

**March 3, 2021**

**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  
REGULAR MEETING  
MEETING AGENDA  
**WEDNESDAY, MARCH 3, 2021, 9:00 AM**  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. **REGULAR SESSION:** Meeting was called to order at 9:00 a.m.

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

(Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present.)

- B. Closed Session Report
- C. 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.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of February 10, 2021.

**ACTION:**

ON MOTION of Supervisor Vargas, seconded by Supervisor Anderson, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of February 10, 2021.

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

- E. Formation of Consent Calendar
- F. 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.              | NOTICED PUBLIC HEARING:<br>SMILAX TOWNHOME PROJECT GENERAL PLAN AMENDMENT,<br>ZONE RECLASSIFICATION, TENTATIVE MAP, SITE PLAN, AND<br>ENVIRONMENTAL DOCUMENT   |
| 2.              | NOTICED PUBLIC HEARING:<br>BOULDER BRUSH FACILITIES MAJOR USE PERMIT, FIRE AND<br>EMERGENCY SERVICES AGREEMENT, AND ENVIRONMENTAL<br>DOCUMENT  |
| 3.              | EL MONTE RIVER VALLEY - APPROVE RESTORATION AND<br>FACILITIES IMPROVEMENTS FOR APPROXIMATELY 98 ACRES<br>OF LAND IN LAKESIDE<br>[FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND<br>FUND BALANCE]<br>(4 VOTES)   |
| 4.              | ALIGNING COUNTY VMT POLICY WITH CEQA, SB 743, AND OPR<br>TECHNICAL ADVISORY  |
| 5.              | APPROVE JOINT EXERCISE OF POWERS AGREEMENT BETWEEN<br>CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE, CITY OF<br>POWAY, CITY OF SANTEE, AND COUNTY OF SAN DIEGO FOR<br>THE PLANNING, DESIGN, MAINTENANCE, MANAGEMENT, AND<br>OPERATION OF GOODAN RANCH REGIONAL PARK   |
| 6.              | APPROVAL OF A REVISED JOINT EXERCISE OF POWERS<br>AGREEMENT AMONG THE COUNTY OF SAN DIEGO AND THE<br>CITY OF SAN DIEGO FOR THE OPERATION AND MAINTENANCE<br>OF MISSION TRAILS REGIONAL PARK  |
| 7.              | AUTHORITY TO ADVERTISE AND AWARD A CONSTRUCTION<br>CONTRACT FOR LAKESIDE BASEBALL PARK PHOTOVOLTAIC<br>CARPORTS AND SHADE STRUCTURE<br>[FUNDING SOURCE: GENERAL PURPOSE REVENUE]   |
| 8.              | GILLESPIE FIELD - NEW 50-YEAR GROUND LEASE WITH<br>SGCLMC-WELD INVESTMENT COMPANY, L.P.<br>(4 VOTES)   |
| 9.              | ESTABLISH APPROPRIATIONS, ADVERTISE, AND AWARD A<br>CONSTRUCTION CONTRACT FOR JAMACHA BOULEVARD<br>TRAFFIC SIGNAL BETWEEN SWEETWATER ROAD AND<br>GILLESPIE DRIVE IN SPRING VALLEY<br>[FUNDING SOURCES: FEDERAL HIGHWAY SAFETY<br>IMPROVEMENT PROGRAM GRANT AND HIGHWAY USER TAX<br>ACCOUNT]<br>(4 VOTES) |

10. ADOPT THE UPDATED PURCHASE OF AGRICULTURAL CONSERVATION EASEMENT (PACE) PROGRAM GUIDELINES AND PROVIDE DIRECTION ON RANKING CRITERIA OPTIONS
11. UPDATE: MEASURES TO PROVIDE ECONOMIC ACCESS AND EQUITY IN THE CANNABIS INDUSTRY  
[FUNDING SOURCE: PRIOR YEAR AVAILABLE GENERAL FUND FUND BALANCE]  
(4 VOTES)
12. ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD CONTRACT FOR CONSTRUCTION FOR BRIDGE PREVENTATIVE MAINTENANCE PROJECT NO. 5  
[FUNDING SOURCE: REVENUE FROM FEDERAL HIGHWAY ADMINISTRATION HIGHWAY BRIDGE PROGRAM AND HIGHWAY USER TAX ACCOUNT]  
(4 VOTES)
13. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:  
TRAFFIC ADVISORY COMMITTEE (02/10/2021 - ADOPT RECOMMENDATIONS; 03/03/2021 - SECOND READING OF ORDINANCES)
14. PUBLIC COMMUNICATION

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**1. SUBJECT: NOTICED PUBLIC HEARING:  
SMILAX TOWNHOME PROJECT GENERAL PLAN AMENDMENT,  
ZONE RECLASSIFICATION, TENTATIVE MAP, SITE PLAN, AND  
ENVIRONMENTAL DOCUMENT (DISTRICT: 5)**

**OVERVIEW**

The Smilax Townhome project (Project) is a 62-unit multi-family residential development in the North County Metropolitan Subregional Plan area. The 4.9-acre Project site is currently developed with a single-family dwelling, which will be demolished. The site is located south of State Route 78 (SR-78) and abuts the City of San Marcos jurisdiction along its eastern boundary. It is located approximately 900 feet northeast of the City of Vista jurisdiction, with unincorporated lands with single-family homes and a nursery in between. The Project is considered an infill development, as the site is located within a developed area, is surrounded by residential uses with job centers, commercial uses, and public transportation located approximately one mile from the site and is an area served by existing sewer and water infrastructure. The Project includes two common open space areas for recreational uses, internal private roads, and an on-site stormwater retention basin. The Project includes four different floor plans ranging in size from 1,679 to 1,918 square feet, each with an attached two-car garage and a private backyard. There are two open space areas for recreation, one centrally located and one along the eastern property boundary, adjacent to Smilax Road. The centrally located open space area is 6,885 square feet and designed with a playground, turf area, picnic benches, and barbecues. The open space area located along the eastern property boundary is 2,197 square feet and includes a dog park.

Today's requested action is for the Board of Supervisors (Board) to consider amending the San Diego County General Plan Land Use Element. This also a request for the Board to approve the associated implementing actions, such as a Zone Reclassification, a Tentative Map, Site Plan, and environmental document. The General Plan Amendment (GPA) is requested to change the existing Village Residential 2 (VR-2) designation, which allows two units per acre, to Village Residential 15 (VR-15), to allow for 15 dwelling units per acre, which would increase the density on the site from 9 homes to 62 homes.

In addition, a Zone Reclassification is needed to change the zoning designation from Rural Residential (RR), which does not allow for multi-family townhomes, to Multi-Family Residential (RM). The Zone Reclassification will change the building type to allow multi-family homes. The County's Zoning Ordinance separates use regulations and development regulations into individual "designators". These designators specify the allowed uses, lot size, density, height, building types, open space, and other requirements. The Project will add "D" Design Review Special Area Designator to require Site Plan review, which ensures the design of the Project is compatible with the surrounding area and neighborhood. Finally, a Tentative Map is required for the proposed condominium subdivision.

