

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
WEDNESDAY, SEPTEMBER 13, 2023, 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 9:00 a.m.

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

ABSENT: (District 4 Seat Vacant)

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

C. Closed Session Report

D. Non-Agenda Public Communication: 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 August 30, 2023.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of August 30, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

F. Consent Calendar

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

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|--|
| 1. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION
(08/30/2023 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN
ORDINANCE; 09/13/2023 - SECOND READING OF AN ORDINANCE, UNLESS
ORDINANCE IS MODIFIED ON SECOND READING)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT] |
| 2. | AUTHORIZE SINGLE SOURCE PROCUREMENT FOR REPLACEMENT OF
FIVE LAND SURVEYING GLOBAL POSITION SYSTEM INSTRUMENTS
FROM CALIFORNIA SURVEYING & DRAFTING SUPPLY, INC. AND
RELATED CEQA EXEMPTION
[FUNDING SOURCE: AVAILABLE PRIOR YEAR DPW INTERNAL SERVICE
FUND FUND BALANCE]
(4 VOTES) |
| 3. | LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY
FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL
CRISIS |
| 4. | PUBLIC COMMUNICATION |

**1. SUBJECT: ADMINISTRATIVE ITEM:
 SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
 TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA
 EXEMPTION (08/30/2023 - ADOPT RECOMMENDATIONS
 INCLUDING INTRODUCING AN ORDINANCE; 09/13/2023 - SECOND
 READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED
 ON SECOND READING) (DISTRICTS: 2 & 5)**

OVERVIEW

On August 30, 2023 (04), the Board of Supervisors took action to further consider and adopt the Ordinance on September 13, 2023.

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 San Diego region. 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 six items from the April 28, 2023, TAC meeting agenda:

Items from the 04/28/2023 TAC Meeting			
District	Item	Location	Action
2	2-A	Pecan Park Ln/Rios Canyon Rd, from Olde Highway 80 to end of County-maintained road, in Lakeside	Certify the 35 MPH speed limit.
5	5-A*	Lilac Rd/Old Castle Rd, from Valley Center Rd to 550' east of Mile Post 6, in Valley Center	Revise the endpoint, reduce the 55 MPH speed limit to 45 MPH, and certify.
5	5-B*	Old Castle Rd, from 550' east of Mile Post 6 to Champagne Blvd, in Valley Center	Delete the speed zone and merge into Item 5-A above.
5	5-C*	Cole Grade Rd, from State Route 76 to Mc Nally Rd, in Valley Center	Merge into Item 5-D below.
5	5-D*	Cole Grade Rd, from Mc Nally Rd to 550 feet north of Fruitvale Rd, in Valley Center	Revise the endpoint, reduce the 55 MPH speed limit to 45 MPH, and certify.
5	5-E*	Cole Grade Rd, from 550 feet north of Fruitvale Rd to Valley Center Rd, in Valley Center	Reduce the 45 MPH speed limit to 40 MPH and certify.
*Indicates second reading of the ordinance is required.			

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-A on Pecan Park Lane/Rios Canyon Road in Lakeside (District 2), Item 5-A on Lilac Rd/Old Castle Road in Valley Center (District 5), Item 5-B on Old Castle Road in Valley Center (District 5), Item 5-C on Cole Grade Road in Valley Center (District 5), Item 5-D on Cole Grade Road in Valley Center (District 5), and Item 5-E on Cole Grade Road in Valley Center (District 5) would support speed enforcement which enhances roadway safety.

The Board's action on Item 2-A on Pecan Park Lane/Rios Canyon Road in Lakeside (District 2), regarding certification of the existing speed limit, 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 August 30, 2023, would allow implementation by DPW.

The Board's action on Item 5-A on Lilac Road/Old Castle Road in Valley Center (District 5), Item 5-B on Old Castle Road in Valley Center (District 5), Items 5-C, 5-D and 5-E on Cole Grade Road in Valley Center (District 5) would introduce an ordinance to amend and delete speed limit zones. This action would revise County Code and require two steps. On August 30, 2023, the Board would consider the TAC items. If the Board takes action as recommended on August 30, then on September 13, 2023, 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 August 30, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. Pecan Park Lane /Rios Canyon Road from Olde Highway 80 to end of County maintained road in Lakeside - Certify the 35 MPH speed limit for radar enforcement.

District 5:

Item 5-A. Lilac Road/Old Castle Road from Valley Center Road to 550' east of Mile Post 6 in Valley Center - Relocate the western endpoint of the speed zone from 550' east of Mile Post 6 to Champagne Boulevard, reduce the 55 MPH and certify a 45 MPH speed limit for radar enforcement for the revised speed zone of Lilac Road/Old Castle Road from Valley Center Road to Champagne Boulevard.

Item 5-B. Old Castle Road from 550' east of Mile Post 6 to Champagne Boulevard in Valley Center - Delete this speed zone segment to merge into Item 5-A above.

Item 5-C. Cole Grade Road from State Route 76 to Mc Nally Road in Valley Center - Merge into Item 5-D below.

Item 5-D. Cole Grade Road from Mc Nally Road to 550' north of Fruitvale Road in Valley Center - Relocate the northern endpoint of the speed zone from Mc Nally Road to State Route 76, reduce the 55 MPH speed limit to 45 MPH, and certify for radar enforcement for the revised speed zone of Cole Grade Road from State Route 76 to 550 feet north of Fruitvale Road.

Item 5-E. Cole Grade Road from 550' north of Fruitvale Road to Valley Center Road in Valley Center - Reduce the 45 MPH speed limit to 40 MPH and certify for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.161.24.3., 72.161.25. AND 72.161.25.1. AND DELETING SECTION 72.161.24.12. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 5-A through 5-E).

