

July 14, 2021

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, JULY 14, 2021, 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 9:02 a.m.

PRESENT: Supervisors Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson; Terra Lawson-Remer; Jim Desmond, also, Andrew Potter, Clerk of the Board of Supervisors.

- B Closed Session Report

- C. Presentation or Announcement of Proclamations and Awards:

Chair Nathan Fletcher and Supervisor Terra Lawson-Remer presented a proclamation declaring July 14, 2021, to be David Garcias Day throughout the County of San Diego.

- 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 30, 2021.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of June 30, 2021.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

- F. Formation of 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. | NOTICED PUBLIC HEARING:
GENERAL PLAN AMENDMENT: HOUSING, SAFETY, AND ENVIRONMENTAL
JUSTICE ELEMENTS 20-002; 19-GPA-001; AND 17-GPA-004
[FUNDING SOURCE: PRIOR YEAR AVAILABLE UNASSIGNED GENERAL
FUND FUND BALANCE]
(4 VOTES) |
| 2. | CLIMATE ACTION PLAN UPDATE PROGRESS REPORT |
| 3. | FRAMEWORK FOR OUR FUTURE: DEVELOPING A REGIONAL
SUSTAINABILITY PLAN – UPDATE |
| 4. | PROMOTING BOUTIQUE AND SMALL WINERIES THROUGHOUT THE
COUNTY: EXPANSION OF THE TIERED WINERY ORDINANCE |
| 5. | ADOPT RESOLUTIONS DESIGNATING OFFICIAL SIGNATORIES FOR
FEDERAL EMERGENCY MANAGEMENT AGENCY FLOODPLAIN
MANAGEMENT AND GRANT PROGRAMS

(RELATES TO FLOOD CONTROL DISTRICT NO. 01) |
| 6. | RAMONA AIRPORT - PROPOSED RENT AMENDMENTS TO TWO
AVIATION LEASES
[FUNDING SOURCE: RENTAL PAYMENTS FROM THE LESSEES
UNDER THE TERMS OF THE LEASE AMENDMENTS]
(4 VOTES) |
| 7. | NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2021-22 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 |
| 8. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
TRAFFIC ADVISORY COMMITTEE (06/30/2021 - ADOPT
RECOMMENDATIONS; 07/14/2021 - SECOND READING OF
ORDINANCES) |
| 9. | PUBLIC COMMUNICATION |

**1. SUBJECT: NOTICED PUBLIC HEARING:
GENERAL PLAN AMENDMENT: HOUSING, SAFETY, AND
ENVIRONMENTAL JUSTICE ELEMENTS 20-002; 19-GPA-001; AND
17-GPA-004 (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego's (County) General Plan sets a direction for the future of the unincorporated area of San Diego County by providing a clear, unified framework for community development and conservation. The General Plan is organized by chapters, which are referred to as elements. The General Plan's Vision Statement and Guiding Principles establish the foundation upon which the General Plan elements and their respective policies are developed and measured. Each policy within the elements contains at least one implementation program or action to assure that there is a mechanism for its implementation. These implementation programs are contained within the General Plan Implementation Plan, a separate document from the General Plan, which is used as a key resource to achieve the County's vision for its growth and development.

The General Plan is a "living document" that must be periodically amended to respond to changing circumstances and comply with new State requirements. When this occurs, it is referred to as a General Plan Amendment (GPA). The GPA being considered by the Board of Supervisors today updates the General Plan's Housing and Safety Elements and proposes a new Environmental Justice Element (collectively referred to as the Three Elements).

The Housing Element is a mandatory element of the General Plan that must be updated every eight years. The Housing Element includes policies and programs to increase housing opportunities for populations at all income segments and life stages. State Housing Law mandates that the Regional Housing Needs Assessment (RHNA) be incorporated as an integral component of the Housing Element periodic update. RHNA quantifies a jurisdiction's capacity to meet existing and future housing needs. The County is required to demonstrate to the State that it has the capacity to accommodate its share of the RHNA for all income categories. The unincorporated area's RHNA allocation for the 2021 - 2029 planning period is 6,700 new dwelling units spread across very-low, low, moderate, and above-moderate income categories.

The Safety Element establishes policies that minimize the risk of personal injury, loss of life, property damage, and environmental damage associated with natural and human-caused hazards. To ensure safety hazards are considered during housing policy development, State law requires that the County review and revise the Safety Element in conjunction with updates to the Housing Element.

Pursuant to Senate Bill 1000 (Land use: general plans: safety and environmental justice), after January 1, 2018, all jurisdictions with State-identified "disadvantaged communities" are to incorporate environmental justice goals and policies into their General Plans upon revising two or more elements. The State uses the term "disadvantaged communities" to refer to communities disproportionately impacted by economic, health and environmental issues. The County will refer to these areas as Environmental Justice (EJ) Communities. EJ goals and policies will be incorporated into the General Plan by establishing a stand-alone EJ Element. The draft EJ Element contains goals and policies to reduce pollution in overburdened and underserved communities to ensure all people have the ability to live, work, and play in a safe and healthy environment.

Today's request is for the Board of Supervisors to adopt the Three Elements of the General Plan.

RECOMMENDATION(S)
PLANNING COMMISSION

On May 14, 2021, the Planning Commission continued the Housing and Safety Element update and the new Environmental Justice Element (Three Elements) to June 11, 2021. On June 11, 2021, the Planning Commission considered the Three Elements made the following recommendations to the Board of Supervisors (Board):

1. Expand the By-Right Approval Program to all sites within the Housing Element Site Inventory (192 sites) if the developer agrees to provide at least 20% affordable housing.
2. Do not adopt the Housing Element update.
3. Do not adopt the Safety Element Update.
4. Do not adopt the creation of a new Environmental Justice element.

STAFF RECOMMENDATION

Planning & Development Services does not concur with the Planning Commission's recommendations to the Board of Supervisors (Board) because the Housing, Safety and Environmental Justice (EJ) elements are mandatory elements of the General Plan and the draft elements have been updated in compliance with State law. If the County of San Diego (County) does not have an approved 6th cycle Housing Element by August 13, 2021, then it will be subject to a four-year update cycle and will not be eligible to receive State housing grants and funds it currently receives until the County has a certified Housing Element. Other State funds, including those used to maintain roads and utilities, could also be jeopardized. The County would also be vulnerable to lawsuits for not working proactively to meet its housing needs and may be subject to court-ordered moratoriums on development. In addition, the County is required by State law to update its Safety Element to address recent disaster events and state legislation requiring jurisdictions to analyze the effects of climate-change hazards. Finally, the County is also required by State law to incorporate an EJ element or equivalent, including identifying the location of EJ communities and the nature of their environmental burdens, health risks, and needs. As such, staff recommends that the Board:

1. Find that the General Plan Environmental Impact Report (EIR), dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, was completed in compliance with the California Environmental Quality Act (CEQA) and the State and County of San Diego (County) CEQA Guidelines and that the Board has reviewed and considered the information contained therein and the Addendum (PDS2021-ER-21-00-001) thereto dated March 16, 2021, on file with PDS, prior to approving Housing Element Update GPA 21-001.
2. Find that the General Plan EIR, dated August 3, 2011, on file with PDS as Environmental Review Number 02-ZA-001, was completed in compliance with the CEQA and the State and County CEQA Guidelines, and that the Board has reviewed and considered the information contained therein and the Addendum (PDS2021-ER-21-00-002) thereto dated April 29, 2021, on file with PDS, prior to approving Safety Element Update GPA 19-001 and new Environmental Justice Element GPA 17-004.

3. Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIR dated August 3, 2011; that there is no substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the EIR was certified as explained in the Environmental Review Update Checklists (PDS2021-ER-21-00-001 PDS2021-ER-21-00-002) dated March 16, 2021, and April 29, 2021, respectively.
4. Adopt the Resolutions entitled:
 - a. A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO ADOPTING A GENERAL PLAN AMENDMENT UPDATING THE HOUSING ELEMENT OF THE GENERAL PLAN; and,
 - b. A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO ADOPTING A GENERAL PLAN AMENDMENT UPDATING THE SAFETY ELEMENT AND INCORPORATING AN ENVIRONMENTAL JUSTICE ELEMENT AND RELATED AMENDMENTS TO THE IMPLEMENTATION PLAN OF THE GENERAL PLAN AND THE ACRONYMS AND GLOSSARY OF THE GENERAL PLAN (Attachments A and B, on file with the Clerk of the Board).
5. Establish appropriations of \$400,000 in the Department of Planning & Development Services, Services & Supplies for consultant services and PDS staff costs for the development of FY 2021-22 Housing Element Implementation Programs based on available prior year General Fund fund balance (**4 VOTES**).
6. Establish appropriations of \$405,000 in the Department of Planning & Development Services, Services & Supplies for consultant services and PDS staff costs for the development of FY 2021-22 Environmental Justice Implementation based on available prior year General Fund fund balance (**4 VOTES**).
7. Direct staff to analyze the feasibility of expanding the by-right approval program for all sites within the Housing Element Site Inventory (192) if the developers agree to provide at least 20% affordable housing and return to the Board for further direction by the end of 2021.

EQUITY IMPACT STATEMENT

Planning & Development Services (PDS) recognizes the systemic impacts that inequitable policies create for residents of the San Diego region. The Housing, Safety, and Environmental Justice Elements (collectively referred to as the Three Elements) contain goals and policies that seek to equitably address the unincorporated area's housing needs, minimize risks to known natural and human-caused hazards, and reduce pollution in overburdened and underserved communities.

Specifically, the Housing Element implements programs to increase affordable and inclusionary housing options, such as the Community Benefit Strategy program, which explores tools used to create amenities in neighborhoods of lower resources and generate funding for neighborhood improvements. The Safety Element's Vulnerability Assessment and

Adaptation Report incorporates policies to protect populations who are most vulnerable to the impacts of climate change, which includes a climate adaptation policy to address housing insecurity and reduce the exposure of persons experiencing homelessness to safety and health impacts from climate disasters. The Environmental Justice Element enables equitable development, adoption, implementation, and enforcement of environmental laws, regulations, and policies in underserved communities, which include disallowing siting and construction of new large-scale hazardous waste facilities minimizing heavy truck traffic and designating routes away from residential neighborhoods on or near sensitive land uses in and around Environmental Justice Communities.

Goals, policies, and implementing programs and actions within the Three Elements will strive to create positive impacts on persons experiencing homelessness, low-income communities, communities of color, communities in high hazard risk areas, persons with disabilities, and communities disproportionately affected by environmental pollution and other hazards. PDS will continue to actively engage with these communities to identify and address their needs.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services concurs with the Planning Commission's recommendations to the Board of Supervisors.

FISCAL IMPACT

Funds for implementing the Safety Element are included in the Fiscal Year (FY) 2021-22 Operational Plan in Planning & Development Services (PDS). Implementation items will either be performed as a part of ongoing Long Range Planning staff duties or included in future plans or programs such as community plan updates or General Plan Amendments and are funded by existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years. Any future updates to the Safety Element and associated costs will be brought back to the Board of Supervisors (Board) for consideration.

The Housing and Environmental Justice (EJ) Element's fiscal impacts associated with implementation costs were not included in the FY 2021-22 Operational Plan. A discussion of these costs are provided below. There will be no additional staff years required in PDS, and HHSA's staff years will depend on the Board's directions and priorities.

If approved, this request for the Housing Element Implementation Plan will result in costs of \$400,000 in PDS for consultant services and PDS staff costs for FY 2021-22. The funding source will be prior year available Unassigned General Fund fund balance. In total, one time only (OTO) funds of \$1,600,000 will be needed over the eight-year duration of the Housing Element. Funding needs for future years would be requested as part of the PDS five-year financial forecast, which, at this time, are anticipated to include \$810,000 in OTO funding for FY 2022-23, \$290,000 in OTO funding for FY 2023-24, and \$100,000 in OTO funding for FY 2024-25. For PDS, there will be no additional staff years in FY 2021-22 to amend the Housing Element. HHSA's staffing impacts will be dependent on the Board of Supervisor's directions and priorities.

If approved, this request for the EJ Element Implementation Plan will result in costs of \$405,000 in PDS for consultant services and PDS staff costs for FY 2021-22. The funding source will be prior year available Unassigned General Fund fund balance. In total, \$510,000 is requested in OTO funds for FY 2021-22 and FY 2022-23. This includes implementing Countywide programs and developing options to expand EJ Communities based on the

February 10, 2021, Board Direction. Future ongoing costs of EJ Element Implementation will include but will not be limited to (1) continual outreach with the additional communities and (2) adjusting the EJ Element and its implementation plan to meet the needs of the additional communities. These costs will be determined by future Board actions, anticipated to occur in 2023, based on their direction for expansion of EJ communities, including potential costs associated with implementation. County staff will return to the Board with estimates and recommended budget actions as necessary. For PDS, there will be no additional staff years in FY 2021-22 to amend the EJ Element. HHSA's staffing impacts will be dependent on the Board of Supervisor's directions and priorities.

Future HHSA fiscal impacts will largely depend on future Board direction and priorities. Increased coordination and collaboration across HHSA and LUEG, community partners, other jurisdictions, and cities are expected. If additional resources are needed, staff will return to the Board with an analysis and recommendations on a regional approach to environmental justice and climate resilience. The annual estimated fiscal impact is computed in the table below.

