

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
SPECIAL MEETING AGENDA

TUESDAY, JANUARY 14, 2025, 12:00 PM
COUNTY ADMINISTRATION CENTER
BOARD CHAMBER, ROOM 310
1600 PACIFIC HIGHWAY SAN DIEGO, CA 92101

Order Of Business

A. REGULAR SESSION – Special Meeting was called to order at 12:03 p.m.

PRESENT: Supervisors Terra Lawson-Remer, Vice-Chair; Joel Anderson; Monica Montgomery Steppe; Jim Desmond; also, Andrew Potter, Clerk of the Board of Supervisors.

ABSENT: (District 1 Seat Vacant)

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

C. 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

Category	#	Subject
Financial and General Government	1.	FILLING THE VACANCY OF THE FIRST DISTRICT COUNTY OF SAN DIEGO SUPERVISOR
	2.	CLOSED SESSION

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1. SUBJECT: FILLING THE VACANCY OF THE FIRST DISTRICT COUNTY OF SAN DIEGO SUPERVISOR (DISTRICT: 1)

OVERVIEW

On December 20, 2024, the Board of Supervisors was notified that First District Supervisor Nora Vargas would not be assuming her next term, therefore the seat is vacant as of January 6, 2025, at 12 noon. The San Diego County Charter gives the Board of Supervisors the authority and responsibility to take action to fill the vacant position within thirty days either by appointment, by appointment until a special election, or by calling a special election. The selected Supervisor would serve the remainder of the unexpired term, with the term ending at 12 noon on Monday, January 8, 2029.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

It is recommended that the Board consider and select one of the following options:

Option 1: Fill the Vacancy of the First District Supervisor by Appointment

1. Determine that the process will be conducted in accordance with the San Diego County Charter, Section 401.4, and Board Policy A-39, "Process to Fill Vacancies on the Board of Supervisors," including the public hearing process, requirements of the applicant, the application form and the selection process.
2. Approve the application packet for the position (Attachment A).
3. Set the application period to commence at 8 a.m., Wednesday, January 15, 2025, and to close at 5 p.m., Monday, January 27, 2025.

Applications would be available from and must be returned to the Clerk of the Board of Supervisors, by the close of the filing period. In order to provide equitable access, it is recommended that the Board waive the requirement in Section 2 of Board Policy A-39 that requires applicants to personally appear to obtain the application forms and allow applicants to access the application forms online. However, applications must be submitted in person, fully completed with the required attachments, for acceptance by the Clerk of the Board of Supervisors.

4. Set a Special Meeting on Wednesday, January 29, 2025, at 2 p.m., as the first hearing on all applicants and select up to five finalists.
5. Set a Special Meeting on Tuesday, February 4, 2025, at 2 p.m., as the second hearing to consider finalists and appoint a First District Supervisor. The appointed Supervisor would be sworn in on Wednesday, February 5, 2025.

Option 2: Fill the Vacancy of the First District Supervisor by Calling a Special Election

1. Adopt the resolution (Attachment B) that calls for a Special Election to be held on Tuesday, April 8, 2025. If no candidate receives a majority vote at that election, then a Special General Election would be held on Tuesday, July 1, 2025.

2. Determine the method to conduct the Special Election(s):
 - a. Conduct the special primary election or the special general election, or both, to be conducted wholly by mail, or
 - b. Utilize the existing method of conducting elections (i.e. Vote Center model).

