

June 28, 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, JUNE 28, 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 9:02 a.m.

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

ABSENT: (District 4 Seat Vacant)

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 June 14, 2023.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of June 14, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

F. Consent Calendar

G. Discussion Items

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

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|---|
| 1. | NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2023-24 LEVIES IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO SAN DIEGO AND NO. 2 - JESS MARTIN PARK AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: PROPERTY OWNER PAID ASSESSMENTS AND A PORTION OF COUNTYWIDE PROPERTY TAX REVENUE; ASSESSMENT LEVIES ON PROPERTY OWNERS WITHIN THE IDENTIFIED DISTRICTS] |
| 2. | CONFIRM FISCAL YEAR 2023-24 LEVIES FOR COMMUNITY FACILITIES DISTRICTS AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: SPECIAL TAX LEVIES FROM CFD NO. 2008-01, CFD NO. 2013-01., CFD NO.2019-02, CFD NO. 2019-01, CFD NO. 2019-03, CFD NO. 2022-01, CFD NO. 04-1 AND CFD 09-1 AND ARE PAID BY PROPERTY OWNERS; ASSESSMENT LEVIES ON PROPERTY OWNERS WITHIN THE IDENTIFIED DISTRICTS]

(RELATES TO SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ITEM FP01) |
| 3. | DOCUMENTING APPROVAL OF THE BORREGO SPRINGS MEDICAL CLINIC EMERGENCY HELIPAD PROJECT, AND FIND THE PROJECT COMPLIANT WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) |
| 4. | NOTICED PUBLIC HEARING:
PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR MOSQUITO, VECTOR, AND DISEASE CONTROL BENEFIT ASSESSMENT, AND MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGE FOR FISCAL YEAR 2023-24
[FUNDING SOURCE: MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT, MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGE, AVAILABLE VECTOR CONTROL DISTRICT TRUST FUND FUND BALANCE, AND INCOME FROM INTEREST AND OTHER SERVICE CONTRACTS] |

5. NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2023-24 LEVIES FOR PERMANENT ROAD DIVISION ZONES, COUNTY SERVICE AREAS AND ZONES, SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ZONES, STORMWATER MAINTENANCE ZONES, ALLOCATE AND DISTRIBUTE INTEREST EARNINGS FOR SAN DIEGO COUNTY FIRE PROTECTION DISTRICT, AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: ASSESSMENT LEVIES AND SPECIAL TAXES ON PROPERTY OWNERS WITHIN THE IDENTIFIED DISTRICTS; ASSESSMENT LEVIES AND SPECIAL TAXES ON PROPERTY OWNERS WITHIN THE IDENTIFIED DISTRICTS]

(RELATES TO SAN DIEGO COUNTY FIRE PROTECTION DISTRICT FP02 AND FLOOD CONTROL DISTRICT FL01)
6. TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION
(06/28/2023 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN ORDINANCE; 07/19/2023 - SECOND READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED ON SECOND READING)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT]
7. PUBLIC COMMUNICATION

**1. SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2023-24 LEVIES IN
THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND
LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO
SAN DIEGO AND NO. 2 - JESS MARTIN PARK AND RELATED CEQA
EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

On May 24, 2023 (11), the Board of Supervisors took action to further consider and adopt the resolutions on June 28, 2023.

Special districts are created in order to provide new or enhanced local services and infrastructure to specific communities. The special districts in today's action were created to fund community parks and streetlights in the unincorporated areas of the region. Services are primarily funded by property owners and paid through assessments that are collected through the tax roll, reducing administrative costs from billing and payment collection. District boundaries, services, and maximum rates were established by voters or as a condition of development at the time of formation. The method for calculating how much each parcel pays is established in the ordinance adopted at the time of formation and may be based on a variety of factors, commonly including the type of land use, or parcel acreage. The rate cannot exceed the maximum amount in the adopted ordinance without voter approval from affected property owners. At the time of formation, residents in some districts voted to include cost escalators in their ordinances, which allow the maximum rate to increase each year to keep pace with inflation. The most commonly used cost escalator is the Consumer Price Index (CPI), which measures the cost of consumer goods.

Board of Supervisors Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* directs departments to recover the full cost of services provided to the residents of special districts. County of San Diego (County) staff reviewed budgets for the three districts included in today's action to determine if revenues were adequate for services or if rates should be adjusted. Staff determined the proposed rates for Fiscal Year (FY) 2023-24 are needed to continue to fund services and to ensure compliance with Board Policy B-29. Rates are also necessary to maintain financial reserves to fund future services, facility repairs, emergency repairs, improvements, and replacements. The proposed rates subject of today's action is in accordance with Articles XIII A-D of the California Constitution (Proposition 218) as amended to date and are within maximum rates set forth in each district's adopted ordinance; and therefore, do not require voter approval from affected property owners. Under Proposition 218, voters must approve the formation of the special district and the maximum amount that can be collected from property owners.

San Diego County Street Lighting District

The San Diego County Street Lighting District is managed by the County Department of Public Works (DPW). The Street Lighting District funds the operations and maintenance of public streetlights across the unincorporated areas of San Diego county. The proposed annual assessment rate will remain at the current amount of \$2.00 per single-family residence. The current assessment is sufficient to continue to fund the operation and maintenance of streetlights for the next fiscal year.

Landscape Maintenance District Zone No. 1 - Rancho San Diego

Landscape Maintenance District Zone (LMDZ) No. 1 - Rancho San Diego - is managed by the County Department of Parks and Recreation (DPR) to fund ongoing park operation, maintenance, and improvements within the unincorporated community of Rancho San Diego in District 4. The proposed annual assessment rate will increase by 3% from \$37.46 to \$38.58 per single-family residence. The increase is due to the annual inflation of goods and services, based on a 6.45% escalation in the Consumer Price Index for 2022, with a voter-approved maximum cost escalator of 3%. The additional revenue will support ongoing services. Without the additional revenue, services would be reduced, resulting in deferred maintenance and more costly future repairs. The proposed rate is within the maximum in the ordinance and does not require voter approval from affected property owners for this action.

Landscape Maintenance District Zone No. 2 - Jess Martin Park

LMDZ No. 2 - Jess Martin Park - is managed by DPR to fund ongoing maintenance of amenities and construction of minor capital improvements at Jess Martin Park in the unincorporated community of Julian in District 2. The proposed annual assessment rate will remain at the current amount of \$47.82 per single-family residence. The voters did not approve an annual cost escalator at the time of the district’s formation; however, the Board did approve an allocation of County General Purpose Revenue (GPR) to offset the benefit from park visitors who do not reside in the district. Since there is no proposed rate increase a vote from affected property owners is not required for this action. The proposed rate is sufficient to fund services for FY 2023-24.