Table 1: Annual One-Time Only Funding Requests

<i>Annual One-time Funding Requests</i>		FY 21/22	FY 22/23	FY 23/24	FY 24/25
A	Safety Element	NA	*	*	*
B	Housing Element	\$400,000	\$810,000	\$290,000	\$100,000
C	Environmental Justice Element	\$405,000	\$105,000	**	**
D	(A+B+C) Total Annual One-time Funding Cost	\$805,000	\$915, 000	\$290,000	\$100,000

*Future costs of Safety Element Implementation will be determined by future State direction and/or Board actions based on a planned update of the Safety Element in 2023.

** Future ongoing costs of EJ Element Implementation will include but will not be limited to (1) continual outreach with the additional communities and (2) adjusting the Environmental Justice Element and its implementation plan to meet the needs of the additional communities. These costs will be determined by future Board actions based on information and recommendations for expansion of EJ communities, including potential costs associated with implementation.

BUSINESS IMPACT STATEMENT

N/A

ACTION 1.1:

Noting for the record that an Errata was submitted; ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors closed the Hearing and took action to adopt Option 1 of the Housing Element (Recommendation 4.A. on the Action Checklist) adopting Resolution No. 21-124, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO ADOPTING A GENERAL PLAN AMENDMENT UPDATING THE HOUSING ELEMENT OF THE GENERAL PLAN.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOES: Desmond

ACTION 1.2:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took the following actions:

1. Found that the General Plan Environmental Impact Report (EIR), dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, was completed in compliance with the California Environmental Quality Act (CEQA) and the State and County of San Diego (County) CEQA Guidelines and that the Board has reviewed and considered the information contained therein and the Addendum (PDS2021-ER-21-00-001) thereto dated March 16, 2021, on file with PDS, prior to approving Housing Element Update GPA 21-001.
2. Found that the General Plan EIR, dated August 3, 2011, on file with PDS as Environmental Review Number 02-ZA-001, was completed in compliance with the CEQA and the State and County CEQA Guidelines, and that the Board has reviewed and considered the information contained therein and the Addendum (PDS2021-ER-21-00-002) thereto dated April 29, 2021, on file with PDS, prior to approving Safety Element Update GPA 19-001 and new Environmental Justice Element GPA 17-004.
3. Found that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIR dated August 3, 2011; that there is no substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the EIR was certified as explained in the Environmental Review Update Checklists (PDS2021-ER-21-00-001 PDS2021-ER-21-00-002) dated March 16, 2021, and April 29, 2021, respectively.
4. Adopted Option 1 of the Safety and Environmental Justice Element, (Recommendation 4.B. on the Action Checklist) adopting Resolution No. 21-125, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO ADOPTING A GENERAL PLAN AMENDMENT UPDATING THE SAFETY ELEMENT AND INCORPORATING AN ENVIRONMENTAL JUSTICE ELEMENT AND RELATED AMENDMENTS TO THE IMPLEMENTATION PLAN OF THE GENERAL PLAN AND THE ACRONYMS AND GLOSSARY OF THE GENERAL PLAN.
5. Established appropriations of \$400,000 in the Department of Planning & Development Services, Services & Supplies for consultant services and PDS staff costs for the development of FY 2021-22 Housing Element Implementation Programs based on available prior year General Fund fund balance, and directed the Chief Administrative Officer to:
 - During the next General Plan Annual Progress Report, staff to report out on housing production and potentially identify a goal as part of this as a future item.
 - For Implementation Program 3.1.1.D, Diversity of Land Use Designation and Building Type, add a variety of innovative housing types but not limited to moveable tiny homes, 3D printed homes, and new prefab housing types that meet state and local building code standards.

- For Implementation Program 3.1.1.H, Housing Yields in Mixed-Use Zones, include mixed use and commercial sites as a consideration as part of the feasibility analysis of expanding by right program (when 20% affordable housing onsite is provided), to return to Board in December 2021 with funding/resource needs.
 - Direct staff to explore the feasibility of developing a program that would facilitate/remove barriers to senior and assisted living housing development, to return to the Board with program options, funding and resource needs by December 2021 for further direction.
 - Direct staff to explore the feasibility of developing a Small Lot Subdivision Program and return to the Board with program options, funding and resource needs by December 2021 for further direction.
6. Established appropriations of \$405,000 in the Department of Planning & Development Services, Services & Supplies for consultant services and PDS staff costs for the development of FY 2021-22 Environmental Justice Implementation based on available prior year General Fund fund balance.
 7. Adopted Option 2 of the Optional Board Direction on the By-Right Approval Program (Recommendation 7 on the Action Checklist) directing staff to first conduct an Environmental constraints and feasibility analysis of a By-Right Approval Program for up to 192 additional RHNA sites if the developers agree to provide at least 20% affordable housing and return to the Board with program options by the end of 2021 for further direction. Then, if directed by the Board, staff would develop the By-Right Program for Board consideration in addition to the State required By-Right Approval Program for 44 sites that were relisted from the previous housing cycle.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

**2. SUBJECT: CLIMATE ACTION PLAN UPDATE PROGRESS REPORT
(DISTRICTS: ALL)**

OVERVIEW

On January 13, 2021 (5), the County of San Diego (County) Board of Supervisors (Board) approved new policy recommendations to guide the Climate Action Plan (CAP) Update. The recommendations direct the Chief Administrative Officer to develop a comprehensive and legally enforceable CAP that meets and exceeds the greenhouse gas (GHG) emissions reductions target required by the California Global Warming Solutions Act of 2006 as amended by Senate Bill 32 in 2016 (40% below 1990 levels by 2030) and establishes a goal of net zero carbon emissions by 2035-2045. This goal is in line with both Executive Order B-55-18, which has a goal to make the state of California carbon neutral as soon as possible and no later than 2045, and Senate Bill 100 (2018) which requires utilities to provide customers with 100% carbon-free energy by the same date. In addition, the Board directed that the CAP uses updated data and modeling, not rely on the purchase of carbon offsets (i.e., the reduction, removal, or avoidance of GHG emissions that compensate for GHG emissions generated elsewhere) to meet the emission reduction targets, be shaped by community input, and set clear goals and metrics to ensure environmental justice and equity.

