

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
WEDNESDAY, OCTOBER 25, 2023, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

A. REGULAR SESSION: Meeting was called to order at 9:05 a.m.

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

ABSENT: Supervisor Terra Lawson-Remer, Vice-Chair; (District 4 Seat Vacant)

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

15. CONTINUED FROM OCTOBER 24, 2023: NOTICED PUBLIC HEARING: TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS DURING 2022 (DISTRICTS: ALL)

The Board of Supervisors continued the community forum that began on October 24, 2023 at 5:30 p.m. in accordance with Government Code Section 7283.1 (d) and received a report from the Sheriff's Department regarding ICE access to individuals during 2022.

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 11, 2023.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of October 11, 2023.

AYES: Vargas, Anderson, Desmond

ABSENT: Lawson-Remer, (District 4 Seat Vacant)

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

- | Agenda # | Subject |
|-----------------|--|
| 1. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION
(09/27/2023 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN ORDINANCE; 10/25/2023 - SECOND READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED ON SECOND READING)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT] |
| 2. | NOTICED PUBLIC HEARING:
EAST COUNTY ADVANCED WATER PURIFICATION PROJECT OPEN SPACE VACATION AND AN ADDENDUM TO PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATIONS, PDS2023-VAC-23-001 AND PDS2023-ER-23-14-011; LAKESIDE COMMUNITY PLAN AREA (9/27/2023 - SET HEARING; 10/25/2023 - HOLD HEARING)
[FUNDING SOURCE: JOINT POWER AUTHORITY] |
| 3. | SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS TOTALING OVER \$5,000 TO THE DEPARTMENT OF PARKS AND RECREATION AND RELATED CEQA EXEMPTION |
| 4. | 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 |
| 5. | GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE A PORTION OF AN OFFER OF DEDICATION FOR PALMAS DRIVE AND RESERVATIONS FOR FUTURE PALMAS DRIVE, WARNER SPRINGS COMMUNITY PLAN AREA (VAC 2023-0009)
[FUNDING SOURCE: DEPOSIT FROM THE APPLICANT] |
| 6. | GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE A PORTION OF BUENA VISTA AVENUE/POINTE PARKWAY AND AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY, SPRING VALLEY COMMUNITY PLAN AREA (VAC 2022-0009)
[FUNDING SOURCE: DEPOSIT FROM THE APPLICANT] |

7. SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND PROVISIONS OF THE COUNTY REGULATORY CODE ASSIGNED TO THE LAND USE AND ENVIRONMENT GROUP

8. PUBLIC COMMUNICATION

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**1. SUBJECT: ADMINISTRATIVE ITEM:
 SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
 TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA
 EXEMPTION (09/27/2023 - ADOPT RECOMMENDATIONS
 INCLUDING INTRODUCING AN ORDINANCE; 10/25/2023 - SECOND
 READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED
 ON SECOND READING) (DISTRICTS: 1, 4, & 5)**

OVERVIEW

On September 27, 2023 (4), the Board of Supervisors took action to further consider and adopt the ordinance on October 25, 2023.

The Traffic Advisory Committee (TAC) supports the Department of Public Works (DPW) traffic engineering program. The TAC was established by the Board of Supervisors (Board) in the 1960s to provide traffic regulations and recommendations within the unincorporated areas of the region. To be effective, TAC proposes policies that will enhance safety, reduce congestion, and be legally enforceable. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County of San Diego (County) maintained roads. Upon receipt of a request or recommendation for the implementation of a traffic safety measure in unincorporated areas, the TAC reviews and investigates the requested item, including engineering and traffic condition studies. TAC recommendations are provided to the Board for consideration.

The TAC recommends the Board act on four items from the June 9, 2023, TAC meeting agenda:

Items from the 06/09/2023 TAC Meeting			
District	Item	Location	Action
1	1-A*	Grand Avenue from San Carlos Street to Jamacha Road in La Presa	Reduce the 35 miles per hour (MPH) speed limit to 30 MPH and certify.
4	4-A	Hilton Head Road and Inverary Drive in Hillsdale	Establish an all-way stop intersection.
5	5-A*	Fruitvale Road from Mac Tan Road to Cole Grade Road in Valley Center	Reduce the 50 MPH speed limit to 45 MPH and certify.
5	5-B*	Sunset Drive from the Escondido city limit (west of Bear Valley Parkway) to the Escondido city limit (west of Ginny Lane) in San Pasqual	Reduce the 40 MPH speed limit to 35 MPH and certify.

