



County of San Diego Board of Supervisors Statement of Proceedings

Supervisor Terra Lawson-Remer
Chair, District 3

Supervisor Monica Montgomery Steppe
Vice Chair, District 4

Supervisor Paloma Aguirre
Chair Pro Tem, District 1

Supervisor Joel Anderson
District 2

Supervisor Jim Desmond
District 5

Ebony N. Shelton
Chief Administrative Officer

Andrew Potter
Clerk of the Board of Supervisors

Damon M. Brown
County Counsel

Tuesday, September 15, 2026
9:00 a.m.

General Legislative Session &
San Diego County Fire Protection District

Wednesday, September 16, 2026
9:00 a.m.

Land Use Legislative Session &
Sanitation District

County Administration Center
1600 Pacific Highway
Room 310 (Board Chamber)
San Diego, CA 92101

How to Participate:



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County of San Diego Board of Supervisors

Statement of Proceedings

Land Use Legislative Session & Sanitation District

Wednesday, September 16, 2026, 9:00 a.m.

A. Roll Call

Meeting was called to order at 9:02 a.m.

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

B. Closed Session Report

C. Non-Agenda Public Comment

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

Purita Javier spoke regarding long-standing concerns about exposure to ceramics kiln emissions, air pollution control, and requested action to protect health and safety in her neighborhood.

Cesar Javier spoke regarding health impacts from ceramics-related toxicity and urged the Board to address perceived misuse of the California Environmental Quality Act (CEQA) and air pollution control enforcement.

Diane Grace spoke in support of smoke-free and vape-free policies for housing and public places and urged the County to restrict new retailers selling smoking and vaping products to protect public health.

Barbara Gordon spoke regarding illegal sales of intoxicating products at tobacco retailers, including psychoactive substances and intoxicating hemp products, and requested stronger local policies and enforcement.

Ann Riddle spoke about Assembly Bill 2249 restricting marijuana products appealing to youth and expressed concern about marijuana industry marketing practices directed at young people.

ACTION:

Heard, Referred to the Chief Administrative Officer.

D. Approval of the Statement of Proceedings/Minutes

Approval of the Statement of Proceedings/Minutes for the concurrent Special District meetings of the Sanitation District for June 24, 2026, and June 25, 2026.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Montgomery Steppe, the Board of Directors of the County of San Diego Sanitation District approved the Statement of Proceedings/Minutes of June 24, 2026, and June 25, 2026.

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

NOT PRESENT: Anderson

E. Agenda Items

1. Advertise and Award a Construction Contract for Drainage Culvert Repair and Replacement Associated with the Fiscal Year 2026-27 Resurfacing Program and Related California Environmental Quality Act Exemption (Districts: All)

Recommendation by Chief Administrative Officer:

- 1) Find in accordance with Section 15301(c) of the California Environmental Quality Act (CEQA) that the proposed project is categorically exempt from CEQA review because it consists of the maintenance of existing culverts involving negligible or no expansion of existing or former use.
- 2) Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and to take any action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for culvert repair and replacement.
- 3) Designate the Director, Department of Public Works, as the County Officer responsible for administering the construction contracts in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

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

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

2. General Services - Adopt a Resolution to Summarily Vacate Easements for Excavation, Embankment Slopes and Drainage in the Valley Center Community Plan Area and CEQA Findings (Vacation No. 2022-0046) (District: 5)

Recommendation by Chief Administrative Officer:

- 1) Find the proposed vacations are not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacation of excavation, embankment slopes, and drainage easements that are not needed for public purposes, and will not have a direct or reasonably foreseeable direct or indirect change in the environment and are therefore not a project as defined in CEQA Guidelines Section 15378.
- 2) Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE EASEMENTS FOR EXCAVATION, EMBANKMENT SLOPES AND DRAINAGE IN THE VALLEY CENTER COMMUNITY PLAN AREA AND CEQA EXEMPTION (VACATION NO. 2022-0046) (DISTRICT: 5) (Attachment C).
- 3) Direct the Clerk of the Board to record the Resolution for Vacation No. 2022-0046 pursuant to State of California Streets and Highways Code Section 8336.

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Aguirre, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 26-123 entitled: RESOLUTION TO SUMMARILY VACATE EASEMENTS FOR EXCAVATION, EMBANKMENT SLOPES AND DRAINAGE IN THE VALLEY CENTER COMMUNITY PLAN AREA AND CEQA EXEMPTION (VACATION NO. 2022-0046)

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

3. Adopt a Resolution to Apply for and Accept a State of California Strategic Growth Council Transformative Climate Communities Program Round 6 Implementation Grant and Related CEQA Exemption (Districts: 1 and 4)

Recommendation by Chief Administrative Officer:

- 1) Find that the proposed actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the California CEQA Guidelines.
- 2) Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE COUNTY OF SAN DIEGO TO APPLY FOR AND ACCEPT A STATE OF CALIFORNIA STRATEGIC GROWTH COUNCIL TRANSFORMATIVE CLIMATE COMMUNITIES PROGRAM ROUND 6 IMPLEMENTATION GRANT.
- 3) Authorize the Deputy Chief Administrative Officer for the Land Use & Environment Group, the Director of the Department of Public Works, and the Chief Sustainability Officer, or their designees, to apply for and accept a State of California Strategic Growth Council Transformative Climate Communities Program Round 6 Implementation Grant, and authority to execute all related documents if awarded including, but not limited to,

applications, agreements, annual extensions, revisions, payment requests, and/or any agreements or memorandums of understanding with other entities as Co-Applicants, subgrantees, participants, and/or partners in the application and spending of grant funds received, that do not materially impact or alter the services or funding level and may be necessary for completion of the grant deliverables.

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Aguirre, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 26-124 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE COUNTY OF SAN DIEGO TO APPLY FOR AND ACCEPT A STATE OF CALIFORNIA STRATEGIC GROWTH COUNCIL TRANSFORMATIVE CLIMATE COMMUNITIES PROGRAM ROUND 6 IMPLEMENTATION GRANT

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

4. Set a Hearing for October 28, 2026:

Ashwood Street Corridor Improvement Project and Right-of-Way Acquisition - Set a Public Hearing to Consider Adoption of a Resolution of Necessity and Related CEQA Findings (District: 2)

Recommendation by Chief Administrative Officer:

- 1) Find that the currently proposed action is not considered a project under CEQA Guidelines section §15378(b)(5). Today's action is limited to setting a public hearing for October 28, 2026, at which time the Board of Supervisors will consider whether to adopt a Resolution of Necessity for acquisition of the subject parcels, and directing the Clerk of the Board to give the required notice. This action constitutes an organizational or administrative activity of government that does not approve, authorize, or commit the County to the acquisition of property, physical development, construction activities, or implementation of the underlying project, and therefore will not result in a direct or indirect physical change in the environment.
- 2) Declare the Board's intention to consider the adoption of a Resolution of Necessity to initiate an eminent domain action.
- 3) Set a public hearing for October 28, 2026, to consider adoption of a Resolution of Necessity for the Ashwood Street Corridor Improvement Project for the following parcels: 2016-0281 -A, -B (CARV), and 2016-0285-A,-B1,-B2,-C1,-C2,-D1,-D2,-E (Nelson).
- 4) Direct the Clerk of the Board of Supervisors to send a "Notice of Hearing Regarding County of San Diego's Intention to Consider the Adoption of a Resolution of Necessity to Acquire Property By Eminent Domain" to each person whose name and address appears on the last equalized County assessment rolls for the following parcels 2016-0281-A, -B (CARV), 2016-0285-A,-B1,-B2,-C1,-C2,-D1,-D2,-E (Nelson).

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Aguirre, the Board of Supervisors took action as recommended, on Consent, and set a Hearing for October 28, 2026.

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

5. Noticed Public Hearing:**Approve the Starlight Solar Project to Allow for the Development of a Solar Energy Generation and Storage Facility and Certify the Environmental Impact Report (District: 2)**

Recommendation by Planning Commission:

On July 10, 2026, the Planning Commission considered the Starlight Solar Major Use Permit and made the following recommendations to the Board of Supervisors:

- 1) Adopt the Environmental Findings, including certification and findings regarding the significant effects of the Project, the mitigation monitoring and reporting program, and the Statement of Overriding Considerations, and certify the EIR, Environmental Log PDS2022-ER-22-21-002, including consideration of the Staff-Recommended Project described below, pursuant to the California Environmental Quality Act (CEQA) (Attachment A, on file with the Clerk of the Board).
- 2) Adopt the Staff-Recommended Project described in this Board Letter, including the increased setbacks, and the Planning Commission's recommendations, including a water retention basin beneath the BESS locations to prevent contamination, locating the Phase II BESS as far south from the community as feasible, additional on-site dust monitoring, reallocation of community-benefit dollars from Phase II to Phase I, and additional community benefits towards the community of Boulevard.
- 3) Approve Major Use Permit PDS2022-MUP-22-010 and impose the requirements and conditions set forth in the Form of Decision, including the revised community-benefit requirements, Phase II BESS siting, enhanced real-time dust-monitoring, BESS water retention containment requirements, and additional conditions to address community concerns (Attachment B, on file with the Clerk of the Board).
- 4) Approve the Fire Protection and Mitigation Agreement between the County and Empire II, LLC (Applicant), and authorize the County Fire Warden or their representative to sign the agreement for the County (Attachment C).