This is a request to adopt resolutions to confirm assessments and authorize levies for three special districts administered by DPW and DPR. Upon adoption, the assessments will be placed on the tax roll for FY 2023-24. The deadline to place these assessments on the FY 2023-24 tax rolls is August 10, 2023. These actions are discretionary after consideration of public testimony.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT.
2. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1.
3. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

EQUITY IMPACT STATEMENT

Today’s action continues the County’s commitment to provide programs and services that enhance our communities. Assessments and special taxes fund services for special districts which improve the health, safety, and economic interests of local communities. Levying charges on the Fiscal Year (FY) 2023-24 tax rolls for the County of San Diego and San Diego County Street Lighting District will have a direct impact on communities throughout the unincorporated areas of the county. These levies fund street lighting and community park services to residents of approximately 117,000 parcels. Special district revenues also offset the need for the County to fund these services, which allow additional County funds to be allocated towards services in underserved communities.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports the County's Sustainability Goals to protect the health and wellbeing of residents, provide just and equitable access to County services, and make investments in energy efficiency by continuing to fund the operation, maintenance, and improvements of streetlights and parks. Streetlights enhance the health and safety of all residents and visitors who utilize County roads. Regular streetlight maintenance protects the health and wellbeing of everyone in the region and supports economic sustainability by preventing more costly maintenance treatments in the future. The Street Lighting District also supports the County's goal to invest in energy efficiency and reduce greenhouse gas emissions through the conversion of streetlight assets to LED fixtures. Specific LED fixtures are installed within dark sky designated communities to reduce light pollution and maintain compliance with the County's Dark Sky Ordinance. The nine County parks included in this action provide access to outdoor recreation and nature. Funding the operation and maintenance of these parks aligns with the County's sustainability goals to promote the health and wellbeing of citizens and allowing equitable access to County facilities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 CAO Recommended Operational Plan in the Departments of Public Works and Department of Parks and Recreation. There is no proposed change in the assessment for the San Diego County Street Lighting District and Landscape Maintenance District Zone No. 2 - Jess Martin Park. A rate increase is proposed for Landscape Maintenance District Zone No. 1 - Rancho San Diego. If approved, this request will result in total revenue of approximately \$275,988 for the Street Lighting District, \$182,716 for LMDZ No. 1 - Rancho San Diego, and \$99,843 for LMDZ No. 2 Jess Martin Park. The funding source for this request comes from property owner paid assessments and a portion of countywide property tax revenue. There will be no change in net General Fund cost and no additional staff years.

The proposed assessment levies are evaluated annually in an amount sufficient to recover the full cost as required by Board Policy B-29: *Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery*. Accordingly, there is no projected unrecovered cost, and a waiver of Board Policy B-29 is not needed. The funding source is assessment levies on property owners within the identified districts.

If the Board of Supervisors does not adopt the resolutions, the proposed assessments cannot be placed on the tax rolls for FY 2023-24. Without the funds generated by the assessments, services for street lighting and landscape maintenance would be greatly reduced unless other funding sources are identified.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting the following:

Resolution No. 23-081, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT;

Resolution No. 23-082, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1; and

Resolution No. 23-083, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

2. SUBJECT: CONFIRM FISCAL YEAR 2023-24 LEVIES FOR COMMUNITY FACILITIES DISTRICTS AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)

OVERVIEW

In accordance with Board Policy I-136, Comprehensive Goals and Policies for *Community Facilities Districts*, the County of San Diego manages eight Community Facilities Districts (CFD) throughout the region. In addition, the San Diego County Fire Protection District manages two CFDs. A CFD is established to create a funding mechanism for public facilities and services such as streets, sewer facilities, stormwater facilities, fire protection, parks, and libraries. Through this funding mechanism, these public facilities and services are paid for by those property owners within the boundaries of the district since they benefit the most from the services and are typically established as part of the development process for new or infill housing to support the residents of those housing developments.

The method for calculating the levies for CFDs can be based on a variety of factors, including parcel acreage or use type (single-family or multi-family). The rate is established in each district Rate and Method of Apportionment (RMA) as adopted by the Board of Supervisors at the time each CFD is formed. The RMA provides the methodology to determine the maximum annual special tax allowable for each district. Any changes to an RMA require voter approval. CFDs are levied annually on each parcel's tax bill, reducing the cost to the ratepayer by eliminating the administrative costs that arise from annual billing and payment collection. The annual adoption of a resolution is required to provide for the levies of a special tax for CFDs on the tax rolls.

Today's request is for the County of San Diego Board of Supervisors and San Diego County Fire Protection District Board of Directors, acting as the Governing Body of the CFDs, to adopt resolutions to authorize the Fiscal Year (FY) 2023-24 levies for eight CFDs: CFD No. 2008-01 (Harmony Grove Village), CFD No. 2013-01 (Horse Creek Ridge Maintenance), CFD No. 2019-02 (Sweetwater Place Maintenance), CFD No. 2019-01 (Meadowood Maintenance), CFD No. 2019-03 (Park Circle Maintenance), CFD No. 2022-01 (Piper Otay Preserve Maintenance), CFD No. 04-1 (Lake Morena, Jacumba, Jamul, and Lyons Valley), and CFD No. 09-1 (East Otay Mesa). Upon approval, the annual levies will be placed on the tax roll so that the property owners can continue to pay the levy through their property tax bills.

If today's actions are approved, levies will be adopted for eight CFDs. All proposed levies are within approved maximum rates in accordance with the RMAs for each district and would not require voter approval. RMAs are established as part of the CFD creation and any amendments to an RMA, such as changes to rates or services provided, require voter approval. If today's proposed actions to levy on the tax bill are not approved, the previously approved FY 2022-23 rates will be levied. There would be no reduction in revenue from not placing the collection of the service fees on the tax roll, but administrative expenses would increase for annual billing and payment collection if the payments are collected separately instead of on the tax roll. If the rates are not increased as proposed, maintenance would be impacted, and available fund balance would be used to mitigate any shortfalls for FY 2023-24.

Board of Supervisors Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29) directs departments to recover the full cost of services provided to agencies or individuals. Staff reviewed each district's budget to determine if revenues were adequate for services or if rates should be increased or decreased based on the budget. Staff determined that the proposed rates for Fiscal Year 2023-24 are needed to fund costs for services, and available fund balance is needed for working capital, future services, or facility repair, improvements, or replacement, and to ensure compliance with Board Policy B-29.

The following is the summary of proposed levies for FY 2023-24:

Community Facilities District 2008-01 (Harmony Grove Village). The Harmony Grove Village subdivision is located within the San Dieguito Community Plan area in District 3. The site is approximately 418 acres and includes 736 residential dwelling units and three public park sites. The proposed maximum annual Special Tax A will increase from \$1,382,820.86 to \$1,411,563.92 for Improvement Area No. 1 and will increase from \$1,153,504.14 to \$1,178,451.22 for Improvement Area No. 2. Special Tax A funds costs related to the construction of public facilities including parks, roads, wastewater, and flood control facilities built by the developer, through a bond series approved by the Board on December 5, 2017 (23) and December 10, 2019 (25). Special Tax B will increase in both Improvement Areas from \$886,821.12 to \$930,510.08 in accordance with the RMA, adopted June 25, 2008 (9). Special Tax B will fund CFD administration, operation and maintenance costs for storm drain structures, public parks, recreation facilities, open space management, street lighting, and emergency response facilities and services which are provided by Rancho Santa Fe Fire Protection District. Harmony Grove Village 4th of July Park, Harmony Grove Village Community Park, and Harmony Grove Village Equestrian Park are located within the CFD.