The CAP Update is a mitigation measure for GHG emissions associated with new development anticipated to occur under the County's 2011 General Plan. The CAP's primary objective is to reduce GHG emissions generated from activities within the unincorporated county (community) and emissions generated by operating County facilities, including facilities and operations located within incorporated cities (County operations). As part of the inventory process, a new baseline inventory of community and County operations GHG emission sources will be prepared, along with projections of GHG emissions through 2050, using, in part, updated transportation modeling provided by the San Diego Association of Governments, or SANDAG. New GHG emission reduction targets will be identified based upon State legislated reduction targets and Board direction which establishes a goal of net zero emissions by 2035-2045. As part of the CAP Update, the County will prepare a revised set of GHG reduction measures (CAP measures) to mitigate emissions from community and County operations emission sources to meet the new GHG emission reduction targets. The CAP Update process also includes preparing a Supplemental Environmental Impact Report (Supplemental EIR) as required by the California Environmental Quality Act (CEQA). The Supplemental EIR supplements the previous environmental analysis included in the 2011 General Plan Final Program Environmental Impact Report (Program EIR), which did not consider the impacts of the CAP measures themselves on the environment. CEQA also requires that the Supplemental EIR evaluate alternatives to the CAP Update that would reduce significant impacts from implementing the CAP measures. Alternatives may include policy changes, various combinations of CAP measures that achieve the GHG emissions targets, and in this case, consideration of smart growth alternatives that are intended to significantly reduce vehicle miles traveled (VMT) as required by direction from the Court of Appeal for Division One of the Fourth Appellate District (Appellate Court) in *Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467. The smart growth alternative(s) would propose actions additional to the CAP measures, in this case focusing on reduction of VMT, to help further reduce GHG emissions. During the Board hearing at which the CAP Update is considered, the Board will be asked to adopt the CAP Update, certify the Supplemental EIR, and will have the option to consider adopting a smart growth alternative. A smart growth alternative may include new programs or process improvements to incentivize residential, commercial, and mixed-use growth within the smart growth boundary area. Some smart growth programs or process improvements would require subsequent implementing actions after adoption of the CAP, which may include additional analysis and environmental review, if the Board adopts the alternative.

To solicit feedback and input from diverse stakeholders on the CAP Update and Supplemental EIR, staff are implementing a robust public engagement and participation strategy. The strategy seeks to reach residents and members of the unincorporated communities who have not traditionally engaged in the planning process, along with the diverse and traditionally engaged members of the County's vast stakeholder network, including community members, environmental organizations, business, industry, and development communities. The comprehensive approach to public participation outlined in the strategy will ensure that the CAP update is shaped by robust community input. It will also ensure that the CAP measures and Supplemental EIR alternatives represent diverse interests, demonstrate equity and inclusion, and provide economic and environmental benefits for all.

Today, staff will present a progress report on the CAP Update and provide an opportunity for the Board to ask questions and comment on the recommended general approaches to developing new CAP measures for inclusion in the CAP Update and update smart growth alternatives for inclusion in the Supplemental EIR, and the approach to public outreach and

engagement, with a focus on equity. As the project and environmental review are still in development and further updates will be brought to the Board prior to its final decision on the CAP Update and Supplemental EIR, this progress report and any Board comments in response do not represent a commitment to any particular course of action. Final binding policy decisions by the Board must await the completion of the CAP Update and Supplemental EIR process.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines because the proposed actions do not commit the County to any definitive course of action and have no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment. Subsequent actions would be reviewed pursuant to CEQA and presented to the Board for consideration prior to implementation.
2. Receive the presentation for a Climate Action Plan (CAP) Update Progress Report, and comment on the approach to developing new CAP measures for inclusion in the CAP Update, smart growth alternatives for inclusion in the Supplemental EIR, and the approach to engage a diverse public and prioritize equity.

EQUITY IMPACT STATEMENT

The Climate Action Plan (CAP) Update prioritizes environmental justice and equity as directed by the Board of Supervisors on January 13, 2021 (5). The County of San Diego will engage diverse stakeholders and community interests through robust community engagement centered on equity as a lens to view the CAP Update. A series of workshops and focused discussions will be held throughout the summer and fall of 2021 to identify topics related to climate and environment that impact the most vulnerable communities within the unincorporated county in a process that is transparent, fair, and inclusive. Community input will inform the development of CAP measures and shape the policies and programs to reduce the disproportionate impacts faced by these communities and improve complementary benefits (e.g., improved air quality, positive health outcomes, increased economic opportunities, resiliency to the effects of climate change).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

There is no business impact associated with receiving the presentation and providing direction on the Climate Action Plan (CAP) Update progress report. Staff would return to the Board with future actions related to the CAP Update that could have a business impact for further consideration and direction.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, directing the Chief Administrative Officer to analyze the impacts of any proposed programs on the cost of housing.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

3. SUBJECT: FRAMEWORK FOR OUR FUTURE: DEVELOPING A REGIONAL SUSTAINABILITY PLAN - UPDATE (DISTRICTS: ALL)

OVERVIEW

The global climate is changing and nowhere are the effects felt more acutely than at the local level. Furthermore, the growing economic, social, and environmental impacts associated with a changing climate are causing immediate and long-term damages to our communities, ecosystems, food production, health, safety, jobs, businesses, and our overall quality of life in San Diego region. This includes a higher frequency and intensity of extreme heat events, droughts, wildfires, storms and sea level rise.

In light of these realities, on January 27, 2021 (3), the County of San Diego (County) Board of Supervisors (Board) directed the Chief Administrative Officer to develop a framework for a regional zero carbon sustainability plan in partnership with the University of California San Diego School of Global Policy and Strategy (UCSD-GPS) and the University of San Diego Energy Policy Initiatives Center (USD-EPIC) which includes strategies and initiatives to achieve zero carbon in the region by 2035. The framework is intended to provide science-based pathways for reducing carbon that are tailored to the key sectors of San Diego's economy.

Decarbonization (i.e. reduction in carbon intensity) consists of a three-pronged approach: zero emissions of carbon dioxide; reduction of "super-pollutants" such as black carbon (or "soot") and ground-level ozone (the main ingredient of "smog"), much of which are directly harmful to human health; and the drawdown of atmospheric pollution through technological and natural means. The impacts of climate change in the form of extreme weather events are disproportionately impacting our lowest-income communities and workers. Hence, local policy measures that decarbonize the economy are intended to save lives, benefit underserved and frontline communities, create high-quality green jobs, and ensure economic resilience. The framework will intentionally address the gaps that exist between the decarbonization goals and existing realities for Black, Indigenous and People of Color communities in terms of air quality, infrastructure, jobs and housing.

Today's action is to receive an update on the Regional Decarbonization Framework. At the direction of the County's Land Use and Environment Group, UCSD-GPS will lead a team of technical experts in the preparation of the report. The report would serve as a roadmap for future actions. Overall, the decarbonization effort will be based on three guiding principles: (1) Data-Driven Approach, (2) Regional Collaboration, and (3) Stakeholder Input. Stakeholder outreach and regional collaboration efforts will be led by County staff.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are not subject to CEQA per Section 15060(c)(3) of the CEQA Guidelines because receiving an update on the Regional Decarbonization Framework is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378(b)(5).
2. Receive an update on the Regional Decarbonization Framework, including the plan for regional collaboration and stakeholder outreach.