Option 3: Fill the Vacancy of the First District Supervisor by Appointing a Supervisor Until the Qualification of a Successor Elected at a Special Election

1. Determine that the process will be conducted in accordance with the San Diego County Charter, Section 401.4, and Board Policy A-39, "Process to Fill Vacancies on the Board of Supervisors," including the public hearing process, requirements of the applicant, the application form and the selection process.
2. Approve the application packet for the position (Attachment A).
3. Set the application period to commence at 8 a.m. Wednesday, January 15, 2025, and to close at 5 p.m. on Monday, January 27, 2025. Applications are available from and must be returned to the Clerk of the Board of Supervisors, by the close of the filing period. In order to provide equitable access, it is recommended that the Board waive the requirement in Section 2 of Board Policy A-39 that requires applicants to personally appear to obtain the application forms and allow applicants to access the application forms online. Applications must be submitted in person, fully completed with the required attachments, for acceptance by the Clerk of the Board of Supervisors.
4. Set a Special Meeting on Wednesday, January 29, 2025, at 2 p.m., as the first hearing on all applicants and select up to five finalists.
5. Set a Special Meeting on Tuesday, February 4, 2025, at 2 p.m., as the second hearing to consider finalists and appoint a First District Supervisor. The appointed Supervisor would be sworn in on Wednesday, February 5, 2025 and serve until the qualification of a successor elected at the Special Election.
6. Adopt the resolution (Attachment B) that calls for a Special Election to be held on Tuesday, April 8, 2025. If no candidate receives a majority vote at that election, then a Special General Election would be held on Tuesday, July 1, 2025.
7. Determine the method to conduct the Special Election(s):
 - a. Conduct the special primary election or the special general election, or both, to be conducted wholly by mail, or
 - b. Utilize the existing method of conducting elections (i.e. Vote Center model).

EQUITY IMPACT STATEMENT

Today's proposed action seeks to outline the process for filling the vacancy of the First District Supervisor. Depending on the process chosen by the Board, there will be several opportunities for community engagement via public comment beginning with today's public meeting and during future public meetings or through a Special Election.

SUSTAINABILITY IMPACT STATEMENT

The information presented in this report contributes to the County’s efforts to engage the community in meaningful ways and promote an environment that provides equitable access to opportunities for public engagement and representation. These efforts will contribute to the County of San Diego Sustainability Goal No. 1 by “encourag[ing] people and diverse stakeholders to partner and participate in decisions that impact their lives and communities.”

FISCAL IMPACT

There is no fiscal impact associated with the Board’s choice to fill the First Supervisorial District vacancy by appointment. There would be no change in net General Fund cost and no additional staff years.

Funds for special election(s) to fill the vacancy are not included in the Fiscal Year 2024-25 Operational Plan in the Registrar of Voters. If the Board chooses to call a special election to fill the vacancy, anticipated costs could range from \$2.0 million to \$3.3 million per election, for a total cost range of \$4.0 million to \$6.6 million if both a primary and general special election are required. Total costs will depend upon whether the Board chooses a Vote Center model (ranging from \$2.9 million to \$3.3 million per election) or all vote-by-mail election (ranging from \$2.0 million to \$2.4 million per election).

Based on the action taken today, staff will return to the Board to establish appropriations in the Registrar of Voters. The appropriations may be funded by one-time General Purpose Revenue allocated for Appropriation for Contingency pursuant to Government Code §29084. Transfers and revisions to the appropriation for contingencies may be made by formal action of the Board of Supervisors, by a four-fifths vote (Government Code §29125).

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took the following actions:

Selected Option 2: Fill the Vacancy of the First District Supervisor by Calling a Special Election

1. Adopted Resolution No. 25-001 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO CONDUCT A SPECIAL ELECTION TO FILL THE VACANCY FOR THE FIRST SUPERVISORIAL DISTRICT SEAT, that calls for a Special Election to be held on Tuesday, April 8, 2025. If no candidate receives a majority vote at that election, then a Special General Election would be held on Tuesday, July 1, 2025.
2. Determined the method to conduct the Special Election(s):
 - b. Utilize the existing method of conducting elections (i.e. Vote Center model).

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

ABSENT: (District 1 Seat Vacant)

2. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Cases - 1).

ACTION:

The Clerk of the Board of Supervisors reported that for Closed Session on January 14, 2025, there was no quorum, therefore the Closed Session matter was not heard.

The special meeting was adjourned at 1:20 p.m.

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

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.