

**February 08, 2023**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

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

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE  
REGULAR MEETING  
**WEDNESDAY, FEBRUARY 8, 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 9:01 a.m.

**PRESENT:** Supervisors Nora Vargas, Chair; Terra Lawson-Remer, Vice-Chair; Nathan Fletcher; Joel Anderson; Jim Desmond; also, Ryan Sharp, Assistant Clerk of the Board of Supervisors.

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 January 25, 2023.

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of January 25, 2023.

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

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<br>ORDINANCE:RIGHT-OF-WAY DONE RIGHT: ADOPT ORDINANCE<br>ESTABLISHING MINIMUM WAGE FOR TRAFFIC CONTROL WORKERS<br>AND RELATED CEQA EXEMPTION (1/25/2023 FIRST READING; 02/08/2023 -<br>SECOND READING UNLESS ORDINANCE IS MODIFIED AT SECOND<br>READING) AND IMPLEMENT RIGHT-OF-WAY PERMIT PROCESS<br>IMPROVEMENTS<br>[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT] |
| 2.              | SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:<br>ADOPT AN ORDINANCE REPEALING AND REENACTING THE COUNTY<br>BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL,<br>ENERGY EFFICIENCY, GREEN BUILDING CODES, AND RELATED CEQA<br>EXEMPTION (TRIENNIAL COUNTY BUILDING CODE UPDATE) (1/25/2023 -<br>FIRST READING; 2/8/2023 - SECOND READING)   |
| 3.              | STRENGTHENING PROCESSES AND ESTABLISHING CRITERIA FOR<br>COUNTY CHAPTER 8 TAX DEFAULTED PROPERTY PURCHASES  |
| 4.              | PUBLIC COMMUNICATION  |

**1. SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
RIGHT-OF-WAY DONE RIGHT: ADOPT ORDINANCE  
ESTABLISHING MINIMUM WAGE FOR TRAFFIC CONTROL  
WORKERS AND RELATED CEQA EXEMPTION (1/25/2023 FIRST  
READING; 02/08/2023 - SECOND READING UNLESS ORDINANCE IS  
MODIFIED AT SECOND READING) AND IMPLEMENT  
RIGHT-OF-WAY PERMIT PROCESS IMPROVEMENTS  
(DISTRICTS: ALL)**

**OVERVIEW**

On January 25, 2023 (06), the Board of Supervisors took action to further consider and adopt the Ordinance on February 8, 2023.

On September 14, 2022 (5), the Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to develop and return to the Board within 120 days with an ordinance that codifies a minimum wage for traffic control workers, including forepersons and other on-site staff necessary for traffic control, doing work on County of San Diego maintained (County maintained) roads. The County maintains over 2,000 centerline miles of roads in the unincorporated area and issues approximately 3,500 permits per year to utility companies, private contractors, and individuals for work performed within the right-of-way along those roadways.

In recognition of the importance of protecting the health and safety of traffic control workers who perform this work, the Board directed the ordinance to require that all traffic control workers be paid equal to or greater than the prevailing wage that is set by the Department of Industrial Relations in the State of California 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. Skilled and trained workforce requirements will be included in contracts in compliance with the County's (County) Working Families Ordinance requirements for County construction projects over \$1,000,000. This wage would be required for all projects other than those serving a single-family residence or other small projects and would help stimulate the local economy by creating primarily construction-related employment opportunities.

The Director of the California Department of Industrial Relations determines the general prevailing rate of per diem wages for a particular craft, classification, or type of worker by geographical area. General determinations are issued twice a year on February 22 and August 22. In San Diego County, there are two relevant wage determinations, both issued August 22, 2022: "Laborer and Related Classifications (Building Construction)" and "Laborer (Construction-Fence Erector-Housemover) (Engineering Construction)." In the former, both "Flagperson" and "Traffic Control by any method" are compensated at \$62.80 per hour. In the latter, both "Flagperson" and "Traffic Control by any method" are compensated at \$64.04 per hr. Contractors are responsible for applying the prevailing wage rate that is most applicable to their project aligned during the construction period. County DPW staff engaged with labor organizations and business groups to solicit input for the prevailing wage ordinance.