This request represents the first amendment of the General Plan Land Use Element to be considered by the Board in 2021. Government Code Section 65358(b) allows each mandatory element of a General Plan to be amended up to four times during a calendar year. The Project includes one change to the General Plan Land Use Element. Subject to limitation, an amendment may be made at any time and each amendment may include more than once change to the General Plan.

The Board can: (1) approve the Project, (2) approve the Project with modifications, (3) deny the Project, or (4) send the Project back to staff for additional analysis and/or reconsideration including any additional direction from the Board. If the Board chooses to deny the Project, the Board should direct staff to prepare written findings to deny the Project and return to the Board for consideration.

**RECOMMENDATION(S)  
PLANNING COMMISSION**

On November 13, 2020, the Planning Commission considered the Smilax Townhome Project and made the following recommendations to the Board of Supervisors:

1. Adopt the Environmental Findings, which includes a Mitigated Negative Declaration pursuant to California Environmental Quality Act guidelines (Attachment B, on file with the Clerk of the Board).
2. Adopt the Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) PDS2019-GPA-19-003 for the reasons stated therein and discussed in this report (Attachment C, on file with the Clerk of the Board).
3. Adopt the attached Form of Ordinance: an ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AREA, REF: PDS2019-REZ-19-002 (Attachment D, on file with the Clerk of the Board).
4. Adopt the Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2019-TM-5634. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the Project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment E, on file with the Clerk of the Board).
5. Approve Site Plan PDS2019-STP-19-014, which imposes the requirements and conditions stated in the Site Plan Form of Decision (Attachment F, on file with the Clerk of the Board).

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

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

Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Smilax & Wang, LLC to provide security in the amount of \$500,000, either as an irrevocable letter of credit or bond (whichever is acceptable to County Counsel), within 10 days of litigation being filed (Attachment G, on file with the Clerk of the Board).

**FISCAL IMPACT**

N/A



## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

1. Adopted the Environmental Findings, which includes a Mitigated Negative Declaration pursuant to California Environmental Quality Act guidelines.
2. Adopted Resolution No. 21-028 entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) PDS2019-GPA-19-003 for the reasons stated therein and discussed in this report.
3. Adopted Ordinance No. 10717 (N.S.) entitled: ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AREA, REF: PDS2019-REZ-19-002.
4. Adopted Resolution No. 21-029 entitled: RESOLUTION OF THE SAN DIEGO COUNTY CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2019-TM-5634. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the Project is implemented in a manner consistent with State law and County of San Diego regulations.
5. Approved Site Plan PDS2019-STP-19-014, which imposes the requirements and conditions stated in the Site Plan Form of Decision.
6. Required the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Smilax & Wang, LLC to provide security in the amount of \$500,000, either as an irrevocable letter of credit or bond (whichever is acceptable to County Counsel), within 10 days of litigation being filed.
7. Added a condition to the Site Plan that prior to approval of building permits, the building plans shall include windows on each garage door in order to allow the Home Owners Association to confirm that cars are being parked in each garage.
8. Added a condition to the Site Plan that prior to issuance of building permits, the applicant provide a contribution of \$250,000 towards the design of a traffic signal at the intersection of Oleander Avenue and Poinsettia Avenue, directly adjacent to the elementary school.
9. Directed the Chief Administrative Officer to return to the Board within 90 days with options on how to fund the remaining costs for the construction of the traffic signal improvements at the intersection of Oleander Avenue and Poinsettia Avenue.

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

**2. SUBJECT: NOTICED PUBLIC HEARING:  
BOULDER BRUSH FACILITIES MAJOR USE PERMIT, FIRE AND  
EMERGENCY SERVICES AGREEMENT, AND ENVIRONMENTAL  
DOCUMENT (DISTRICT: 2)**

**OVERVIEW**

Today's requested action is for the Board of Supervisors (Board) to consider a Major Use Permit (MUP), a Fire and Emergency Services Agreement to contribute ongoing funding toward fire services, and the environmental document for the Boulder Brush Facilities Major Use Permit (Project). The Project under County of San Diego (County) jurisdiction is a component of the larger Campo Wind project, which will generate 252 megawatts of wind energy, enough electricity for 70,000 homes. A total of 60 wind turbines and other supporting infrastructure will be located on land leased from the Campo Band of Diegueño Mission Indians within the Campo Reservation, and therefore are not subject to any County permits.

The Project under the County's land use jurisdiction is limited to a 3.5-mile 230-kilovolt overhead transmission line, a substation, a switchyard, and access roads in the Boulevard Subregional Plan Area located in the Mountain Empire Subregional Plan. The Project site is located off Ribbonwood Road, 2.3 miles north of Interstate 8. The Board is considering the MUP, the Fire and Emergency Services Agreement, and certification of the environmental document for the Project. The wind turbines and other supporting infrastructure located on the Campo Reservation are outside the County's jurisdiction and are not before the Board for consideration. The Board can either approve, approve with modifications, or deny the Project.

**RECOMMENDATION(S)**

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

Planning & Development Services (PDS) recommends, based on the request from the Boulder Brush LLC (Applicant), that this item be continued to March 17, 2021 so that the Applicant may conclude its discussions with organized labor regarding their participation in the Boulder Brush Facilities Major Use Permit (Project).

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors continued the item to March 17, 2021.

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

**3. SUBJECT: EL MONTE RIVER VALLEY - APPROVE RESTORATION AND FACILITIES IMPROVEMENTS FOR APPROXIMATELY 98 ACRES OF LAND IN LAKESIDE (DISTRICT: 2)**

**OVERVIEW**

On February 10, 2021 (01), the San Diego County Board of Supervisors (Board) approved the acquisition of approximately 98 acres (Property) from the Helix Water District (Helix). The Property was identified for purchase because it would benefit the community of Lakeside by providing opportunities for future trail connections, development of future recreational facilities, and retention of existing equestrian and youth sports field uses. The main channel of the San Diego River crosses the property and onsite habitat includes coastal sage scrub, riparian scrub, riparian forest, as well as disturbed and developed areas. The acquisition of the Property would provide an opportunity for future trail connections between existing County park facilities and the San Diego River Park (SDRP) Regional Trail and Flume Trails to the east.

However, general cleanup, repairs, and other facilities improvements will be needed for the Property prior to its use by the public. At the February 10 Board meeting, the Board indicated their support for appropriating additional funding to ensure that the newly acquired parcels will be restored in full. Today's request is to authorize additional project costs for the El Monte River Valley Property toward clearing debris and vegetation, and make improvements to a little league sports complex. We urge your support.

**RECOMMENDATION(S)**

**CHAIR NATHAN FLETCHER AND SUPERVISOR JOEL ANDERSON**

1. Find that today's action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, 15302, and 15304 of the State CEQA Guidelines and require that any uses beyond existing uses of the property be contingent upon CEQA compliance.
2. Establish appropriations of \$6,441,000 in Contributions to Capital Outlay Fund, Operating Transfer Out, based on available prior year General Fund fund balance to provide funding to Capital Project 1024372, El Monte River Valley; and establish appropriations of \$6,441,000 in the Capital Outlay Fund for Capital Project 1024372, El Monte River Valley, based on an Operating Transfer In from the General Fund **(4 VOTES)**.

**FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2020-21 Operational Plan. If approved, this request would result in additional project costs of \$6,441,000 in Capital Project 1024372, El Monte River Valley. The funding source is available prior year General Fund fund balance.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Anderson, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, and directed the Chief Administrative Officer to record a use restriction against the property to limit the use of the property to open space, park, and recreational uses, and prohibit mineral or subsurface extractions, mining, or any other removal of sand or other minerals, except as necessary for habitat restoration purposes.

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

**4. SUBJECT: ALIGNING COUNTY VMT POLICY WITH CEQA, SB 743, AND OPR TECHNICAL ADVISORY (DISTRICTS: ALL)**

**OVERVIEW**

San Diego as a region is projected to experience severe impacts of global climate change, including drought, floods, greater frequency and intensity of storm events, sea level rise, coastal erosion, and fire. As such, the County of San Diego is committed to working with municipalities across the region to implement bold, innovative, collaborative climate solutions that meet and exceed the state's greenhouse gas (GHG) emissions mandates.

Roughly half of our state and county's greenhouse gas emissions are attributable to the transportation sector. In 2013, in an effort to reduce greenhouse gas (GHG) emissions associated with transportation and to discourage carbon-intensive land uses, the California State Legislature passed and Governor Brown signed SB 743 (Steinberg). SB 743 and the subsequent implementing Technical Advisory from the Office of Planning and Research (OPR) established vehicle miles traveled (VMT) as the most appropriate criteria for assessing a project's transportation-associated GHG impacts, and VMT mitigation to be the most effective strategy for reducing the long-term climate impacts of the state's transportation sector. The OPR Technical Advisory further advised jurisdictions to utilize the "region" to determine the baseline average VMT per capita against which to compare proposed residential projects in unincorporated areas.

On June 24, 2020, the San Diego County Board of Supervisors adopted the Final Transportation Study Guide, which included a threshold of significance of 15% below the average VMT per capita of the Unincorporated County and a screening threshold of 110 average daily trips (ADT). Taken together, these two thresholds established a presumption of insignificant VMT impacts for potential projects in the Unincorporated County under SB 743.

This Board believes that the decision to adopt the Unincorporated County as the geographical boundary for purposes of establishing the baseline average VMT per capita and 110 ADT as the screening threshold significantly impaired the County's efforts to reduce transportation and land use related GHG emissions. The Board therefore instructs the Chief Administrative Officer to suspend use of the "Unincorporated Region" as the geographic boundary for determination of significant VMT impacts, and revise the Transportation Study Guide (TSG) to utilize the 'San Diego region' rather than the 'Unincorporated County' as the geographic boundary, to eliminate 110 ADT as a screening criteria, and to return to the Board for adoption of amendments to the TSG with alternative screening or de minimis criteria after public review of the revisions.

**RECOMMENDATION(S)**

**SUPERVISOR TERRA LAWSON-REMER AND VICE CHAIR NORA VARGAS**

1. Find that the proposed actions are exempt from CEQA per CEQA Guidelines Sections 15060(c), 15308 and 15061(b)(3).
2. Direct the Chief Administrative Officer to suspend use of the “Unincorporated Region” as the geographic boundary for determination of significant VMT impacts.
3. Direct the Chief Administrative Officer to revise the Final Transportation Study Guidelines (June 2020) to A) replace the “Unincorporated County” with the “San Diego region” as the geographic boundary for purposes of establishing baseline average VMT per capita and B) strike all reference to the “screening threshold” of 110 average daily trips (ADT) and return to the Board within 120 days for adoption of amendments to the Final Transportation Study Guidelines with alternative screening criteria for the determination of de minimis individual and cumulative project transportation-related VMT impacts after public review of the revisions.

**FISCAL IMPACT**

There is no fiscal impact associated with these recommendations.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors withdrew the item at the request of Vice-Chair Nora Vargas and Supervisor Lawson-Remer, on Consent.

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

5. **SUBJECT: APPROVE JOINT EXERCISE OF POWERS AGREEMENT BETWEEN CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE, CITY OF POWAY, CITY OF SANTEE, AND COUNTY OF SAN DIEGO FOR THE PLANNING, DESIGN, MAINTENANCE, MANAGEMENT, AND OPERATION OF GOODAN RANCH REGIONAL PARK (DISTRICT: 2)**

**OVERVIEW**

The County of San Diego (County) Department of Parks and Recreation (DPR) operates 141 facilities throughout the region. At times, DPR partners with other organizations to preserve land and provide enhanced park and recreational opportunities through a Joint Exercise of Powers Agreement (JEPA). One such JEPA is with the California Department of Fish and Wildlife (CDFW), City of Poway (Poway), and City of Santee (Santee) for the ownership and management of Goodan Ranch Regional Park (GRRP).

GRRP is a 321-acre open space park located in an unincorporated part of the county, bordered by Poway to the north, the City of San Diego to the west, Santee to the south, and DPR's Sycamore Canyon County Preserve to the east. The property consists of rolling grasslands, riparian habitat, coastal sage scrub, and chaparral. On December 7, 1991 the County, the State Wildlife Conservation Board, Poway, and Santee acquired GRRP from Signal Landmark Inc. Each of the respective agencies retained an undivided interest in the property. On November 7, 1995, a 25-year JEPA was entered into by CDFW, Poway, Santee, and DPR to exercise such powers jointly by coordinating planning, design, and operation of GRRP. The new JEPA replaces the 1995 agreement with the same agency partners and will authorize the County for the next 25 years to manage the Park in accordance with the Resource Management Plan for GRRP. DPR will continue to manage GRRP with existing General Purpose Revenue allocations of approximately \$170,000 and there will be no increase to annual costs and no additional staff years.

Today's requested action will authorize the Director of Parks and Recreation to execute a revised JEPA between the County, CDFW, Poway, and Santee. The request to authorize the revised JEPA would result in no increase to annual costs and no additional staff years.

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

1. Find that the proposed actions are exempt for review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guideline
2. Authorize the Director, Department of Parks and Recreation, or designee, to execute a Joint Exercise of Powers Agreement with the California Department of Fish and Wildlife, and the cities of Poway and Santee for the planning, design, maintenance, management, and operation of Goodan Ranch Regional Park.

**FISCAL IMPACT**

There is no fiscal impact associated with the Board's authorization of the Joint Exercise of Powers Agreement among the County of San Diego, the City of Poway and City of Santee, and the California Department of Fish and Wildlife. Annual costs to operate the Goodan Ranch Regional Park are approximately \$170,000 and funded through existing General Purpose Revenue allocations. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

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

6. **SUBJECT: APPROVAL OF A REVISED JOINT EXERCISE OF POWERS AGREEMENT AMONG THE COUNTY OF SAN DIEGO AND THE CITY OF SAN DIEGO FOR THE OPERATION AND MAINTENANCE OF MISSION TRAILS REGIONAL PARK (DISTRICT: 2)**

**OVERVIEW**

Mission Trails Regional Park (MTRP) is an approximately 9,000-acre regional park centrally located in the jurisdiction of the City of San Diego (City) and the City of Santee, and within close proximity to the City of La Mesa and the City of El Cajon. Due to its central location, MTRP was originally envisioned as one of the largest urban parks in the west and continues to be one of the most highly visited recreational amenities in the region. Recreational amenities within MTRP include over 40 miles of trails, boating on Lake Murray, camping at Kumeyaay Lake, and a visitor/interpretive center.

