

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE  
REGULAR MEETING  
**WEDNESDAY, OCTOBER 23, 2024, 9:00 AM**  
COUNTY ADMINISTRATION CENTER, ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

A. REGULAR SESSION: Meeting was called to order at 9:08 a.m.

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

ABSENT: Supervisor Joel Anderson

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

C. Closed Session Report

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

E. Approval of the Statement of Proceedings/Minutes for the meeting of October 9, 2024.

**ACTION:**

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Lawson-Remer, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of October 9, 2024.

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

ABSENT: Anderson

F. Consent Calendar

G. Discussion Items

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

## Board of Supervisors' Agenda Items

- | <b>Agenda #</b> | <b>Subject</b>  |
|-----------------|---|
| 1.              | ADMINISTRATIVE ITEM:<br>SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:<br>TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION<br>(10/09/2024 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN<br>ORDINANCE; 10/23/2024 - SECOND READING OF AN ORDINANCE, UNLESS<br>ORDINANCE IS MODIFIED ON SECOND READING)              |
| 2.              | AMEND GRANT AGREEMENT WITH THE SAN DIEGO REGIONAL POLICY<br>& INNOVATION CENTER TO ALLOCATE \$2 MILLION IN AMERICAN<br>RESCUE PLAN ACT FUNDS TO CLIMATE-RESILIENT GREEN<br>STORMWATER INFRASTRUCTURE DEMONSTRATION PROJECTS AND NO<br>CEQA RELATED EXEMPTION  |
| 3.              | AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION<br>CONTRACT FOR PLAYGROUND REPLACEMENT AT CACTUS PARK AND<br>RELATED CEQA EXEMPTION   |
| 4.              | ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD<br>CONSTRUCTION CONTRACT FOR THE RAMONA BURN DUMP<br>CONSOLIDATE AND CAP PROJECT AND RELATED CEQA EXEMPTION<br>(4 VOTES)   |
| 5.              | SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION<br>OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE<br>DEPARTMENT OF PARKS AND RECREATION AND RELATED CEQA<br>EXEMPTION   |
| 6.              | SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION<br>OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE<br>DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY AND<br>RELATED CEQA EXEMPTION   |
| 7.              | LAND USE AND ENVIRONMENT GROUP DEPARTMENTS - ADOPT<br>RESOLUTIONS AUTHORIZING THE EXTENSION OF SUBMISSION OF<br>GRANT APPLICATIONS AND ACCEPTANCE OF GRANT FUNDS FOR<br>IMPLEMENTATION OF PROJECTS AND PROGRAMMATIC ACTIVITIES IN<br>SUPPORT OF THE COUNTY'S VISION AND STRATEGIC INITIATIVES AND<br>RELATED CEQA EXEMPTION |
| 8.              | SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND<br>PROVISIONS OF THE COUNTY REGULATORY CODE ASSIGNED TO THE<br>LAND USE AND ENVIRONMENT GROUP AND ASSOCIATED CEQA<br>EXEMPTION (10/23/24 -First Reading; 12/11/24 - Second Reading, unless the<br>ordinances are modified on second reading)                             |

9. NOTICED PUBLIC HEARING:  
TURNBULL OPEN SPACE EASEMENT AND LIMITED BUILDING ZONE  
EASEMENT VACATION AND AN ADDENDUM TO A PREVIOUSLY  
ADOPTED MITIGATED NEGATIVE DECLARATION, PDS2024-VAC-24-002;  
PALA/PAUMA SUBREGIONAL PLAN AREA (9/25/2024 - SET HEARING;  
10/23/2024 - HOLD HEARING)
  
10. NON-AGENDA PUBLIC COMMUNICATION

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**1. SUBJECT: ADMINISTRATIVE ITEM:  
TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA  
EXEMPTION (10/09/2024 - ADOPT RECOMMENDATIONS  
INCLUDING INTRODUCING AN ORDINANCE; 10/23/2024 - SECOND  
READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED  
ON SECOND READING) (DISTRICTS: 2, 3, & 5)**

**OVERVIEW**

On October 9, 2024 (04), the Board of Supervisors took action to further consider and adopt the Ordinance on October 23, 2024.

The Traffic Advisory Committee (TAC) supports the Department of Public Works (DPW) traffic engineering program. The TAC was established by the Board of Supervisors (Board) in the 1950s to provide traffic regulations and recommendations within the unincorporated areas of the region. To be effective, the TAC proposes policies that will enhance safety, reduce congestion, and be legally enforceable. The TAC meets every two months to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County of San Diego (County) maintained roads. Upon receipt of a request or recommendation for the implementation of a traffic safety measure in unincorporated areas, the TAC reviews and investigates the requested item, including engineering and traffic condition studies. The TAC recommendations are provided to the Board for consideration.

The TAC recommends the Board act on seven items from the June 7, 2024, TAC meeting agenda:

<b>Items from the 06/07/2024 TAC Meeting</b>			
<b>District</b>	<b>Item</b>	<b>Location</b>	<b>Action</b>
2	2-A*	Barnett Road/ Eleventh Street from Hanson Lane to San Vicente Road in Ramona	Reduce the 35 MPH speed limit to 30 MPH and certify for radar enforcement.
2	2-B*	Eleventh Street from San Vicente Road to State Route 67 in Ramona	Reduce the 35 MPH speed limit to 30 MPH and certify for radar enforcement.
3	3-A*	El Camino Real/ La Noria from La Orilla to La Bajada in Rancho Santa Fe	Reduce the 40 MPH speed limit to 35 MPH and certify for radar enforcement.
5	5-A*	Flowerwood Lane from Knottwood Way to Gird Road in Monserate	Establish and certify the 25 MPH speed limit for radar enforcement.
5	5-B*	Little Gopher Canyon Road from Gopher Canyon Road to Old River Road in Bonsall	Establish and certify a 30 MPH speed limit for radar enforcement.
5	5-C*	Old River Road from State Route 76 to 1,000' N/o Dentro de Lomas Road in Bonsall	Establish and certify a 45 MPH speed limit for radar enforcement.
5	5-D*	Royal Crest Drive from Sunset Drive to Bear Valley Parkway in San Pasqual	Establish and certify a 35 MPH speed limit for radar enforcement.

\* Indicates a second reading of the ordinance is required. These items are not in the vicinity of tribal lands.