Approval of Item 1-A on Grand Avenue in La Presa (District 1), Item 5-A on Fruitvale Road in Valley Center (District 5), and Item 5-B on Sunset Drive in San Pasqual (District 5) would support speed enforcement which enhances roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Item 4-A at Hilton Head Road and Inverary Drive in Hillsdale (District 4) will provide safety enhancement measures for pedestrians, bicyclists, and all other roadway users by assigning a full stop to all approaches at 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 Item 4-A at Hilton Head Road and Inverary Drive in Hillsdale (District 4) does not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore does not require a second reading of an ordinance. Board direction on September 27, 2023, would allow for implementation by DPW.

The Board's action on Item 1-A on Grand Avenue in La Presa (District 1), Item 5-A on Fruitvale Road in Valley Center (District 5), and Item 5-B on Sunset Drive in San Pasqual (District 5) would introduce an ordinance to amend speed limit zones. This action would revise the County Code and requires two steps. On September 27, 2023, the Board would consider the TAC items. If the Board takes action as recommended on September 27, then on October 25, 2023, 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 September 27, 2023, then on that date a subsequential meeting date will be selected for the ordinance's adoption.

**RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE**

District 1:

Item 1-A. Grand Avenue from San Carlos Street to Jamacha Road in La Presa - Reduce the 35 MPH speed limit to 30 MPH and certify for radar enforcement.

District 4:

Item 4-A. Hilton Head Road and Inverary Drive in Hillsdale - Establish an all-way stop intersection.

District 5:

Item 5-A. Fruitvale Road from Mac Tan Road to Cole Grade Road in Valley Center - Reduce the 50 MPH speed limit to 45 MPH and certify for radar enforcement.

Item 5-B. Sunset Drive from the Escondido city limit (west of Bear Valley Parkway) to the Escondido city limit (west of Ginny Lane) in San Pasqual - Reduce the 40 MPH speed limit to 35 MPH and certify for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.163.55., 72.161.25.2. AND 72.161.27. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY. (Items 1-A, 5-A, & 5-B).

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in costs and revenue of \$7,760 in Fiscal Year 2023-24 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 Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10868 (N.S.), entitled: ORDINANCE AMENDING SECTIONS 72.163.55., 72.161.25.2. AND 72.161.27. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

AYES: Vargas, Anderson, Desmond

ABSENT: Lawson-Remer, (District 4 Seat Vacant)

**2. SUBJECT: NOTICED PUBLIC HEARING:
EAST COUNTY ADVANCED WATER PURIFICATION PROJECT
OPEN SPACE VACATION AND AN ADDENDUM TO PREVIOUSLY
ADOPTED MITIGATED NEGATIVE DECLARATIONS,
PDS2023-VAC-23-001 AND PDS2023-ER-23-14-011; LAKESIDE
COMMUNITY PLAN AREA (9/27/2023 - SET HEARING; 10/25/2023 -
HOLD HEARING) (DISTRICT: 2)**

OVERVIEW

On September 27, 2023 (6), the Board of Supervisors set a hearing for October 25, 2023.

Planning & Development Services (PDS) is processing a request from the Padre Dam Municipal Water District (Applicant) to vacate an Open Space Easement Vacation (Vacation) (see Attachment B, open space area to be vacated) for a permanent water and pipeline easement for the East County Advanced Water Purification project (Project) that is located on a privately owned parcel (see Attachment F, ownership disclosure form) in the Lakeside Community Plan Area (see Attachment A, vicinity map).

