Control Service Charges, which was adopted by the Board in 1989. This approval is required every fiscal year. In 1996, Proposition 218 froze the service charge at the rates of \$3.00 (Coastal Subregion), \$2.28 (Inland Suburban Subregion), and \$2.28 (Inland Rural Subregion); thus, these Service Charge rates will continue to remain unchanged for FY 2024-25. Because the service charge had been frozen at these rates, it no longer provided adequate program funding by 2005, which resulted in decreased response times, minimal service for rat complaints, and less ability to protect public health from vector-borne disease. A new benefit assessment was subsequently introduced in FY 2005-06 for improved vector control services as approved by property owners within the region, which has been continued every year since, along with the service charge.

Upon adoption, the Mosquito, Vector, and Disease Control Benefit Assessment and the Mosquito Abatement and Vector Control Service Charge will be placed on the tax roll for FY 2024-25. If this item is not approved by the Board, then the proposed benefit assessment and service charge cannot be placed on the tax roll for FY 2024-25. Without the \$12.7 million generated by the assessment and service charge, DEHQ would need to completely deplete all of the available Vector Control District Trust Fund fund balance of \$6.6 million and an additional \$8.2 million in one-time alternative County funding would need to be allocated to provide for the \$14.8 million total to maintain the current levels of service. If the benefit assessment and service charge are not approved and one-time alternative County funding is not identified, then VCP would not be able to provide existing levels of service or maintain activities to reduce the risk to public health from vector-borne diseases, which includes reduced outreach, education and community engagement efforts including translation services, delayed responses to requests for VCP services such as complaint investigations and mosquito inspections, and potentially less timely investigations of vector-borne disease referrals from County Public Health Services. These delays would increase the possibility for local transmission of mosquito-borne or other vector-borne diseases and would result in a higher abundance of mosquitoes in the San Diego region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 21080(b)(8) of the Public Resources Code and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines that this action is exempt from CEQA, because it modifies and approves a charge to meet the operating expenses and necessary financial reserves for an existing program, specifically the County Vector Control Program as described herein and in the Engineer's Report.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2024-25 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT.

3. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR SURVEILLANCE AND CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25.

EQUITY IMPACT STATEMENT

The Department of Environmental Health and Quality (DEHQ) anticipates that the confirmation of levies for Mosquito, Vector, and Disease Control Benefit Assessment and Mosquito Abatement and Vector Control Service Charge for Fiscal Year 2024-25 to result in continued protection of public health from the risks of vector borne diseases throughout the San Diego region. Available data from the Engineer's Report and DEHQ Vector Control Program surveillance and control activities indicate the program is effective in reducing the transmission of vector borne diseases. DEHQ proposes to continue the implementation of an integrated vector management approach, which incorporates the most effective strategies to reduce mosquitoes and protect public health with the least negative impact to the environment. This approach also empowers the public to take preventive measures to protect themselves, their family, and their community through educational community engagement and outreach, which includes multi-lingual media campaigns with a focus on underserved communities.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions contribute to the County of San Diego's (County) Sustainability Goals: protect health and wellbeing; protect ecosystems habitats and biodiversity; and provide just and equitable access to County services. The proposed actions contribute to the County Sustainability Goal No.4 to protect health and wellbeing of the residents and visitors of the entire region, including underserved communities, and benefits individuals as well as the community at large. Implementation of an integrated vector management approach to mosquito and vector control services contributes to the County Sustainability Goal No 6 to protect public health from diseases transmitted by vectors, and protects the ecosystems, habitat, and biodiversity of the region. The proposed actions also contribute to the County's Sustainability Goal No1 to provide just and equitable access to County services by involving stakeholders in a community needs assessment and using available resources to improve access to services and positive outcomes.

FISCAL IMPACT

Funds for these recommendations are included in the Fiscal Year (FY) 2024-25 Operational Plan in the Department of Environmental Health and Quality (DEHQ). If approved, the proposed actions will result in costs and revenue of \$14.8 million. The funding sources are the Mosquito, Vector and Disease Control Benefit Assessment (\$10.2 million), Mosquito Abatement and Vector Control Service Charge (\$2.5 million), available Vector Control District Trust Fund fund balance (\$1.9 million), and income from interest and other service contracts (\$0.2 million). Subsequent years' assessments will be based on the Vector Control Program budget, approved annually by the Board of Supervisors (Board), and included in future years Operational Plans.