Approval of Item 2-A Barnett Road/Eleventh Street in Ramona (District 2), Item 2-B on Eleventh Street in Ramona (District 2), Item 3-A on El Camino Real/La Noria in Rancho Santa Fe (District 3), Item 5-A on Flowerwood Lane in Bonsall (District 5), Item 5-B on Little Gopher Canyon Road in Bonsall (District 2), Item 5-C on Old River Road in Bonsall (District 2), and Item 5-D on Royal Crest Drive in San Pasqual (District 5) would support speed enforcement which enhances roadway safety. Properly posted speed limits inform drivers on safe speeds, reducing the number and severity of collisions, and allow for enforcement.

The Board’s action on Items 2-A Barnett Road/Eleventh Street in Ramona (District 2), 2-B on Eleventh Street in Ramona (District 2), 3-A on El Camino Real/La Noria in Rancho Santa Fe (District 3), 5-B on Little Gopher Canyon Road in Bonsall (District 2), 5-C on Old River Road in Bonsall (District 2), and 5-D on Royal Crest Drive in San Pasqual (District 5) would introduce an ordinance to amend speed limit zones. This action would revise the County Code and require two steps. On October 9, 2024, the Board would consider the TAC items. If the Board takes action as recommended on October 9, then on October 23, 2024, a second reading and adoption of ordinances amending the County Code would be necessary to implement the Board’s direction. If the proposed ordinance is altered on October 23, 2024, then on that date a subsequent meeting date will be selected for the ordinance’s adoption.

**RECOMMENDATION(S)**  
**TRAFFIC ADVISORY COMMITTEE**

**District 2:**

- Item 2-A. Barnett Road/Eleventh Street from Hanson Lane to San Vicente Road in Ramona East - Reduce the 35 MPH speed limit to 30 MPH and certify for radar enforcement.
- Item 2-B. Eleventh Street from San Vicente Road to State Route 67 in Ramona West - Reduce the 35 MPH speed limit to 30 MPH and certify for radar enforcement.

**District 3:**

- Item 3-A. El Camino Real/La Noria from La Orilla to La Bajada in Rancho Santa Fe - Reduce the 40 MPH speed limit to 35 MPH and certify for radar enforcement.

**District 5:**

- Item 5-A. Flowerwood Lane from Knottwood Way to Gird Road in Monserate - Establish and certify the 25 MPH speed limit for radar enforcement.
- Item 5-B. Little Gopher Canyon Road from Gopher Canyon Road to Old River Road in Bonsall - Establish and certify a 30 MPH speed limit for radar enforcement.
- Item 5-C. Old River Road from State Route 76 to 1,000’ N/o Dentro de Lomas Road based in Bonsall - Establish and certify a 45 MPH speed limit for radar enforcement.
- Item 5-D. Royal Crest Drive from Sunset Drive to Bear Valley Parkway in San Pasqual - Establish and certify a 35 MPH speed limit for radar enforcement.

## **CHIEF ADMINISTRATIVE OFFICER**

Adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.161.15.2., 72.163., 72.169.44. AND 72.169.55.4. AND ADDING SECTIONS 72.161.27.1., 72.169.74.16., AND 72.161.41.2. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A, 2-B, 3-A, 5-A, 5-B, 5-C, and 5-D).

## **EQUITY IMPACT STATEMENT**

The review of traffic signs, intersection controls, and roadway markings supports vehicle safety on County of San Diego-maintained roads. The transportation system must be safe for all road users, for all modes of transportation, in all communities, and for people of all incomes, races, ethnicities, ages, and abilities. Understanding travel patterns, where correctable crashes are occurring, and the disproportionate impacts on certain communities will allow the Department of Public Works to identify actions to address the underlying causes, improve safety, and ensure there is justice in the enforcement of traffic regulations.

DPW's Local Roadway Safety Plan reviews correctable collisions along road segments within the unincorporated areas of the region and uses the Healthy Places Index (3.0) and CalEnviroScreen 4.0 to ensure underserved populations are prioritized. The Traffic Advisory Committee (TAC) relies on the Local Roadway Safety Plan and performs reviews of regulatory traffic control devices such as signs and markings. While adherence to sign and marking standards developed by the California Department of Transportation is crucial to obtaining the compliance of most drivers, the TAC also relies on various community engagement methods such as the Tell Us Now! Mobile app, toll-free hotlines, and a customer service request program to intake reports on a wide variety of traffic concerns and ensure the concerns are addressed.

## **SUSTAINABILITY IMPACT STATEMENT**

The proposed action has social, health and well-being, and environmental sustainability benefits. The Traffic Advisory Committee has made addressing sustainability a top priority by partnering with local communities and industry leaders in a public forum every two months to find timely, reasonable, and cost-effective in-road traffic solutions that reduce costly traffic delays, mitigate vehicle idling to reduce emissions, improve fire response times and regional readiness, and ensure justice in enforcement of traffic regulations.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2024-25 Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in costs and revenue of \$17,936 in FY 2024-25 for staff time, materials, and supplies. The funding source is State Highway User Tax Account. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, and adopted Ordinance No. 10924 (N.S.), entitled: ORDINANCE AMENDING SECTIONS 72.161.15.2., 72.163., 72.169.44. AND 72.169.55.4. AND ADDING SECTIONS 72.161.27.1., 72.169.74.16., AND 72.161.41.2. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A, 2-B, 3-A, 5-A, 5-B, 5-C, and 5-D).

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

ABSENT: Anderson

2. **SUBJECT: AMEND GRANT AGREEMENT WITH THE SAN DIEGO REGIONAL POLICY & INNOVATION CENTER TO ALLOCATE \$2 MILLION IN AMERICAN RESCUE PLAN ACT FUNDS TO CLIMATE-RESILIENT GREEN STORMWATER INFRASTRUCTURE DEMONSTRATION PROJECTS AND NO CEQA RELATED EXEMPTION (DISTRICTS: ALL)**

**OVERVIEW**

On June 8, 2021 (03), the Board of Supervisors (Board) directed the Auditor and Controller to establish a trust fund for American Rescue Plan Act (ARPA) program funds and appropriated \$13 Million in ARPA funds for stormwater, sewer, and drinking water infrastructure. On October 5, 2021 (13), the Board allocated \$13 Million in ARPA funds, which included \$8.5 Million for various water projects within the Land Use and Environment Group (LUEG) and a \$4.5 Million grant for the San Diego Regional Policy & Innovation Center (SDRPIC) to support three projects focused on innovative water technologies, water affordability, and climate-resilient green infrastructure.