EQUITY IMPACT STATEMENT

The Regional Decarbonization Framework is centered on equity. It will be prepared in coordination with the Office of Equity and Racial Justice, Office of Environmental and Climate Justice, and stakeholders that have been historically marginalized in regional conversations. This includes nonprofit advocates and coalitions active in environmental justice communities. The framework will intentionally address the gaps that exist between the decarbonization goals and existing realities for low-income communities of color, in terms of air quality, infrastructure, jobs and housing. A two-phased outreach plan is described in the Stakeholder Input section, that incorporates both issue-based as well as generalized interest. The challenge will be to continue to maintain interest and engagement of equity stakeholders as we move into the implementation of the decarbonization framework. Therefore, some of the input would be channeled into the ongoing sustainability initiatives (such as departmental Sustainability Plans) being undertaken by the County in a meaningful way, demonstrating an institutional commitment to interweave sustainability and equity.

FISCAL IMPACT

There are no fiscal impacts associated with this action. Funds for the initial University of San Diego (UCSD) School of Global Policy and Strategy contract are included in the Fiscal Year 2021-22 Operational Plan for the Land Use and Environment Group Executive Office. Staff will return to the Board of Supervisors with future actions related to the Regional Decarbonization Framework that could have a fiscal impact, which would be included in future Operational Plans.

BUSINESS IMPACT STATEMENT

The proposed actions will help businesses and workers in San Diego County through the advancement of technological innovation, economic resiliency, investment opportunities, renewable energy projects and high-quality job creation in the green economy.

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

4. **SUBJECT: PROMOTING BOUTIQUE AND SMALL WINERIES THROUGHOUT THE COUNTY: EXPANSION OF THE TIERED WINERY ORDINANCE (DISTRICTS: ALL)**

OVERVIEW

The Board of Supervisors (Board) established a Tiered Winery Ordinance (winery ordinance) on August 4, 2010. A primary component of the ordinance was the creation of a Boutique Winery tier, which allows for tasting rooms in conjunction with ongoing agricultural vineyard operations in agriculture zones. It also allows establishment of small wineries in agriculture zones through an Administrative Permit.

The farming community and property owners have requested the expansion of the winery ordinance into additional zones, to allow the same streamlined process for the creation of wineries that agricultural zones benefit from. It is critical that the Board of Supervisors build on the success of such an important component of San Diego's agricultural economy.

Today's action will direct the Chief Administrative Officer to investigate the feasibility of expanding the winery ordinance into additional Zoning Ordinance Use Regulations, such as Rural Residential, and present options to the Board to implement. To ensure compatibility with surrounding uses, staff should identify suitable Use Regulations for inclusion, a minimum acreage to operate, and appropriate buffers from surrounding uses.

RECOMMENDATION(S)
SUPERVISOR JIM DESMOND

1. Direct the Chief Administrative Officer to investigate the feasibility of expanding the Tiered Winery Ordinance into additional Zoning Ordinance Use Regulations and return to the Board of Supervisors within 180 days, once funding is appropriated, with options to implement.
2. Direct the Chief Administrative Officer to determine the funds necessary to conduct the feasibility analysis of expanding the Tiered Winery Ordinance into additional Zoning Ordinance Use Regulations and refer to Fiscal Year 2022-23 budget.

EQUITY IMPACT STATEMENT

Expanding the Tiered Winery Ordinance will reduce the overall time and cost to establish boutique and small wineries in areas that do not currently benefit from a streamlined process. This will promote diversity and inclusion by reducing time and cost barriers for individuals County-wide interested in wineries and will provide more jobs throughout the region.

FISCAL IMPACT

If approved, the feasibility analysis costs are estimated at \$120,000 beginning in Fiscal Year 2022-23, that will be referred to budget to establish appropriations. When staff return to the Board of Supervisors with options to implement, additional costs will be included in the report.

BUSINESS IMPACT STATEMENT

Expanding the Tiered Winery Ordinance will offer a streamlined permit process to establish new wineries which will increase businesses and jobs and promote an economic driver for the region.

ACTION:

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

1. Directed the Chief Administrative Officer to investigate the feasibility of expanding the Tiered Winery Ordinance into additional Zoning Ordinance Use Regulations, as well as identify what metrics will be used to ensure progress with diversity and inclusion, and return to the Board of Supervisors within 180 days, once funding is appropriated, with options to implement.
2. Directed the Chief Administrative Officer to determine the funds necessary to conduct the feasibility analysis of expanding the Tiered Winery Ordinance into additional Zoning Ordinance Use Regulations and refer to Fiscal Year 2022-23 budget, or earlier, if funding becomes available.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

**5. SUBJECT: ADOPT RESOLUTIONS DESIGNATING OFFICIAL SIGNATORIES
FOR FEDERAL EMERGENCY MANAGEMENT AGENCY
FLOODPLAIN MANAGEMENT AND GRANT PROGRAMS
(DISTRICTS: ALL)**

OVERVIEW

The unincorporated region has experienced flooding within the last 15 years that has caused damage to infrastructure, residences, and businesses. The Federal Emergency Management Agency (FEMA) assists states and local communities with programs, technical support, and grants to help protect residents and businesses against flooding. Local funds can be used as leverage for FEMA grants to construct drainage improvements that protect residents and businesses, especially those that may be underserved.

Many of these programs are administered in California by the Governor's Office of Emergency Services (CalOES) on behalf of FEMA. Grant funds are available for projects to protect communities before floods occur and for projects to help a community recover after a flood has caused damages. FEMA currently offers the following hazard mitigation programs to eligible municipalities, agencies, and organizations:

- Hazard Mitigation Grant Program (HMGP)
- Flood Mitigation Assistance (FMA) Program
- Building Resilient Infrastructure & Communities (BRIC)

These FEMA programs can provide funding to support the County of San Diego (County) flood protection and drainage improvement projects, such as culvert replacements and channel improvements that are identified in the Department of Public Works' Five-Year Capital Improvement Program, as well as emergency projects or multi-jurisdictional projects that will benefit unincorporated county residents. Because grants frequently require the recipient to provide matching funds, matching funds could be from the Flood Control District, County Road Fund, County General Fund, partnering jurisdictions, or other eligible matching grants.

In addition, FEMA's Community Rating System (CRS) program enables residents and businesses to receive discounts on flood insurance premiums when their local jurisdictions undertake floodplain management activities that go above and beyond the minimum National Flood Insurance Program requirements. The County participates in this program and unincorporated county residents currently receive between a 5% to 15% reduction in flood insurance premiums, depending on their flood risk.

FEMA requires Board of Supervisors approval for the submission of grant applications, grant and CRS reports, and to accept FEMA grant funds. Alternatively, jurisdictions may designate agents to sign and submit these reports and documents, and to accept FEMA grant funds for a period of three years.