In addition to the ordinance, on September 14, 2022 (5), the Board directed the CAO to assess potential improvements that County staff could make to expedite right-of-way permit issuance, including acceptable standards for permit processing times and performance evaluations of the permit issuance process, and return to the Board of Supervisors within 120 days with any potential recommendations.

Right-of-way permits are required for any work proposed in County maintained right-of-way. This includes privately owned encroachments such as gates, fences, signs, or the installation of public improvements in the right-of-way. Projects that require a permit include the installation of utilities such as electrical lines, cable lines, water, and sewer lines, telephone lines, curbs, gutters, sidewalks, and similar projects. Based on the project, the type of right-of-way permits could include construction, excavation, encroachment, small cell wireless facility, traffic control, tree trimming, and heavy load moving.

The current County process to issue right-of-way permits involves review by multiple staff in several departments. Simple permits are processed and issued in three to four weeks while complex right-of-way permits can take several weeks or longer to process. The County processes and issues 3,500 right-of-way permits annually with 25% issued to Cox Communications, 20% issued to SDG&E, 20% to AT&T, 15% issued to the regional water districts, and the remaining 20% issued to private contractors, other jurisdictions, and minor utility and telecommunication agencies. Over the last five years, the quantity of permit applications has gradually increased by an average of 5%. Beginning of 2022, there was significant staff turnover, many of who were involved in processing right-of-way permits. This resulted in a backlog of over 990 permits. Staff pivoted and conducted a business process reassessment for 12 types of right-of-way permits and identified potential improvements to the processing of permit applications.

Short-term improvements have been completed, mid-term improvements are underway and are expected to be completed in one year, and long-term improvements are expected to be completed in three years.

Staff accomplished the following short-term improvements:

- Engaged with the most frequent applicants for right-of-way permits to solicit input in the conduct of processing permits
- Worked with each stakeholder to best prioritize their permit applications
- Established annual permits for SDG&E, AT&T, and Cox Communications, eliminating the need for staff to process approximately 870 permit applications per year
- Worked with utility agencies to clarify and train on proper permit types required for each type of field work, resulting in the correct type of permit applications being submitted (i.e. excavation, encroachment, traffic control)
- Conducted refresher trainings for all permit intake and issuance staff at the front counter and for all review and approval staff
- Adjusted the primary duties of six staff members for five months to temporarily shift priority to review and approve incoming traffic control permits
- Added three contract employees for permit review, processing, and approval

The team eliminated the current backlog of right-of-way permits in late 2022.

In an effort to further streamline the permit process, staff will work with Peraton, the County Information Technology Contractor, to develop scope, schedule, and budget to implement long-term technology improvements that will eliminate redundancy of permit review by multiple County staff, duplication of input efforts of permit information by County staff and provide transparency to the public and applicant on the status of each step of the permit review process. Restructuring our process will expedite right-of-way permit issuance. Staff will report potential process improvements and performance evaluations that could expedite right-of-way permit issuance to the Board biannually.

Today's action would introduce an ordinance that codifies a minimum wage for traffic control workers on projects within County-maintained roads and seek Board authorization to implement right-of-way permit process improvements that would expedite permit issuance. The ordinance will be introduced on January 25, 2023, and, if approved, it will be scheduled for adoption on February 8, 2023. If the proposed ordinance is altered on February 8, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

Consider and adopt the following Ordinance: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO EMPLOYMENT OF TRAFFIC CONTROL WORKERS ON COUNTY MAINTAINED ROADS.

### **EQUITY IMPACT STATEMENT**

Traffic control workers play a critical role in keeping our roads safe when construction activities work is being completed on public streets. These workers are exposed to difficult conditions daily, including but not limited to hot temperatures, poor air quality, and distracted drivers. Ensuring these workers are properly compensated will help ensure that communities benefit from quality work and that these workers are fairly compensated for the risk they assume when performing this job.