If the Board does not approve the Engineer's Report, the proposed benefit assessment and service charge cannot be placed on the tax roll for FY 2024-25. Without the funds of \$12.7 million generated by the assessment and service charges, DEHQ would need to deplete all of the available Vector Control District Trust Fund fund balance of \$6.6 million and DEHQ would require one-time alternative County funding in the amount of \$8.2 million to maintain the current

program's level of service for FY 2024-25. Trust Fund monies are generally reserved for necessary costs to mitigate a public health threat, responding to catastrophic events that require additional monitoring and control efforts for vectors, abatement when direct action by the County is necessary, and to help smooth out future multiple years' rate increases for taxpayers. For example, these funds were necessary for use to adequately address mosquito control increased efforts associated with Zika virus activity in 2015 and 2016. Additionally, the funds are strategically utilized each year to prevent large increases to the benefit assessment rate. Depleting all trust fund dollars could put the region at increased risk for vector-borne disease and could result in higher benefit assessment rate increases in subsequent years.

If the benefit assessment and service charge are not approved and one-time alternative County funding is not identified, then VCP would not be able to provide existing levels of service or maintain activities to reduce the risk to public health from vector-borne diseases. This includes reduced outreach, education, and community engagement efforts including translation services, delayed responses to requests for VCP services such as complaint investigations and mosquito inspections, and potentially less timely investigations of vector-borne disease referrals from County Public Health Services. The reductions in services would increase the possibility for local transmission of mosquito-borne or other vector-borne diseases and would result in higher abundance of mosquitoes in the San Diego region. In addition, there will be a cumulative impact and the change in future assessment rate updates will be even higher based on the need to cover the increases in this proposal, plus fee increases in future years that are unable to be offset due to depletion of Trust Fund monies. Today's actions will result in no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Mosquitoes and other vectors hinder, annoy, and harm residents, businesses, and visitors. A vector-borne disease outbreak and other related public health risks would have a negative effect on agriculture, business, tourism, and residential activities in the region.

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Anderson, the Board of Supervisors closed the Hearing, took action as recommended, and adopted the following:

1. Resolution No. 24-081, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT, AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2024-25 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL ASSESSMENT; and,
2. Resolution No. 24-082, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR SURVEILLANCE AND CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25.

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

10. SUBJECT: TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION (06/26/2024 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN ORDINANCE; 7/17/2024 - SECOND READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED ON SECOND READING) (DISTRICTS: 2 & 5)

OVERVIEW

The Traffic Advisory Committee (TAC) supports the Department of Public Works (DPW) traffic engineering program. The TAC was established by the Board of Supervisors (Board) in the 1960s to provide traffic regulations and recommendations within the unincorporated areas of the region. To be effective, the TAC proposes policies that will enhance safety, reduce congestion, and be legally enforceable. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County of San Diego (County) maintained roads. 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 five items from the February 2, 2024, TAC meeting agenda:

Items from the 02/02/2024 the TAC Meeting			
District	Item	Location	Action
2	2-A	Sao Paulo Way, 440' west of Daza Drive to cul-de-sac	Amend the time-specific no parking zone period from "8:00 AM to 4:00 PM" to "7:00 AM to 4:00 PM"
2	2-B*	First Street from El Cajon City limit (near Sumner Avenue) to Pepper Drive	Reduce the 35 MPH speed limit to 30 MPH and certify.
2	2-C*	Bradley Avenue from Graves Avenue to First Street	Amend west endpoint, reduce the 40 MPH speed limit to 35 MPH, and certify.
2	2-D*	Felicita Road from Escondido City limit (north of Miller Avenue) to Via Rancho Parkway	Amend north endpoint and certify a 45 MPH speed limit.
5	5-A*	Buena Vista Drive from Vista City limit (south of Keys Place) to Mar Vista Drive	Amend both endpoints, reduce the 30 MPH speed limit to 25 MPH, and certify.
* Indicates second reading of the ordinance is required. These items are not in the vicinity of tribal lands.			

Approval of Item 2-A on Sao Paulo Way in San Diego Country Estates (District 2) will provide enhance safety and roadway operation for pedestrians, bicyclists, and all other roadway users by eliminating the potential traffic hazards associated with parked vehicles. This item was requested by the Principal at James Duke Elementary School.

Approval of Item 2-B First Street in El Cajon (District 2), Item 2-C on Bradley Avenue in El Cajon (District 2), Item 2-D on Felicita Road in Homeland Acres (District 2), and Item 5-A on Buena Vista Drive in Vista (District 5) would support speed enforcement which enhances roadway safety. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for enforcement.