Community Facilities District 2013-01 (Horse Creek Ridge Maintenance). The Horse Creek Ridge subdivision is located within the Fallbrook Community Plan area in District 5. The site is approximately 416-acres and approved for 741 single-family and multi-family dwelling units and a public sports park and staging area site. Special Tax A funds costs related to open space, trails, park, recreational facility maintenance, and CFD administration. Special Tax B funds storm drainage and detention basin facilities maintenance. Special Tax C funds fire protection, suppression, and emergency medical services provided by North County Fire Protection District. The proposed maximum special tax will increase from \$526,000.10 to \$536,335.38 for Special Tax A, from \$214,629.20 to \$218,847.88 for Special Tax B, and from \$161,626.54 to \$164,795.40 for Special Tax C, all in accordance with the RMA, adopted January 29, 2014 (1).

This increase is needed to fund increased costs to operate and maintain a regional sports park complex, staging area and park trails, onsite and offsite open space, fire services, and detention basins within the CFD. Horse Creek Ridge County Park is located within the CFD.

Community Facilities District 2019-02 (Sweetwater Place Maintenance). The Sweetwater Place subdivision is located within the Spring Valley Community Plan area in District 4. The site is approximately 18-acres and approved for 122 single-family and multi-family dwelling units and a two-acre public park. This CFD was established to finance ongoing operations and maintenance of the park within the CFD. The proposed maximum special tax will increase from \$131,842.96 to \$139,753.44 in accordance with the RMA, adopted May 1, 2019 (2). This increase is needed to fund increased costs to operate and maintain a two-acre public park within the CFD. Sweetwater Place County Park is located within the CFD.

Community Facilities District 2019-01 (Meadowood Maintenance). The Meadowood subdivision is located within the Fallbrook Community Plan area in District 5. The site is approximately 389-acres and approved for 844 single-family and multi-family dwelling units and a park. The Meadowood subdivision is still being built out, and the number of parcels increased from 190 to 217 and the number of units increased from 190 to 464 between FY 2022-23 and FY 2023-24. This increase in parcels paying into the CFD has resulted in a larger than usual increase in the special tax. The increase in units is anticipated to result in higher usage of the park and subsequently higher operational and maintenance costs. Special Tax A funds costs related to open space, trails, a park, recreational facility maintenance, and CFD administration. Special Tax B funds storm drainage and detention basin facilities maintenance. Special Tax C funds fire protection, suppression, and emergency medical services provided by North County Fire Protection District. The proposed maximum special tax will increase from \$120,656.90 to \$276,322.82 for Special Tax A, from \$69,528.00 to \$159,216.84 for Special Tax B and from \$52,911.60 to \$118,424.62 for Special Tax C in accordance with the amended RMA, adopted May 6, 2020 (3). The increases are needed to fund the cost to operate and maintain a park, park trails, fire services, and stormwater drainage and treatment facilities within the CFD. Willow Grove County Park is located within the CFD.

Community Facilities District 2019-03 (Park Circle Maintenance). The Park Circle subdivision is located within the Valley Center Community Plan area in District 5. The site is approximately 74-acres and approved for 322 single-family dwelling units and a 2.6-acre public park. This CFD was established to finance ongoing operations and maintenance of the park within the CFD. The proposed maximum special tax will increase from \$202,639.04 to \$269,407.36 due to FY 2022-23 to FY 2023-24 having an increase from 236 to 296 total parcels to be levied in accordance with the RMA, adopted June 5, 2019 (4). These increases are needed to fund the cost of operations and maintenance of a public park within the CFD. Harvest County Park is located within the CFD.

Community Facilities District 2022-01 (Piper Otay Preserve Maintenance). The Piper Otay subdivision is located within the East Otay Mesa Business Park Specific Plan in District 1. Special Tax A funds costs related to ongoing operations and maintenance to manage the Piper Otay Preserve. Special Tax B funds costs related to CFD administration. The proposed maximum special tax will increase from \$22,348.76 to \$23,354.40 for Special Tax A and from \$15,478.80 to \$15,788.46 for Special Tax B in accordance with the RMA, adopted April 6, 2022 (6). The increases are needed to fund the cost of operations and maintenance of the preserve within the CFD.

Community Facilities District 04-1 (CFD 04-1) Located in southeast San Diego county in District 2, CFD 04-01 and encompasses approximately 4,549 acres of land (851 acres classified as developed property with 41 residential parcels and 3 non-residential parcels, and 3,584 undeveloped acres) within the communities of Lake Morena, Jacumba, Jamul, and Lyons Valley. This CFD was formed to fund fire protection, suppression, and paramedic services, as well as the construction or acquisition of fire stations, fire training facilities, fire dispatch centers, fire communication systems, and fire equipment with a useful life of five years or more. The special tax was established to fund fire protection expenses through the collection of Special Tax A and Special Tax B. The Special Tax A Requirement is applied to all eligible properties as an ongoing, annual assessment. In FY 23-24, the proposed maximum Special Tax A Requirement will increase from \$19,973.00 to \$20,372.78. Special Tax B is a one-time special tax levied on a property the first year following development and will decrease from \$1,456.06 to \$0.00 in FY 23-24 due to no additional parcels that are eligible for the one-time assessment. The proposed special tax levies for both Special Tax A and Special Tax B are in accordance with the RMA, adopted January 6, 2004. The increase in Special Tax A is needed to fund fire protection operations, equipment, facilities, and staffing.

Community Facilities District 09-1 (East Otay Mesa) (CFD 09-1) Located in the southwestern portion of San Diego county in District 1, CFD 09-1 is between the Otay River Valley to the north, the international border with Mexico to the south, the San Ysidro Mountains to the east, and the City of San Diego to the west, encompassing approximately 3,068 acres of land. The special tax was established by the former Rural Fire Protection District to fund authorized facilities (Temporary Sheriff's Substation, Fire Station, and Permanent Sheriff's Substation) through the issuance of bonds secured by the levy of Special Tax A. The RMA, adopted September 22, 2009, identifies specific expenses that are eligible for funding under the Special Tax A Requirements before and after the issuance of bonds. For example, prior to the issuance of bonds, the Special Tax A funds can only be used to pay lease payments for the Temporary Sheriff's Station and administrative expenses. In contrast, the requirements for Special Tax B are not affected by the issuance of bonds, and were established to pay for the ongoing cost of operations and maintenance of fire facilities. In FY 23-24, the collection of Special Tax A remains suspended as the temporary lease for the Sheriff's substation is not currently needed and there are no current plans to proceed with the issuance of bonds. The proposed maximum special tax rate for Special Tax B will increase in accordance with the RMA from \$1,610,814.82 to \$1,768,989.96. The increase is needed to fund the operation and maintenance of fire facilities that serve the approximately 134 parcels within the boundaries of the CFD, 26 of which are currently developed.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the adoption of eight resolutions to authorize levies during Fiscal Year 2023-24 is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3), 15378(b)(4) and(5) and 15273(b) of the State CEQA Guidelines and incorporate the findings attached hereto as Attachment S.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24.
3. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24.
4. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-02 (SWEETWATER PLACE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24.
5. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24.
6. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24.
7. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-01 (PIPER OTAY PRESERVE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24.