Cowles Mountain, which is part of MTRP, is jointly owned by the County of San Diego (County) and the City. Since 1974, the County and the City have partnered to collectively operate and manage MTRP. The County and the City first began collaborating on efforts regarding MTRP with land acquisitions that occurred in 1974. Since that time, the County and City have worked together to implement multiple agreements to govern the planning, operation, and maintenance of MTRP.

Currently, the County and City operate and manage MTRP under a Joint Exercise of Powers Agreement (JEPA) that was executed on March 4, 1996, which acknowledges a common interest to work cooperatively to operate and maintain MTRP for the benefit of residents and visitors. The existing JEPA has a 25-year term and is set to expire on March 4, 2021. The County and the City have worked together to update and revise the JEPA to further define operational responsibilities and clarify the intended use of funding that is secured via existing leases for wireless communication facilities located within MTRP. Annual operating costs to manage the approximately 129 acres of County-only owned land in MTRP are estimated at \$5,000 and funded through existing Department of Parks and Recreation General Purpose allocations.

The revised JEPA also memorializes the existing governance structure for actions related to MTRP, which includes a Task Force consisting of elected officials from jurisdictions that are within the vicinity of MTRP. The Task Force includes elected officials from the County, the City, the City of Santee, and the City of La Mesa, as well as a representative from the community. The Mission Trails Regional Park Task Force (Task Force) is an advisory body that provides direction for the use, maintenance, and development of MTRP. On January 21, 2021, the Task Force voted on and approved the revised JEPA. The County Supervisors for District 2 and District 3 attended this meeting.

Today's requested action will authorize the Director of Parks and Recreation to execute a revised JEPA between the County and the City. The request to authorize the revised JEPA would result in no increase to annual costs and no additional staff years.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3).

2. Authorize the Director of the Department of Parks and Recreation to execute a revised Joint Exercise of Powers Agreement among the County of San Diego and the City of San Diego for the operation and maintenance of Mission Trails Regional Park.

#### **FISCAL IMPACT**

There is no fiscal impact associated with the Board of Supervisors' authorization of the revised Joint Exercise of Powers Agreement between the County of San Diego and the City of San Diego for the operation and maintenance of Mission Trails Regional Park. Annual operating costs for MTRP are estimated at \$5,000 and funded through existing General Purpose Revenue allocations. 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 Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Fletcher, Desmond

ABSENT: Lawson-Remer

7. **SUBJECT: AUTHORITY TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR LAKESIDE BASEBALL PARK PHOTOVOLTAIC CARPORTS AND SHADE STRUCTURE (DISTRICT: 2)**

#### **OVERVIEW**

Lakeside Baseball Park is a little league ballfield complex located near Highway 67 adjacent to the San Diego River in the community of Lakeside. The community of Lakeside has 2.0 acres of parkland per 1000 population, below the average of San Diego County's 2.1 acres of parkland per 1000 population. The community is 77 acres deficient in local park land per standard of 3 acres parkland/ 1000 population and 602 Acres deficient per the park goal of 10 Acres/1000 population. This site is approximately 15 acres with four tournament-play fields constructed with synthetic turf, practice pitching areas, a concession stand, restroom building, a playground area, and multi-purpose trail. The Department of Parks and Recreation (DPR) offers many recreational programs that promote wellness, community engagement, and recreation. The Lakeside Baseball Park plays a large role in accomplishing DPR's mission by improving the region's quality of life.

With its extensive tournaments, scrimmages and practice during evening hours, Lakeside Baseball Park is one of DPR's highest energy using facilities. The Lakeside Baseball Park Photovoltaic Carports and Shade Structure Project proposes to construct four free standing carport structures with photovoltaic panel roofs in the existing parking area. The electricity generated from the conversion of solar energy captured in four carports, will meet, or exceed the electrical consumption of the facility. This project will provide renewable energy generation for Lakeside Baseball Park and is expected to offset 100% of the annual energy consumption of the facility with on-site generated solar power. Today's Board action supports implementation of Measure E-2.4 of the County's 2018 Climate Action Plan, which increases renewable energy on-site at County facilities and reduce Green House Gas (GHG) by 42.69



MTCO2e per year which in turn will reduce emissions from fossil fuel-generated electricity as part of the January 27, 2021 Board's action on developing a regional zero carbon sustainability plan as we strive for zero carbon by 2035.

The Fiscal Year 2019-20 Adopted Operational Plan included \$4,500,000 for Capital Improvement Project 1022914, Lakeside Baseball Park Synthetic Turf Replacement & Energy Upgrades. Today's request will authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract estimated at \$1,700,000 including contingency for this project. Remaining project funds of \$2,800,000 are being used for synthetic turf replacement and conversion of existing light fixtures to LED, which was completed through a Job Order Contract procurement process in winter 2020 and related project costs including design, construction inspection, construction management and project administration. This project will conclude and serve as the final part of a three parts project. If approved, construction will begin in the summer 2021 and be complete in the fall 2021.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines sections 15301, 15303, 15304 and 15311.
2. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for the construction of the Lakeside Baseball Park Photovoltaic Carports and Shade Structure Project.
3. Designate the Director, Department of Parks and Recreation, or designee as the County Officer responsible for administering the construction contract of the Lakeside Baseball Park Photovoltaic Carports and Shade Structure Project in accordance with Board Policy F-41, Public Works Construction Projects.

#### **FISCAL IMPACT**

Funds for Capital Project 1022914 Lakeside Baseball Park Photovoltaic Carports and Shade Structure Project in the amount of \$4,500,000 are included in the Fiscal Year 2020-21 Operational Plan in the Capital Outlay Fund. If approved, this request will result in cost of \$1,700,000, including contingency, for Capital Project 1022914 Lakeside Baseball Park Photovoltaic Carports and Shade Structure Project in Fiscal Year 2020-21. Remaining funds total \$2,800,000; of this, \$2,400,000 are currently being used for synthetic turf replacement and LED lighting retrofit and was completed through a Job Order Contract, which does not require a Board action, and \$400,000 is being used for related project expenses including design, inspection, construction management and project administration. The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

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

**8. SUBJECT: GILLESPIE FIELD - NEW 50-YEAR GROUND LEASE WITH SGCLMC-WELD INVESTMENT COMPANY, L.P. (DISTRICT: 2)**

**OVERVIEW**

The County of San Diego's (County) Department of Public Works, Airports Section (Airports) was granted ownership of Gillespie Field by the federal government in 1952. This approximately 700-acre property includes a roughly 400-acre general aviation airport that is a gateway to and from San Diego's east county; providing infrastructure, facilities, and services to corporate and general aviation. The remaining 300 acres of surrounding non-aeronautical use property is leased to provide revenues to the Airport Enterprise Fund, which must be used exclusively for development, improvement, operation, and maintenance of the County's eight-airport system. Gillespie Field is located within the municipal limits of the City of El Cajon, which acts as the land use authority for private development at the airport. Gillespie Field's non-aeronautical land has been leased primarily for light industrial and manufacturing development, with most of the available acreage having been built-out between 1975 and 2000, under the terms of close to 70 separate ground lease agreements.