### **SUSTAINABILITY IMPACT STATEMENT**

Establishing a minimum wage for traffic control workers on projects within County-maintained roads have economic and social sustainability benefits and is consistent with the County sustainability goal to protect the health and wellbeing of everyone in the region. Evaluating improvements to expedite right-of-way permits furthers the County sustainability goals to engage the community and seek stakeholder input to foster inclusive and sustainable communities, and to provide just and equitable access to County services.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2022-23 Operational Plan for Department of Public Works (DPW), Road Fund. If approved, this request will result in current year costs of \$25,000 for staff time for program management, including development of the scope of work for a roadway capacity index evaluation and electronic permit process long-term improvements. The estimated cost and funding source(s) for implementation of the long-term improvements will be determined once the scope of work has been finalized. DPW will monitor

its budget and return to the Board for future action with a mid-year adjustment to the budget and/or incorporate in the future budget as necessary. The funding source for the staff time to develop the scope of work for long-term improvements is State Highway User Tax Account. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

Businesses, including utilities and telecom companies, rely on the County of San Diego to be a critical partner in processing and issuing over 3,500 right-of-way permits per year and ensuring that utility work, such as undergrounding, can occur within the unincorporated area. Taking proactive measures to ensure that traffic control workers are adequately compensated can help ensure that this work is done safely and on time. Further, the County will work to ensure that the right-of-way permitting process is reliable and predictable by allocating resources to process improvements and permit streamlining and implementing technology upgrades.

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10828 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO EMPLOYMENT OF TRAFFIC CONTROL WORKERS ON COUNTY MAINTAINED ROADS.

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

- 2. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ADOPT AN ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL, ENERGY EFFICIENCY, GREEN BUILDING CODES, AND RELATED CEQA EXEMPTION (TRIENNIAL COUNTY BUILDING CODE UPDATE) (1/25/2023 - FIRST READING; 2/8/2023 - SECOND READING) (DISTRICTS: ALL)**

**OVERVIEW**

On January 25, 2023 (08), the Board of Supervisors took action to further consider and adopt the Ordinance on February 8, 2023.

National building codes were developed in response to natural disasters like fires and earthquakes. Building sciences and construction engineering advancements allowed codes to evolve beyond reducing risks. Today’s codes establish minimum standards to ensure homes and buildings are designed and constructed to protect public health, safety, community welfare, and are sustainable. Planning & Development Services (PDS) helps establish, use, and enforce up-to-date building codes through the review of proposed plans, issuance of building permits, and onsite construction inspections. These ongoing efforts, including regular code updates, enhance building resiliency, public welfare, and help build a culture of preparedness.

The California Building Standards Code (State Model Code) strives to ensure public health, safety, and general welfare through provisions addressing structural strength and stability, emergency exiting, fire prevention, electrical hazards, sanitation, air and water quality, energy efficiency, accessibility, and sustainability of buildings and structures. Structures designed and built to these standards, as compared to those built to lesser standards, have an increased likelihood of maintaining their structural integrity in a disaster, giving building occupants sufficient time to escape, providing safety to emergency responders, and protecting lives.

Every three years, the State of California (State) updates the State Model Code by repealing the existing code in its entirety and adopting and publishing an updated State Model Code. The 2022 edition of the State Model Code was published on July 1, 2022 and became effective on January 1, 2023.

The amendments to the State Model Code, known as the County Building Code, allow San Diego County to provide additional layers of safety and protection for our residents, provided it can be shown, to the State, that changes are necessary for local climactic, geological, or topographical conditions. The State Model Code allows modifications provided they do not lessen any of the requirements provided in the base State Model Code. While past local amendments have resulted in changes such as increased safety, they do typically increase construction costs. Potential local amendments are discussed with stakeholders during outreach to solicit feedback on impacts. Pool safety amendments are an example of climactic and geological changes to the State Model Code. Southern California has a high number of pools due to the weather; pool accidents have been recognized as a local issue. Amendments were made to require additional safety precautions above the State requirements.