Acting as the Board of Directors, San Diego County Fire Protection District:

1. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 04-1 AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 09-1 AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24.

EQUITY IMPACT STATEMENT

Levying special taxes that fund special districts would result in additional community services and resources that improve the health, safety, and economic interests of local communities. Based on available data from community feedback received at public meetings and daily interactions with residents which indicate residents support continued funding for services through special districts, services provided through the levying charges on the FY 2023-24 tax rolls will have a positive impact on communities throughout the unincorporated areas of the county, including providing fire protection, flood control protection, parks, and paramedic services.

SUSTAINABILITY IMPACT STATEMENT

Today's action to confirm special district assessments supports economic stability, promotes the health and wellbeing of citizens, and provides equitable access to County services. Maintaining roads in a timely manner prevents more costly maintenance in the future, contributing to economic sustainability. Fire protection, flood control protection, emergency communication and paramedic services protect the health and wellbeing of citizens and their properties. County parks provide citizens equitable access to outdoor recreation and nature opportunities. This action will help maintain a strong and resilient community.

FISCAL IMPACT

The proposed special tax levies are included in the Fiscal Year (FY) 2023-24 Operational Plan for the Department of Public Works, Department of Parks and Recreation, and San Diego County Fire Protection District. If approved, the proposed rate increases will result in additional estimated revenue of \$97,379.10 in the Department of Public Works for CFD No. 2008-01 Harmony Grove Village; and \$404,584.64 in the Department of Parks and Recreation for CFD No. 2013-01 Horse Creek Ridge Maintenance (\$17,722.82), CFD No. 2019-02 Sweetwater Place Maintenance (\$7,910.48), CFD No. 2019-01 Meadowood Maintenance (\$310,867.78), CFD No. 2019-03 Park Circle Maintenance (\$66,768.32), and CFD 2022-01 Piper Otay Preserve Maintenance (\$1,315.24). If approved, the proposed rates for the San Diego County Fire Protection District will result in estimated additional revenue of \$399.78 for CFD No. 04-01 and \$158,175.14 for CFD 09-1. If approved, the cumulative proposed rate increases will result in additional estimated total revenue of \$660,538.66 to the County. The funding sources are special tax levies from CFD No. 2008-01, CFD No. 2013-01, CFD No. 2019-02, CFD No. 2019-01, CFD No. 2019-03, CFD No. 2022-01, CFD No. 04-1 and CFD 09-1 and are paid by property owners. There will be no change in net General Fund cost and no additional staff years.

The proposed assessment levies are evaluated annually in an amount sufficient to recover the full cost as required by Board Policy B-29: *Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery*. Accordingly, there is no projected unrecovered cost, and a waiver of Board Policy B-29 is not needed. The funding source is assessment levies on property owners within the identified districts.

If the Board of Supervisors does not adopt the resolutions, the proposed assessments cannot be placed on the tax rolls for FY 2023-24. Without the funds generated by the assessments, services for streets, sewer facilities, stormwater facilities, fire protection, parks, and libraries would be reduced unless other funding sources are identified.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ITEM FP01)

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, On Consent, adopting the following:

Resolution No. 23-084, entitled A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24;

Resolution No. 23-085, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24;

Resolution No. 23-086, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-02 (SWEETWATER PLACE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24;

Resolution No. 23-087, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24;

Resolution No. 23-088, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24; and

Resolution No. 23-089, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-01 (PIPER OTAY PRESERVE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2023-24.

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

3. **SUBJECT: DOCUMENTING APPROVAL OF THE BORREGO SPRINGS MEDICAL CLINIC EMERGENCY HELIPAD PROJECT, AND FIND THE PROJECT COMPLIANT WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (DISTRICT: 5)**

OVERVIEW

In July of 2020, Borrego Community Health Foundation (Borrego Health) partnered with Mercy Air Service (together “the applicant”) to bring helicopter air ambulance service to Borrego Springs and surrounding communities. To provide this service as quickly as possible, the applicant installed a temporary emergency helipad adjacent to the existing Borrego Medical Clinic, located at 4343 Yaqui Pass Road, which is an allowed accessory use to the clinic. The applicant also obtained the appropriate temporary authorization for air ambulance operations from the California Department of Transportation (Caltrans), Division of Aeronautics. Today’s request is to approve the helipad as a permanent use on the site and does not involve any additional improvements or buildings.

Before the applicant can obtain permanent authorization for air ambulance operations from Caltrans, California Code of Regulations, Title 21, Section 3534(b)(4) and (6) requires documentation of approval by the Board of Supervisors of the county in which the project is located, as well as documentation that the project complies with the California Environmental Quality Act (CEQA). To satisfy state requirements, today’s action will serve to document Board approval of the project and find that it complies with CEQA.

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) that the project is categorically exempt from CEQA. Section 15301 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The Section 15301 exemption applies because the change of the existing temporary helipad use to a permanent use will not involve any physical expansion or construction on the site or increase the frequency or type of aviation uses currently in operation. This satisfies California Code of Regulations, Title 21, Section 3534(b)(6).
2. Adopt a Resolution approving the project as required by California Code of Regulations, Title 21, Section 3534(b)(4).

EQUITY IMPACT STATEMENT

The project will support rural and desert communities in San Diego County by providing permanent, critically needed air ambulance services to Borrego Springs and the surrounding areas. Rural and desert communities in our region typically have less medical/emergency services available when compared to the more urban, populated areas. Today's action will help close that service gap.

SUSTAINABILITY IMPACT STATEMENT

Supporting strong, thriving communities is an indispensable component of the County's approach to sustainability. Although the term is usually associated with environmental conservation, a comprehensive view of sustainability also consists of maintaining thriving communities and supporting a prosperous local economy. The project will contribute to sustainability by providing critical air ambulance services to underserved communities in San Diego County, which will enhance community resiliency to medical emergencies.

