

9/28

September 14, 2022

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, SEPTEMBER 14, 2022, 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 Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson; Terra Lawson-Remer; Jim Desmond; also, Ryan Sharp, Assistant Clerk of the Board of Supervisors

- B. Closed Session Report
- C. 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.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of August 31, 2022.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of August 31, 2022.

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

- E. Consent Calendar
- F. Discussion Items

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

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|---|
| 1. | SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY |

2. EXTENSION OF PERFORMANCE COMPLETION DATES ON VARIOUS SECURED AGREEMENTS TO COMPLETE SUBDIVISION IMPROVEMENTS
3. EXPLORING OPTIONS TO REDUCE REGULATORY BURDENS FOR PERMANENTLY DISABLED INDIVIDUALS AND THEIR FAMILIES UTILIZING HEALTH CARE TRAILERS
4. IDENTIFYING FUNDING OPPORTUNITIES TO SUPPORT TRANSIT-ORIENTED DEVELOPMENT AND/OR REDEVELOPMENT WITHIN THE BUENA CREEK AREA
5. RIGHT-OF-WAY DONE RIGHT: PROTECTING THE QUALITY AND SAFETY OF COUNTY RIGHT-OF-WAY WORK
6. REGIONAL WATER INFRASTRUCTURE ADDRESSING THE DROUGHT
7. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ORGANIC MATERIALS ORDINANCE UPDATE: ADVANCEMENT OF SUSTAINABILITY INITIATIVES IN SUPPORT OF THE REGIONAL DECARBONIZATION FRAMEWORK AND CLIMATE ACTION PLAN
8. TRAFFIC ADVISORY COMMITTEE (09/14/2022 - ADOPT RECOMMENDATIONS; 09/28/2022 - SECOND READING OF AN ORDINANCE)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT]
9. RECEIVE THE SAN DIEGO RIVER PARK FUNDING FEASIBILITY ANALYSIS PROJECT STATUS REVIEW AND OPTIONS ASSESSMENT AND PROVIDE DIRECTION ON OPTIONS
10. ADOPT A RESOLUTION DECLARING THE REBUILDING OF STRUCTURES AND LOSS OF IMPORTANT DOCUMENTS DAMAGED OR DESTROYED BY THE BORDER 32 WILDFIRE ELIGIBLE FOR FEE WAIVERS
[FUNDING SOURCE: EXISTING ONE-TIME GENERAL FUND FUND BALANCE IN PLANNING & DEVELOPMENT SERVICES AND DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY; EXISTING GENERAL-PURPOSE REVENUE]
11. PUBLIC COMMUNICATION

1. **SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Department of Environmental Health and Quality (DEHQ) receives gifts and donations from organizations such as non-profit and professional associations that are interested in expanding DEHQ expertise and supporting its programs, training events, and staff knowledge by offsetting costs through both cash and non-cash donations.

During the period of January 1, 2022 to June 30, 2022, DEHQ received donations totaling \$6,750 in non-cash donations in the form of registration fees for a professional association conference for the Certified Unified Program Agency (CUPA) hosted by the California CUPA Forum Board to support DEHQ staff training in hazardous waste and materials laws and regulations.

Board of Supervisors (Board) Policy A-112, *Acceptance and Use of Gifts and Donations*, permits the acceptance of donations by the administrative head of each department of the County if specified conditions are met. County Administrative Code Section 66, *Acceptance of Gifts*, requires Board ratification of the acceptance of such gifts and approval prior to the expenditure of the gift, if the gift exceeds \$5,000.

Today's proposed actions are to accept DEHQ's Report of Gifts and Donations for the period of January 1, 2022 to June 30, 2022, and to ratify the acceptance and expenditure of gifts by DEHQ that exceeded \$5,000. Donations received during this reporting period from a non-profit and professional association were used to support DEHQ staff training.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and (3) because it will not result in a direct or reasonably foreseeable indirect physical change in the environment and the action is not a project as defined in Section 15378(b)(5) of the State CEQA Guidelines.
2. In accordance with Administrative Code, Section 66, Acceptance of Gifts, and Board Policy A-112, Acceptance and Use of Gifts and Donations, accept the County of San Diego Department of Environmental Health and Quality Report of Gifts and Donations from the California CUPA Forum for the period of January 1, 2022 to June 30, 2022.
3. In accordance with Administrative Code Section 66 and Board Policy A-112, ratify the acceptance and expenditure of gifts from the California CUPA Forum for the period of January 1, 2022 to June 30, 2022 that exceeded \$5,000.

EQUITY IMPACT STATEMENT

The Department of Environmental Health and Quality (DEHQ) periodically receives gifts and donations from organizations such as non-profit and professional associations that are interested in expanding DEHQ expertise and supporting its programs, training events, and staff knowledge by offsetting costs through donations. A total of 18 staff were able to attend this training event and benefit from this donation.

The partnership between DEHQ and these non-profit and professional associations helps strengthen and maximize impacts to communities throughout the region by ensuring DEHQ staff have access to continuing education sessions and professional credentialing, which benefits the County and the public it serves by enhancing technical expertise, knowledge of emerging technologies, and changes in laws and regulations to ensure consistent regulatory program implementation and compliance in all communities.

Gifts and donations received are monitored and publicly disclosed in accordance with all County policies. Expenditures are internally tracked by DEHQ to ensure transparency and accountability of donations and gifts received and to provide for the equitable distribution of resources.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. The Department of Environmental Health and Quality received \$6,750 in non-cash donations for the period of January 1, 2022 to June 30, 2022. These gifts and donations were used to support training and conference attendance. 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 Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent.

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

2. **SUBJECT: EXTENSION OF PERFORMANCE COMPLETION DATES ON VARIOUS SECURED AGREEMENTS TO COMPLETE SUBDIVISION IMPROVEMENTS (DISTRICT: 5)**

OVERVIEW

The San Diego County (County) Code of Regulatory Ordinances establishes the requirements for time extensions for the completion of required improvements on private development subdivisions. Within the existing legal boundaries of their property, private property owners may use the County's land development process to further subdivide their land, creating new internal legal lots and boundaries, which are recorded on subdivision maps. Subdivision

developers, as conditions of their permits, are often required to construct specific improvements that benefit the public, such as roads and storm drainage systems. In many cases, these improvements are accepted by the County into the County-maintained system to be owned, operated, and maintained by the Department of Public Works (DPW) in perpetuity.

Subdivision improvement agreements and the requirement for developers to provide security ensure that any required improvements are constructed for approved subdivisions with a recorded map. The security amount is 100% of the total estimate of the improvements, conditioned on the developer's completion of the improvements listed in the agreement, and an additional amount of 50% securing payment for labor and materials in the event the developer does not complete the improvements as required. If a developer defaults without completing the improvements included in the subdivision improvement agreement, this security can be used to finance the completion of the required improvements.

Under certain circumstances, the County is able to grant a time extension that allows the developer additional time to complete construction, while simultaneously preserving the County's rights to have the public improvements constructed by the developer. It is not uncommon for development projects to take an extended time to complete. Construction schedules can be affected by the economy, the developer's circumstances, permitting, site conditions, and other related factors.

DPW staff monitor the status of subdivision improvement agreements and the associated work. If developers need additional time and wish to extend the agreement, they are able to submit an extension request and provide a current cost estimate of the remaining work. DPW staff reviews the estimate to confirm the total security is adequate based on construction progress and estimated costs for remaining work based on current pricing. If staff determine a time extension is warranted, staff will then bring the request forward for Board of Supervisors (Board) consideration.

This is a request for the Board to approve two-year extensions of performance completion dates for the following subdivisions in District 5:

1. Tract No. 4908-2 (Map No. 15202), Malabar Ranch, located in the Fallbrook Community Plan area. This project has 34 single-family residential lots, 3 open space lots, 2 private street lots, and the overall area is 105.20 acres.
2. Tract No. 5134-1 (Map No. 15493), Welk Garden Villas, located in the Hidden Meadows area. This project has 4 lots to accommodate 148 condominium units, 3 open space lots, 1 lot for recreational facilities, 1 private street lot, and 1 lot for a guard shack, and the overall area is 48.97 acres.