Airports has an approximately 29.5 acres of vacant land located at the NW corner of Weld Boulevard and Cuyamaca Street, in El Cajon, CA. This property cannot be developed for aeronautical use because it is physically separated from the airport by trolley tracks, a major roadway, and a flood control channel. Because of these constraints, the Federal Aviation Administration (FAA) has approved this area for non-aeronautical uses such as manufacturing and light industrial development. Airports and SGCLMC-WELD Investment Company, L.P., a California Limited Partnership (WELD), have negotiated the terms for a potential development of a 141,360-square foot "last-mile" distribution center for an e-commerce company. This distribution center would facilitate the sorting and loading of packages for local delivery via small vans, while also creating new jobs in east county and generating revenues for the County's Airport Enterprise Fund. Although the expected end user of the property is a technology and e-commerce company, upon approval of the Board this property would be leased to and developed by WELD, irrespective of who their tenant is.

This is a request to approve a 50-year ground lease agreement with WELD, who would invest a minimum of \$20 million in required improvements to the property and pay rent of \$420,000 in rent annually. The City of El Cajon, the East County Economic Development Council, and the Gillespie Field Development Council are supportive of the project. If approved, revenues from this ease on airport property would be placed into the County's Airport Enterprise Fund, to be used to develop, operate, maintain, and improve County airports.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with CEQA Guidelines section 15096, find that the County of San Diego, as a responsible agency under CEQA, has considered the environmental effects of the ground lease as shown in the Environmental Impact Report (EIR) prepared by the City of El Cajon for the Forrester Creek Industrial Park Project (SCH No. 2006011027) and the City's associated CEQA Addendum for the Weld Boulevard Distribution Center Project, dated January 2021, before reaching its own conclusions as to whether and how to approve the ground lease.

Additionally, find that in the County's review of the EIR and the associated 2021 CEQA Addendum, per Section 15162 of the CEQA Guidelines, there are no changes in the project or in the circumstances under which it is undertaken, in relation to the County's discretionary action of issuing a new ground lease, that involve significant new environmental impacts which were not considered in the previously certified Environmental Impact Report and Addendum thereto, or a substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since said EIR and Addendum thereto were prepared. Section 15162 Findings for this action, dated February 10, 2021, are placed in the administrative record for the lease issuance.

2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the new ground lease with SGCLMC-WELD Investment Company, L.P., a California Limited Partnership. (4 VOTES)

### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year (FY) 2020-2021 Operational Plan for the Airport Enterprise Fund. If approved, this request will result in additional revenue to the Airport Enterprise Fund beginning in FY 2022-2023. The revenue source is rental payments from the lessee under the terms of the new lease agreement. Total additional lease revenue for the proposed lease in FY 2022-2023 is estimated to be \$210,000. Lease revenue in subsequent years would be \$420,000, adjusted every five years to reflect increases in the cost of living and in lease year 25 based on appraisal. There would be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

If the Board of Supervisors approves the proposed ground lease with SGCLMC-WELD Investment Company, L.P., the distribution center is anticipated to generate 400 or more jobs located in the east county area. In addition, during the current economy, construction projects can help keep people working. Additional tax base will also be created by this project to support local government.

### **ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors continued the item to March 17, 2021.

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

**9. SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE, AND AWARD A CONSTRUCTION CONTRACT FOR JAMACHA BOULEVARD TRAFFIC SIGNAL BETWEEN SWEETWATER ROAD AND GILLESPIE DRIVE IN SPRING VALLEY (DISTRICT: 2)**

**OVERVIEW**

The Traffic Advisory Committee (TAC) is composed of representatives from nine different agencies and two members-at-large appointed by the County of San Diego (County) Board of Supervisors (Board). The TAC reviews requests from the public, other agencies, and various County departments regarding regulatory controls on County-maintained roads and makes recommendations to the Board for final action. The Board has the authority to implement traffic control devices, such as traffic signals.

County staff annually review road segments and intersections with high collision rates. As part of this review, staff determined there was a significant pattern of correctable collisions in the vicinity of the driveway on the west side of the Spring Valley Shopping Center that intersects with Jamacha Blvd. (Intersection). On August 3, 2016 (11), the Board approved a recommendation from the TAC to add the Intersection to the Department of Public Works (DPW) Traffic Signal Priority List (Priority List). The TAC recommended signalization of the Intersection and installation of interim traffic control measures based on traffic accident data, input from DPW staff, and the support of the Spring Valley Community Planning Group (CPG). The Board approved the recommendation and directed staff to install interim traffic control measures, including striping modifications, delineators, and right turn restrictions until the traffic signal could be installed. These interim improvements were completed in spring 2017 and there has since been a drop in the number of correctable collisions.

DPW added the Intersection to the Priority List which includes all traffic signal locations that have been approved by the Board. The locations on the list are prioritized based on several factors, including traffic volumes, correctable collisions, proximity to schools, and the presence of pedestrians. The Priority List is reevaluated annually, and projects are implemented as funding is identified. The Intersection was selected for grant funding because most of the collisions could be corrected with the proposed traffic signal and other proposed improvements.

In August 2016, DPW applied for a Federal Highway Safety Improvement Program (HSIP) grant to design and construct a new traffic signal at the Intersection (Project). The HSIP grant program is administered by the California Department of Transportation (Caltrans) and focuses on improving factors that can result in traffic fatalities and serious injuries on public roads. In November 2016, DPW was awarded the HSIP grant for the Project, and the preliminary engineering funding was authorized by Caltrans in August 2017.

Once the funding agreement was received, project activities, including engineering design, environmental clearance, right of way acquisition, and coordination with Caltrans began in January 2018. The Project design is now complete, and construction is scheduled to begin in summer 2021. The Project will include a new traffic signal at the intersection of Jamacha Blvd. and the driveway located on the west side of the shopping center and other traffic improvements such as installation of a raised median between Gillespie Drive and the new signalized driveway, new traffic striping, raised pavement markers, signage, and crosswalks with Americans with Disabilities Act compliant pedestrian ramps. Prior to the start of construction, road work signs will be placed notifying the public of the locations and

approximate dates of construction. In addition, notifications such as mailers and signage will be provided to surrounding residences and businesses, and Project information will be posted on social media for the public. During construction, traffic control measures will be in place to limit the impacts to the community and traveling public. Construction is expected to be completed by early 2022.