FISCAL IMPACT

There is no fiscal impact associated with today's recommendations to approve the project and find it complies with CEQA, as required by California Code of Regulations, Title 21, Section 3534. There may be fiscal impacts associated with future related recommendations for which staff would return to the Board for consideration and approval. 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 Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, On Consent, adopting Resolution No. 23-090, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING PERMANENT AIR AMBULANCE OPERATIONS AT THE BORREGO MEDICAL CLINIC LOCATED AT 4343 YAQUI PASS ROAD IN THE UNINCORPORATED COMMUNITY OF BORREGO SPRINGS, AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

4. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR
MOSQUITO, VECTOR, AND DISEASE CONTROL BENEFIT
ASSESSMENT, AND MOSQUITO ABATEMENT AND VECTOR
CONTROL SERVICE CHARGE FOR FISCAL YEAR 2023-24
(DISTRICTS: ALL)**

OVERVIEW

The Department of Environmental Health and Quality (DEHQ) Vector Control Program (VCP) protects residents and visitors from health risks associated with vectors, such as mosquitoes,

rodents, and ticks, that can transmit diseases including West Nile virus, Zika, dengue, plague, hantavirus, Lyme disease and tularemia. Title 6, Division 4, Chapter 2, of the San Diego County Code of Regulatory Ordinances defines “vector” to mean an animal capable of transmitting the causative agent of human disease. “Vector” also includes eye gnats. VCP conducts mosquito abatement throughout the San Diego region, performs surveillance and testing of vectors that can cause human disease, and educates the public on actions to prevent vectors, protect themselves from vectors, and report breeding sources. Each year DEHQ has a goal to ensure the incidence of locally acquired West Nile virus remains below 1 case per 100,000 persons, and in calendar year 2022, DEHQ achieved this goal with zero known locally acquired cases.

The services performed by VCP are supported through the Mosquito, Vector, and Disease Control Benefit Assessment and the Mosquito Abatement and Vector Control Service Charge. According to Article XIID of the State Constitution (Proposition 218), approved by the California voters in November 1996, property owners may approve a benefit assessment through a mail ballot measure and, in subsequent years, the governing body (i.e., the Board) may continue or adjust the levy on properties within the limitations set by the ballot measure. The benefit assessment rate is evaluated annually and must be approved by the Board of Supervisors (Board). On June 29, 2022 (9), the Board approved the Engineer’s Report, confirming the assessment diagram and assessment and ordering the continuation of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for Fiscal Year (FY) 2022-23.

The Engineer’s Report defines the proposed benefit assessment by outlining program components, costs, and assessment required based on the program size. The benefit assessment would provide funding for mosquito, vector, and disease surveillance and control services throughout the San Diego region. The benefit can be measured, in part, by the number of people who live on, work at, visit or otherwise use the property; because the people ultimately determine the value of the benefits by choosing to live, work, and/or recreate in the area.

Each year, DEHQ works to contain costs associated with increases for salary and benefits, central support, and facilities, and apply savings that occur as a result of innovations, efficiencies, and implementation of new operational streamlining measures that save time, such as more efficient mosquito control approaches and laboratory techniques. Approximately 75% of DEHQ's costs are fixed, such as salary and benefits, retirement, enterprise-wide services, and facilities, while 25% of the department’s costs, such as services and supplies and salary savings when positions are vacant, are discretionary, meaning costs are determined by DEHQ based on operational needs. For VCP, the prescribed and discretionary cost ratio is similar to DEHQ as a whole and, overall, costs are expected to increase 14% in FY 2023-24. The proposed benefit assessment rate reflects known costs as accurately as possible to continue to protect public health, deliver programs and services to customers and communities, make data-driven decisions, and continue community outreach and engagement. In order to continue to meet program objectives, protect public health, and provide a level of service expected by stakeholders and customers, DEHQ has determined that the Mosquito, Vector, and Disease Control Benefit Assessment rate must increase in FY 2023-24.

The proposed FY 2023-24 rate is necessary to address cost changes, such as increased salary and benefit costs. Due to the timing of labor negotiations last fiscal year, the FY 2022-23 rate only included the standard assumptions and not all cost increases associated with the negotiated labor agreements. The proposed FY 2023-24 rate reflects two years of salary and benefit cost increases based on negotiated labor agreements and equity adjustments due to the timing of the last benefit assessment rate and the approved labor agreements. Therefore, FY 2022-23 as well as FY 2023-24 costs are reflected in this proposed rate.

This is a request to adopt a resolution to approve the Engineer's Report, confirm the assessment diagram and assessment, and order the levy of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for FY 2023-24. The proposed single-family equivalent dwelling rate is \$9.10, which is a \$0.73, or an 8.7%, increase over the prior rate of \$8.37 that was held constant since FY 2019-20 by applying savings and through efforts to maximize efficiencies and streamline operations, including developing innovative equipment, approaches, and procedures to maximize efficiencies.

The Board is also being asked to approve a resolution adopting service charges and confirming reports regarding levies for Mosquito Abatement and Vector Control Service Charge, which was adopted by the Board in 1989. In 1996, Proposition 218 froze the service charge at the rates of \$3.00 (Coastal Subregion), \$2.28 (Inland Suburban Subregion), and \$2.28 (Inland Rural Subregion); thus, these rates would continue to remain unchanged for FY 2023-24.

Upon adoption, the Mosquito, Vector, and Disease Control Benefit Assessment and the Mosquito Abatement and Vector Control Service Charge will be placed on the tax roll for FY 2023-24. If this item is not approved by the Board, then the proposed benefit assessment and service charge cannot be placed on the tax roll for FY 2023-24. As part of a multi-year plan to help offset increases in the single-family equivalent assessment, DEHQ plans to utilize \$2.4 million in available savings from the Vector Control District Trust Fund and its interest for FY 2023-24, in addition to the \$11.1 million that will be generated by the assessment and service charge. Without the funds of \$11.1 million generated by the assessment and service charge, DEHQ would need to completely deplete all of the available Vector Control District Trust Fund fund balance of \$7.1 million and an additional \$6.4 million in one-time alternative County funding would need to be allocated to provide for the \$13.5 million total to maintain the current program's level of service. If the benefit assessment and service charge are not approved and one-time alternative County funding is not identified, then VCP would not be able to provide existing levels of service or maintain activities to reduce the risk to public health from vector-borne diseases, which includes reduced outreach, education, and community engagement efforts including translation services, delayed responses to requests for VCP services such as complaint investigations and mosquito inspections, and potentially less timely investigations of vector-borne disease referrals from County Public Health Services. These delays would increase the possibility for local transmission of mosquito-borne or other vector-borne diseases and would result in a higher abundance of mosquitoes in the San Diego region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 21080(b)(8) of the Public Resources Code and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines that this action is exempt from CEQA, because it modifies and approves a charge to meet the operating expenses and necessary financial reserves for an existing program, specifically the County Vector Control Program as described herein and in the Engineer's Report.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2023-24 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT.
3. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR SURVEILLANCE AND CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24.