Today's requested actions include the readoption of prior local amendments still applicable after the 2022 State Model Code updates and modifications to ensure local amendments are still in line with changes made to the State Model Code. Today's amendments are focused on these routine updates and addition of the Appendix P to the 2022 State Model Code (Emergency Housing and Shelter) and do not introduce additional changes to the State Model Code. In parallel, PDS has several ongoing efforts under the Regional Decarbonization Framework and Climate Action Plan Update related to items like green energy use and building sustainability could provide the opportunity for additional local amendments to the Code through future Board actions.

Pursuant to State law, the new local amendments requested today include Federal Emergency Management Agency (FEMA) requirements related to increasing flood resiliency and promoting public safety based on recent discussions with FEMA. At the request of FEMA, this update explicitly identifies requirements for alterations to buildings be designed and/or located to prevent water entry or accumulation.

Additional local amendments proposed include the adoption of Appendix P within the State Model Code allowing acceptable County Building Code options to address a shelter crisis arising from a declared local, state, or federal disaster (including homelessness or any disaster). The County continues to promote building shelters and housing for individuals experiencing homelessness. On August 11, 2018 (06), the Board adopted a shelter crisis declaration for unincorporated communities, which is in effect today. Additionally, on January 26, 2022 (05),



the Board adopted Zoning Ordinance amendments streamlining certain locations for emergency housing. If adopted, local amendments contained in the County Building Code apply to unincorporated communities for which the County of San Diego (County) has jurisdiction.

Today's request is the first reading to consider the adoption of the proposed ordinance, which contains local amendments to the State Model Code. If the Board takes the action recommended today, then on February 8, 2023, the Board can consider and adopt the proposed ordinance.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Consider and adopt the Ordinance Repealing and Reenacting the County Building, Residential, Electrical, Plumbing, Mechanical, Energy Efficiency, and Green Building Codes - Triennial County Building Code (second reading).
2. Upon adoption of the ordinance, direct the Clerk of the Board to provide a certified copy Of the adopted ordinance repealing and reenacting the County Building, Residential, Electrical, Plumbing, Mechanical, Energy Efficiency, and Green Building Codes (Triennial County Building Code) together with the associated findings (Attachments A - D) to the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833 pursuant to Health and Safety Code Section 17958.7.

### **EQUITY IMPACT STATEMENT**

Regular adoption and updates to the County Building Code help increase transparency and create uniform standards applied equally across all unincorporated communities. Local amendments to the State Model Code create customized changes to address our local community's public health and safety. Local Amendments expand beyond statewide transparency and accountability efforts through local stakeholder engagement: including direct feedback from vulnerable communities and those closest to the communities they serve.

According to the California Energy Commission (based on 2022 State Model Code development public workshops, commission hearings, and responses to public comments), extensive community input, including from underserved communities and those directly impacted by changes (homeowners and home-builders), shaped the development of the State Model Code. The State Model Code helps reduce disproportionate equity impacts faced by vulnerable communities. The new 2022 Energy Code helps address some of the disproportionate impacts of climate change with new standards to reduce air pollution and improve indoor air quality to address public health.

### **SUSTAINABILITY IMPACT STATEMENT**

The proposed action to consider the adoption of the County Building Code will result in sustainability enhancements in terms of health/well-being, equity, economy, and environment. The actions requested align with multiple County Sustainability Goals, including engaging the community, providing just and equitable access, transitioning to a green, carbon-free economy, protecting health and wellbeing, protecting water, and reducing pollution and waste. Uniform construction standards provide transparency and clarity for the public. Updated construction codes provide equitable access to healthier and safer homes and businesses. The new standards

help increase green jobs, increase energy efficiency, encourage building electrification, promote electrical vehicle adoption, and increase electric vehicle infrastructure contributing to decarbonization of the transportation sector. Additionally, the new onsite renewable energy generation and energy storage requirements contribute to grid resiliency and decarbonization. These new building standards reduce energy consumption, reduce indoor water consumption, preserve natural resources, and protect indoor air quality. In addition, proposed wildfire and flood resiliency standards safeguard public health and well-being while reducing demand on first responders during natural disasters resulting from climate change.