Today's request is to adopt two resolutions authorizing the Director of Public Works, Assistant Director of Public Works, Deputy Director of Public Works, and Flood Control District Manager, as official agents of the County and Flood Control District, to implement and submit documents, including but not limited to applications, agreements, and grant acceptance letters for FEMA programs to the County of San Diego and/or the San Diego County Flood Control District through July 13, 2024.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Acting as the Board of Supervisors:

1. Find that adoption of the proposed resolutions is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because there is no possibility for the activity to cause a significant effect on the environment.
2. Adopt a Resolution entitled:
JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS TO, AND ACCEPT FUNDS FROM AWARDED GRANTS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR THE HAZARD MITIGATION GRANT PROGRAM, FLOOD MITIGATION ASSISTANCE PROGRAM, AND BUILDING RESILIENT INFRASTRUCTURE & COMMUNITIES.
3. Adopt a Resolution entitled:
JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS TO AND ACCEPT FUNDS FROM AWARDED GRANTS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR THE COMMUNITY RATING SYSTEM.

Acting as the Flood Control District Board of Directors:

1. Adopt a resolution entitled:
JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS TO, AND ACCEPT FUNDS FROM AWARDED GRANTS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR THE HAZARD MITIGATION GRANT PROGRAM, FLOOD MITIGATION ASSISTANCE PROGRAM, AND BUILDING RESILIENT INFRASTRUCTURE & COMMUNITIES.
2. Adopt a resolution entitled:
JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS TO AND ACCEPT FUNDS FROM AWARDED GRANTS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR THE COMMUNITY RATING SYSTEM.

EQUITY IMPACT STATEMENT

Designating official signatories for Federal Emergency Management Agency (FEMA) floodplain management and grant funding programs could result in more grant funding opportunities for County of San Diego (County) and San Diego County Flood Control District (District) projects that improve public safety and mitigation of impacts due to natural hazards. Future projects that could potentially be funded with grant awards will be selected using a priority matrix that includes equity as a category for prioritizing projects. Additional Geographic Information System (GIS) tools are being developed that will also aid in selecting projects that include underserved communities. These tools are expected to be available this year for departments to use for internal decision-making, policy decisions and implementation, and service delivery.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO FLOOD CONTROL DISTRICT NO. 01)

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, adopting the following: Resolution No. 21-126, entitled: JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS TO, AND ACCEPT FUNDS FROM AWARDED GRANTS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR THE HAZARD MITIGATION GRANT PROGRAM, FLOOD MITIGATION ASSISTANCE PROGRAM, AND BUILDING RESILIENT INFRASTRUCTURE & COMMUNITIES; and,

Resolution No. 21-127, entitled: JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS TO AND ACCEPT FUNDS FROM AWARDED GRANTS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR THE COMMUNITY RATING SYSTEM.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

6. SUBJECT: RAMONA AIRPORT - PROPOSED RENT AMENDMENTS TO TWO AVIATION LEASES (DISTRICT: 2)

OVERVIEW

Ramona Airport is a general aviation airport, owned and operated by the County of San Diego's (County) Department of Public Works (DPW), within the unincorporated community of Ramona. The airport is a gateway to and from San Diego's east county providing infrastructure, facilities, and services to corporate and general aviation users. The airport also serves as the CalFire Air Attack Base for regional firefighting services. DPW leases land at this airport to aviation businesses that provide aeronautical services, such as aircraft fueling, hangar storage, tie-down storage, aircraft rental, aircraft maintenance, flight instruction, and similar services. Leasing of airport land generates revenue for the Airport Enterprise Fund, which is used by DPW to ensure that all County airports are properly maintained and safe for airport users and the surrounding communities.

DPW is proposing to amend two lease agreements with tenants that rent airport property. The first proposed rent amendment is with Cruiseair Aviation, Inc. On November 7, 2001 (5), the Board of Supervisors (Board) approved a 30-year aviation ground lease with Cruiseair Aviation, Inc., a California corporation (County Contract No. 75482R). The current lease agreement requires the lease be amended to adjust rent, effective November 1, 2021. The second proposed rent amendment is with Chuck Hall Aviation. On July 24, 2002 (11), the Board approved a 30-year aviation ground lease with Chuck Hall Aviation, subsequently assigned to Beech Cruiser, LLC, a California limited liability company (County Contract No. 75593R). The current lease agreement requires the lease be amended to adjust rent, effective August 1, 2021.

The rent renegotiation language in these two leases requires that rent be adjusted to reflect appraised market rate; provided, however, that rent shall not be reduced. The current rents, per acre per month, range from \$1,192 to \$1,206. An appraisal of both leasehold rents, prepared in February 2021, indicated a market rate of \$1,143 per acre per month, which is lower than the current per acre per month rate for each lease. The rents, as of the effective dates of adjustment in 2021, will be established at the current rate, since the rent renegotiation language indicates that rent shall not be reduced, and will then be adjusted annually for the increase in cost of living based on the Consumer Price Index through 2025 (COLA). The leases will again be adjusted based on market rate in 2026.

This is a request for approval of the Fifth Amendment to Aviation Lease with Cruiseair Aviation, Inc., and the Sixth Amendment to Aviation Lease with Beech Cruiser LLC, to establish rents for 2021 and define the updated COLA calculations through 2025. All other terms of the leases shall remain unchanged.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendments are categorically exempt from CEQA review, as they consist of leasing of existing facilities involving negligible or no expansion of existing or former use.

2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the Fifth Amendment to Aviation Lease with Cruiseair Aviation, Inc., a California corporation, County Contract Number 75482R. **(4 VOTES)**
3. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the Sixth Amendment to Aviation Lease with Beech Cruiser LLC, a California limited liability company, County Contract Number 75593R. **(4 VOTES)**

EQUITY IMPACT STATEMENT

The eight airports owned and operated by the County of San Diego (County Airports) provide vital air transportation hubs, emergency response facilities, and economic engines. The County pursues delivery of these services in a fair and equitable manner and actively works to remove barriers, encourage participation, and provide competitive opportunities for small businesses that traditionally have less working capital and business owners and managers that may be socially and economically-disadvantaged, through public outreach and added consideration in our procurement and leasing selection criteria.

As part of the National Plan of Integrated Airport Systems, County Airports connect rural, suburban, and urban communities, businesses, and people by facilitating over 518,000 commercial, corporate, government, and private aircraft operations annually. As bases for CalFire, US Forest Service, Sheriff ASTREA (Aerial Support to Regional Enforcement Agencies), and Mercy Air, County Airports ensure the readiness and rapid response of emergency services for community members, including underserved communities. County Airports are home to over 100 aeronautical and non-aeronautical businesses. Through rents and user fees, County Airports are 100% self-funded, allowing General Fund revenues to be used for other priorities. If approved, these leases will continue to provide revenues of \$186,965 or more per year into the Airport Enterprise Fund, which is used to operate, maintain, and improve, all eight County Airports.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2021-22 Operational Plan for the Airport Enterprise Fund. If approved, this request will result in \$186,965 in revenue to the Airport Enterprise Fund for FY 2021-22. The funding source is rental payments from the lessees under the terms of the lease amendments. There would 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 Vargas, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

7. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2021-22 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 (DISTRICTS: ALL)**

OVERVIEW

On June 30, 2021 (05), the Board of Supervisors took action to set a hearing for July 14, 2021.