Staff has determined the two-year extensions to complete improvements are warranted in both cases due to requests from each of the developers to extend the time for completion, the County's continued interest in receiving the improvements, and the absence of negative impacts associated with later delivery. Both developments went through ownership changes, which delayed the progress in completing the improvements. Approximately half of the units for both projects have been completed and occupied and the supporting improvements installed. Because neither development has progressed yet to the point where the remaining

improvements are needed for use, staff believes there are no adverse consequences to granting the developer additional time to complete the improvements. Therefore, staff is recommending the County accept the delayed completion of the public improvements. Staff has also determined that there is adequate improvement security (i.e., capacity through a bond or other financial instrument) to guarantee completion of the remaining work for the agreement, should that become necessary in the future.

Today's request is for the Board to approve the extension of the performance completion dates in subdivision agreements for developments referenced by Tract No. 4908-2 and Tract No. 5134-1 to September 14, 2024.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15060(c)(3) of the California Environmental Quality Act (CEQA) Guidelines that extension of the performance completion dates in subdivision agreements to complete subdivision improvements is not a "project" as defined in Section 15378 of the state CEQA Guidelines.
2. Extend, to September 14, 2024, the performance completion dates in subdivision agreements for developments referenced by Tract No. 4908-2 and Tract No. 5134-1.

EQUITY IMPACT STATEMENT

It is anticipated that the extension will allow time for infrastructure to be completed by the developer for the benefit of the unincorporated communities where the projects are located. This infrastructure includes roads and drainage systems for both developments. Biofiltration basins for Malabar Ranch (4908-2), which treat stormwater runoff through vegetation and layers of soil media, and storm drain inlet filter inserts for Welk Garden Villas (5134-1) will also be installed to address stormwater quality.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

3. SUBJECT: EXPLORING OPTIONS TO REDUCE REGULATORY BURDENS FOR PERMANENTLY DISABLED INDIVIDUALS AND THEIR FAMILIES UTILIZING HEALTH CARE TRAILERS (DISTRICTS: ALL)

OVERVIEW

Trailer coaches are used throughout the unincorporated areas of the county for a variety of allowable, temporary uses. Typically, these uses are divided into two categories: 1) for business purposes such as serving as a construction site or real estate office; and 2) for residential purposes such as serving to accommodate visiting family members for up to 30 days and for temporary health care services. The focus of today's item is the latter category, residential purposes, and more specifically the temporary health care use.

In the unincorporated areas, a trailer coach is currently allowed to be used as a temporary dwelling unit for health care purposes on a property where there is an existing, permanent single-family home. These "temporary health care trailers" may be occupied by either health care professionals who are required to care for a resident of the existing home, or by relatives of the existing resident who require physical care. Before a healthcare trailer is allowed on a property, there are several regulatory requirements in the County's Zoning Ordinance that must be met. These include, but are not limited to, adhering to size and setback limits, and ensuring connection to existing onsite utilities. Among the requirements - and being the primary focus of today's item - is for a Certificate of Need, signed by a California-licensed physician to be submitted to Planning & Development Services (PDS) each year attesting to the individual's need for physical care. The main reason for this ongoing, annual requirement is to ensure that temporary health care trailers continue to be used for legitimate health care purposes and do not become permanent dwellings for individuals without health care needs.

However, I have heard from members in the community who currently care for permanently disabled family members, particularly those with disabilities that are life-long such as with autism, who are concerned with the burden of having to submit a Certificate of Need on an annual basis. Furthermore, there is an impression that the County is insensitive toward individuals with certain life-long physical care needs and their families by not currently providing flexibility on the annual renewal portion of the Certificate of Need requirement. At the heart of today's action is the desire to identify ways the County can help reduce burdens for these individuals and their families. Exploring options to ease the regulatory framework for the use of temporary healthcare trailers appears to be a sensible step in the right direction.

Today's action will direct the Chief Administrative Officer to prepare revisions to the Zoning Ordinance aimed at reducing regulatory burdens for those utilizing temporary health care trailers by extending the annual Certificate of Need renewal requirement to a longer period of time for individuals with certain permanent disabilities, such as autism (e.g., every 5 years rather than annually).

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND

1. Find in accordance with Section 15262 of the California Environmental Quality Act Guidelines that this action is exempt because it directs the Chief Administrative Officer to explore options for future actions that the Board of Supervisors have not approved, adopted, or funded.

2. Direct the Chief Administrative Officer to prepare revisions to the Zoning Ordinance to allow for an extension of the annual Certificate of Needs renewal requirement to a longer period of time for individuals with certain permanent disabilities, such as autism (e.g., every 5 years rather than annually).

EQUITY IMPACT STATEMENT

Reducing the regulatory burden for those already faced with the challenges of physically caring for a permanently disabled family member would benefit every demographic in San Diego County. Everyone can be impacted one way or another by the societal duty we bear to care for the most vulnerable around us, including those with life-long disabilities. Extending the annual Certificate of Need renewal requirement for individuals with certain life-long disabilities will have a positive impact on every community in the region.

FISCAL IMPACT

There is no fiscal impact associated with the recommendation to prepare revisions to the Zoning Ordinance aimed at reducing regulatory burdens for those utilizing temporary health care trailers to provide for individuals with certain life-long disabilities that require physical care. 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 Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent.

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

4. **SUBJECT: IDENTIFYING FUNDING OPPORTUNITIES TO SUPPORT TRANSIT-ORIENTED DEVELOPMENT AND/OR REDEVELOPMENT WITHIN THE BUENA CREEK AREA (DISTRICT: 5)**

OVERVIEW

The Buena Creek area (Buena Creek) is part of the County's North County Metropolitan Subregional Plan area, situated along State Route 78 between the cities of San Marcos and Vista. Unique among other areas in the County, Buena Creek includes the only fixed-rail transit stop in the entire unincorporated County - the Buena Creek Sprinter Station. This station is one of 15 stops along North County Transit District's 22-mile, east-to-west "Sprinter" line that connects the cities of Oceanside, Vista, San Marcos and Escondido. Being the only area in the unincorporated County with a fixed-rail transit stop, Buena Creek will play an essential role in our efforts to align future housing and mixed-use development with access to public transportation options.

Though the area is well positioned for development considering its proximity to a transit stop, concerns over the amount of developable land in the area - or lack thereof, rather - were identified in the County's Transformative Housing Solutions progress report, dated December

15, 2021. Although this information isn't necessarily encouraging, there are at least a few properties in the area that could warrant further evaluation, with two being publicly owned by the County and the North County Transit District (NCTD). Moreover, should the County truly wish to prioritize Buena Creek as an area to direct future growth, as recent actions related to Vehicle Miles Traveled (VMT) suggest, securing a funding source or other financing mechanism will be critical for the planning and public outreach efforts necessary to analyze the potential for redeveloping the area. By focusing on Buena Creek, the County has a tremendous opportunity to study housing and other transit-oriented development potential in the unincorporated areas, and to center our efforts and brainstorming power on the one unincorporated area with access to a public transit stop.

Today's action will direct the Chief Administrative Officer to identify funding sources or other financing mechanisms to fund future planning and outreach efforts related to transit-oriented development and/or redevelopment of the Buena Creek area. Funding sources might include, but certainly wouldn't be limited to: 1) partnering with the North County Transit District (NCTD) on potential grant opportunities relating to improvements to the Buena Creek Sprinter Station; and/or 2) the establishment of an Enhanced Infrastructure Financing District (EIFD) for the purpose of financing planning and outreach efforts related to implementing transit-oriented development and/or redevelopment of the area.

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND

1. Find in accordance with Section 15262 of the California Environmental Quality Act Guidelines that this action is exempt because it directs the Chief Administrative Officer to explore opportunities for future actions that the Board of Supervisors has not approved, adopted, or funded.
2. Direct the Chief Administrative Officer to identify funding sources or other financing mechanisms to fund future planning and outreach efforts related to transit-oriented development and/or redevelopment of the Buena Creek area and report back to the Board of Supervisors within 270 days of receiving funding with options and recommendations for Board consideration.