Based on available data from the State, these new requirements in the State Model Code contribute towards adoption of renewable energy, grid reliability, reduced emissions, reduced air pollution, and encourage electrification, which support the County's Sustainability Goals and greenhouse gas reduction initiatives, including the Regional Decarbonization Framework and the Climate Action Plan Update. According to the State, over the next 30 years, the 2022 code updates are estimated to provide \$1.5 billion in consumer benefits and reduce 10 million metric tons of greenhouse gas, equivalent to taking nearly 2.2 million cars off the road for a year.

#### **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**

While there is an increased cost for certain new residential construction (heat pump technology, electric ready wiring for future electric appliances, and better ventilation) and certain new commercial construction (mandatory solar and energy storage) as a result of a new requirement established by the State, the California Energy Commission (CEC) found that the long-term savings resulting from on-site generation of renewable energy increased energy efficiency. These additional utility energy savings would outweigh the increased construction costs when measured over the useful life of the home or business (measured over 30 years).

#### **ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10829 (N.S.), entitled: ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL, ENERGY EFFICIENCY, AND GREEN BUILDING CODES - TRIENNIAL COUNTY BUILDING CODE.

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

**3. SUBJECT: STRENGTHENING PROCESSES AND ESTABLISHING CRITERIA FOR COUNTY CHAPTER 8 TAX DEFAULTED PROPERTY PURCHASES (DISTRICTS: ALL)**

**OVERVIEW**

As part of the County of San Diego's (County's) efforts to maximize the public benefit of its actions and investments, such as environmental justice, equity, sustainability, and affordable housing; this letter proposes to strengthen processes and establish criteria associated with the County's acquisition of property through the California Revenue and Taxation Code, including the "Chapter 8" tax-defaulted property purchase process.

The County Treasurer-Tax Collector's (TTC) office goes to great lengths to accommodate and assist property owners in the payment of their property taxes. If, however, a property owner is delinquent on their property tax payments for five or more years, the TTC is empowered by state law to declare the property delinquent and sell the property at public auction to recover back taxes. Prior to public auction, the governing body of the taxing agency or nonprofit organizations can enter into "Chapter 8" Agreements with the Treasurer-Tax Collector to acquire the parcels for public benefit.

The County occasionally exercises its right to enter into purchase agreements of tax defaulted properties, typically in the service of conservation, recreation, or land management objectives. The procedure for responding to defaulted property notification from the TTC and the criteria for assessment of public benefit has historically been left to individual departments. The recently convened County Acquisition Roundtable has developed an initial list of conservation- and climate-related criteria for acquisition of properties and proposed the Department of Parks and Recreation as the lead department in the assessment process.

This letter seeks to clarify the process and establish the list of acquisition criteria for tax-defaulted properties. Toward that end, this letter instructs staff to develop: 1) a process to respond to the TTC's notification of defaulted properties rapidly and effectively, 2) broad criteria for assessing public benefit.

**RECOMMENDATION(S)**

**SUPERVISOR TERRA LAWSON-REMER**

Direct the Chief Administrative Officer to:

1. Find in accordance with Section 15378(a) of the California Environmental Quality Act Guidelines that this action is exempt because the development of acquisition criteria is an administrative action that will have no direct or foreseeable indirect physical change in the environment.
2. Develop a process, with clear distribution of responsibilities and authorities, for assessing defaulted properties and filing objections to sale and "Chapter 8" purchase applications with the County of San Diego Treasurer-Tax Collector.

3. Establish broad criteria for assessing the public benefit of acquiring defaulted properties relative to the cost of minimum bid, including but not limited to environmental justice and equity, habitat and species conservation, connectivity, public access, flood and stormwater control, fire risk reduction, groundwater conservation, water and air quality, and achievement of greenhouse gas emission reductions and other climate goals.
4. Report back with a final update to the Board of Supervisors (Board) on the items above and potential funding mechanisms within 270 days from initial Board action.

### **EQUITY IMPACT STATEMENT**

The Department of Parks and Recreation's Conservation Program's acquisition of open space properties with native habitat contributes to positive public health impacts by improving water and air quality for all residents as well as contributing to greenhouse gas reductions, flood control, and fire risk reduction.