The Vacation is proposed within a 0.25 acres area of a 10.47-acre vacant and undeveloped open space parcel that is located west of El Monte Road and north of Lake Jennings Park Road along Laurel Canyon Road in the Lakeside Community Planning Area, within unincorporated San Diego county (APN 395-014-24). The open space parcel is privately owned, and the property owner has authorized Padre Dam Municipal Water District to process the requested vacation on their property. The vacation was granted as part of Final Map 15458 in a document recorded on August 11, 2005 (Doc No. 2005-0687366, see Attachment E). The Project proposes to vacate a 0.25-acre portion Biological Open Space Easement, which was dedicated to comply with the California Environmental Quality Act (CEQA) and protect the biological resources within the area. The Project originally planned and studied the installation of the underground pipeline through this area. This Vacation is required to allow the encroachment and construction of a portion of the Project, which includes an underground pipeline within the existing Open Space Easement, identified in Attachment B.

The Project is presently under construction and will treat wastewater generated in the service areas of the Joint Power Authority, a partnership between public agencies (Padre Dam Municipal Water District, City of El Cajon, County of San Diego, and Helix Water District), and recycle the water using state-of-the-art technology to create a sustainable supply of drinking water for residents of East County, including the unincorporated community of Lakeside. If the Vacation is approved, construction of the pipeline can continue at the project site. If the Vacation is not approved, the Project would need to be redesigned to avoid the Open Space Easement, resulting in delays to construction and redesign of the Project. The existing use on the subject parcel will not change and the vegetation in the vacated area will be restored once the Project is completed in 2025.

If the item is not heard by the Board on September 27, 2023, the first hearing of the item would not be until October 11, 2023, which would delay final action on the item until November 2023, resulting in a significant delay to the construction and the overall project timeline. Docketing the item for a later hearing would cause further delays to construction, and the overall project

schedule, and further impact the communities surrounding the project. The longer the item is delayed, the more difficult it is for the construction team to return to the area to complete the remaining work. The delay would impact the completion of this important and critical regional project, increasing costs on a taxpayer funded effort and delaying this public infrastructure project that will provide clean water to the public.

Today's request requires two steps: September 27, 2023, it is requested that the Board set a date for a public hearing on October 25, 2023, and provide public notice of that hearing, which includes posting at the project site. If the Board takes action recommended on September 27, 2023, then on October 25, 2023, it is requested that the Board consider and adopt a resolution to vacate a portion of the referenced open space easement, record A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING A PORTION OF THE OPEN SPACE EASEMENT.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

1. Adopt the environmental findings, which include findings in accordance with Section 15162 and 15164 of the California Environmental Quality Act (CEQA) Guidelines that there are no substantial changes in the East County Advanced Water Purification project (Project) or in the circumstances under which the Project is undertaken that involve significant new environmental impacts which were not considered in the previously adopted Mitigated Negative Declaration (MND) completed in 2018 and Subsequent MND completed in July 2022, 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 MNDs were adopted (Attachment C).
2. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING A PORTION OF THE OPEN SPACE EASEMENT PDS2023-VAC-23-001 (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

This resolution will provide public benefit through use of the lands made available by the vacation for the purposes of facilitating a new local drinking water supply. The proposed Vacation is in the public interest because it will allow the construction of a pipeline that will be used to reduce the amount of wastewater discharged into the ocean and provide a new local water supply for East County. Further, the vacated area will be restored and revegetated to open space.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to vacate an existing open space easement will allow the construction of a pipeline used to reduce the amount of wastewater discharged into the ocean and provide a new sustainable local water supply for east county. The area to be vacated will also be restored and revegetated back to open space after the pipeline is installed, so the area will continue to function as open space.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in Planning & Development Services. If approved, this request will result in costs and revenue of approximately \$5,000 and will cover the staff time involved with preparing the resolution, public notice, Board letter, and public hearing documents. The funding source is provided by the Joint Power Authority. 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 Anderson, seconded by Supervisor Desmond, the Board of Supervisors closed the Hearing and took action as recommended, and adopted Resolution No. 23-127, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING A PORTION OF THE OPEN SPACE EASEMENT PDS2023-VAC-23-001.