Funding sources might include, but are not limited to:

- a. Partnering with the North County Transit District (NCTD) on potential grant opportunities relating to improvements to the Buena Creek Sprinter Station and related, transit-oriented development and/or redevelopment of the surrounding community.
- b. Establishment of an Enhanced Infrastructure Financing District (EIFD) for the purpose of financing planning and outreach efforts related to implementing transit-oriented development and/or redevelopment of the Buena Creek area.

EQUITY IMPACT STATEMENT

Identifying funding opportunities to support transit-oriented development and/or redevelopment in the Buena Creek area would benefit every demographic in San Diego County, and more specifically for those residents living along the State Route 78 corridor who rely on public transit for their primary mode of transportation. Locating housing and mixed-use development near the Buena Creek Sprinter Station would increase access to public transportation opportunities, jobs, and housing.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2022-23 Operational Plan in Planning & Development Services (PDS). This request will result in an estimated cost and revenue of up to \$875,000 in FY 2023-24. Funding for the implementation costs will need to be identified by the appropriate County departments and the project will proceed once funding is identified. PDS will monitor its budget and return to the Board with information identifying a funding source as necessary. At this time, there is no impact to net General Fund costs, and there will be no additional staff years. If the option to pursue the creation of an Enhanced Infrastructure Financing District (EIFD) is selected, this option would redirect future property tax increment, which is the County's General Purpose Revenue (GPR) funding source. While the baseline amount of GPR funding would still come to the County to be allocated in the Operational Plan, increases in property tax for the properties within the EIFD's district that would normally come to the County's General Fund would be redirected to the EIFD. The amount will be determined when creation of an EIFD returns to the Board as part of the Infrastructure Financing Plan.

If in the future a funding mechanism is selected by the Board that includes a requirement for voter approval, staff will return to the Board to identify funding for the additional election costs and obtain necessary approvals for those processes. Additional costs will be requested in future Operational Plans pending funding and as projects are identified.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

5. SUBJECT: RIGHT-OF-WAY DONE RIGHT: PROTECTING THE QUALITY AND SAFETY OF COUNTY RIGHT-OF-WAY WORK (DISTRICTS: ALL)

OVERVIEW

Unlike many older, denser U.S. cities, the San Diego region experienced its dramatic post-WWII growth after the introduction of the automobile, and the resulting low-density sprawl relies heavily on safe, well-maintained roads and freeways.

Each year, Caltrans, San Diego County, and other jurisdictions make substantial investments in road maintenance, repair, and improvement. In Fiscal Year 2022-23, the County will receive approximately \$123.5 million in State gas tax revenues. This will primarily be used for road crews and engineering teams to perform routine maintenance and ensure safe and efficient roadway operations in the unincorporated area. Approximately \$60 million will be used to fund road maintenance. The County and other government agencies anticipate hundreds of millions of dollars of additional right-of-way work over the next decades to perform maintenance on roads, highways, and bridges, which will improve safety, reduce traffic congestion, and underground utilities. These construction projects in the right-of-way rely on traffic control workers to ensure that workers, drivers, pedestrians, and cyclists are protected and vehicle traffic can flow safely on impacted roads. These projects also rely on timely issuance of permits, to ensure that work is done on time and within budget.

Traffic control work in the right-of-way is dangerous and public-facing, and it is essential that investments maximize worker and public safety and that the work is performed by a workforce that is well-trained and paid a wage that attracts high-quality workers and helps build healthy, self-sufficient communities.

Fortunately, traffic control work on right-of-way contracts with federal, state, and local governments, as well as public utility districts, is covered under existing prevailing wage laws. However, millions of dollars of traffic control work in the County right-of-way are contracted by private utilities and other private and commercial enterprises that are not required to extend comparable remuneration and protections to their workers.

Given the vital public-facing role of traffic control workers in guaranteeing the safety not only of other workers but of road users, and the necessity of ensuring an experienced, well-trained workforce, this letter instructs the Chief Administrative Officer (CAO) to adopt a minimum wage for all traffic control workers doing work in the County of San Diego right-of-way equal to or greater than the prevailing wage set by the State, excluding residential or similar small project permit applicants.

Additionally, the CAO is asked to research additional steps to ensure timely right-of-way permit issuance for private companies.

RECOMMENDATION(S)

SUPERVISOR TERRA LAWSON-REMER AND CHAIR NATHAN FLETCHER

1. Direct the Chief Administrative Officer (CAO) to develop and return to the Board with an ordinance that codifies a minimum wage for traffic control workers, including forepersons and other on-site staff necessary to traffic control, doing work in the County of San Diego right-of-way equal to or greater than the prevailing wage that is set by the Department of Industrial Relations in the State of California for Traffic Control, and return to the Board within 120 days. This wage would be required for all projects other than those serving a single-family residence or similar small project permit applicant.
2. Direct the CAO to assess potential improvements that could expedite right-of-way permit issuance and return to the Board of Supervisors within 120 days with any potential recommendations.

EQUITY IMPACT STATEMENT

Traffic control workers play a critical role in keeping our roads safe when construction or other work is being done. These workers are exposed to vulnerable conditions daily, including hot temperatures, poor air quality, and distracted drivers. We want to make sure these workers are kept safe from dangerous conditions.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There may be future fiscal impacts based on recommendations resulting from today's action. Any such recommendations would return back for consideration and approval by the Board. Upon return by staff, funding for future costs will need to be identified by the department and will proceed once identified. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Businesses, including utilities and telecom companies, rely on the County of San Diego to be a critical partner in ensuring that utility work, such as undergrounding, can occur within the unincorporated area. Taking proactive measures to ensure that traffic control workers are adequately compensated can help ensure that this work is done safely and on time. Further, we should help ensure that the County's right-of-way permitting process is reliable and predictable.

ACTION:

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

1. Directed the Chief Administrative Officer (CAO) to develop and return to the Board with an ordinance that codifies a minimum wage for traffic control workers, including forepersons and other on-site staff necessary to traffic control, doing work in the County of San Diego right-of-way equal to or greater than the prevailing wage that is set by the Department of Industrial Relations in the State of California for Traffic Control, and return to the Board within 120 days. This wage would be required for all projects other than those serving a single-family residence or similar small project permit applicant.
2. Directed the CAO to assess potential improvements that could expedite right-of-way permit issuance including acceptable standards and performance evaluations and return to the Board of Supervisors within 120 days with any potential recommendations.

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

6. SUBJECT: REGIONAL WATER INFRASTRUCTURE ADDRESSING THE DROUGHT (DISTRICTS: ALL)

OVERVIEW

As drought and climate change continue to intensify, our region's reliance on water sources will pose an increasing challenge. Advancement of drought management and water sustainability actions will require regional and binational collaboration to ensure that our residents, agricultural communities, and the economy continue to develop best practices.

This board letter includes actions for the Board of Supervisors (Board) to support an updated regional assessment and provide a timeline of proposed drought management & water infrastructure sustainability actions to identify County stormwater capture and reclamation opportunities and policies. Actions called for in the board letter will look at potential improvements to County-owned facilities and roads, and will incentivize affordable housing to utilize stormwater capture and reuse. Additionally, the board letter will enhance and support countywide programs that focus on stormwater capture incentives and enhance an educational campaign focused on water conservation programs.

I strongly urge your support for the recommendations in this letter to ensure that the Board takes a proactive approach to address the drought crisis through drought management & water infrastructure sustainability.

RECOMMENDATION(S)
VICE-CHAIR NORA VARGAS

1. Direct the Chief Administrative Officer to return to the Board of Supervisors within a mid-year update (6 months) and a final report within 12 months after funding is received that focuses on an updated comprehensive regional assessment of current drought management & water infrastructure sustainability strategies which identifies availability in regional storm water reuse capacity and identifies metrics with a timeline to implement short-term and long-term infrastructure projects in regional facilities. This effort should:
 - a. Consider the whole region, including local municipalities, Imperial County, and binational cities.
 - b. Identify County stormwater capture and reclamation opportunities at County parks and facilities and return with recommendations for stormwater capture and reuse.
 - c. Identify recommendations for County roads and highways in collaboration with SANDAG and CalTrans for water diversion, capture and reuse.
 - d. Identify incentives for affordable housing developments to integrate and install stormwater capture and reuse systems.
 - e. Identify financial risks caused by extreme weather conditions caused by droughts, like floods and fires.
 - f. Identify financial investments needed for resilience approaches that reduce risks and impacts that are exacerbated by extreme weather conditions caused by droughts like floods and fires.
 - g. Research what other jurisdictions are doing with graywater reuse and provide a summary of best practices.
 - h. Align proposed recommendations with the California's Water Supply Strategy.