### **SUSTAINABILITY IMPACT STATEMENT**

The potential acquisitions of available tax-defaulted properties could support multiple County Sustainability Goals. Acquisition of any parcels that meet open space criteria supports County Sustainability Goal No. 3, Sustainability Goal No. 7, and the County's Climate Action Plan by contributing to greenhouse gas reductions through preservation of open space and native habitat. The potential acquisitions could support County Sustainability Goal No. 4 by expanding opportunities for community members to access outdoor recreation and nature. Continued conservation of open space supports Sustainability Goal No. 5 by protecting surface water and groundwater quality. The potential open space acquisitions could support County Sustainability Goal No. 6 and the County's Multiple Species Conservation Program by expanding open space adjacent to native ecosystems and habitats.

### **FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. There may be future fiscal impacts based on recommendations resulting from today's action. These future impacts may include acquisition costs for the purchase of tax-defaulted properties as well as ongoing maintenance costs to include vegetation management and debris removal as needed. Any such recommendations would return back for consideration and approval by the Board of Supervisors (Board). Upon return to the Board, funding for future costs will need to be identified by the department and will proceed once identified. At this time, there will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

Directed the Chief Administrative Officer to:

1. Find in accordance with Section 15378(a) of the California Environmental Quality Act Guidelines that this action is exempt because the development of acquisition criteria is an administrative action that will have no direct or foreseeable indirect physical change in the environment.

2. Develop a process, with clear distribution of responsibilities and authorities, for assessing defaulted properties and filing objections to sale and “Chapter 8” purchase applications with the County of San Diego Treasurer-Tax Collector.
3. Establish broad criteria for assessing the public benefit of acquiring defaulted properties relative to the cost of minimum bid, including but not limited to affordable housing and homeless solutions, environmental justice and equity, habitat and species conservation, connectivity, public access, flood and stormwater control, fire risk reduction, groundwater conservation, water and air quality, and achievement of greenhouse gas emission reductions and other climate goals.
4. Report back with a final update to the Board of Supervisors (Board) on the items above and potential funding mechanisms within 270 days from initial Board action.

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

**4. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)**

**OVERVIEW**

Katheryn Rhodes spoke to the Board regarding support for Supervisor Fletcher as Mayor of San Diego and concerns of SANDAG rules and regulations.

Robert Germann spoke to the Board regarding his comments at the Board meeting.

Bryant Rumbaugh spoke to the Board regarding concerns of homelessness and housing.

Michael Brando spoke to the Board regarding Board of Supervisors past actions.

Audra spoke to the Board regarding concerns of government actions and effects of vaccinations.

John Bottorff spoke to the Board regarding negative health impacts of wood burning smoke.

Oliver Twist spoke to the Board regarding implementation of a split screen for Board meetings, attendance records for Board meetings, and allowing staff to telework.

Barbara Gordon spoke to the Board regarding negative impacts of secondhand smoke and to prohibit smoking in public spaces.

Paul Henkin spoke to the Board regarding actions of boards and implementing change.

Suzanne Hume spoke to the Board regarding air pollution.

Kelly McCormick spoke to the Board regarding marijuana awareness.

Ann Riddle spoke to the Board regarding land use ordinances.

Peggy Walker spoke to the Board regarding marijuana awareness.

Truth spoke to the Board regarding funds allocated to organizations by the Board of Supervisors.

Kathleen Lippitt spoke to the Board regarding the growing of marijuana.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 12:05 p.m.

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

Consent: Perez

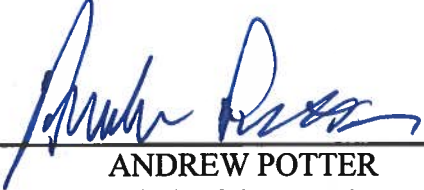
Discussion: Zurita

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

Approved by the Board of Supervisors, on Wednesday, March 01, 2023.

  
NORA VARGAS  
Chair

Attest:

  
ANDREW POTTER  
Clerk of the Board

02/08/2023