This is a request to establish appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Project. The construction cost is estimated at \$700,600, including contingency, and the funding sources are Highway Safety Improvement Program Grant (\$630,540) and Highway User Tax Account (\$70,060).

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Jamacha Blvd. Traffic Signal Project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of an existing public road involving negligible or no expansion of existing or former use.
2. Establish appropriations of \$630,540 in the Department of Public Works Road Fund Fiscal Year 2020-21 Detailed Work Program for the Jamacha Blvd. Traffic Signal Project based on revenue from the Federal Highway Safety Improvement Program grant.  
**(4 VOTES)**
3. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401, et seq. of the Administrative Code, with respect to contracting for the Jamacha Blvd. Traffic Signal Project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

#### **FISCAL IMPACT**

Funds for this request are partially included in the Fiscal Year 2020-21 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction project costs are estimated at \$700,600, including contingency. The funding sources are Federal Highway Safety Improvement Program grant (\$630,540) and Highway User Tax Account (\$70,060). There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

County of San Diego construction contracts are competitively bid and help stimulate the local economy.

#### **ACTION:**

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

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

**10. SUBJECT: ADOPT THE UPDATED PURCHASE OF AGRICULTURAL CONSERVATION EASEMENT (PACE) PROGRAM GUIDELINES AND PROVIDE DIRECTION ON RANKING CRITERIA OPTIONS (DISTRICTS: ALL)**

**OVERVIEW**

In 2019, the direct economic output from agricultural production in San Diego county totaled \$1.79 billion. According to the American Farmland Trust, more than one-third of the country's vegetables and two-thirds of its fruits and nuts are grown in California, yet there is an average loss of nearly 50,000 acres of California farmland and ranchland each year. Since 2009, over 60,000 acres of agricultural land within the San Diego region has been converted to another use - representing a loss of approximately 20% of all agriculturally productive lands within the county. The County of San Diego's (County) Purchase of Agricultural Conservation Easement (PACE) Program promotes the long-term preservation of agricultural land in the unincorporated area. Willing property owners are compensated for placing perpetual easements on their agricultural property, limiting future uses to agricultural operations, and extinguishing future development potential. The PACE Program is a key component of the County's sustainability efforts. Since the inception of the PACE Program in 2011, the County has preserved 2,405 acres of agricultural land. As directed by the Board of Supervisors (Board) on April 13, 2011 (1), the current PACE Program eligibility is limited to properties that received a reduction in the amount of potential development through changes in land use designations as part of the 2011 General Plan Update; the current eligibility encompasses 101,742 acres. The number of applications received for participation in the program has decreased from 60 applications during the pilot program in 2012 to 12 applications in the 2020 application cycle. Staff continues to receive inquiries from property owners interested in participating in the PACE Program, but many are not eligible because their property did not experience a density reduction in 2011.

The County of San Diego's 2018 Climate Action Plan (2018 CAP) Greenhouse Gas Reduction Measure T-1.2 (Acquire Agricultural Easements) provided direction to update the PACE Program by expanding the eligibility criteria and increasing the annual easement acquisition goal from 230 acres to 443 acres to help achieve a greenhouse gas (GHG) emissions reduction of 2,330 metric tons of carbon dioxide equivalent by 2030. Although the Superior Court ordered the County to set aside and vacate the February 14, 2018 (1) approvals and the certification of the Final Supplemental Environmental Impact Report, pending adoption of a new Climate Action Plan, the County will continue to independently implement the 26 GHG emissions reduction measures and sustainability initiatives and programs identified in the 2018 Climate Action Plan to reduce GHG emissions to meet the State's 2030 reduction target. To meet the County's objectives to promote long-term preservation of agriculture in the unincorporated area and reduce GHG emissions, staff recommends updates to the PACE Program Guidelines to expand the pool of eligible property owners. The proposed eligibility expansion would encompass a total of 628,922 acres within the unincorporated area.

Additionally, staff has prepared options to update the ranking criteria used to select applicants best suited to meet the PACE Program's goals, the Conservation and Open Space Element of the General Plan, and support the County's climate action planning and sustainability efforts. This is a request for the Board to adopt new ranking criteria and update the PACE Program Guidelines, which will expand opportunities for preservation by increasing the number of properties eligible in the unincorporated area to participate.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Sections 15061(b)(3), 15317, and 15325(b) that the Purchase of Agricultural Conservation Easement (PACE) Program Update is exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines because the program consists of the establishment of agricultural preserves, CEQA does not apply to transfers of ownership in land to preserve natural conditions, such as agriculture, and because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Adopt the updated Purchase of Agricultural Conservation Easement (PACE) Program Guidelines (Attachment A-1, on file with the Clerk of the Board).
3. Direct staff to implement the updated PACE application ranking criteria based on direction on the options presented.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan in the Department of Planning & Development Services. There will be no change in net General Fund cost and no additional staff years. To date, a total of \$11.2 million has been allocated from the General Fund, of which \$4.0 million is currently available to be used for Purchase of Agricultural Conservation Easement Program acquisitions through Fiscal Year 2022-23 with no additional funds needed. Annual appropriations will be requested in Fiscal Year 2023-24, estimated to be \$1,910,000 and will be included in future Operational Plans after the \$4.0M has been spent.

### **BUSINESS IMPACT STATEMENT**

By permanently preserving agricultural land and resources, and providing property owners compensation for conservation easements, the Purchase of Agricultural Conservation Easement (PACE) Program makes the sustainability of agriculture more viable in the long term. The PACE Program supports continued agricultural uses in the unincorporated area by creating more affordable properties for farmers through direct compensation from the County of San Diego for establishing the easement and potential reduced property tax values. The PACE Program also results in greenhouse gas emissions reductions through decreased transportation, energy use, waste, and water consumption based on the reduced development potential associated with preserving agricultural lands.

### **ACTION:**

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took the following actions:

1. Found in accordance with Sections 15061(b)(3), 15317, and 15325(b) that the Purchase of Agricultural Conservation Easement (PACE) Program Update is exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines because the program consists of the establishment of agricultural preserves, CEQA does not apply to transfers of ownership in land to preserve natural conditions, such as agriculture, and because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

2. Adopted the updated Purchase of Agricultural Conservation Easement (PACE) Program Guidelines.
3. Directed staff to implement the updated PACE application ranking criteria, adopting Option 2 presented by staff of the PACE Program Ranking Options – Agricultural Importance Emphasis, with Ranking Factors as follows:
  - Agricultural importance = 3
  - Contribution as a wildlife buffer = 2
  - GHG emissions reduction = 1
  - Compatibility with land uses = 1
  - Voluntary wildlife best-management practices = 1

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

**11. SUBJECT: UPDATE: MEASURES TO PROVIDE ECONOMIC ACCESS AND EQUITY IN THE CANNABIS INDUSTRY (DISTRICTS: ALL)**

**OVERVIEW**

On January 27, 2021 (4), the County of San Diego (County) Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to develop a Zoning Ordinance amendment that allows for a variety of cannabis uses. The Board also directed staff to develop a Social Equity Program that will include numerous elements to prioritize equity, access, and business opportunities to help rectify the injustices caused by the War on Drugs and be in place prior to issuance of the first permit.