2. Direct the Chief Administrative Officer to expand outreach strategy efforts on the current stormwater capture incentives programs in San Diego County. Identify gaps and ways the County can expand and enhance programs by identifying funding mechanisms and guidelines for new pilot programs.
3. Direct the Chief Administrative Officer to enhance existing educational campaigns to enhance messaging related to water conservation.

EQUITY IMPACT STATEMENT

As extreme weather conditions become more frequent due to climate change, it is critical that the County prioritizes drought management & water infrastructure sustainability. Our frontline communities, low-income communities, and communities of color, are disproportionately impacted by environmental injustices making them the most vulnerable to the impacts of climate change. Income inequalities combined with limited water source threatens access to affordable water. Longer drought conditions create direct consequences for low-income communities and communities of color. Unaffordable water sources impact economic opportunities, access to quality drinking water, and food access. Today's proposed actions will ensure that regional efforts advance equity, address environmental and climate justice and leads to community adaptation and resilience.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2022-23 Operational Plan in the Land Use and Environment Group (LUEG). If approved, this request will result in estimated one-time costs of \$900,000. LUEG will need to identify funding prior to proceeding with the recommended action, as none is currently available. Once funding is identified, LUEG will return to the Board with a mid-year action to adjust the budget if necessary and/or incorporate in future budgets should funding become available. There may be future fiscal impacts based on recommendations resulting from today's action. Any such recommendations would return back for consideration and approval by the Board. At this time, there is no impact to net General Fund costs, and there will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took the following actions:

1. Directed the Chief Administrative Officer to return to the Board of Supervisors within a mid-year update (6 months) and a final report within 12 months after funding is received that focuses on an updated comprehensive regional assessment of current drought management & water infrastructure sustainability strategies which identifies availability in regional storm water reuse capacity and identifies metrics with a timeline to implement short-term and long-term infrastructure projects in regional facilities. This effort should:
 - a. Consider the whole region, including local municipalities, Imperial County, and binational cities.
 - b. Identify County stormwater capture and reclamation opportunities at County parks and facilities and return with recommendations for stormwater capture and reuse.

- c. Identify recommendations for County roads and highways in collaboration with SANDAG and CalTrans for water diversion, capture and reuse.
 - d. Identify incentives for affordable housing developments to integrate and install stormwater capture and reuse systems.
 - e. Identify financial risks caused by extreme weather conditions caused by droughts, like floods and fires.
 - f. Identify financial investments needed for resilience approaches that reduce risks and impacts that are exacerbated by extreme weather conditions caused by droughts like floods and fires.
 - g. Research what other jurisdictions are doing with graywater reuse and provide a summary of best practices.
 - h. Align proposed recommendations with the California's Water Supply Strategy.
 - i. Identify risks, opportunities, and incentives for sustainable agriculture projects.
2. Directed the Chief Administrative Officer to expand outreach strategy efforts on the current stormwater capture incentives programs in San Diego County. Identify gaps and ways the County can expand and enhance programs by identifying funding mechanisms and guidelines for new pilot programs.
 3. Directed the Chief Administrative Officer to enhance existing educational campaigns to enhance messaging related to water conservation.
 4. Made amendments to the Board Letter as follows:
 - a. Add the word "State" in the last paragraph of the overview and background and the last sentence of the first paragraph in the background to read "State drought crisis."
 - b. Change the first paragraph in the background from 80% to 2/3.
 - c. Update the first paragraph in the background to add "water conserved in Imperial County" after Colorado River.

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

7. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ORGANIC MATERIALS ORDINANCE UPDATE: ADVANCEMENT
OF SUSTAINABILITY INITIATIVES IN SUPPORT OF THE
REGIONAL DECARBONIZATION FRAMEWORK AND CLIMATE
ACTION PLAN (DISTRICTS: ALL)**

OVERVIEW

On August 31, 2022 (07), the Board of Supervisors took action to further consider and adopt the Ordinance on September 14, 2022.

The County of San Diego Board of Supervisors (Board) has adopted several plans and initiatives to encourage best practices in waste diversion. These efforts are designed to reduce greenhouse gas (GHG) emissions, use local resources efficiently, and reduce the need for new landfills. The County's plans also meet or exceed the waste diversion goals of the many related State laws enacted in recent years.

In 2017, the Board voted to implement the Department of Public Works' Strategic Plan to Reduce Waste in response to Board direction that staff develop a strategy to increase the County's waste diversion rate to 75% by 2020 and Zero Waste (90%) or greater by 2040. To advance these efforts, the Board increased the waste diversion goal to 80% by 2030 through the 2018 Climate Action Plan (CAP).

On January 27, 2021 (3), the Board further advanced sustainability efforts by directing the preparation of the Regional Decarbonization Framework (RDF) to provide a roadmap for the San Diego region to achieve a zero carbon emissions future. The RDF analyzes four decarbonization sectors: electrical grid, building energy use, transportation networks, and natural climate solutions (e.g., carbon sequestration by trees). Through the development of the RDF, a fifth decarbonization sector was added for food systems and circular economy (i.e., a model of production and consumption that promotes longevity and reuse of materials) to assess the role of agriculture and our food system in GHG reductions. Examples of food system and circular economy activities that achieve GHG reductions include supporting local produce or recycling and reuse of materials.

On May 5, 2021 (10), the Board adopted amendments to the existing County Solid Waste Ordinance and replaced its existing Non-Exclusive Solid Waste Management Agreement with an updated Non-Exclusive Franchise Agreement to expand performance standards and new program requirements for organics and recycling management. This complies with State requirements such as the Short-Lived Climate Pollutant Reduction Law (Senate Bill 1383) enacted to reduce environmental impacts caused by the release of methane emissions from the decomposition of organic materials in landfills, and engages franchise waste haulers in achieving the County's waste diversion goals. To further support the County's waste diversion goals, the Department of Planning & Development Services (PDS) and the Department of Public Works (DPW) have developed the Organic Materials Ordinance Update project (Project) to help divert additional organic materials (e.g., food, plant, and agricultural materials) from landfills by making organic materials processing (i.e., production of compost) easier within the unincorporated areas of the county.

The Project's primary purpose is to develop a uniform and comprehensive set of organic materials processing standards that will eliminate the need for organic materials processing permits in some cases or make permitting easier and less expensive through an amendment to the Zoning Ordinance and Code of Regulatory Ordinances. These changes will alter organic materials management within the unincorporated areas of the county to increase the number and efficiency of processing operations, support diversion of materials from landfills, improve reuse, expand access to finished compost, and promote public and environmental health and safety.

The Project will benefit residents, farmers, community gardeners, and commercial composters by providing more sustainable options to discard organic materials (e.g., food waste, plant, and agricultural materials) and pick up processed materials (i.e., compost). In particular, it will help support residents, local farms, and community gardens by expanding opportunities for onsite composting at these locations. The Project will increase organic material processing opportunities and the production of high-quality compost, which is a nutrient rich product composed of a variety of broken-down materials that supports water retention and aeration. It will reduce barriers to organic material processing and partnerships between organic materials generators and processors, advance opportunities for economic growth, and increase opportunities for the County's agricultural workforce and operations.

If approved, the Project will amend the County's Zoning Ordinance and Code of Regulatory Ordinances to reduce barriers (e.g., lowering permit requirements and associated costs) and expand allowances (e.g., increasing allowable composting practices and increasing areas where composting can occur) for organic materials processing in the unincorporated areas of the county. This includes expanding the locations within the unincorporated areas where organic material processing may occur, reducing associated permits and regulations while still protecting public health and safety, and clearly defining which organic material processing practices are allowed and where commercial sales of compost products may occur. Details of the existing regulations and proposed changes are described in the Background and Project Analysis sections of this document. The updates will align local requirements with State procedures to reduce the regulatory paperwork and associated time and costs for potential permit applicants. These changes will also help to improve market conditions for finished compost (i.e., broken down organic material that can be added to soil to help plants grow) by streamlining access to organic materials and removing barriers to processing them.