AYES: Vargas, Anderson, Desmond
ABSENT: Lawson-Remer, (District 4 Seat Vacant)

- 3. **SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS TOTALING OVER \$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 the quality of life in the San Diego region by providing exceptional parks and recreation experiences and preserving the 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). The Parks Society is a nonprofit organization that was established in 1980 to support and improve DPR’s vast park system. The Parks Society’s support through donations helps to maintain and operate DPR parks and assists with ongoing and expanded programming.

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, 2023 to June 30, 2023, DPR received donations from the Parks Society totaling \$47,492.17. These donations provided the materials and funding for multiple holiday events, active recreational activities and equipment, educational programs, and animal care at parks throughout the County. This includes only one donation over the \$5,000 amount (\$6,380.02) to purchase a replacement bronze historic site marker for Los Peñasquitos Park. A complete list of programs receiving donations, donation types, and parks supported by the Parks Society is shown in Attachment A.

Today's proposed action is to accept DPR's Report of Gifts and Donations for the period of January 1, 2023 to June 30, 2023, from the Parks Society of \$47,492.17, including the ratification for the single donation over \$5,000 to purchase a plaque for Los Peñasquitos Park. There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

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)(2) and (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 for the period of January 1, 2023 to June 30, 2023, totaling \$47,492.17.
3. In accordance with County Administrative Code Section 66 and Board Policy A-112, ratify the acceptance of the gift and donation of \$47,492.17 from the San Diego County Parks Society on June 21, 2023.

EQUITY IMPACT STATEMENT

The acceptance of donations from the San Diego County Parks Society (Parks Society) assists the Department of Parks and Recreation (DPR) to continue and expand special events, community celebrations and activities in nature for the benefit of all residents and visitors. The donations allow DPR to provide additional supplies and services to youth, families, and communities to encourage the sharing of experiences, cultural traditions, and resources to strengthen a sense of belonging. Donations in this period included bus transportation for elementary school children from Cajon Valley Union, Chula Vista Elementary, La Mesa-Spring Valley, and San Diego Unified School Districts to DPR parks 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 phenomenon and the history of the local environment, including a classroom visit by a DPR Park Ranger and follow-up field trip to that Ranger's Park. Donations also supported multiple nature based special events like National Trails Day, Wings Over Wetlands (San Elijo) and Wilderness Gardens Park 50th Anniversary. These donations also support the Summer Movies in the Park program where families can enjoy free movies under the stars, throughout the park system. The donations also supported the First

Time Camping Program that now provides camping space and equipment for no cost for families camping for the first time at Tijuana River Valley Park, Dos Picos Park, Lake Morena Park and Guajome Regional Park. The Parks Society provided the tents, sleeping bags, chairs and other equipment needed for a first-time camping experience.

SUSTAINABILITY IMPACT STATEMENT

The Department of Parks and Recreation (DPR) is committed to balancing recreation opportunities with efforts to protect and preserve our region's land, vegetation, wildlife, and natural resources. Programs are planned to support these efforts while expanding the number of residents that can experience DPR parks and programs. Donations from the San Diego County Parks Society (Parks Society) support these goals by providing donations to expand programs, like Movies in the Park, provide care and food for Animal Ambassadors that are used in interpretation programs at schools and parks to connect youth and families to the wildlife in DPR parks, and provide bus transportation for school children to participate in the Discovery Program in eight DPR parks (Stelzer, El Monte, Felicita, Flinn Springs, Guajome Regional, Los Peñasquitos, Otay Lakes, San Dieguito) to learn about nature and sustainability. Parks Society donations support large environmental based events like Wings Over Wetlands at San Elijo Park and National Trails Day at various trails.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. The Department of Parks and Recreation received donations from the San Diego County Parks Society totaling \$47,492.17 from January 1, 2023 to June 30, 2023. 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 Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Desmond

ABSENT: Lawson-Remer, (District 4 Seat Vacant)

4. **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 and training events by offsetting costs through both cash and non-cash donations.