Item 2-A on Sao Paulo Way in San Diego Country Estates (District 2) 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 July 17, 2024, the second hearing, would allow for implementation by DPW.

The Board's action on Item 2-B First Street in El Cajon (District 2), Item 2-C on Bradley Avenue in El Cajon (District 2), Item 2-D on Felicita Road in Homeland Acres (District 2), and Item 5-A on Buena Vista Drive in Vista (District 5) would introduce an ordinance to amend speed limit zones. This action would revise County Code and require two steps. On June 26, 2024, the Board would consider the TAC items. If the Board takes action as recommended on June 26, then on July 17, 2024, a second reading and adoption of ordinances amending County Code would be necessary to implement the Board's direction. If the proposed ordinance is altered on July 17, 2024, then on that date a subsequential meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. Sao Paulo Way, both sides, from 440' west of Daza Drive to cul-de-sac in San Diego County Estates - Amend a time specific no parking zone from "8:00 AM to 4:00 PM" to "7:00 AM to 4:00 PM."

Item 2-B. First Street from the El Cajon City limit (near Sumner Avenue) to Pepper Drive in El Cajon- Reduce the existing 35 MPH speed limit to 30 MPH and certify the 30 MPH speed limit for radar enforcement.

Item 2-C. Bradley Avenue (County maintained portions) from Graves Avenue to First Street in El Cajon - Amend the western endpoint, to reflect the current speed zone, reduce the existing 40 MPH speed limit to 35 MPH and certify the 35 MPH speed limit for radar enforcement.

Item 2-D. Felicita Road from Via Rancho Parkway to the City of Escondido (north of Miller Avenue) - Amend the northern endpoint, due to annexation by Escondido, and certify the existing 45 MPH speed limit for radar enforcement.

District 5:

Item 5-A. Buena Vista Drive from Vista City limit (south of Keys Place) to Mar Vista Drive in Vista - Amend both endpoints, due to annexation by Vista, reduce the existing 30 MPH speed limit to 25 MPH and certify the 25 MPH speed limit for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control on County of San Diego maintained roadways, resulting in negligible or no expansion of existing or former use.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Adopt the following Resolutions:
RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO. (Item 2-A)
4. Approve the introduction of the following Ordinance:
ORDINANCE AMENDING SECTIONS 72.161.36., 72.169.27., 72.171.46.3. AND 72.172.33. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-B, 2-C, 2-D, AND 5-A)

If, on June 26, 2024, the Board takes action as recommended, then, on July 17, 2024:

1. Consider and adopt the following Ordinance:
ORDINANCE AMENDING SECTIONS 72.161.36., 72.169.27., 72.171.46.3. AND 72.172.33. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY. (Items 2-B, 2-C, 2-D, AND 5-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 uses the Healthy Places Index (3.0) and CalEnviroScreen 4.0 to ensure underserved populations are prioritized. The Traffic Advisory Committee (TAC) relies on the 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 Traffic Advisory Committee has made addressing sustainability a top priority by partnering with local communities and industry leaders in a public forum every eight weeks to find timely, reasonable, and cost-effective in-road traffic solutions that reduce costly traffic delays, mitigate vehicle idling to reduce emissions, improve fire response times and regional readiness, and ensure justice in enforcement of traffic regulations.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2024-25 Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in costs and revenue of \$7,436 in FY 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 Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, and adopted Resolution No. 24-083, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO; and, took action to further consider and adopt the Ordinance on July 17, 2024.

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

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

OVERVIEW

Purita Javier spoke to the Board regarding poison gases within her community.

Cesar Javier spoke to the Board regarding poison gases within his community.

Hermes spoke to the Board regarding displaying the pride flag at County facilities.

Paul the Bold spoke to the Board regarding the amount of homeless in our region.

Consuelo spoke to the Board regarding government actions.

Ann Riddle spoke to the Board regarding public outreach communications from San Diego County.

Megan Stuart spoke to the Board regarding impacts of marijuana use on brain health.

Peggy Walker spoke to the Board regarding a marijuana equity program.

Kathleen Lippitt spoke to the Board regarding concerns of marijuana use in youth.

Truth spoke to the Board regarding public participation at Board meetings.

Audra spoke to the Board regarding displaying the pride flag at County facilities.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:54 a.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.