This is a request for the Board to consider and adopt amendments to the Zoning Ordinance and Code of Regulatory Ordinances to implement the Project. Adoption of the ordinance requires two actions. Today, it is requested that the Board approve the introduction of the amendments to the Zoning Ordinance and Code of Regulatory Ordinances. If the Board takes action today, then on September 14th, the Board may adopt the amendments to the Zoning Ordinance and Code of Regulatory Ordinances.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the amendment to the Zoning Ordinance and Code of Regulatory Ordinances related to organic material management (second reading) (Attachment A).
AN ORDINANCE TO ADD SECTION 6977, AMEND SECTION 6902, AND AMEND VARIOUS SECTIONS OF THE REGULATORY CODE (CROSS REFERENCES) PERTAINING TO ORGANIC MATERIAL PROCESSING (ATTACHMENT A).

EQUITY IMPACT STATEMENT

The Organic Materials Ordinance Update (Project) prioritizes equity in alignment with the County's Strategic Initiatives relating to health, economic opportunity, and workforce empowerment. The Project has been shaped by robust community input from stakeholders throughout the unincorporated area of the county to guide changes to the Zoning Ordinance and Regulatory Code of Ordinances that will serve the community and the agriculture economy. The Project will drive economic growth and development (e.g., lowering permit requirements and associated costs, increasing allowable composting practices, and increasing areas where composting can occur) for individuals interested in the commercial processing of organic materials and the production of high-quality compost. It will reduce barriers to organic material processing opportunities and partnerships, advance opportunities for economic growth, and increase opportunities for the County's agricultural workforce and operations.

FISCAL IMPACT

There is no fiscal impact associated with the ordinance amendments to the Zoning Ordinance and Code of Regulatory Ordinances (Project) as presented today. Funds for the Project were included in the Fiscal Year 2022-23 Operational Plan in Planning & Development Services (PDS). There will be no change in net General Fund costs and no additional staff years. The Project will decrease permit requirements and expand where organic materials processing operations may occur. It is anticipated that there will be more permit applications; however, PDS's cost recovery model establishes that staff time associated with permit applications is covered by the applicant and that fees associated with permits will adequately cover increased staff time related to increased applications.

BUSINESS IMPACT STATEMENT

Per San Diego County Code (Sec 68.501), all organic material generators (e.g., residents, farmers, commercial businesses) in the unincorporated area of San Diego county are required to comply with recycling requirements of the County Code as it pertains to the management of solid waste, recyclable materials, and organic waste. These requirements align with State regulations, including separating and recycling organic materials. For many generators, this has resulted in increased service costs.

Actions associated with the amendment to the County's Solid Waste Ordinance adopted by the Board on May 5, 2021 (10) created alternatives for organic material hauling. Generators of organic materials may opt-out of the organic material hauling service requirements by managing materials on their site or self-hauling, which can reduce costs. Today's action will support cost reductions by increasing allowances for the organic material management within the agricultural community, for example, allowing farmers to partner with other farmers to manage materials with no permits or more streamlined permitting processes and allowing

more organic materials processing throughout the unincorporated area. This will allow for more locations to receive self-hauled materials. This action will reduce costs for farmers to purchase and transport compost to their site, provide farmers a new revenue opportunity by allowing the sale of the resulting nutrient-rich compost on agricultural properties, and provide more opportunities for commercial composting overall.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, adopting Ordinance No. 10807 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ZONING ORDINANCE, AND CODE OF REGULATORY ORDINANCES RELATING TO ORGANIC MATERIAL PROCESSING STANDARDS FOR THE PROCESSING OF ORGANIC MATERIALS IN THE UNINCORPORATED SAN DIEGO COUNTY.

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

8. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (09/14/2022 - ADOPT RECOMMENDATIONS; 09/28/2022 - SECOND READING OF AN ORDINANCE) (DISTRICTS: ALL)**

OVERVIEW

The Traffic Advisory Committee (TAC) is part of the Department of Public Works (DPW) traffic engineering program. TAC was established by the Board of Supervisors (Board) in the 1960s to provide traffic regulations and recommendations within the unincorporated area of the county. To be effective, TAC proposes policies that will enhance safety, reduce congestion and 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. TAC recommendations are provided to the Board for consideration.

The TAC recommends the Board act on twelve items from the April 22, 2022, TAC meeting agenda:

Items from the 04/22/2022 TAC Meeting			
District	Item	Location	Action
2	2-A	Dunbar Lane & Chocolate Summit Drive / Olde Highway 80, Blossom Valley	Place intersection on the County's Traffic Signal List for design and construction.
2	2-B*	Alpine Heights Road, Alpine	Relocate the western endpoint and certify a 35 miles per hour (MPH) speed limit.
2	2-C*	Lakeside Avenue, Lakeside Farms	Reduce the 35 MPH speed limit to 25 MPH and certify.

3	3-A*	Calzada del Bosque, Rancho Santa Fe	Reduce the 50 MPH speed limit to 45 MPH and certify.
District	Item	Location	Action
3	3-B*	Calzada del Bosque, Rancho Santa Fe	Reduce the 45 MPH speed limit to 40 MPH and certify.
3	3-C	Via de Fortuna, Rancho Santa Fe	Certify the 35 MPH speed limit.
3	3-D*	Via de Fortuna, Rancho Santa Fe	Reduce the 45 MPH speed limit to 35 MPH and certify.
4	4-A	Lamar Street & Helix Street (east intersection), Spring Valley	Establish an all-way stop intersection.
4	4-B	Lamar Street & Helix Street (west intersection), Spring Valley	Establish an all-way stop intersection.
4	4-C	Lamar Street & Vista Drive, Spring Valley	Establish an all-way stop intersection.
5	5-A*	Pauma Reservation Road, Pauma	Reduce the 45 MPH speed limit to 40 MPH and certify.
ALL	A	County Maintained Roads, Countywide	Approve the Local Roadway Safety Plan.
* Indicates second reading of ordinance is required.			

Approval of Item 2-A on Dunbar Lane & Chocolate Summit Drive / Olde Highway 80 in Blossom Valley (District 2) will allow for the intersection to be added to the County's priority list of installation or modification of traffic signals. Adding a traffic signal will provide safety enhancement measures for pedestrians, bicyclists, and all other roadways. Properly designed traffic control signals at intersections reduce the number and severity of collisions by providing for the orderly movement of traffic and interrupting heavy traffic at intervals to permit other traffic to cross.

Approval of Items 2-B on Alpine Heights Road in Alpine (District 2), 2-C on Lakeside Avenue in Lakeside Farms (District 2), 3-A and 3-B on Calzada del Bosque in Rancho Santa Fe (District 3), 3-C and 3-D on Via de Fortuna in Rancho Santa Fe (District 3), and 5-A on Pauma Reservation Road in Pauma (District 5) 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 Items 4-A on Lamar Street & Helix Street (east intersection) in Spring Valley (District 4), 4-B on Lamar Street & Helix Street (west intersection) in Spring Valley (District 4), and 4-C on Lamar Street & Vista Drive in Spring Valley (District 4) would provide safety enhancement measures for pedestrians, bicyclists, and all other roadway users by assigning a full stop to all approaches at three intersections. Properly posted stop controls at intersections reduce the number and severity of collisions by assuring 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-A on Dunbar Lane & Chocolate Summit Drive / Olde Highway 80 in Blossom Valley (District 2), 3-C on Via de Fortuna in Rancho Santa Fe (District 3), 4-A on Lamar Street & Helix Street (east intersection) in Spring Valley (District 4), 4-B on Lamar Street & Helix Street (west intersection) in Spring Valley (District 4), and 4-C on Lamar Street & Vista Drive in Spring Valley (District 4), and A regarding the Local Roadway Safety Plan (All Districts) does not revise the San Diego County Code of Regulatory Ordinances and therefore does not require a second reading of an ordinance. Board direction on September 14, 2022, would allow implementation by DPW.