During the period of January 1, 2023, to June 30, 2023, DEHQ received donations totaling \$29,201.30 in non-cash donations to cover registration fees and travel costs for 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, 2023, to June 30, 2023, 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 Board for the period of January 1, 2023, to June 30, 2023.
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, 2023, to June 30, 2023, 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 26 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 Department of Environmental Health and Quality's (DEHQ) proposed action to accept DEHQ's Report of Gifts and Donations for the period of January 1, 2023, to June 30, 2023, 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. The proposed actions support the County of San Diego's Strategic Initiative of Sustainability to align the County's available resources with services to maintain fiscal stability and promote economic stability.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. The Department of Environmental Health and Quality received \$29,201.30 in non-cash donations for the period of January 1, 2023, to June 30, 2023. 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 Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Desmond

ABSENT: Lawson-Remer, (District 4 Seat Vacant)

5. **SUBJECT: GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE A PORTION OF AN OFFER OF DEDICATION FOR PALMAS DRIVE AND RESERVATIONS FOR FUTURE PALMAS DRIVE, WARNER SPRINGS COMMUNITY PLAN AREA (VAC 2023-0009) (DISTRICT: 5)**

OVERVIEW

The Asset Management Division of the Department of General Services (DGS) is processing a request from the owner of Assessor's Parcel Number (APN): 115-240-05, to summarily vacate a portion of Palmas Drive offered for public street dedication, and the two areas reserved for the future westerly extension of Palmas Drive as a public street within APN: 115-240-04 and 115-240-05. A summary vacation is a streamlined process by which a public road, or a public service easement is abandoned. A summary vacation may be requested by the public if the easement interests are found to be excess to County of San Diego (County) needs and are not required for the purposes for which they were obtained.

The properties subject to the vacations are located within the Warner Springs Community Plan Area in the unincorporated community of Warner Springs. The County Department of Public Works (DPW) has determined that the portion of Palmas Drive offered for public street dedication, and the reservations for the future street are excess and no longer needed for present or future public use because Palmas Drive was never constructed, is not County-maintained and is not a part of the General Plan Mobility Element. The vacation of the offer of dedication and reservations will remove encumbrances that could allow for better use of the subject properties.

Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate a portion of Palmas Drive offered for public street dedication, and the two reservations for future street use, which are excess right-of-way not required for street or highway purposes.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed vacation is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacation of a portion of an offer of dedication for public street easement, and reservation for future street that are not needed for public road purposes, and will not have a reasonably foreseeable direct or indirect effect on the environment and is therefore not a project subject to CEQA as defined in section 15378.
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE A PORTION OF AN OFFER OF DEDICATION FOR PALMAS DRIVE AND RESERVATIONS FOR FUTURE PALMAS DRIVE, WARNER SPRINGS COMMUNITY PLAN AREA (VAC 2023-0009) (Attachment C, on file with the Clerk of the Board).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2023-0009 pursuant to State of California Streets and Highways Code Section 8336.

EQUITY IMPACT STATEMENT

The resolution to remove encumbrances from private lands that are 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 located in a residential and agriculturally zoned area and will allow the private property owners that were impacted by the encumbrances to better use their property. The existing surrounding road system will continue to provide adequate access for the property and will not preclude future development.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to summarily vacate a portion of Palmas Drive offered for public street dedication (including reservations for future street, for Palmas Drive) 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 owners directly by providing them with improved use of their property by unencumbering portions of their property for potential future development.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$5,000 to process the proposed vacation. The funding source is a deposit from the applicant. 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 Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 23-128, entitled: RESOLUTION TO SUMMARILY VACATE A PORTION OF AN OFFER OF DEDICATION FOR PALMAS DRIVE AND RESERVATIONS FOR FUTURE PALMAS DRIVE, WARNER SPRINGS COMMUNITY PLAN AREA (VAC 2023-0009).

AYES: Vargas, Anderson, Desmond

ABSENT: Lawson-Remer, (District 4 Seat Vacant)

6. **SUBJECT: GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE A PORTION OF BUENA VISTA AVENUE/POINTE PARKWAY AND AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY, SPRING VALLEY COMMUNITY PLAN AREA (VAC 2022-0009) (DISTRICT: 1)**

OVERVIEW

The Asset Management Division of the Department of General Services (DGS) is processing a request to summarily vacate a portion of Buena Vista Avenue/Pointe Parkway dedicated to the County of San Diego (County) in 1979 as a condition of approval for Tentative Map No. 3581-1, and an Irrevocable Offer of Dedication (IOD) for Public Highway, made in 1990. A summary vacation is a streamlined process by which a public road, or a public service easement is abandoned. A summary vacation may be requested by the public if the easements are found to be excess to County needs and are not required for the purposes for which they were obtained.