The \$4.5 Million in ARPA funds for SDRPIC included \$2.25 Million for climate-resilient green infrastructure demonstration projects combined with broadband. These projects will identify where there is a need for improvements in both stormwater infrastructure and broadband connectivity, along with the potential for improving disaster resilience. SDRPIC conducted outreach with multiple stakeholders and developed a project site selection methodology based on flood risk, ground surface permeability, median household income, the federal Justice40 Initiative, and County of San Diego (County) identified Environmental Justice Communities. This methodology was used to identify high priority census tracts, from which potential sites were identified for implementation of green infrastructure demonstration projects that will capture and treat stormwater. A 9.5-acre site owned by the San Diego Youth Foundation and operated by San Diego Youth Services (SDYS) in Spring Valley was selected based on the site's location within a high priority census tract, available land for multiple green stormwater infrastructure projects and other potential benefits, and the willingness of the property owner to implement projects, and include educational elements for the larger community. This site serves as a trusted community hub and provides various childcare and mental health services for youth, as well as space for a variety of community events in a historically underserved area of the county.



Separately, the \$8.5 Million in ARPA funds that were allocated to LUEG included \$2 Million for community-focused stormwater improvement partnerships with the Department of Public Works (DPW) for stormwater, water, and wastewater improvements on private property. DPW staff worked with a consultant team to explore potential opportunities for this funding within County-identified Environmental Justice communities. A multi-faceted prioritization approach was used to assess environmental benefits, design considerations, coordination with other projects, and community benefits at the parcel level. Similar to SDRPIC's analysis, DPW's prioritization approach also ranked the Spring Valley SDYS site as a top candidate. After multiple meetings and discussions with the property owner, SDRPIC, and DPW's consultant team, several conceptual projects have been identified throughout the site that will improve stormwater quality, enhance existing and planned uses for the site, provide educational and potential workforce development opportunities, and showcase sustainable best practices to the community.

Following a comprehensive review of the separate analyses, staff recommend that DPW's ARPA funding for the community-focused stormwater improvement partnerships project be combined with the SDRPIC climate-resilient green infrastructure demonstration project to streamline permitting and construction activities and maximize the positive impact that this funding will have on the community of Spring Valley and beyond. Spring Valley is identified as an Environmental Justice Community in the County's General Plan and has historically been underserved. Additionally, this is a low-income area and was recently impacted by extreme weather and flooding. Implementation of the conceptual projects that have been identified will improve stormwater quality, enhance existing and planned uses for the site, provide educational and potential workforce development opportunities, and showcase sustainable best practices to the community.

Today's action would amend the current grant agreement with SDRPIC to add the \$2 Million in ARPA funds that were previously allocated to DPW for community-focused stormwater improvement partnerships to implement stormwater projects at the SDYS site.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed actions are not subject to review under California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) because the action is not a project as defined in Section 15378 of CEQA Guidelines.
2. Authorize the Chief Administrative Officer, or designee, to amend the grant agreement with the San Diego Regional Policy & Innovation Center (SDRPIC) in an amount up to \$2 Million using funds from the Department of Public Works General Fund, Services & Supplies to fund SDRPIC's planning and implementation of climate-resilient green infrastructure demonstration projects, and to prepare and authorize any other required documents in furtherance of this program.

**EQUITY IMPACT STATEMENT**

The County of San Diego strives to preserve, enhance, and promote quality of life and environmental resources through the implementation of programs and projects that improve regional community health and environmental quality. The infrastructure enhancements realized through the San Diego Regional Policy & Innovation Center's (SDRPIC's) climate-resilient green stormwater infrastructure projects will benefit the well-being of the surrounding

communities while improving water quality and providing additional benefits to a community that has historically been underserved and was recently impacted by extreme weather and flooding. Additionally, these projects will provide educational and potential workforce development opportunities. SDRPIC will demonstrate an equity and multi-benefit approach to stormwater challenges by addressing climate change resilience and community equity through robust community outreach and stakeholder engagement throughout the planning and implementation phases of these projects.

### **SUSTAINABILITY IMPACT STATEMENT**

Today's action to approve an amendment to the grant agreement with the San Diego Regional Policy & Innovation Center supports the County's sustainability goals to protect the environment and the health and well-being of residents and has health, well-being, and environmental sustainability benefits. Investments in stormwater infrastructure support the health of the community and the environment by improving the water quality of runoff that reaches the region's rivers, beaches, and bays during rainfall.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2024-25 Operational Plan for Department of Public Works, General Fund. If approved, this request will result in current year cost and revenue of \$2 Million, for a total of \$6.5 Million in the amended grant agreement with San Diego Regional Policy & Innovation Center. The funding source is American Rescue Plan Act. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

Today's actions benefit local businesses and the community at large by improving surface water quality and mitigating sources of water quality contamination. This contributes to quality of life for the community and a healthy environment.

### **ACTION:**

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

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

ABSENT: Anderson

3. **SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR PLAYGROUND REPLACEMENT AT CACTUS PARK AND RELATED CEQA EXEMPTION (DISTRICT: 2)**

### **OVERVIEW**

The County of San Diego (County) Department of Parks and Recreation (DPR) enhances the quality of life for county residents and visitors of all ages. In support of this mission, DPR operates more than 100 playground facilities throughout the county, promoting health and wellness opportunities for youth and families across the region. To ensure these amenities remain available for future generations to enjoy, DPR regularly reviews its playground inventory to identify those that have reached or are approaching the end of their useful life. These reviews are

then used to prioritize the replacement of the most highly used and oldest playgrounds within its inventory. Depending on the age and frequency of use, routine maintenance and repairs alone are, at times, not able to prolong the serviceable life of some playground structures and more substantial improvements, including full replacements, are needed. The new preschool playground and shade structure at Cactus County Park in Lakeside, CA will replace the previous playground that was removed because it was broken beyond repair and was not accessible to all children. The new baseball-themed playground will contain baseball-oriented playground equipment that will highlight various items that are found within the baseball fields that surround the playground. The improvements will enhance the user experience and exceed the requirements of the Americans with Disabilities Act (ADA), thereby increasing access for children of all abilities. Cactus Park will also include other improvements such as new fencing for the ballfields, restoration of the dugouts, and converting the boardroom to a snack bar.