Additionally, the Board directed staff to conduct robust stakeholder outreach in developing the cannabis program, including engagement with Community Planning and Sponsor Groups (CPG/CSG), social and racial justice advocates, farmers, and potential cannabis permit holders. The outreach is to guide development of the program's components, including social equity, onsite consumption, and permitting. The Board requested that all program components be developed concurrently to create a comprehensive Socially Equitable Cannabis Permitting Program (Program), with an initial report back in 90 days and return with final ordinances and policies within 180 days.

The purpose of this update is to provide information to the Board based on staff research, analysis of other jurisdictions' program development, and stakeholder input to date, and for the Board to provide direction on how the Program is built. Based on preliminary stakeholder discussions, there is a strong desire for the County to extend the project timeline beyond 180 days to provide sufficient time for outreach and ordinance development. Stakeholders noted the value of a longer and more comprehensive approach. This would afford staff additional time to develop an improved Social Equity Program, which stakeholders suggest requires more than 180 days to conduct properly.



## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

Department of Planning & Development Services recommends that the Board of Supervisors:

1. Find in accordance with Section 15061(b)(3) that today's actions are exempt from CEQA pursuant to the common sense exemption since it can be seen with certainty that there is no possibility that today's actions may have a significant effect on the environment.
2. Direct the Office of Equity and Racial Justice to lead the development of the framework and strategy, including grant funding options, needed to launch a comprehensive Social Equity Program and coordinate this with the land use permitting system being developed by the Department of Planning & Development Services.
3. Direct staff to return to the Board in 180 days with an update on stakeholder input, ordinance development, and Social Equity Program options for Board direction.
4. Direct staff to prepare a Programmatic Environmental Impact Report (PEIR), which will allow for additional stakeholder engagement and potentially reduce the cost and time associated with permitting for future applicants, making the permitting process more equitable.
5. Establish appropriations of \$675,000 in the Department of Planning & Development Services for the preparation of the PEIR based on prior year available General Fund fund balance. (4 VOTES)

### **FISCAL IMPACT**

Funds for this request are partially included in the Fiscal Year 2020-21 Operational Plan in the Department of Planning & Development Services (PDS) for \$485,000 for consultant services and in the San Diego County Sheriff's Office and/or Code Compliance for \$500,000 for immediate and aggressive enforcement of unlicensed, illegal dispensaries, labs, or any related operating facilities and were appropriated by the Board on January 27, 2021 (4). If approved, this request will result in additional costs of \$675,000 in Fiscal Year 2020-21 to complete the Programmatic Environmental Impact Report for a total project cost of \$1,160,000 and will take up to two years to complete. The funding source is prior year available General Fund fund balance. There will be no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took the following actions:

1. Found in accordance with Section 15061(b)(3) that today's actions are exempt from CEQA pursuant to the common sense exemption since it can be seen with certainty that there is no possibility that today's actions may have a significant effect on the environment.
2. Directed the Office of Equity and Racial Justice to lead the development of the framework and strategy, including grant funding options, needed to launch a comprehensive Social Equity Program and coordinate this with the land use permitting system being developed by the Department of Planning & Development Services.

3. Directed staff to return to the Board in 90 days with a progress report, and return to the Board in 180 days with an update on stakeholder input, ordinance development, and Social Equity Program options for Board direction.
4. Directed staff to prepare an analysis of a Programmatic Environmental Impact Report (PEIR), a mitigated negative declaration, and a negative declaration that includes pros and cons of each approach, along with timelines, which will allow for additional stakeholder engagement and potentially reduce the cost and time associated with permitting for future applicants, making the permitting process more equitable, with the objective of narrowly defining the CEQA needs, and expediting the permitting process, including exploring ministerial permits, conditional use permits, or neighborhood use permits.
5. Established appropriations of \$675,000 in the Department of Planning & Development Services for the preparation of the PEIR based on prior year available General Fund fund balance.
6. Directed the Chief Administrative Officer to work with stakeholders to modify the regulatory code to better facilitate sustainable operations by the existing permit holders and return to the Board in 90 days with options for Board direction.

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

**12. SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD CONTRACT FOR CONSTRUCTION FOR BRIDGE PREVENTATIVE MAINTENANCE PROJECT NO. 5 (DISTRICTS: 1, 2, 3, & 5)**

**OVERVIEW**

The Department of Public Works (DPW) is responsible for the maintenance and operation of approximately 2,000 miles county-maintained roads, including 262 bridges. Of the bridge structures that DPW maintains, 208 qualify for federal aid as part of the federal Highway Bridge Program (HBP) based on their characteristics, such as total length, and state of repair conditions. These local bridges provide access over obstacles such as valleys and waterways and are an integral part of the road network maintained by the County of San Diego (County).

The HBP is funded by the Federal Highway Administration (FHWA) and administered through the California Department of Transportation (Caltrans) to provide funding to maintain, rehabilitate, and replace local bridges to ensure they are safe for the traveling public. Caltrans identifies funding eligibility as part of their biennial local agency bridge inspection program and provides that information to DPW to apply for funding through the HBP program. Only maintenance work recommended in the Caltrans bridge inspection report is eligible for federal funding.

Caltrans has identified 14 bridges on roads in the unincorporated region that need preventive maintenance work, and DPW applied for HBP funding for these bridges under the Bridge Preventative Maintenance Program (BPMP). The preventative maintenance work that was identified included replacing damaged concrete, sealing and resurfacing bridge deck surfacing, and replacing bridge expansion joints. Federal funding was approved by FHWA in May 2017 for the design and in July 2020 for the construction repair work on the selected bridges.

The 14 bridges identified are located on the following roads: Japatul Road in Alpine; Via De Santa Fe and Camino San Bernardo in Rancho Santa Fe; Willow Road in Lakeside; Seventh Street in Ramona; Buckman Springs and Old Highway 80 in Pine Valley; Billy Mitchell Drive in Bostonia; Bonita Road in Bonita; Potrero Valley Road in Potrero; two locations on Camino Del Ray in Bonsall; Rancho Santa Fe Road in Olivenhain; and Guejito Road in Valley Center.

DPW has developed similar projects in past years that have helped extend the service life of bridges throughout the unincorporated county, and DPW will continue to evaluate and determine bridge eligibility for BPMP funding on a yearly basis as bridges become eligible. Extending infrastructure service life through preventative maintenance work also supports the County's sustainability goals by reducing significant construction waste from total bridge replacement that would otherwise be directed to landfills.

This is a request to establish appropriations and approve the advertisement and subsequent award of a construction contract for the preventative maintenance work at 14 bridges (BPMP Project No. 5). Construction is scheduled to begin in summer 2021 and be complete in early 2022. The construction cost is estimated at \$3,000,000 including contingency. The funding sources are FHWA HBP funds (\$2,655,900) and Highway User Tax Account funds (\$344,100).