Recommendation by Department of Planning & Development Services:

Planning & Development Services (PDS) concurs with the recommendations made by the Planning Commission, and makes the following additional recommendation to the Board of Supervisors (Board):

- 1) Require Empire II, LLC (Applicant) to enter into a standard Defense and Indemnification Agreement in accordance with County Code Section 86.201 et seq. and authorize the Director of Planning & Development Services to execute the Agreement. If litigation is filed challenging the Board's action on this Project, require the Applicant to provide security in the amount of \$1,250,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment D, on file with the Clerk of the Board).

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Aguirre, the Board of Supervisors closed the Hearing and took the following actions:

- Approved the staff and Planning Commission recommendations but kept the Phase II BESS in its original northern location and not move the BESS to the south.
- GROUNDWATER: Added a condition to require baseline groundwater monitoring and testing of both quality and quantity prior to construction with further testing to occur should a fire occur on the property and the applicant work with State and/or Federal agencies to remediate any contamination or depletion of groundwater caused by the event.
- Require the developer to pursue the Disadvantaged Communities Green Tariffs Program through San Diego Community Power to provide additional benefits to eligible community members prior to Phase 1.

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

**6. Reopening the Agua Caliente Airport and Exploring Alternative Funding Options
(Districts: 5)**

Recommendation by Supervisor Joel Anderson and Supervisor Jim Desmond

- 1) Find that the proposed action is not a project subject to CEQA review pursuant to Section 15060(c)(2) of the CEQA Guidelines because the intent of the proposed action is to reestablish an existing airstrip and as a result will not result in a direct or reasonably foreseeable indirect physical change in the environment.
- 2) Direct County of San Diego Airports to conduct the following actions and report back to the board within 60 days:
 - a. Engage interested aviation stakeholders at each County operated airport including but not limited to: The Gillespie Field Development Council, The Gillespie Pilots Association, The Recreational Aviation Foundation, Aircraft Owners and Pilots Association, The Palomar Airport Advisory Committee, Fixed Base Operators, regarding the reopening of Agua Caliente airport and receive input, feedback, recommendations on runway rehabilitation, reconstruction, facilities improvements and general reopening of Agua Caliente Airport, and Airport Enterprise Fund expenditures;
 - b. Establish necessary steps to bring Agua Caliente Airstrip back into the County Airports network and any operational impacts including, but not limited to resource needs for runway rehabilitation, reconstruction, ongoing maintenance, additional staffing requirements, and ongoing funding sources.
- 3) While conducting the actions in Recommendation 2, direct the CAO to complete the following:
 - a. Determine, prioritize, and finalize any necessary infrastructure improvements including but not limited to runway and parking surfaces, repairs, and other maintenance required by or related to existing Operating Agreements with State Parks, the California Department of Transportation, or other such entity or individual that may have ownership interest in the land on which the airstrip is located and identify associated costs including but not limited to runway

improvements, ongoing general maintenance, utilizing potential one-time funding sources, Agua Caliente County Park Funds, Airport Enterprise Fund, or a combination thereof;

- b. Prepare all documents and processes for the completion of the reactivation, reinstatement, or establishment of a new Operating Permit with the California Department of Transportation, or such other State agency or agencies as may have authority over the permitting of airstrips;
- c. Research any current or potential future ownership, leasing, or other existing contractual arrangements with State Parks, or other such entity or individual that may have ownership interest in the land on which the airstrip is located, and the County of San Diego.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended.

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

F. Special Districts

When the Board of Supervisors meets as the governing body of a special district, they are acting in a different capacity than during their regular County business. In this role, the Board makes decisions that apply only to that specific district, such as approving its budgets, projects, policies, and operations. These actions are legally separate from the Board's actions as the County of San Diego, and they apply only to the area and responsibilities of the special district.

Special Districts Consent Agenda

Sanitation District

7. General Services - Sanitation District Sewer Easement Quitclaim in the Lakeside Community Plan Area and CEQA Findings (Vacation No. 2026-0031) (District: 2)

Recommendation by Chief Administrative Officer:

- 1) Find that the proposed action is not subject to review under California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2) and (3) because it would only result in the quitclaiming of an unnecessary easement interest that is not needed for public purposes, and will not have a direct or reasonably foreseeable direct or indirect change in the environment and is therefore not a project as defined in CEQA Guidelines Section 15378.
- 2) Find that the sewer easement is no longer required for District purposes.
- 3) Approve and authorize the Director, Department of General Services, or a designee, to execute and record a quitclaim deed for the sewer easement described in Attachment B.

ACTION:

ON MOTION of Director Montgomery Steppe, seconded by Director Aguirre, the Board of Directors of the County of San Diego Sanitation District took action as recommended, on Consent.

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

Special Districts Discussion Items

None

There being no further business, the Board of Supervisors adjourned at 2:54 p.m.

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

Notes By: 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. Generative artificial intelligence (AI) was utilized to assist in drafting portions of the Statement of Proceedings/Minutes using the meeting's audio recording. All content produced through AI assistance underwent human review to ensure accuracy.