Today's proposed action will 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 for the procurement of equipment and the construction to install a new Playground Replacement at Cactus Park for an estimated replacement cost of \$580,000 including contingency. If approved, project construction is anticipated to begin in Summer 2025 and be completed in Fall 2025.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

1. Find that today's actions for Playground Replacement at Cactus Park are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301, 15302, 15303, and 15304.
2. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and take any other action authorized by section 401 et seq. of the Administrative Code with respect to contracting for the construction of Playground Replacement at Cactus Park.
3. Designate the Director, Department of Parks and Recreation, as the County of San Diego Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

**EQUITY IMPACT STATEMENT**

The playground replacement at Cactus Park will ensure the continuation of accessible recreational amenities for families and youth throughout the region. It is anticipated that the playground replacement will have a positive health impact on all demographics in the county by ensuring that playgrounds remain open and accessible. The Department of Parks and Recreation will continue to use available data from the 2020 Community Needs Assessment, Capital Investment Model, community feedback meetings, and community interactions to implement playground replacements for facilities that have reached the end of their useful life.

## **SUSTAINABILITY IMPACT STATEMENT**

All proposed materials and methods for this project are consistent with California Building Code and associated standards for efficiency. Approximately 25% of the materials used in the manufacturing of the playground equipment will be made of recycled plastic, which is consistent with the Board of Supervisors Policy B-67 where County departments are encouraged to use, to the maximum extent practical, products made with recycled materials, reusable products, and products designed to be recycled. This project will utilize the existing playground footprint and will result in limited ground disturbance. The project will fully comply with all local and State stormwater requirements and best practices, and it will not result in any significant demand for water or other resources.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2024-25 Operational Plan for the Department of Parks and Recreation (DPR). If approved, this request will result in estimated costs and revenue of \$1,750,000 for Major Maintenance Capital Outlay Fund (MMCOF) Project 1026101, Cactus Park Refurbishment. Construction costs for playground equipment for the Cactus Park Refurbishment project are estimated at \$580,000 including contingency. The remaining \$1,170,000 in project funding will be used for design and construction management of other improvements for Cactus Park, including new fencing for the ballfields, restoration of the dugouts, and the conversion of the boardroom to a snack bar. The funding source is available prior year General Fund fund balance. Maintenance of the new playground will be performed by existing DPR operations staff. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

Expenditures resulting from this action will create private-sector jobs and economic opportunities in San Diego County.

## **ACTION:**

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

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

ABSENT: Anderson

4. **SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD CONSTRUCTION CONTRACT FOR THE RAMONA BURN DUMP CONSOLIDATE AND CAP PROJECT AND RELATED CEQA EXEMPTION (DISTRICT: 2)**

## **OVERVIEW**

Prior to the 1970s, much of the municipal solid waste in southern California was burned with the ash and remnants buried or placed in dumps, which were rudimentary compared to modern landfills. The County of San Diego (County) operated several burn sites to meet municipal waste disposal needs. From approximately 1947-1974, the County operated the Ramona Burn Dump on National Forest Service lands under a special use permit issued by the United States Department of Agriculture Forest Services (USDA FS). The 3.5 acres site is located within the

Cleveland National Forest in the unincorporated area of Ramona. When solid waste activities on the site ended in approximately 1974, the burn ash was covered with soil to encapsulate the waste, the permit was ended, and responsibility for the site was returned to the USDA FS.

In November 2007, the Witch Creek fire burned the vegetation covering the Ramona Burn Dump, and a subsequent inspection of the area documented that the soil cap had deteriorated and exposed burn ash and waste debris at the surface. The USDA FS completed a preliminary assessment site inspection which found elevated concentrations of metals, such as arsenic, lead, and zinc, and chemicals, such as dioxins and furans, present at the site. The USDA FS and the County began negotiations regarding responsibility and site remediation requirements. On June 5, 2023, both parties reached a final agreement and court order outlining site remediation efforts.

The agreement requires the County to bring the site back into compliance with State regulations and makes the County the responsible party for ongoing maintenance and monitoring. Following the final agreement and court order, the County received \$1,500,000 from its prior insurance carriers from policies that the County had in the 1960s and 1970s, that was deposited into the General Fund fund balance.

As part of the Closed Landfill program, the County's Department of Public Works (DPW) manages County owned closed burn sites. DPW coordinated with the USDA FS to complete additional site assessments and develop a remediation plan to reduce potential public and environmental health risks and future site erosion. The USDA FS has approved the design plan for construction to consolidate the waste into a smaller footprint, install an improved soil cap, and improve drainage and site security. Construction costs for these components are estimated at \$5,150,000 including contingencies for unforeseen conditions, and the funding source is available prior year General Fund fund balance. After completion of the project, ongoing maintenance of the site will be performed by DPW with an estimated annual cost of \$40,000.

This is a request for the Board of Supervisors (Board) to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the project. Upon Board approval, the Department of Purchasing and Contracting will advertise and subsequently award a contract for construction. Construction is anticipated to begin in Spring 2025 and be completed in early 2026.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15060(c)(1) because the activity does not involve the exercise of discretionary powers by a public agency.
2. Transfer of appropriations of \$5,150,000 within Department of Public Works General Fund, Services & Supplies to Operating Transfers Out; *and* establish appropriations of \$5,150,000 in Inactive Waste Site Management Fund, Services & Supplies, for Ramona Burn Dump Consolidate and Cap Project, based on an Operating Transfer In from the Department of Public Works General Fund. **(4 VOTES)**

3. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract for the Ramona Burn Dump Consolidate and Cap Project and to take any action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for the Construction Contract for the Project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

#### **EQUITY IMPACT STATEMENT**

Today's action continues the County of San Diego's (County) commitment to providing programs and services that enhance the health and safety of our local community. This action reflects the County's focus on equitable outcomes for all members of our community by addressing environmental concerns and protecting public health through the proper management of closed burn sites.

#### **SUSTAINABILITY IMPACT STATEMENT**

Today's action supports the County of San Diego's (County) Sustainability Goals to protect the environment and health and well-being of residents. Remediation of the Ramona Burn Dump site to encapsulate waste and contaminated soils and continued monitoring and maintenance of the site helps reduce the risk of exposure for humans and wildlife, reduces potential environmental and human health impacts through hazard mitigation, and preserves natural resources, ecosystems, and habitats.

#### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2024-25 Operational Plan in the Inactive Waste Site Management Fund. If approved, total construction costs for the Ramona Burn Dump Consolidate and Cap Project are estimated at \$5,150,000, including contingencies. The funding source is an operating transfer from the Department of Public Works, General Fund. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

County of San Diego contracts are competitively bid and help stimulate the local economy by creating employment opportunities. All workers employed on public works projects must be paid the prevailing wages determined by the California Department of Industrial Relations, according to the type of work and location of the project. The prevailing wage rates are usually based on rates specified in collective bargaining agreements.

#### **ACTION:**

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

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

ABSENT: Anderson

5. **SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE DEPARTMENT OF PARKS AND RECREATION AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

**OVERVIEW**

The County of San Diego (County) Department of Parks and Recreation (DPR) enhances quality of life in the San Diego region by providing exceptional parks and recreation experiences and preserving significant natural resources so that people can enjoy clean air, clean water, rich biodiversity, and access to open space. DPR's ability to provide exceptional customer service to millions of patrons each year is supported by donations from the San Diego County Parks Society (Parks Society) and other organizations. 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. 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 amount exceeds \$5,000.

During the period of January 1, 2024, to June 30, 2024, DPR received donations from the Parks Society totaling \$54,490.24. These donations provided the materials and funding for multiple public holiday events, active recreational activities and equipment, educational programs, and animal care at parks throughout the county. The Parks Society is a non-profit organization established in 1980 to support and improve DPR's vast park system. The Parks Society's support helps to maintain and operate County parks and assists with ongoing and expanded programming. In addition to the donations from the Parks Society, DPR received a donation from the East County Equestrian Foundation (ECEF), a non-profit organization dedicated to creating the first equestrian park in Lakeside. The donation of a John Deere tractor with several attachments, with a total value of \$44,907.00, was received on February 28, 2024, to be used for the maintenance and operation of the Dianne Jacob Lakeside Equestrian Park. This tractor supports the operation and maintenance of the center's two rodeo arenas and allows operating staff to drag and manicure the arenas.

Today's proposed actions are to accept DPR's Report of Gifts and Donations for the period of January 1, 2024, to June 30, 2024, to ratify the acceptance of those gifts and donations by DPR totaling \$99,397.24, and to authorize the Chairwoman of the Board of Supervisors to sign a letter of appreciation to the donors whose donations exceed \$5,000.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).
2. In accordance with County of San Diego (County) Administrative Code Section 66, *Acceptance of Gifts* and Board of Supervisors (Board) Policy A-112, *Acceptance and Use of Gifts and Donations*, accept the County Department of Parks and Recreation Report of Gifts and Donations from the San Diego County Parks Society and the East County Equestrian Foundation for the period of January 1, 2024, to June 30, 2024, totaling \$99,397.24.

3. In accordance with Administrative Code 66 and Board Policy A-112, ratify the acceptance of gifts from the San Diego County Parks Society and the East County Equestrian Foundation for the period of January 1, 2024, to June 30, 2024, that exceed \$5,000.
4. Authorize the Chairwoman of the Board of Supervisors to sign a letter of appreciation on behalf of the County of San Diego to the San Diego County Parks Society and the East County Equestrian Foundation (Attachment B).

### **EQUITY IMPACT STATEMENT**

The acceptance of donations from the San Diego County Parks Society and the East County Equestrian Foundation assists the Department of Parks and Recreation (DPR) in continuing and expanding special events, community celebrations, and activities in nature for the benefit of all residents and visitors. Donations allow DPR to provide additional supplies and services for youth, families, and communities that encourage sharing experiences, cultural traditions, and resources to strengthen a sense of belonging. Donations in this period included bus transportation as part of the Discovery Program. The Discovery Program immerses students and teachers from urban areas in nature-related activities designed to educate them about scientific phenomena and the history of the local environment, including a classroom visit by a County Park Ranger and a follow-up field trip to the Park Ranger's facility.

### **SUSTAINABILITY IMPACT STATEMENT**

Acceptance of the Department of Parks and Recreation's (DPR) Report of Gifts and Donations supports several of the County of San Diego's (County) Sustainability Goals, including Sustainability Goal No. 4, protecting health and well-being, by expanding opportunities for community members to access outdoor recreation and nature through special events, programs, and activities that are supported through donations DPR receives. In addition, donations to DPR support County Sustainability Goal No. 6, providing opportunities for all residents to access and enjoy the outdoors, by protecting and expanding open space and park/recreation access through aligning available services with resources to maintain fiscal stability and ensure long-term solvency.

### **FISCAL IMPACT**

There is no fiscal impact associated with today's recommendations. The Department of Parks and Recreation received donations from the San Diego County Parks Society totaling \$54,490.24 and a donation from the East County Equestrian Foundation totaling \$44,907.00 from January 1, 2024, to June 30, 2024. The total donations from both organizations combined is \$99,397.24. 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 Montgomery Steppe, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent.

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

ABSENT: Anderson



6. **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 AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

**OVERVIEW**

The County of San Diego (County) 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 and training events by offsetting costs through both cash and non-cash donations.

During the period of January 1, 2024, to June 30, 2024, DEHQ received one \$26,044.96 non-cash donation from the California CUPA Forum Board to be used specifically for professional conferences and associated fees. The donation covered 50% of registration fees and travel costs for 22 DEHQ staff to attend a professional association conference for the Certified Unified Program Agency (CUPA) hosted by the California CUPA Forum Board. Attendance supports 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, 2024, to June 30, 2024, 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)(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 Board for the period of January 1, 2024 to June 30, 2024.
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, 2024 to June 30, 2024 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 and training events by offsetting costs through donations. A total of 22 staff were able to attend a 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.

### **SUSTAINABILITY IMPACT STATEMENT**

The proposed actions contribute to the County of San Diego's (County) Sustainability Goals: to provide just and equitable access. The proposed actions contribute to the County Sustainability Goal No. 2 to provide just and equitable access to the County's available resources with services to maintain fiscal stability and promote economic stability. Donations received during this reporting period from a non-profit and professional association were used to support DEHQ staff training.

### **FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. The Department of Environmental Health and Quality received \$26,044.96 in non-cash donations for the period of January 1, 2024, to June 30, 2024. 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 Montgomery Steppe, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent.