The Board's action on Items 2-B on Alpine Heights Road in Alpine (District 2), 2-C on Lakeside Avenue in Lakeside Farms (District 2), 3-A and 3-B on Calzada del Bosque in Rancho Santa Fe (District 3), 3-D on Via de Fortuna in Rancho Santa Fe (District 3), and 5-A on Pauma Reservation Road in Pauma (District 5) would introduce an ordinance to amend speed limit zones. This action would revise County Code and require two steps. On September 14, 2022, the Board would consider the TAC items. If the Board takes action as recommended on September 14, then on September 28, 2022, a second reading and adoption of ordinances amending County Code would be necessary to implement the Board's direction.

Approval of Item A, the County of San Diego Local Roadway Safety Plan (LRSP) (All Districts), would ensure that a data-driven approach is used to prioritize future roadway projects and focus on locations and communities in most need of safety improvements. LRSP also serves as a springboard towards reducing the number of fatalities and serious injuries by analyzing, identifying, and prioritizing roadway safety on County roadways. The prioritization method considers collision severity, collision frequency, and data from CalEnviroScreen and the Healthy Places Index, to ensure an equitable distribution of projects with a focus on improving roads in underserved communities within the unincorporated areas. The finalized LRSP ensures that the County will be eligible for State and grant funding and will help direct project funds to areas in most need. The LRSP will help communities and stakeholders understand the types of collisions occurring and support the County in making informed and proactive roadway infrastructure safety decisions. The LRSP is a living document that will be continually reviewed and updated to reflect changes in local needs and priorities.

RECOMMENDATION(S)

TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. Dunbar Lane & Chocolate Summit Drive / Olde Highway 80 in Blossom Valley – Place intersection on the County's Traffic Signal List for design and construction.

Item 2-B. Alpine Heights Road from South Grade Road to Denova Drive in Alpine - Relocate the western endpoint of the speed zone from Denova Drive to the end of County maintenance (at 1,025 feet west of Alpine Trail Road) and certify a 35 MPH speed limit for radar enforcement.

Item 2-C. Lakeside Avenue from Riverside Drive to Palm Row Drive in Lakeside Farms – Reduce the existing 35 MPH speed limit to 25 MPH and certify the speed limit for radar enforcement.

District 3:

Item 3-A. Calzada del Bosque from Via de Santa Fe to Via de la Valle in Rancho Santa Fe - Reduce the existing 50 MPH speed limit to 45 MPH and certify the speed limit for radar enforcement.

Item 3-B. Calzada del Bosque from Via de la Valle to Linea del Cielo in Rancho Santa Fe – Reduce the existing 45 MPH speed limit to 40 MPH and certify the speed limit for radar enforcement.

Item 3-C. Via de Fortuna from El Camino del Norte to La Crescenta in Rancho Santa Fe – Certify the 35 MPH speed limit for radar enforcement.

Item 3-D. Via de Fortuna from La Crescenta to San Elijo in Rancho Santa Fe - Reduce the existing 45 MPH speed limit to 35 MPH speed limit for radar enforcement.

District 4:

Item 4-A. Lamar Street and Helix Street (east intersection) in Spring Valley - establish an all-way stop intersection.

Item 4-B. Lamar Street and Helix Street (west intersection) in Spring Valley - establish an all-way stop intersection.

Item 4-C. Lamar Street and Vista Drive in Spring Valley - establish an all-way stop intersection.

District 5:

Item 5-A. Pauma Reservation Road from State Route 76 to Adams Drive in Pauma - Reduce the existing 45 MPH speed limit to 40 MPH and certify the speed limit for radar enforcement.

All Districts:

Item A. Local Roadway Safety Plan - Approve the Local Roadway Safety Plan.

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. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO (Items 4-A, 4-B, 4-C)

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN THE COUNTY OF SAN DIEGO (Items 4-A, 4-B, 4-C).

4. Approve the introduction, read title, and waive further reading of the following Ordinance:
ORDINANCE AMENDING SECTIONS 72.169.92.4., 72.175., 72.162.38., 72.162.3., 72.161.89.2., & 72.161.23.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-B, 2-C, 3-A, 3-B, 3-D, and 5-A).

If, on September 14, 2022, the Board takes action as recommended, then, on September 28, 2022:

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.169.92.4., 72.175., 72.162.38., 72.162.3., 72.161.89.2., & 72.161.23.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-B, 2-C, 3-A, 3-B, 3-D, and 5-A).

EQUITY IMPACT STATEMENT

The review of traffic signs and roadway markings supports vehicle safety on County-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 fatal and serious injury 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 factors and causes and improve safety. The Traffic Advisory Committee (TAC) also relies on the DPW's Local Roadway Safety Plan (LRSP). LRSP is a plan that reviews fatal and severe injury collisions along road segments within the unincorporated areas of the county and utilizes data from the Healthy Places Index and CalEnviroScreen to ensure our most vulnerable and underserved populations are prioritized.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan for the Department of Public Works Road Fund. 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 Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took the following actions:

Adopted Resolution No. 22-138, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO;

Adopted Resolution No. 22-139, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN THE COUNTY OF SAN DIEGO;

And, took action to further consider and adopt the Ordinance on September 28, 2022.

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

9. **SUBJECT: RECEIVE THE SAN DIEGO RIVER PARK FUNDING FEASIBILITY ANALYSIS PROJECT STATUS REVIEW AND OPTIONS ASSESSMENT AND PROVIDE DIRECTION ON OPTIONS (DISTRICTS: ALL)**

OVERVIEW

The San Diego River stretches 52 miles, from the headwaters in the Cuyamaca Mountains near Julian, to its mouth at the Pacific Ocean in Ocean Beach in the city of San Diego. It flows through multiple climates and habitats such as woodland, chaparral and scrub winding from the coast to the desert, through valleys and mountains. It is also biologically diverse, with numerous habitat types and endangered species. It passes through the unincorporated area of San Diego County, Cleveland National Forest, Capitan Grande Reservation, through the unincorporated community of Lakeside and near the City of El Cajon, in addition to flowing through the cities of Santee and San Diego.

The San Diego County (County) Department of Parks and Recreation (DPR), in addition to the other jurisdictions along the San Diego River and partner organizations, have been involved in ongoing regional efforts to preserve and enhance open space along the river, named the San Diego River Park, and to create a contiguous trail that would provide residents and visitors an opportunity to connect with this unique resource. Some opportunities and benefits include additional recreational amenities, increasing connectivity, habitat conservation and restoration of the area. This vision of a contiguous trail system along the full length of the San Diego River, called the San Diego River Park (SDRP) Trail, has been in place for over 20 years and was first documented in the SDRP Conceptual Plan (June 2002) which was funded by the San Diego River Park Foundation and the State of California Coastal Conservancy.

Implementing this vision is a goal of the San Diego River Conservancy. The San Diego River Conservancy is a State agency overseen by a Governing Board that consists of 17 members from State and local organizations and includes Supervisor Joel Anderson representing the County. It was established in 2002 to preserve, restore, and enhance the San Diego River and the surrounding area. There have also been additional partners who are key collaborators on this effort, including the County, the San Diego River Park Foundation, the City of San Diego, the City of Santee, and the Lakeside River Park Conservancy.

While the San Diego River Park Conceptual Plan set the foundation for the SDRP Trail, there have been other planning documents that identify the SDRP Trail as a key regional trail, including the County Trails Master Plan (2005) by the County of San Diego, San Diego River Park Master Plan (2013) by the City of San Diego, and the San Diego River Recreational Trail Plan (revised 2020) by the San Diego River Conservancy. All of the planning efforts have been a result of decades of feedback and input from stakeholders, including residents, landowners, wildlife agencies, environmental groups, Tribal groups, and local agencies.

Once fully developed, the SDRP would preserve and enhance open space along the San Diego River and provide residents and visitors an opportunity to access a unified, interconnected system of recreational amenities including parks and community facilities, a contiguous trail system stretching along both sides of the full 52 miles of the river, and open spaces. Currently, about 40% of the trail, approximately 50 miles, is already developed and open to the public. Once completed, the SDRP Trail is anticipated to be up to 130 miles in total length. The SDRP would enhance the biodiversity in the region by improving water quality and river health, expanding and conserving wildlife habitat. Implementation of the SDRP is also aligned with multiple County sustainability initiatives such as the County's Climate Action Plan and Regional Decarbonization Framework to ensure alignment with the County's sustainability goal by increasing trail connectivity and conservation of preserved lands.