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 (DPW) to identify actions to address the underlying causes, improve safety, and ensure there is justice in the enforcement of traffic regulations.

DPW's Local Roadway Safety Plan reviews correctable collisions along road segments within the unincorporated areas of the region and utilizes the Healthy Places Index (3.0) and CalEnviroScreen 4.0 to ensure underserved populations are prioritized. The Traffic Advisory Committee (TAC) relies on the Local Roadway Safety Plan and performs reviews of regulatory traffic control devices such as signs and markings. While adherence to sign and marking standards developed by the California Department of Transportation is crucial to obtaining the compliance of the majority of 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 2023-24 Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in a current year cost of \$22,040 for staff time, materials, and supplies. The funding source is State Highway User Tax Account. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10863 (N.S.), entitled: ORDINANCE AMENDING SECTIONS 72.161.24.3., 72.161.25. AND 72.161.25.1. AND DELETING SECTION 72.161.24.12. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 5-A through 5-E).

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

2. **SUBJECT: AUTHORIZE SINGLE SOURCE PROCUREMENT FOR REPLACEMENT OF FIVE LAND SURVEYING GLOBAL POSITION SYSTEM INSTRUMENTS FROM CALIFORNIA SURVEYING & DRAFTING SUPPLY, INC. AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

This is a request to replace the Department of Public Works (DPW) current Global Positioning System (GPS) equipment with newer technology and authorize single source procurement with California Surveying & Drafting Supply, Inc., which is the current and exclusive franchise vendor for the California region for Trimble survey equipment and related hardware. The County of San Diego (County) has used commercial survey-grade GPS equipment for over 30 years. GPS equipment and technology is an essential tool that provides accurate property lines, boundaries and efficiency to public and private projects. Trimble's latest GPS receiver replacements will provide a seamless transition and require minimal training.

County Land Surveyors have exclusively used Trimble's proprietary hardware and software for more than 15 years. Trimble owns and supports industry-leading surveying equipment which is extensively used in construction surveying and topographic data collection. They have the ability to provide service on short notice, which is an important factor for the efficiency and productivity of DPW's Land Surveying crews. The current equipment is more than 11 years old and has reached the end of its useful life. This equipment is obsolete, costly to repair, and software updates and cellular support are no longer available. There is also no guarantee that California Surveying & Drafting Supply, Inc. will continue to provide service and support for this system.

Choosing to change procurement to another manufacturer's equipment would approximately double the cost. The decision would require the replacement of data processing software, as well as all devices for field measurements. County Land Surveyors would also require training on a new system. Approval of today's request would provide a direct upgrade to our existing equipment and will meet the County Land Surveyor's need for compatibility with existing County-owned hardware and software. This allows survey data to be transferred to the County's AutoCAD drafting software. Procurement of the Trimble R12 GPS receivers and Survey Controllers will also provide seamless integration with the County's existing Trimble S6 total stations, Trimble DiNi Level, Trimble Business Center Software for GPS processing, and San Diego County Real Time Network.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, that negotiating and awarding a contract to purchase GPS equipment and product support is exempt from CEQA review because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with California Surveying & Drafting Supply, Inc. and, subject to successful negotiations and determination of a fair and reasonable price, award a contract to acquire GPS equipment, product support, warranties, parts, and training for up to one year and an additional six months if needed and to amend the contract as needed to reflect changes to requirements and funding.
3. Establish appropriations of \$220,000 in the Department of Public Works (DPW), Internal Service Fund, Equipment Acquisition Road Fund, Fixed Assets Equipment, for the purchase of five GPS equipment based on available prior year DPW Internal Service Fund fund balance. **(4 VOTES)**

EQUITY IMPACT STATEMENT

The purchase and use of this equipment is essential to reducing the cost of land surveying services for both public and private development throughout the region, including the unincorporated county’s historically underserved communities.

SUSTAINABILITY IMPACT STATEMENT

The proposal to replace outdated survey equipment has social and economic sustainability benefits and contribute to the County sustainability goal of providing just and equitable access to County services, and resource allocation in support of sustainable communities.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2023-24 Operational Plan in the Department of Public Works (DPW) Internal Service Fund, Equipment Acquisition Road Fund. If approved, this request will result in current year cost of \$220,000. The funding source is available prior year DPW Internal Service Fund fund balance. 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 Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

3. SUBJECT: LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL CRISIS (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) 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 at this time.

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, which includes the communities of Imperial Beach, San Ysidro, Otay Mesa and Tijuana River Valley are identified by SB 535 (2012) and also on CalEnviroScreen 4.0 as 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 also engaged to elevate the need for data collection to document environmental injustices.

SUSTAINABILITY IMPACT STATEMENT

This Board 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 Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

4. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Jason Haber spoke to the Board regarding a nomination to the Palomar Airport Advisory Committee.

Mug Club spoke to the Board regarding ballot counting.

Barbara Gordon spoke to the Board regarding the negative effects of secondhand smoke.

Nancy Logan spoke to the Board regarding the health hazards of vaping and the dangers of secondhand smoke.

Paul the Bold spoke to the Board regarding Board of Supervisors actions.

Consuelo C. spoke to the Board regarding Board of Supervisors actions and the government.

Diane Grace spoke to the Board regarding concerns of vaping marketing to youth.

Peggy Walker spoke to the Board regarding marijuana commercialization in rural areas.

Kelly McCormick spoke to the Board regarding the harmful effects of prenatal marijuana use.

Becky Rapp spoke to the Board regarding the harmful effects of marijuana use and suicide awareness.

Truth spoke to the Board regarding proclamations.

Audra spoke to the Board regarding Board of Supervisors actions.

Ann Riddle spoke to the Board regarding a SANDAG report about arrestees in San Diego.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:46 a.m.

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

Consent: Vizcarra

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.