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

ABSENT: Anderson

**7. SUBJECT: LAND USE AND ENVIRONMENT GROUP DEPARTMENTS - ADOPT RESOLUTIONS AUTHORIZING THE EXTENSION OF SUBMISSION OF GRANT APPLICATIONS AND ACCEPTANCE OF GRANT FUNDS FOR IMPLEMENTATION OF PROJECTS AND PROGRAMMATIC ACTIVITIES IN SUPPORT OF THE COUNTY'S VISION AND STRATEGIC INITIATIVES AND REALTED CEQA EXEMPTION (DISTRICTS: ALL)**

**OVERVIEW**

The County of San Diego's (County) Land Use & Environment Group (LUEG) is comprised of the departments of-Department of Public Works (DPW), Planning & Development Services (PDS), Department of Parks and Recreation (DPR), San Diego County Library (Libraries), Agriculture, Weights and Measures (AWM), Department of Environmental Health & Quality (DEHQ) - and overseen by the LUEG Executive Office (LUEG EO), which also houses the Office of Sustainability and Environmental Justice (OSEJ). Each of LUEG's departments provide critical services that align with and support the County's Vision and Strategic Initiatives.

LUEG departments utilize grant funding to enhance the implementation of programs and provision of services. In order to apply for and accept grants in excess of \$250,000 the County departments are required to request authorization from the Board of Supervisors (Board). Periodically, grant funds become available for a short period of time at the end of the federal and state fiscal years. Board approval to delegate authority to LUEG Department Directors to apply for and accept grants for their departments streamlines the application process and enables the Departments to apply for grant funding on short notice.

The Board has taken actions previously to support application and acceptance of grants by LUEG departments. On June 24, 2020 (12), the Board granted authority to seven LUEG departments at the time to apply for and accept grants to bring additional funding to the San Diego region for five years until June 30, 2025. This resolution had included the Air Pollution Control District (APCD) and reference to the University of California Cooperative Extension (UCCE), both of which are no longer part of LUEG. It also did not explicitly reference the LUEG EO or OSEJ, the latter of which did not exist at the time of adoption.

This is a request to adopt a resolution authorizing the LUEG Deputy Chief Administrative Officer, Chief Sustainability Officer, LUEG Department Directors and/or their designee(s) to submit, negotiate, accept and execute all documents necessary to secure grant funding from non-profits, local, state and federal agencies for an additional five years through Fiscal Year 2029-30.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15061 (b)(3) of the California Environmental Quality Act (CEQA) Guidelines that delegating authority to allow application for and acceptance of possible grant funding is exempt from CEQA review because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

2. Authorize the Land Use and Environment Group (LUEG) Deputy Chief Administrative Officer or designee, the Chief Sustainability Officer, and all LUEG department Directors, or their designees, to submit, negotiate, and execute all documents necessary to secure and apply for non-profit, local, state, and federal grant funds for their respective projects until June 30, 2030.
3. Adopt a resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING LAND USE AND ENVIRONMENT GROUP DEPUTY CHIEF ADMINISTRATIVE OFFICER, CHIEF SUSTAINABILITY OFFICER, DEPARTMENT DIRECTORS AND/OR DESIGNEE(S), TO SUBMIT GRANT APPLICATIONS AND ACCEPT GRANT FUNDS FOR THE IMPLEMENTATION OF PROJECTS AND PROGRAMATIC ACTIVITIES IN SUPPORT OF THE COUNTY'S VISION AND STRATEGIC INITIATIVES
4. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for services provided under grants.

### **EQUITY IMPACT STATEMENT**

Grants funding supports improvements and services for San Diego County community members, including the preservation of agricultural lands and development of infrastructure. Modern infrastructure can aid environmental justice concerns, achieving environmental goals, as well as economic development by improving the conditions of the San Diego region. Policies such as the Justice 40 tool, which focuses on how 40% of federal investments can be channeled towards disadvantaged communities, which is similar to CalEnviroScreen but uses census data to allow agencies to identify disadvantaged communities: those that are in census tract areas at or above thresholds in one of 8 environmental justice categories. This also includes those found to be marginalized, underserved, and overburdened by pollution. The County will utilize the Justice-40 tool, as applicable, when preparing applications for grants.

### **SUSTAINABILITY IMPACT STATEMENT**

The proposed action of authorizing applications and agreements for non-profit, federal, and state grant funding through Fiscal Year 2029-30 contributes to the County's ability to reach the County of San Diego Sustainability Goals. By being able to quickly pursue grant opportunities, Sustainability Goals such as protecting health and wellbeing, and providing just and equitable access can be addressed through these added funding streams. Swift funding for Sustainability Goals is particularly critical to proactively promote resilience, especially in communities and socio-economic groups historically underserved, and also plays a key role during periods of emergency response. Today's action supports the viability of sustainability programs and their responsiveness.

### **FISCAL IMPACT**

There is no fiscal impact associated with the approval of today's resolutions authorizing applications and agreements for non-profit, federal and State grant funding through Fiscal Year 2029-30. Land Use and Environment Group Department Directors will return to the Board at a later date to appropriate any grant funds received, as they become available, any matching funds that may be required, and authorization of advertisement and award of contract as necessary. If a grant requires matching funds, matching funds will be provided by available funds managed by the department.

A waiver of Board Policy B-29 is requested because the proposed grant funding may not offset all administrative costs. If approved and a grant is awarded, the awarded Department will return to the Board for final approval and appropriation of any unrecovered cost per Board Policy B-29. The funding source for potential unrecovered cost will be provided by available funds managed by the department. 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 Montgomery Steppe, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-127 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING LAND USE AND ENVIRONMENT GROUP DEPUTY CHIEF ADMINISTRATIVE OFFICER, CHIEF SUSTAINABILITY OFFICER, DEPARTMENT DIRECTORS AND/OR DESIGNEE(S), TO SUBMIT GRANT APPLICATIONS AND ACCEPT GRANT FUNDS FOR THE IMPLEMENTATION OF PROJECTS AND PROGRAMATIC ACTIVITIES IN SUPPORT OF THE COUNTY'S VISION AND STRATEGIC INITIATIVES.