A new focus was brought to the SDRP project in March 2021 when County Supervisor Nathan Fletcher convened a Task Force to identify priorities for future projects along the San Diego River and opportunities to implement those priorities, including the development of the SDRP and the SDRP Trail. The Task Force consisted of Supervisor Nathan Fletcher, representatives from the City of San Diego, the San Diego River Park Foundation, the San Diego River Conservancy, the Regional Task Force on the Homeless, and the Kumeyaay Diegueño Land Conservancy. The Task Force identified multiple priorities that include the Riverwalk trail alignment between the Mission Valley YMCA and Riverwalk Development in the Mission Valley community in the City of San Diego and connecting trails in the unincorporated areas of the county. One barrier to the implementation of the SDRP and the SDRP Trail identified by the Task Force is that there is no dedicated funding source to implement the full vision. Until now, each jurisdiction has only funded portions of trails as funding becomes available.

On November 3, 2021 (6), the Board of Supervisors (Board) allocated \$500,000 and directed DPR to lead the effort to conduct an analysis of potential long-term funding mechanisms for the SDRP and to return to the Board with options and a recommendation for Board consideration. In response to this direction by the Board, The County selected a consultant to conduct a Funding Feasibility Analysis (Analysis). The Analysis evaluated the costs to complete the SDRP Trail, identified and evaluated funding options based on unfunded current and future needs, identified the types, magnitude, and distribution of benefits from the SDRP Trail, and conducted outreach with stakeholders and interested parties. The consultant's assessment was based on the costs and associated funding necessary to complete the full SDRP Trail, from the Pacific Ocean to the headwaters, along with the involved jurisdictions that would need to work together in order to implement. This includes priority sections of the SDRP Trail identified by the Task Force and also all other uncompleted sections.

The Analysis outlines seven potential options for funding mechanisms for the completion of the SDRP Trail that the Board could choose to pursue. The strengths and drawbacks of each option are summarized in the background section and detailed in the Analysis (Attachment B). They include three main categories or types of funding mechanisms: 1) new taxes, 2) the creation of an Enhanced Infrastructure Financing District (EIFD), and 3) debt financing options. The Board could also direct staff to utilize the current capital improvement process to secure County General Fund funding for the County-owned portions of the SDRP over time through a “pay-as-you-go” option as General Fund balance is available. Or, the Board could take no further action other than to receive the Analysis.

Each of these options has different pros and cons, as well as timeframes to implement. New taxes would require voter approval. A new sales tax with dedicated funding for the SDRP would require a countywide two-thirds majority vote and the next regularly scheduled election is not until June 2024. On the other hand, an EIFD does not require countywide voter approval, can fund the acquisitions and construction of trail segments, and could begin to be put in place within one to two years. An EIFD has a set geographical boundary, established by a local agency, to reserve future tax growth for a specified purpose. However, an EIFD cannot fund operating costs of the SDRP and has limited maintenance capabilities.

In order to cover ongoing and long-term maintenance costs, the County would need to collaborate with other jurisdictions to determine how best to fund those costs. For instance, a Joint Powers Agreement (JPA) could be created to share the ongoing cost and fund those costs through existing revenue sources, such as General-Purpose Revenue. Additionally, the County and partnering jurisdictions could create a Community Facilities District (CFD) or other maintenance district that contribute funding toward these ongoing costs. CFDs or other maintenance districts are formed when property owners within a geographic area agree to impose a tax and pay for public financing to fund infrastructure improvements or services, such as streets, water, sewage and drainage, electricity, infrastructure, schools, parks, and police protection within the boundaries of that geographic area. These districts could be managed by a JPA to help define the role and implementation of ongoing operations and maintenance between the jurisdictions. Staff would work with partnering jurisdictions to determine the best approach and return back to the Board to begin the process of a vote by the impacted parcels.

In order to proceed to the next steps, the Board must direct staff to move forward with the chosen funding mechanism and utilize the existing San Diego River Park Master Plan and other planning documents to develop an implementation plan that includes the list of all potential SDRP projects with prioritization, anticipated costs, and implementation timeline. In addition, as a key next step, staff would need to work with other jurisdictions, including the City of San Diego and City of Santee, to formalize their participation in the implementation plan, as participation from other jurisdictions will be necessary to complete the full length of the SDRP. If staff are directed to move forward with one of the funding mechanisms presented, staff would work with the other participating jurisdictions to determine how projects would move forward and any appropriate cost share that would be required.

Today's request is for the Board to receive the Analysis and provide direction on the options identified in the Analysis. Depending on the options directed, this request will result in an estimated one-time implementation cost ranging from \$325,000 to \$1,025,000. Staff recommendation is to work collaboratively with other willing jurisdictions, including the City of San Diego and the City of Santee, to pursue the formation of an EIFD to complete the full length of the SDRP, and combine this with maintenance district such as a CFD, managed by a JPA with the City of San Diego and/or City of Santee to fund the ongoing operations and maintenance of the facilities once constructed. Staff will return to the Board with information based on Board direction and identify a funding source as necessary.

If the Board supports staff recommendations and directs staff to pursue an EIFD under Option B, staff would first seek a resolution from the San Diego City Council in support of partnering with the County to proceed with EIFD formation prior to moving forward with this process. Once a commitment from the City is confirmed, staff would initiate procurement for a consultant who specializes in EIFD formation. Procurement would take approximately six months. Once the consultant is selected, staff and the consultant would begin meeting with staff in the City of San Diego to develop the plan for how to form the PFA as required by EIFD law.

Once under contract, the consultant would assist in the formation of the Public Financing Authority that would then be responsible for developing the Infrastructure Financing Plan (IFP) and determine the district boundaries. The process to develop the PFA and form the EIFD would take approximately 18 months from the time a funding source is identified, at which point staff would return to the Board to approve the formation of the EIFD, and any partnering jurisdictions would also adopt a resolution of intent to form.

Once the EIFD is established, it could take 1-3 years before it generates enough revenue to start the process to issue bonds. While bonding through an EIFD would not require voter approval, the process could still take an additional year before funding is in place.

While developing the EIFD, staff would also work to develop a maintenance district to cover the ongoing costs for operating and maintenance of the SDRP. That process would include returning to the board for approval of a voter ballot of impacted parcels to gain approval of the maintenance district.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15262 of the State CEQA Guidelines.
2. Receive the consultant's report on the San Diego River Park Funding Feasibility Analysis (Attachment B, on file with the Clerk of the Board).
3. Direct staff to develop one or more of the following funding mechanisms to be used for San Diego River Park (SDRP) improvements and ongoing restoration, operations, and maintenance. The options are categorized by different types of funding mechanisms. The Board could direct staff to pursue multiple options in one category or combine options from different categories.

- A. Pursue new revenue options through a new tax or assessment districts
 - 1. Pursue the formation of a special district or Joint Powers Authority to fund Ongoing Operations and Maintenance (**Staff Recommendation**)
 - 2. Increased Sales Tax
 - 3. Increased Transient Occupancy Tax
 - B. Pursue the formation of an Enhanced Infrastructure Financing District (**Staff Recommendation**)
 - C. Pursue Other Financing Mechanisms
 - 1. Pursue Certificates of Participation
 - 2. Pursue General Obligation Bonds
 - D. Prioritize Funding for the SDRP with existing General Fund revenue sources through the existing Capital Improvement Needs Assessment process.
- 4. Authorize the Director of Department of Purchasing and Contracting to advertise and award contracts and take any action authorized by Section 401 et seq. of the Administrative Code, with respect to contracting for the formation of a funding mechanism for the SDRP.
 - 5. Designate the Director, Department of Parks and Recreation, or designee, as the County Officer responsible for administering the contracts, in accordance with Board Policy.
 - 6. If the Board approves staff recommendation, direct staff to first seek a resolution of support from the City of San Diego to partner with the County on the formation of an EIFD and if the commitment is secured, then return to the Board within 18 months as of when funding is identified, with the required steps to form the EIFD.