EQUITY IMPACT STATEMENT

The Department of Environmental Health and Quality (DEHQ) anticipates that the confirmation of levies for Mosquito, Vector, and Disease Control Benefit Assessment and Mosquito Abatement and Vector Control Service Charge for Fiscal Year (FY) 2023-24 to result in the continued protection of public health from the risks of vector-borne diseases throughout the San Diego region. Available data from the Engineer's Report and DEHQ Vector Control Program surveillance and control activities indicate the program is effective in reducing the transmission of vector-borne diseases. DEHQ proposes to continue the implementation of an integrated vector management approach, which incorporates the most effective strategies to reduce mosquitoes and protect public health with the least negative impact to the environment. This approach also empowers the public to take preventive measures to protect themselves, their family, and their community through educational community engagement and outreach, which includes multi-lingual media campaigns with a focus on underserved communities.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions contribute to the County of San Diego's (County) Sustainability Goals: protect health and wellbeing; protect ecosystems habitats and biodiversity; and provide just and equitable access to County services. The proposed actions contribute to the health and wellbeing of the residents and visitors of the entire region, including underserved communities, and benefits individuals as well as the community at large. Implementation of an integrated vector management approach to mosquito and vector control services protects public health from diseases transmitted by vectors, and protects the ecosystems, habitat, and biodiversity of the region. The proposed actions also contribute to the County's sustainability goal to provide just and equitable access to County services by involving stakeholders in a community needs assessment, and utilizing available resources to improve access to services and positive outcomes.

FISCAL IMPACT

Funds for these recommendations are included in the Fiscal Year (FY) 2023-24 Operational Plan in the Department of Environmental Health and Quality (DEHQ). If approved, the proposed actions will result in costs and revenue of \$13.5 million. The funding sources are the Mosquito, Vector and Disease Control Benefit Assessment (\$8.6 million), Mosquito Abatement and Vector Control Service Charge (\$2.5 million), available Vector Control District Trust Fund fund balance (\$2.3 million), and income from interest and other service contracts (\$0.1 million). Subsequent years' assessments will be based on the Vector Control Program budget, approved annually by the Board of Supervisors (Board), and included in future years Operational Plans.

If the Board does not approve the Engineer's Report, the proposed benefit assessment and service charge cannot be placed on the tax roll for FY 2023-24. Without the funds of \$11.1 million generated by the assessment and service charges, DEHQ would need to deplete all of the available Vector Control District Trust Fund fund balance of \$7.1 million and DEHQ would require one-time alternative County funding in the amount of \$6.4 million to maintain the current program's level of service. Trust Fund monies are generally reserved for funding the hiring of vector-related temporary staff and purchasing supplies to mitigate a public health threat, responding to catastrophic events that require additional monitoring and control efforts for vectors, and abatement when direct action by the County is necessary.

If the benefit assessment and service charge are not approved and one-time alternative County funding is not identified, then VCP would not be able to provide existing levels of service or maintain activities to reduce the risk to public health from vector-borne diseases. This includes reduced outreach, education, and community engagement efforts including translation services, delayed responses to requests for VCP services such as complaint investigations and mosquito inspections, and potentially less timely investigations of vector-borne disease referrals from County Public Health Services. The reductions in services would increase the possibility for local transmission of mosquito-borne or other vector-borne diseases and would result in higher abundance of mosquitoes in the San Diego region.

Today's actions will result in no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Mosquitoes and other vectors hinder, annoy, and harm residents, businesses, and visitors. A vector-borne disease outbreak and other related public health risks would have a negative effect on agriculture, business, tourism, and residential activities in the region.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors closed the Hearing and took action as recommended, adopting the following:

Resolution No. 23-091, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2023-24 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT; and,

Resolution No. 23-092, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR SURVEILLANCE AND CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

5. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2023-24 LEVIES FOR PERMANENT ROAD DIVISION ZONES, COUNTY SERVICE AREAS AND ZONES, SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ZONES, STORMWATER MAINTENANCE ZONES, ALLOCATE AND DISTRIBUTE INTEREST EARNINGS FOR SAN DIEGO COUNTY FIRE PROTECTION DISTRICT, AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

Special districts are created in order to provide new or enhanced local services and infrastructure to specific communities. Special District services are primarily funded by property owners through assessments or special taxes that are levied annually on each parcel's tax bill, reducing the cost to the ratepayer by eliminating the administrative costs that arise from annual billing and payment collection. District boundaries, services, and maximum rates were established by property owners at the time of formation or as a condition of development. The method for calculating the rate paid per parcel is established in the district ordinance adopted at the time of formation and may be based on a variety of factors, commonly including land use, parcel acreage, or use type (single-family or multi-family). The assessments or special taxes cannot exceed the maximum amount in the adopted ordinance without approval from the affected property owners. At the time of formation, residents in some districts voted to include cost escalators in their ordinances, which allow the maximum rate to increase each year to keep pace with inflation. The most commonly used cost indices are the Consumer Price Index (CPI) which measures the cost of consumer goods, and the Construction Cost Index (CCI) which measures the cost of construction materials and labor.

There are a variety of special districts, and each type is governed under different State laws. The County of San Diego (County), San Diego County Flood Control District (Flood Control District), and San Diego County Fire Protection District (Fire District) manage special districts that provide a wide array of services such as fire protection, flood control protection, private road landscape maintenance, parks, emergency communication, and paramedic services, across the unincorporated region and in six cities (Del Mar, Solana Beach, Encinitas, Santee, and portions of Poway and San Diego) in San Diego county. A list of all districts and proposed rates are included in Attachment I.

Board of Supervisors Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* (Board Policy B-29) directs departments to recover the full cost of services provided to agencies and individuals. Staff from the County, Flood Control District, and Fire District reviewed budgets for the districts included in today's action to determine if revenues were adequate for planned services in Fiscal Year (FY) 2023-24 or if rates should be adjusted. Staff determined the proposed rates for FY 2023-24 are needed to fund services and to ensure compliance with Board Policy B-29. Rates are also necessary to maintain financial reserves to fund future services, facility repairs, improvements, and replacements. The proposed rates subject to today's action are in accordance with Articles XIII A-D of the California Constitution, (Proposition 218) as amended to date and are within maximum rates set forth in each district's adopted ordinance.

Permanent Road Division Zones (County District)

There are 68 Permanent Road Division (PRD) Zones managed by the County Department of Public Works (DPW). Fifty (50) of the 68 PRD Zones levy property owner assessments or special taxes and are included in today's action. The rate each parcel is charged is determined by factors such as the type of land use, parcel size, and the number of dwelling units, which is represented by "benefit units." Benefit units are used to quantify the specific level of benefit each parcel receives from the services. Rates will remain the same in 44 of the 50 PRD Zones that levy property owner assessments or special taxes. Eighteen (18) PRD Zones do not currently levy property owner assessments or special taxes. Six (6) rate increases are being proposed to fund multi-year maintenance plans for road resurfacing, culvert repairs, and future road replacements.

Three PRD Zones will have rate increases based on approved cost escalators, and three PRD Zones will have rate increases based on property owner approval. The approved cost escalator for the three PRD Zones is the Los Angeles CCI. The proposed annual rate increases for this upcoming FY are listed below. Without the additional revenue, road and culvert maintenance will be deferred, which will result in future more costly repairs.