The County of San Diego (County) uses special districts as a funding mechanism to provide landscape maintenance and street lighting services in specific areas defined by a geographical boundary. Services are funded by property owner assessments which are collected through the County tax rolls to help maintain low administrative costs. The method for calculating each district's assessment is set forth in ordinances adopted when the districts were formed. The assessments cannot exceed the maximum amount in the adopted ordinance without an additional vote. At the time of formation, some of the ordinances granted authority for the Board of Supervisors to increase the maximum rate each subsequent year by an amount tied to a cost escalator, the index for the Landscape Maintenance District Zone is the Consumer Price Index (CPI).

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 agencies or individuals. Staff reviewed the budget for 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) 2021-22 are needed to fund costs for services and available fund balance is needed for working capital, future services, or facility repair, improvements or replacement, and to ensure compliance with Board Policy B-29. All proposed rates are in accordance with Articles XIII A-D of the California Constitution (Proposition 218) and are within maximum rates set forth in each district's adopted ordinance. Under Proposition 218, voters must approve special district formations and the 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) to fund operations and maintenance of public street lights across the unincorporated region. The district funds electricity costs for 10,416 lights, with DPW providing maintenance for 6,730 (65%) lights with district funds. SDG&E provides maintenance for the remaining 3,686 (35%) lights. DPW completed an LED retrofit in 2020, reduced energy use resulting in cost savings and reduced greenhouse gas emissions. The cost savings will be passed to ratepayers and the proposed annual assessment rate will decrease from \$10.00 to \$7.00 (30%), per benefit unit. The amount each parcel is charged is based on the number of benefit units assigned to the parcel. Benefit units are based on the level of benefit a parcel receives from the street lights, which depends on the type of land use the number of dwelling units, with a single-family residence assigned one benefit unit.

Landscape Maintenance District Zone No. 1 - Rancho San Diego

Landscape Maintenance District Zone No. 1 - Rancho San Diego is managed by the Department of Parks and Recreation (DPR) to supplement funding for park operation, maintenance, and improvements within the unincorporated community of Rancho San Diego

(District 2). The proposed maximum annual assessment rate will increase from \$35.84 to \$36.38 per benefit unit. The amount each parcel is charged is based on the number of benefit units assigned to the parcel. Benefit units are based on the level of benefit a parcel receives from the parks and is based on the type of land use the number of dwelling units, with a single-family residence assigned one benefit unit. The increase is due to a 1.50% escalation in the CPI and the additional revenue will support ongoing services. Without the additional revenue, services will be reduced and maintenance will be deferred, resulting in future more-costly repairs.

Landscape Maintenance District Zone No. 2 - Jess Martin Park

Landscape Maintenance District Zone 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 (District 2). The proposed maximum annual special assessment rate will remain at the current amount of \$47.82 per benefit unit, with a single-family residence assigned one benefit unit.

This is a request to adopt resolutions to confirm assessments and authorize levies for three special districts administered by the DPW and DPR. Upon adoption, the assessments and special taxes will be placed on the tax roll for FY 2021-22. 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.
2. Adopt a Resolution entitled:
RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1.
3. Adopt a Resolution entitled:
RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

EQUITY IMPACT STATEMENT

Levying assessments provides funding for special districts and results in additional community services and resources that can improve the health, safety, and economic interests of local communities. Based on community feedback received at public meetings and daily interactions with residents, such as conversations with residents in the field and office, residents support continued funding for services through special districts. Levying charges on the FY 2021-22 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 including providing street lighting and park services to residents of approximately 117,000 parcels.

FISCAL IMPACT

The proposed assessment levies are included in the Fiscal Year (FY) 2021-22 Operational Plan in the Departments of Public Works and Parks and Recreation. There is a proposed decrease in assessment for the San Diego County Street Lighting District and a proposed increase in

assessment for Landscape Maintenance District Zone No. 1 - Rancho San Diego, and no proposed change for Landscape Maintenance District Zone No. 2 - Jess Martin Park for FY 2021-22. The proposed decrease in revenue for the San Diego County Street Lighting District from property owner assessments will be \$352,616 in FY 2021-22. The proposed increase in revenue for Landscape Maintenance District Zone No. 1 - Rancho San Diego from property owner assessments will be \$3,781 in FY 2021-22. There will be no change in net General Fund cost and no additional staff years.

If the Board of Supervisors does not adopt the resolutions, the proposed assessments cannot be placed on the tax rolls for FY 2021-22. 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 Vargas, the Board of Supervisors closed the hearing, and took action as recommended, on Consent, adopting the following:

Resolution No. 21-128, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT,

Resolution No. 21-129, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1; and,

Resolution No. 21-130, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

8. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
TRAFFIC ADVISORY COMMITTEE (06/30/2021 - ADOPT
RECOMMENDATIONS; 07/14/2021 - SECOND READING OF
ORDINANCES) (DISTRICTS: 2 & 5)**

OVERVIEW

On June 30, 2021 (09), the Board of Supervisors took action to further consider and adopt the Ordinances on July 14, 2021.

As part of the Department of Public Works (DPW) traffic engineering program, the Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) in the 1960s as an aid in providing uniform traffic regulations throughout the unincorporated areas of the county. The goal of the TAC is to make recommendations to the Board on traffic matters to provide communities in the unincorporated region with a road system that strives to enhance safety and reduce congestion. To accomplish this, traffic policies are established to provide persons using the road system with consistent and uniform regulations. In order to be effective, these policies are designed to be legally enforceable so that the majority of motorists will comply.

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 a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item including engineering and traffic condition studies.

The TAC recommends the Board act on nine items from the March 12, 2021, TAC meeting agenda:

District	Item	Location	Action
2	2-A	Old Highway 80, Pine Valley	Certify the 45 miles per hour (MPH) speed limit and correct the ordinance title
2	2-B	Old Highway 80, Pine Valley	Certify the 35 MPH speed limit
2	2-C	Alpine Boulevard, Alpine	Relocate the mid-block crosswalk 580 feet west from its current location 660 feet west of Boulders Road to a new location 710 feet east of Tavern Road
5	5-A	Aliso Canyon Road, Rancho Santa Fe	Certify the existing 45 MPH speed limit and approve an ordinance authorizing the existing speed limit
5	5-B	El Mirlo, Rancho Santa Fe	Certify the 35 MPH speed limit
5	5-C	Kauana Loa Drive, Escondido	Reduce the 40 MPH speed limit to 35 MPH and certify
5	5-D	Hutchison Street, Vista	Certify the 40 MPH speed limit
5	5-E	Gum Tree Lane, Fallbrook	Extend west endpoint of the speed zone from Stage Coach Lane to Mission Road (500 feet) and the east endpoint of the speed zone from Hamilton Lane to Live Oak Park Road (3,700 feet) and certify a 35 MPH speed limit
5	5-F	Potter Street and Elder Street, Fallbrook	Establish an all-way stop intersection

Approval of Items 2-A through 2-B and 5-A through 5-E would support speed enforcement, which increases roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Item 2-C would support the safe crossing of pedestrians by informing drivers of potential pedestrian crossings at a location between distant intersections. Properly marked and posted mid-block crosswalks can help to reduce the number of pedestrian-related collisions by alerting motorists of possible crossing at a location of increased pedestrian demand.