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

ABSENT: Anderson

- 8. SUBJECT: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND PROVISIONS OF THE COUNTY REGULATORY CODE ASSIGNED TO THE LAND USE AND ENVIRONMENT GROUP AND ASSOCIATED CEQA EXEMPTION (10/23/24 -FIRST READING; 12/11/24 - SECOND READING, UNLESS THE ORDINANCES ARE MODIFIED ON SECOND READING) (DISTRICTS: ALL)**

### **OVERVIEW**

In accordance with Board of Supervisors (Board) Policy A-76, Sunset Review Process, the Land Use and Environment Group (LUEG) periodically reviews Board Policies and provisions of the County of San Diego (County) County Regulatory Code to ensure they reflect current Board standards and practices, that obsolete policies and Code provisions are removed, and that policy language is revised for clarity.

Today's proposed actions include Board approval of amendments and sunset date extensions to December 31, 2031, for seven Board Policies, of which three have no recommended changes (G-006, I-044, and I-070):

- a) G-006, User Fees County Parks and Recreation Facilities
- b) I-044, Procedure for Designing New County-Owned Community/Local Parks
- c) I-053, Cost Responsibility for the Construction of Flood Control and Drainage Facilities Within Road Rights-of-Way

- d) I-070, Reporting Complaint and/or Violations History for Planning Actions Brought Before Hearing Boards
- e) I-073, Hillside Development Policy
- f) I-118, Refund and Relief Policy When Permits and Projects are Issued in Error
- g) I-121, Procedure for Determining Public Convenience or Necessity for Alcoholic Beverage License Applications

There are also recommended amendments and a sunset date extension to December 31, 2031, for Title 6: Health and Sanitation, and no amendments for Title 5: Regulation of Buildings, Mobilehome and Special Occupancy Parks and Trailer Coaches.

If on October 23, 2024, the Board approves the Board Policy updates and first reading of the ordinance related to the reviewed code, then on December 11, 2024, the Board will be asked to consider and adopt the ordinance to implement the amendments and sunset date extension.

**RECOMMENDATION(S):**  
**CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with the definitions in Section 15378 (b)(5) of the California Environmental Quality Act (CEQA) Guidelines, find that actions to amend the County of San Diego (County) Administrative Code and Board of Supervisors Policies do not constitute a project since they are administrative actions and will not result in direct or indirect changes in the environment. Further, pursuant to CEQA Guidelines section 15061(b)(3), find that it can be seen with certainty that there is no possibility that the proposed actions may have a significant effect on the environment for the reasons stated in the Environmental Statement.
2. Approve amendments to and establish the sunset review date of December 31, 2031, for the following Board of Supervisors (Board) Policies:
  - a) *I-053, Cost Responsibility for the Construction of Flood Control and Drainage Facilities Within Road Rights-of-Way*
  - b) *I-073, Hillside Development Policy*
  - c) *I-118, Refund and Relief Policy When Permits and Projects are Issued in Error*
  - d) *I-121, Procedure for Determining Public Convenience or Necessity for Alcoholic Beverage License Applications*
3. Establish the new sunset review date of December 31, 2031, for the following Board Policies that have been reviewed by staff and have no recommended changes:
  - a) *G-006, User Fees County Parks and Recreation Facilities*
  - b) *I-044, Procedure for Designing New County-Owned Community/Local Parks*
  - c) *I-070, Reporting Complaint and/or Violations History for Planning Actions Brought Before Hearing Boards*
4. Determine no change is necessary and approve the sunset review date of December 31, 2031, for the following title of the County Regulatory Code:
  - a) *Title 5, Regulation of Buildings, Mobilehome and Special Occupancy Parks and Trailer Coaches*

5. Approve the introduction of the following Ordinance entitled:  
AN ORDINANCE AMENDING TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES PERTAINING TO DEPARTMENT OF ENVIRONMENTAL HEALTH PROGRAMS

If on October 23, 2024, the Board takes action as recommended, then, on December 11, 2024:

1. Consider Adopt the following Ordinance (unless Ordinance is modified on second reading):  
AN ORDINANCE AMENDING TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES PERTAINING TO DEPARTMENT OF ENVIRONMENTAL HEALTH PROGRAMS
2. Approve the new sunset review date of December 31, 2031, for the amended San Diego County Regulatory Code.

### **EQUITY IMPACT STATEMENT**

County departments are guided by several Regulatory Codes, Administrative Codes, and Board Policies in order to serve the region and customers consistently and equitably. The periodic review of County codes and policies ensures that departments keep documents up to date, provide clarifying language and continue to guide departmental practices. Additionally, this practice allows the language within these codes and policies to align with current efforts and be revised for inclusivity.

Today's recommendations will contribute to providing equitable, inclusive, and consistent service to the community and customers. The revisions proposed in this Board Letter enable the County of San Diego to provide residents the opportunity to review the updates that are made for consistency, clarity, and accuracy.

### **SUSTAINABILITY IMPACT STATEMENT**

This action to review and amend the San Diego County Regulatory Code and Board policies aligns with the goal to promote opportunities for community engagement. Updates proposed in today's action are meant to ensure that codes and policies are up to date, reflect current processes and to continue County services and responsibilities in the region. Some examples of these are policies for continued parks operations and care of park locations, environmental standards for facilities, and undergrounding utilities for community safety.

### **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 Desmond, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, and will further consider and adopt the Ordinance on December 11, 2024.

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

ABSENT: Anderson

9. **SUBJECT: NOTICED PUBLIC HEARING:  
TURNBULL OPEN SPACE EASEMENT AND LIMITED BUILDING  
ZONE EASEMENT VACATION AND AN ADDENDUM TO A  
PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION,  
PDS2024-VAC-24-002; PALA/PAUMA SUBREGIONAL PLAN AREA  
(9/25/2024 - SET HEARING; 10/23/2024 - HOLD HEARING)  
(DISTRICT: 5)**

**OVERVIEW**

On September 25, 2024 (02), the Board of Supervisors set a Hearing for October 23, 2024.