The properties subject to the road vacation are located within the Spring Valley Community Plan Area in the unincorporated community of Spring Valley. The County Department of Public Works (DPW) has determined that a portion of Buena Vista Avenue/Pointe Parkway, and all the IOD for a public highway, together with the rights granted therein to extend drainage facilities, excavation, and embankment slopes beyond the rights-of-way, are excess and no longer needed for present or future public use because the Buena Vista Road/Pointe Parkway was never constructed, is not County-maintained, and is not part of the General Plan Mobility element. The easement for the public highway was originally acquired in 1979 to provide access to a County-maintained public right-of-way for Tentative Map (TM) No. 3581, and then in 2007 for TM No. 5299RPL6, but is no longer needed because both TM's expired and in 2017 the County Department of Parks and Recreation purchased the majority of TM 5299RPL6 as Open Space

Preserve Land. The IOD was acquired in 1990 for the future construction of Ivy Street, at its intersection with Buena Vista Avenue/Pointe Parkway, that was also not constructed, is not County-maintained, and is not part of the General Plan Mobility element. Ivy Street was originally dedicated in 1911 on Map No. 1317. The vacation of these road easements will remove encumbrances that could allow for better use of the subject properties.

Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate a portion of Buena Vista Avenue/Pointe Parkway, and the IOD, together with the incidental rights granted therein to extend drainage facilities, excavation, and embankment slopes beyond the rights-of-way, which are excess rights-of-way not required for street or highway purposes.

RECOMMENDATION(S)

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 section 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacations of public highway easements that are not needed for public road purposes, and will not have a reasonably foreseeable direct or indirect effect on the environment and is therefore not a project subject to CEQA as defined in section 15378.
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE A PORTION OF BUENA VISTA AVENUE/POINTE PARKWAY AND AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY, SPRING VALLEY COMMUNITY PLAN AREA (VAC 2022-0009) (DISTRICT: 1) (Attachment C, on file with the Clerk of the Board).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2022-0009 pursuant to State of California Streets and Highways Code Section 8336.

EQUITY IMPACT STATEMENT

The resolution to remove encumbrances from private land that are no longer needed for public purposes will provide an overall public benefit and improve the use of the land made available by the vacations. The proposed summary vacations are located in a residential zoned areas and will allow the property owners better use their property. The existing surrounding road system will continue to provide adequate access for the properties and will not preclude future development.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to summarily vacate a portion of Buena Vista Avenue/Pointe Parkway and IOD 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 owners directly by providing improved use of the properties by unencumbering portions the properties for potential future development.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$5,000 to process the proposed vacations. The funding source is a deposit from the applicant. 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 Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 23-129, entitled: RESOLUTION TO SUMMARILY VACATE A PORTION OF BUENA VISTA AVENUE/POINTE PARKWAY AND AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY, SPRING VALLEY COMMUNITY PLAN AREA (VAC 2022-0009).

AYES: Vargas, Anderson, Desmond

ABSENT: Lawson-Remer, (District 4 Seat Vacant)

7. **SUBJECT: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND PROVISIONS OF THE COUNTY REGULATORY CODE ASSIGNED TO THE LAND USE AND ENVIRONMENT GROUP (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) Administrative Code and 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 of Supervisors approval of amendments and sunset date extensions to December 31, 2030 for 14 Board Policies, of which two of them have no recommended changes (I-029 and J-020) and one is recommended to sunset (I-032):