Approval of Item 5-F would provide safety enhancement measures for pedestrians, bicyclists, and all other roadway users by assigning a full stop to all approaches at the intersection. Properly posted stop controls at intersections reduce the number and severity of collisions by assuring that reasonable drivers enter intersections at a low speed and have more time to take heed of the traffic situation.

The Board's action on Items 2-B, 5-B, 5-D, and 5-F does not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore does not require a second hearing. Board direction on June 30, 2021 would allow implementation by DPW. The Board's action on Items 2-A, 5-A, 5-C, and 5-E would introduce an ordinance to amend speed limit zones and action on Item 2-C would introduce an ordinance to relocate a mid-block crosswalk. These actions would revise County Code and require two steps. On June 30, 2021, the Board would consider the TAC items. If the Board takes action as recommended on June 30, 2021, then on July 14, 2021, a second reading and adoption of ordinances amending County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. Old Highway 80 from Mile Post 4.5 to 380 feet west of Pine Valley Road (Mile Post 5.0) in Pine Valley - Certify the existing 45 MPH speed limit for radar enforcement. Revise the ordinance title to reflect the community of Pine Valley and to reflect the existing speed limit of 45 MPH.

Item 2-B. Old Highway 80 from 380 feet west of Pine Valley Road to 800 feet east of Oak Lane in Pine Valley - Certify the existing 35 MPH speed limit for radar enforcement.

Item 2-C. Alpine Boulevard at 660 feet west of Boulders Road in Alpine - Relocate the mid-block crosswalk by 580 feet to the west to a point that is 710 feet east of Tavern Road.

District 5:

Item 5-A. Aliso Canyon Road from El Camino del Norte to Avenida del Duque in Rancho Santa Fe - Certify the existing 45 MPH speed limit for radar enforcement. Approve an ordinance to authorize the existing 45 MPH speed limit.

Item 5-B. El Mirlo from Rancho Santa Fe Road to Via de Fortuna in Rancho Santa Fe - Certify the existing 35 MPH speed limit for radar enforcement.

Item 5-C. Kauana Loa Drive from Country Club Drive to Oak View Way/Escondido City Limit in Harmony Grove - Reduce the existing 40 MPH speed limit to 35 MPH and certify the 35 MPH speed limit for radar enforcement.

Item 5-D. Hutchison Street from 1,000 feet west of Harris Drive to East Vista Way in Vista - Certify the existing 40 MPH speed limit for radar enforcement.

Item 5-E. Gum Tree Lane from Stage Coach Lane to Hamilton Lane in Fallbrook - Relocate the west endpoint of the speed zone from Stage Coach Lane to Mission Road, and the east endpoint of the speed zone from Hamilton Lane to Live Oak Park Road and certify a 35 MPH speed limit for radar enforcement.

Item 5-F. Potter Street and Elder Street in Fallbrook - Establish an all-way stop intersection.

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 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. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN SAN DIEGO COUNTY (Item 5-F).

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN SAN DIEGO COUNTY (Item 5-F).

4. Approve the introduction, read title, and waive further reading of the following Ordinances:
ORDINANCE AMENDING SECTIONS 72.169.94.1., 72.161.40.4., AND 72.169.75.1. AND ADDING SECTION 72.161.44.2. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A, 5-A, 5-C & 5-E).

ORDINANCE AMENDING SECTION 72.181.1. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 2-C).

If, on June 30, 2021, the Board takes action as recommended, then, on July 14, 2021:

Consider and adopt the following Ordinances:

ORDINANCE AMENDING SECTIONS 72.169.94.1., 72.161.40.4., AND 72.169.75.1. AND ADDING SECTION 72.161.44.2. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A, 5-A, 5-C & 5-E).

ORDINANCE AMENDING SECTION 72.181.1. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 2-C).

EQUITY IMPACT STATEMENT

The review of traffic signs and roadway markings is an important task that supports vehicle safety on County-maintained roads. Adherence to sign and marking standards developed by the California Department of Transportation is crucial to obtaining the compliance of the majority of drivers. The Department of Public Works Traffic Advisory Committee performs reviews of regulatory traffic control devices such as signs and markings and 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. The review locations focus on road users' safety and elevates issues that are important in underserved communities.

FISCAL IMPACT

There is no fiscal impact for this request. If approved, 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 Vargas, the Board of Supervisors took action as recommended, on Consent, adopting the following: Ordinance No. 10737 (N.S.), entitled: ORDINANCE AMENDING SECTIONS 72.169.94.1., 72.161.40.4., AND 72.169.75.1. AND ADDING SECTION 72.161.44.2. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2 A, 5 A, 5 C & 5 E); and,

Ordinance No. 10738 (N.S.), entitled: ORDINANCE AMENDING SECTION 72.181.1. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

9. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Sharon McKeemon, Shea Lonero, Coral Virili, Nicole Rieck, and Joseph Jones, spoke to the Board regarding COVID-19 mask mandates.

Audra Morgan and Larry Sites spoke to the Board regarding COVID-19 vaccines.

Chris Darling spoke to the Board regarding a Joint Use Agreement with SDG&E regarding Greenhills Ranch.

Melissa Grace and Consuelo Henkin spoke to the Board regarding COVID-19.

John Doe spoke to the Board regarding recalling Supervisor Nathan Fletcher.

Donna Shamieh, Gretchen Goel, Beverly Raimondo, and Michelle Goebel provided comments to the Board regarding COVID-19 mask mandates.

Lauren Faulstich provided comments to the Board regarding the tobacco and marijuana industry market targeting children.

Benjamin Beam and Trina Marie provided comments to the Board regarding marijuana use among youth.

Kathleen Lippitt provided comments to the Board regarding a solar panel project in Jacumba.

Tyler Baker provided comments to the Board regarding the environmental impacts of marijuana extraction labs.

Terri-Ann Shearson provided comments to the Board regarding marijuana businesses in the community.

KB Strange provided comments to the Board regarding the Planning Groups input on marijuana ordinances.

Mark Wilcox and Peggy Walker provided comments to the Board regarding the marijuana industry in unincorporated areas.

Kelly McCormick provided comments to the Board regarding the marijuana industry and illegal growers.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 1:21 p.m.

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

Consent: Rodriguez

Discussion: Zurita

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

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Approved by the Board of Supervisors, on Wednesday, August 18, 2021.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board

07/14/2021