Planning & Development Services (PDS) is processing a request from Robert Sukup, the Applicant Contact on behalf of Susan Turnbull, the Owner, (Attachment G, Ownership Disclosure) to vacate a Biological Open Space Easement and Limited Building Zone Easement (Attachment C, Existing Open Space Easement and Limited Building Zone Easement to be Vacated) that is located on a privately owned parcel in the Pala/Pauma Subregional Plan Area, within unincorporated San Diego County (Attachment A, Vicinity Map). The Turnbull Open Space Easement and Limited Building Zone Vacation (Vacation) is proposed within a 22.63-acre parcel developed with one single-family home that is located near Cole Grade Road and Pauma Valley Drive, which ultimately connects to Temet Drive. The 9.43-acre Biological Open Space Easement and 1.75-acre Limited Building Zone Easement were recorded May 19, 2016 (Attachment C, Existing Open Space Easement and Limited Building Zone Easement to be Vacated), in accordance with the conditions of approval of Tentative Map Resolution 5545 (TM-5545) for a development known as Pauma Estates.

In 2007 the property owner at that time applied for a Tentative Map (TM-5545) for a development known as Pauma Estates that would divide the property into sixteen lots. On April 30, 2010, the County of San Diego Planning Commission approved the Pauma Estates project with conditions of approval that included dedication of a Biological Open Space Easement and a Limited Building Zone Easement. In 2017, a Tentative Map Time Extension to extend the expiration date of the Pauma Estates project was submitted and then withdrawn on May 17, 2021 due to investors not wanting to pursue the project. Today the applicant is requesting the vacation of the Open Space and Limited Building Zone Easements in order to remove easements that are no longer needed as the original Pauma Estates project is no longer being processed and the Tentative Map has expired (Attachment B, Planning Documentation).



Today's request requires two steps: September 25, 2024, it is requested that the Board set a date for a public hearing on October 23, 2024, and provide public notice of that hearing, which includes signage at the project site. If the Board takes the actions recommended on September 25, 2024, then on October 23, 2024, it is requested that the Board consider and adopt a resolution to vacate the referenced easements and record A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING OPEN SPACE EASEMENT AND LIMITED BUILDING ZONE EASEMENT PDS2024-VAC-24-002.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Adopt the environmental findings, which include findings in accordance with Section 15162 through 15164 of the California Environmental Quality Act (CEQA) Guidelines that the Vacation can be found in conformance with CEQA through the processing of an Addendum to the previously adopted Mitigated Negative Declaration (MND), that there are no substantial changes in the project or in the circumstances under which it is undertaken that involve significant new environmental impacts which were not considered in the previously adopted MND dated November 12, 2009, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was adopted (Attachment F).
2. Adopt the Resolution entitled A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING BIOLOGICAL OPEN SPACE EASEMENT AND LIMITED BUILDING ZONE EASEMENT PDS2024-VAC-24-002 (Attachment D).
3. Direct the Clerk of the Board to record the Resolution pursuant to the Streets and Highways Code Section 8325.

### **EQUITY IMPACT STATEMENT**

The Turnbull Open Space Easement and Limited Building Zone Vacation (Vacation) will result in the removal of a 9.43-acre Biological Open Space Easement and 1.75-acre Limited Building Zone Easement which is no longer needed for an expired project. The resolution to remove an encumbrance from private land that is no longer needed for public purposes will provide an overall public benefit and improve the use of the land made available by the vacation. The proposed summary vacation is in a residentially zoned area and will allow the property owner to better use their property now that the original project is no longer moving forward.

### **SUSTAINABILITY IMPACT STATEMENT**

The purpose of this Vacation is to remove the easements that were recorded for a map that was not finalized and has expired. The proposed action contributes to the County of San Diego Sustainability Goal No. 1 to engage the community to partner and participate in decisions that impact their lives and communities and Goal No. 2 to provide just and equitable access to develop their land. This action will impact the property owner directly by providing improved use of the property by unencumbering a portion the property for potential future development.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2024-25 Operational Plan in Planning & Development Services. If approved, this request will result in estimated costs and revenue of \$2,085 for the Open Space Easement and Limited Building Zone Easement Vacation and will cover the staff time involved with preparing the resolution, public notice, Board letter, and public hearing documents. The funding source for this project is provided by the applicant, Robert Sukup. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Montgomery Steppe, the Board of Supervisors closed the Hearing and took action as recommended, and adopted Resolution 24-128 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING BIOLOGICAL OPEN SPACE EASEMENT AND LIMITED BUILDING ZONE EASEMENT PDS2024-VAC-24-002 (Attachment D).

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

ABSENT: Anderson

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

**OVERVIEW**

Michael Brando spoke to the Board regarding the County Board of Supervisors in Orange County.

Zohra Fahim spoke to the Board regarding the alleged horse abuses on Artesian Road.

Purita Javier spoke to the Board regarding ceramic manufacturing and toxic contamination.

Cesar Javier spoke to the Board regarding ceramic manufacturing and toxic contamination.

Robert Germann spoke to the Board regarding hangar homes at Gillespie Field airport.

Annie Abram spoke to the Board regarding the alleged horse abuses on Artesian Road.

Michael Fujimori spoke to the Board regarding the alleged horse abuses on Artesian Road.

Paul the Bold spoke to the Board regarding the current weather, wildfires, and battery storage.

Laurie Paladino spoke to the Board regarding the alleged horse abuses on Artesian Road.

Consuelo spoke to the Board regarding government actions.

Dorothea Flanagan spoke to the Board regarding opposition of San Diego County Fire Code requirement to have a 16-foot-wide driveway.

Michele Walther spoke to the Board regarding enforcement of animal cruelty laws.

Terri-Ann Skelly spoke to the Board regarding concerns of marijuana advertising.

Megan Stuart spoke to the Board regarding concerns of marijuana use and mental health disorders.

Kera No Way spoke to the Board regarding the alleged horse abuses on Artesian Road.

Cari Honowitz spoke to the Board regarding the alleged horse abuses on Artesian Road.

Becky Rapp spoke to the Board regarding National Substance Use Prevention Month.

Nati Casanova spoke to the Board regarding the alleged horse abuses on Artesian Road.

Kari H. spoke to the Board regarding the Bonsall Community Park project.

Madison Rapp spoke to the Board regarding concerns of cannabis use in pregnant women.

Elizabeth Porcheddu spoke to the Board regarding the alleged horse abuses on Artesian Road.

Stephanie Baxter spoke to the Board regarding concerns of change on an equestrian trail system at Bonsall Community Park.

Truth spoke to the Board regarding the alleged horse abuses on Artesian Road.

Donna Hein spoke to the Board regarding concerns of change on an equestrian trail system at Bonsall Community Park.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:26 a.m.

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

Consent: Valdivia  
Discussion: Zurita

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

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