- a) A-103 Administration of County Code Provisions Related to the Prevention and Control of Fly Breeding on Commercial Poultry Ranches
- b) F-026 Utilization of Park Lands Dedication Ordinance Fees and Interest
- c) F-044 Development of McClellan-Palomar Airport
- d) F-053 Honorary Bridge Naming
- e) G-019 Design Guidelines and Standards for County Parks and Recreational Facilities
- f) I-001 Planning and Sponsor Group Policies and Procedures
- g) I-029 Certificates of Zoning Compliance for Advertising Signs
- h) I-030 Minor Street Acquisitions, Vacations or Abandonments
- i) I-032 Distribution of Notices of Board of Supervisors Conferences on Planning Matters
- j) I-050 San Diego Regional Standards for Public Works Projects
- k) I-112 Request to Form or Annex to Assessment and Special Districts for New Developments

- l) J-017 Undergrounding of Existing Overhead Utility Facilities
- m) J-020 San Diego Street Lighting District
- n) J-025 Participation by Individuals, Organizations, Private Developers, or Other Jurisdictions in the Implementation of Intersection Betterments

Today's proposed actions also include no recommended amendments and sunset date extension to December 31, 2030 for one County Regulatory Code sections (Title 9: Construction Codes and Fire Codes).

Additionally, the proposed actions include approval of sunset date extensions to December 31, 2030, for the Board Policies and County Regulatory Code sections reviewed by this letter that do not have staff recommended changes.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Acting as Board of Supervisors:

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, 2030 for the following Board of Supervisors (Board) Policies:
 - a) *A-103 Administration of County Code Provisions Related to the Prevention and Control of Fly Breeding on Commercial Poultry Ranches*
 - b) *F-026 Utilization of Park Lands Dedication Ordinance Fees and Interest*
 - c) *F-044 Development of McClellan-Palomar Airport*
 - d) *F-053 Honorary Bridge Naming*
 - e) *G-019 Design Guidelines and Standards for County Parks and Recreational Facilities*
 - f) *I-001 Planning and Sponsor Group Policies and Procedures*
 - g) *I-029 Certificates of Zoning Compliance for Advertising Signs*
 - h) *I-030 Minor Street Acquisitions, Vacations or Abandonments*
 - i) *I-032 Distribution of Notices of Board of Supervisors Conferences on Planning Matters*
 - j) *I-050 San Diego Regional Standards for Public Works Projects*
 - k) *I-112 Request to Form or Annex to Assessment and Special Districts for New Developments*
 - l) *J-017 Undergrounding of Existing Overhead Utility Facilities*
 - m) *J-025 Participation by Individuals, Organizations, Private Developers, or Other Jurisdictions in the Implementation of Intersection Betterments*

3. Establish the new sunset review date of December 31, 2030, for the following Board Policies that have been reviewed by staff and have no recommended changes:
 - a) *I-029 Certificates of Zoning Compliance for Advertising Signs*
 - b) *J-020 San Diego Street Lighting District*
4. Repeal the following Board Policies:
 - a) *I-032 Distribution of Notices of Board of Supervisors Conferences on Planning Matters*
5. Determine no change is necessary and approve the sunset review date of December 31, 2030 for the following title of the County Regulatory Code:
 - a) *Title 9: Construction Codes and Fire Codes*

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 County Administrative Codes, Regulatory Codes 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 Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Desmond

ABSENT: Lawson-Remer, (District 4 Seat Vacant)

8. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Robert Germann spoke to the Board regarding the unsafe camping ordinance and the Cedar Fire.

Kerry Chestnut spoke to the Board regarding the San Marcos Landfill.

Justin Castro (Aries) spoke to the Board regarding elections.

Paul the Bold spoke to the Board regarding Board actions.

Kevin Stevenson spoke to the Board regarding Board actions.

Diane Grace spoke to the Board regarding the ban of vaping devices.

Consuelo spoke to the Board regarding the unsafe camping ordinance and the Cedar Fire.

Peggy Walker spoke to the Board regarding support of Red Ribbon Week.

Truth spoke to the Board regarding Board actions.

Alejandra Trujillo-Elizalde spoke to the Board regarding the San Diego Native Landscape Program.

Ann Riddle spoke to the Board regarding tobacco retailers.

Allegedly Audra spoke to the Board regarding Board actions.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:45 a.m.

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

Consent: Vizcarra

Discussion: Zurita

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

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