1. PRD Zone 6-Pauma Valley is located in the unincorporated community of Pauma Valley (District 5). The proposed rate will increase from \$23 to \$40 per benefit unit based on a property owner-approved rate increase, with the average single-family residence assigned three benefit units, or \$120 annually. The additional revenue will help fund planned pavement and culvert repairs and ongoing road and culvert maintenance.
2. PRD Zone 8-Magee Road is located in the unincorporated community of Pauma Valley (District 5). The proposed rate will increase from \$150 to \$400 per benefit unit based on a property owner-approved rate increase, with the average single-family residence assigned two benefit units, or \$800 annually. The additional revenue will help fund planned pavement repairs and ongoing road and culvert maintenance.
3. PRD Zone 106-Garrison Way is located in the unincorporated community of El Cajon (District 2). The proposed rate will increase from \$110 to \$300 per benefit unit based on a property owner-approved rate increase, with a single-family residence assigned two benefit units, or \$600 annually. The additional revenue will help fund planned pavement repairs and ongoing road maintenance.

4. PRD Zone 117-Legend Rock is located in the unincorporated community of Hidden Meadows (District 5). The proposed special tax will increase from \$1,508.84 to \$1,586.55 per parcel, based on the voter-approved cost escalator. The increase is due to rising inflation, based on a 5.15% escalation in the Los Angeles CCI for 2022. The additional revenue will help fund planned pavement repairs and ongoing road and culvert maintenance.
5. PRD Zone 133-Ranch Creek Road is located in the unincorporated community of Valley Center (District 5). The proposed rate will increase from \$1,517.50 to \$1,595.65 per benefit unit based on the property owner-approved cost escalator, with a single-family residence assigned one and one quarter benefit unit, for a total of \$1,994.56 annually. The increase is due to rising inflation, based on a 5.15% escalation in the Los Angeles CCI for 2022. The additional revenue will help fund planned pavement repairs and ongoing road and culvert maintenance.
6. PRD Zone 1017-Kalbaugh/Haley/Toub Streets is located in the unincorporated community of Ramona (District 2). The proposed rate will increase from \$263.76 to \$277.34 per benefit unit based on a property owner-approved cost escalator, with a single-family residence assigned two benefit units, for a total of \$554.69 annually. The increase is due to rising inflation, based on a 5.15% escalation in the Los Angeles CCI for 2022. The additional revenue will help fund ongoing annual grading of the unpaved roads.

County Services Areas (County District)

There are ten County Services Areas (CSA) that are managed by multiple County departments based on the services provided. CSAs provide maintenance and operations for parks, landscaping, flood control, open space management, and emergency medical/paramedic services. These CSAs provide services to multiple unincorporated communities and six incorporated cities (Del Mar, Solana Beach, Encinitas, Santee, and portions of Poway and the City of San Diego). Rates will remain the same in six of the ten CSAs that levy assessments because revenues can fully fund planned services. The cost escalator used for CSAs is the San Diego Consumer Price Index (CPI), which is based on a broad range of labor costs, goods, and services. Four rate increases are being proposed, which are based on the San Diego CPI increase of 6.45% for 2022:

1. CSA 83A-San Dieguito Local Parks District is managed by the Department of Parks and Recreation and provides park amenities and services in the unincorporated community of 4S Ranch (District 2). The rate will increase from \$141.75 to \$148.84 per single-family residence. The increase is due to rising inflation, based on a 6.45% escalation in the San Diego CPI for 2022, with a property owner approved maximum cost escalator of 5%. The additional revenue will ensure the delivery of park maintenance services and operations for FY 2023-24.

2. CSA 17-San Dieguito Emergency Medical Services is managed by San Diego County Fire and provides services to the cities of Del Mar, Solana Beach, Encinitas, and the City of San Diego communities of Del Mar Heights, and Del Mar Terrace, the unincorporated communities of Rancho Santa Fe, 4S Ranch, and a portion of Elfin Forest. (Districts 2 & 3). The proposed annual special tax will increase from \$34.47 to \$36.69 per single-family residence. The increase is due to rising inflation, based on a 6.45% escalation in the San Diego CPI for 2022. The additional revenue will ensure the CSA has adequate working capital.
3. CSA 26 Zone A-Cottonwood Village is managed by DPW and provides open space fire-fuel management and landscape maintenance services in the unincorporated community of Rancho San Diego (District 4). The proposed rate will increase from \$105.20 to \$112.00, with the average a single-family residence assigned one benefit unit, for a total of \$112.00 annually. The rate increase is due to rising inflation, based on a 6.45% escalation in the San Diego CPI for 2022. The additional revenue will ensure the continued delivery of annual fire-break services and help maintain adequate working capital.
4. CSA 26 Zone B-Monte Vista is managed by DPW and provides landscape maintenance services in the unincorporated community of Rancho San Diego (District 4). The proposed rate will increase from \$187.36 to \$199.44 per single-family residence. The rate increase is due to rising inflation, based on a 6.45% escalation in the San Diego CPI for 2022. The additional revenue will ensure the continued delivery of routine landscape maintenance services and help maintain adequate working capital.

San Diego County Fire Protection District (Fire Protection District)

There are eleven service areas in the San Diego County Fire Protection District (SDCFPD) funded by assessments or special taxes managed by San Diego County Fire that provide funds to supplement the cost of fire protection and emergency medical services across multiple unincorporated communities. The eleven service areas include the newly added Ramona Special Tax which was transferred from Ramona Municipal Water District to San Diego County Fire on August 1, 2022. A request for the Board to allocate and distribute the interest earnings from the Ramona Special Tax to the SDCFPD special revenue fund is also included in today's action. Rates will remain the same in ten of the eleven service areas that levy assessments or special taxes. One rate increase is being proposed.

1. Fire Service Area-Palomar Mountain provides services within the unincorporated community of Palomar Mountain (District 5). The proposed annual special tax will increase from \$170.50 to \$175.61 per single-family residence. The increase is due to rising inflation, based on a 6.45% escalation in the San Diego CPI for 2022, with a voter-approved maximum cost escalator of 3%. The additional revenue will be used to cover the cost of firefighting personnel and fire protection equipment and apparatus.

Flood Control District Stormwater Maintenance Zones (Flood Control District)

There are three Stormwater Maintenance Zones (SMZ) and one County Service Area (CSA) funded by assessments managed by DPW on behalf of the Flood Control District that provide maintenance of flood control facilities in multiple unincorporated communities. Rates will remain the same in all three SMZs and the one CSA because revenues can fully fund planned services.