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) that the proposed project is categorically exempt from CEQA review because it involves the maintenance of existing bridges on public roads involving no or negligible expansion of existing use.
2. Establish appropriations of \$2,655,900 in the Department of Public Works Road Fund Fiscal Year 2020-2021 Detailed Work Program for Bridge Preventative Maintenance Program (BPMP) Project No. 5 based on revenues from the Federal Highway Administration Highway Bridge Program funds (**4 VOTES**).
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for BPMP Project No. 5.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract in accordance with Board Policy F-41, Public Works Construction Projects.

**FISCAL IMPACT**

Funds for this request are partially included in the Fiscal Year 2020-21 Operation Plan in Department of Public Works, Road Fund Detailed Work Program. If approved, construction costs are estimated to be \$3,000,000 including contingencies. The funding sources are revenue from Federal Highway Administration Highway Bridge Program (\$2,655,900) and Highway User Tax Account (\$344,100). There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

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

**ACTION:**

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

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

- 13. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:  
TRAFFIC ADVISORY COMMITTEE (02/10/2021 - ADOPT  
RECOMMENDATIONS; 03/03/2021 - SECOND READING OF  
ORDINANCES) (DISTRICTS: 1, 2, 3, & 5)**

**OVERVIEW**

On February 10, 2021 (03), the Board of Supervisors took action to further consider and adopt the Ordinances on March 3, 2021.

As part of the Department of Public Works (DPW) traffic engineering program, the Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) in the 1960s as an aid in providing uniform traffic regulations throughout the unincorporated areas of the county. The goal of the TAC is to make recommendations to the Board on traffic matters to provide communities in the unincorporated region with a road system that strives to enhance safety and reduce congestion. To accomplish this, traffic policies are established to provide persons using the road system with consistent and uniform regulations. In order to be effective, these policies are designed to be legally enforceable so that the majority of motorists will comply. 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 a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item including engineering and traffic condition studies.

The TAC recommends the Board act on seven items from the October 23, 2020, TAC meeting agenda:

District	Item	Location	Action
1	1-A	Pepper Tree Road/Vista Drive, Chula Vista	Combine speed zones and certify a 25 miles per hour (MPH) speed limit
2	2-A	Greenfield Drive, El Cajon	Certify the 35 MPH speed limit
2	2-B	Greenfield Drive, El Cajon	Certify the 45 MPH speed limit
3	3-A	Camino San Bernardo, 4S Ranch	Certify the 45 MPH speed limit
3	3-B	Anaheim Street, San Pasqual	Establish and certify a 25 MPH speed limit
5	5-A	McDonald Road, Fallbrook	Certify the 40 MPH speed limit
5	5-B	Laurashawn Lane/Arco Drive, Escondido	Establish a 14,000-lb. (7-ton) commercial vehicle weight restriction

Approval of Items 1-A, 2-A, 2-B, 3-A, 3-B, and 5-A would support speed enforcement, which increases 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 5-B would establish a restriction on large commercial vehicles with a gross weight of 14,000 pounds or more in a residential area to address operational and community concerns. Large commercial vehicles often use a local residential road as an alternate route to bypass traffic congestion. Additionally, these vehicles fail to maintain their position within lanes where roadway geometry (grade, alignment, width, etc.) is substandard for commercial truck traffic. Properly posted large commercial vehicles weight restrictions in residential areas decrease centerline crossover and run-off-the-road incidents and improve neighborhood quality of life.

The Board's action on Items 2-A through 3-A and 5-A does not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore does not require a second hearing. Board direction on February 10, 2021 would allow implementation by DPW. The Board's action on Items 1-A and 3-B would introduce an ordinance to establish speed limit zones and action on Item 5-B would introduce an ordinance to establish a vehicle weight restriction. These actions would revise County Code and require two steps. On February 10, 2021, the Board would consider the TAC items. If the Board takes action as recommended on February 10, 2021, then on March 3, 2021, a second reading and adoption of ordinances amending County Code would be necessary to implement the Board's direction.

**RECOMMENDATION(S)  
TRAFFIC ADVISORY COMMITTEE**

**District 1:**

Item 1-A. Pepper Tree Lane/Vista Drive from the Chula Vista city limit to Bonita Glen Drive in Chula Vista - Combine Pepper Tree Lane and Vista Drive speed zones and certify a 25 miles per hour (MPH) speed limit for radar enforcement.

**District 2:**

Item 2-A. Greenfield Drive from the El Cajon city limit (near Double D Drive) to La Cresta Road in El Cajon - Certify the existing 35 MPH speed limit for radar enforcement.

Item 2-B. Greenfield Drive from La Cresta Road to the El Cajon city limit (near Madison Avenue) in El Cajon - Certify the existing 45 MPH speed limit for radar enforcement.

**District 3:**

Item 3-A. Camino San Bernardo from Camino del Norte to the San Diego city limit (near Deer Ridge Rd) in 4S Ranch - Certify the existing 45 MPH speed limit for radar enforcement.

Item 3-B. Anaheim Street from Mary Lane to the end of County maintenance (near Colley Lane) in San Pasqual - Establish and certify a 25 MPH speed limit for radar enforcement.

**District 5:**

Item 5-A. McDonald Road from Fallbrook Street to Pepper Tree Lane in Fallbrook - Certify the existing 40 MPH speed limit for radar enforcement.

Item 5-B. Laurashawn Lane/Arco Drive from North Avenue to North Broadway in Escondido - Establish a 14,000-lb. commercial vehicle weight restriction.

**CHIEF ADMINISTRATIVE OFFICER**

Consider and adopt the following Ordinances:

ORDINANCE AMENDING SECTION 72.164.51., DELETING SECTION 72.164.52, AND ADDING SECTION 72.161.95.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 1-A & 3-B).

ORDINANCE ADDING SECTION 72.243.20. OF THE SAN DIEGO COUNTY CODE RELATING TO MISCELLANEOUS TRAFFIC REGULATIONS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-B).

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan for the Department of Public Works Road Fund. If approved, there will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting the following: Ordinance No. 10718 (N.S.), entitled: ORDINANCE AMENDING SECTION 72.164.51., DELETING SECTION 72.164.52, AND ADDING SECTION 72.161.95.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY; and,

Ordinance No. 10719 (N.S.), entitled: ORDINANCE ADDING SECTION 72.243.20. OF THE SAN DIEGO COUNTY CODE RELATING TO MISCELLANEOUS TRAFFIC REGULATIONS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

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

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

**OVERVIEW**

Rita Clement provided comments to the Board regarding SB743 and encouraging housing near transit stations.

Michelle Krug provided comments to the Board regarding providing a static call-in number for Board meetings, County VMT policy and SB743.

Noah Harris provided comments to the Board regarding SB743 and the vital connection to land use, housing and climate action.

Kathleen Lippitt provided comments to the Board regarding a robust taxpayer analysis with any promotion of ordinances that involves taxpayer money.

JP Theberge provided comments to the Board regarding County VMT policy and SB743.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 2:06 p.m. in memory of Dr. Dorothy Zirkle.

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

Consent: Rodriguez

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 17, 2021.



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NATHAN FLETCHER  
Chair

Attest:



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ANDREW POTTER  
Clerk of the Board

03/03/2021