EQUITY IMPACT STATEMENT

The San Diego River is the most populous watershed in the region and is home to more than 500,000 residents. Currently, public access is restricted to only certain stretches of the SDRP that are owned by public agencies and non-profits. The SDRP Trail will increase regional connectivity from the mountains near Julian to the Pacific Ocean, expanding recreational opportunities for all San Diego residents and visitors. Investment in the SDRP will have a positive impact on all residents and visitors and will ensure the continuation of accessible recreational and educational experiences while providing alternative means of transportation throughout the region. This action works toward expanding access to this valuable ecological asset to all residents.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2022-23 Operational Plan in the Department of Parks and Recreation (DPR). Depending on which option the Board selects, there are various fiscal impacts per recommendation as outlined in Attachment C (SDRP Estimates). Depending on the options directed, this request will result in an estimated one-time implementation cost ranging from \$325,000 to \$1,025,000, beginning in FY 2022-23 (not including election costs if directed or additional planning and coordination costs). Funding for the implementation costs will need to be identified by the department and the project will proceed once funding is identified. DPR will monitor its budget and return to the Board with information identifying a funding source as necessary. At this time, there is no impact to net General Fund costs, and there will be no additional staff years.

If the option to pursue Certificates of Participation is selected, annual lease payments related to the Certificates of Participation may utilize future General-Purpose Revenue, if another funding source is not identified.

If the option to pursue creation of an Enhanced Infrastructure Financing District (EIFD) is selected, this option would redirect future property tax increment, which is the County's General Purpose revenue funding source. While the baseline amount of GPR funding would still come to the County to be allocated in the Operational Plan, any increases in property tax for the properties within the EIFD's district that would normally come to the County's General Fund would be redirected to the EIFD. The amount will be determined when creation of an EIFD returns to the Board as part of the Infrastructure Financing Plan.

If the options selected by the Board include a requirement for voter approval or costs associated with debt financing, staff will return to the Board to appropriate funding for the additional costs and obtain necessary approvals for those processes. Additional costs will be pursued in future Operational Plans as funding and projects are identified.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took the following actions:

1. Found that the proposed activity is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15262 of the State CEQA Guidelines.
2. Received the consultant's report on the San Diego River Park Funding Feasibility Analysis (Attachment B, on file with the Clerk of the Board).

3. Directed staff to develop one or more of the following funding mechanisms to be used for San Diego River Park (SDRP) improvements and ongoing restoration, operations, and maintenance. The options are categorized by different types of funding mechanisms. The Board could direct staff to pursue multiple options in one category or combine options from different categories.
 - A. Pursue new revenue options through a new tax or assessment districts
 1. Pursue the formation of a special district or Joint Powers Authority to fund Ongoing Operations and Maintenance
 - B. Pursue the formation of an Enhanced Infrastructure Financing District
4. Authorized the Director of Department of Purchasing and Contracting to advertise and award contracts and take any action authorized by Section 401 et seq. of the Administrative Code, with respect to contracting for the formation of a funding mechanism for the SDRP.
5. Designated the Director, Department of Parks and Recreation, or designee, as the County Officer responsible for administering the contracts, in accordance with Board Policy.
6. Directed staff to first seek a resolution of Support from the City of San Diego to partner with the County on the formation of an EIFD and if the commitment is secured, then return to the Board within 18 months as of when funding is identified, with the required steps to form the EIFD.
7. Direct the Chief Administrative Officer to work towards creating a Memorandum of Understanding (MOU) with relevant agencies regarding homelessness.
8. Direct the Chief Administrative Officer to work with State and Federal Legislators to create specific funding opportunities for the San Diego River Park.
9. Direct the Chief Administrative Officer to explore options around funding sources to address homelessness in the San Diego region.

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

10. SUBJECT: ADOPT A RESOLUTION DECLARING THE REBUILDING OF STRUCTURES AND LOSS OF IMPORTANT DOCUMENTS DAMAGED OR DESTROYED BY THE BORDER 32 WILDFIRE ELIGIBLE FOR FEE WAIVERS (DISTRICT: 2)

OVERVIEW

On August 31, 2022, a wildfire broke out in Barrett Junction and quickly spread to the communities of Potrero and Dulzura. The wildfire began near the area of Barrett Lake Road and Highway 94, near Barrett Lake. More than 1,500 residents were ordered to evacuate their homes throughout the week of August 31 and according to damage assessments conducted through September 6, 2022, at least 19 structures, including homes, mobile homes, and Recreational Vehicles (RVs) had been destroyed.

4. Adopt a resolution entitled: "A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS DECLARING THE REBUILDING OF LEGAL STRUCTURES IN THE UNINCORPORATED AREAS THAT WERE DAMAGED OR DESTROYED IN THE AUGUST/SEPTEMBER 2022 BORDER 32 FIRE TO BE ELIGIBLE FOR PLAN CHECK AND PERMIT FEE WAIVERS, AND TO SUPPORT VICTIMS IN RECOVERING THEIR BIRTH CERTIFICATES, DEATH CERTIFICATES, MARRIAGE CERTIFICATES, DEEDS AND OTHER PROPERTY-RELATED DOCUMENTS."

EQUITY IMPACT STATEMENT

Wildfires can significantly impact the lives of those who are unfortunate enough to be in the path. Those affected by the wildfires are simply trying to rebuild their home and lives. Several of the Border 32 Fire victims live in underserved communities and on limited incomes. The fee waivers will help provide housing opportunities and important legal documents that meet the needs of those affected and will help prevent these victims from becoming unsheltered.

FISCAL IMPACT

If approved, the waiver of plan check review and permit fees associated with rebuilding damaged or destroyed homes will have no net fiscal impact. Departments will use existing wildfire fee waiver funding to offset costs and revenue, the amount of which is unknown at this time. The funding source is existing one-time General Fund fund balance in Planning & Development Services and Department of Environmental Health and Quality. There will be no increase in net General Fund cost and no additional staff years.

If approved, the waiver of Assessor/Recorder/County Clerk fees for property-related documents and birth, death, and marriage certificates will result in reduced revenues by an unknown amount at this time. The statutory fees for birth, death, and marriage certificates remitted to the State will be covered by existing funds in the Fiscal Year 2022-23 Operational Plan for the Assessor/ Recorder/County Clerk. The funding source will be existing General Purpose Revenue. There will be no increase in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-140 entitled: A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS DECLARING THE REBUILDING OF LEGAL STRUCTURES IN THE UNINCORPORATED AREAS THAT WERE DAMAGED OR DESTROYED IN THE AUGUST/SEPTEMBER 2022 BORDER 32 FIRE TO BE ELIGIBLE FOR PLAN CHECK AND PERMIT FEE WAIVERS, AND TO SUPPORT VICTIMS IN RECOVERING THEIR BIRTH CERTIFICATES, DEATH CERTIFICATES, MARRIAGE CERTIFICATES, DEEDS AND OTHER PROPERTY-RELATED DOCUMENTS.

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

11. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Michael Brando spoke to the Board regarding the psychology of totalitarianism.

Robert Germann spoke to the Board regarding sea levels at airports.

Audra spoke to the Board regarding making things better for the community.

Becky Rapp spoke to the Board regarding prenatal cannabis exposure.

KB Strange spoke to the Board regarding a newsletter about drug dependency.

Barbara Gordon spoke to the Board regarding marijuana use in young adults.

Consuelo spoke to the Board regarding public speakers who show up at Board meetings and vaccines.

Truth spoke to the Board regarding comments made by Supervisor Jim Desmond and the Board's Rules of Procedure.

Ann Riddle spoke to the Board regarding public comments and effects of marijuana use.

Kathleen Lippitt spoke to the Board regarding public health and the marijuana industry.

Paul Henkin spoke to the Board regarding the Board's Rules of Procedure.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 11:23 a.m.

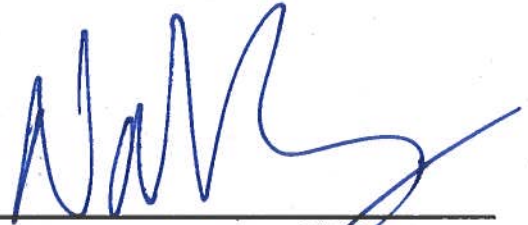
ANDREW POTTER
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Perez

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.

Approved by the Board of Supervisors, on Wednesday, September 28, 2022.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board

09/14/2022