Today's request is for the Board to adopt resolutions to confirm assessments and special taxes and authorize levies for 74 special districts administered by the County, the Fire District, and the Flood Control District. Upon adoption, the assessments and special taxes will be placed on the tax roll for FY 2023-24. The deadline to place these assessments on the FY 2023-24 tax rolls is August 10, 2023. A request is also included for the Board to authorize the Auditor and Controller to allocate and distribute interest earnings from the Ramona Fire Service Area to the special revenue fund in San Diego County Fire Protection District. These actions are discretionary after consideration of public testimony. Upon approval, the annual levies will be placed on the tax roll so that the property owners can continue to pay the levy through their property tax bills.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(3) because the activity is the establishment of government funding mechanisms without a commitment to any particular project which may result in a significant impact on the environment.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000 ZONES, ADOPTING ASSESSMENTS AND SPECIAL TAXES AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24. (Attachment A)
3. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREAS CSA 26A-COTTONWOOD VILLAGE AND CSA 26B-MONTE VISTA, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24. (Attachment B)
4. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA CSA 136 -SUNDANCE DETENTION BASIN, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24. (Attachment C)

5. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 26 -RANCHO SAN DIEGO LOCAL PARK DISTRICT, COUNTY SERVICE AREA NO. 128-SAN MIGUEL LOCAL PARK DISTRICT, COUNTY SERVICE AREA NO. 83, ZONE A-SAN DIEGUITO LOCAL PARK DISTRICT 4S RANCH, ADOPTING CHARGES AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24. (Attachment D)
6. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 135, ZONES B-DEL MAR, H-SOLANA BEACH, AND F-POWAY, ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24. (Attachment E)
7. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 17-SAN DIEGUITO EMERGENCY MEDICAL SERVICES DISTRICT, ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24. (Attachment F)

Acting as the Board of Directors, San Diego County Fire Protection District:

1. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ACTING AS THE GOVERNING BODY OF THE SPECIAL ASSESSMENT SERVICE ZONES, ADOPTING SPECIAL ASSESSMENTS AND CONFIRMING REPORTS RE: SPECIAL ASSESSMENTS TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24. (Attachment G)
2. Authorize the Auditor and Controller to allocate and distribute the interest earnings to the special revenue fund (Fund 14622) in San Diego County Fire Protection District for the special taxes previously collected within the Ramona Water Protection District for structural fire protection and emergency medical services.

Acting as the Board of Directors, San Diego County Flood Control District:

1. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FLOOD CONTROL DISTRICT ACTING AS THE GOVERNING BODY OF STORMWATER MAINTENANCE ZONES 3-4978-1 BLACKWOLF, 4-4249-3 LAKE RANCHO VIEJO, AND 3-5142-1 PONDEROSA, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24. (Attachment H)

EQUITY IMPACT STATEMENT

Today's action continues the County's commitment to providing programs and services that enhance our communities. Assessments and special taxes fund services for special districts which improve the health, safety, and economic interests of local communities. Levying charges on the Fiscal Year (FY) 2023-24 tax rolls for the special districts included in today's actions will have a direct impact on communities throughout the unincorporated areas of the county. These

levies fund services that include fire protection, flood control protection, private road maintenance, landscaping, parks, emergency communication, and paramedic services to residents of approximately 144,000 parcels. Special district revenues also offset the need for the County to fund these services, which allow additional County funds to be allocated towards services in underserved communities.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports the County's Sustainability Goals to protect the health and well-being of residents, support economic sustainability, and provide just and equitable access to County services. Maintaining roads in a timely manner prevents more costly maintenance in the future, contributing to economic sustainability. Fire protection, flood control protection, emergency communication and paramedic services protect the health and wellbeing of citizens and their properties. County Parks provide citizens equitable access to outdoor recreation and nature, promoting the health and wellbeing of citizens. Today's action will help maintain a strong and resilient community.

FISCAL IMPACT

The proposed assessment revenues are included in Fiscal Year (FY) 2023-24 Operational Plan for the Departments of Public Works (DPW), Department of Parks and Recreation (DPR), Sheriff, San Diego County Fire (County Fire), San Diego County Flood Control District (Flood Control District), and the San Diego County Fire Protection District (Fire Protection District). The proposed rate increases for eleven (11) special districts will result in increases in revenue from property owner assessments of \$75,698 in total for DPW, \$119,746 in total for County Fire from CSA 17-San Dieguito, \$32,108 for DPR, and \$2,083 in total for the Fire Protection District. There is no proposed change in rates for 62 special districts. The proposed tax revenue interest allocation and distribution will result in the apportionment of interest earnings to the special tax revenue in the Fire Protection District. The funding source is assessment levies and special taxes on property owners within the identified districts. There will be no change in net General Fund cost and no additional staff years.

The proposed assessment levies and special taxes are evaluated annually in an amount sufficient to recover the full cost as required by Board Policy B-29: *Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery*. Accordingly, there is no projected unrecovered cost, and a waiver of Board Policy B-29 is not needed. The funding source is assessment levies and special taxes on property owners within the identified districts.

If the Board of Supervisors, acting on behalf of the County and other independent districts, does not adopt the resolutions, the proposed assessments and special taxes cannot be placed on the tax rolls for FY 2023-24. The deadline to place these assessments on the FY 2023-24 tax rolls is August 10, 2023. Without the funds generated by assessments, services for flood control protection, private road maintenance, parks, and landscape services would be reduced, and maintenance would be deferred. Fund balance would be leveraged to fill the gap for public safety communications systems, structural fire protection, and emergency medical services, which would impact the funding available for working capital.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO SAN DIEGO COUNTY FIRE PROTECTION DISTRICT FP02 AND FLOOD CONTROL DISTRICT FL01)

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Desmond, the Board of Supervisors closed the Hearing and took action as recommended, adopting the following:

Resolution No. 23-093, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000 ZONES, ADOPTING ASSESSMENTS AND SPECIAL TAXES AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24;

Resolution No. 23-094, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREAS CSA 26A – COTTONWOOD VILLAGE AND CSA 26B – MONTE VISTA, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24;

Resolution No. 23-095, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA CSA 136 – SUNDANCE DETENTION BASIN ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24;

Resolution No. 23-096, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREAS NO. 26 –RANCHO SAN DIEGO LOCAL PARK DISTRICT, COUNTY SERVICE AREA NO. 128 – SAN MIGUEL LOCAL PARK DISTRICT, COUNTY SERVICE AREA NO. 83, ZONE A – SAN DIEGUITO LOCAL PARK DISTRICT 4S RANCH ADOPTING CHARGES AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24

Resolution No. 23-097, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 135, ZONES B – DEL MAR, H – SOLANA BEACH, AND F – POWAY ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24; and

Resolution No. 23-098, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 17-SAN DIEGUITO EMERGENCY MEDICAL SERVICES DISTRICT, ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2023-24.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

6. SUBJECT: TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION (06/28/2023 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN ORDINANCE; 07/19/2023 - SECOND READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED ON SECOND READING) (DISTRICTS: 2, 3, 4, & 5)

OVERVIEW

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

The TAC recommends the Board act on nine items from the March 10, 2023, TAC meeting agenda:

Items from the 03/10/2023 TAC Meeting			
District	Item	Location	Action
2	2-A*	Lakeside Ave, from State Route 67 to Valle Vista Rd, in Lakeside Farms	Revise western endpoint, reduce the 40 miles per hour (MPH) speed limit to 35 MPH, and certify.
2	2-B*	Riverside Ave, from Valle Vista Rd to Riverford Rd, in Lakeside Farms	Revise eastern endpoint, reduce the 45 MPH speed limit to 40 MPH, and certify.
2	2-C	Wildcat Canyon Rd, from Willow Rd to Barona Indian Reservation (S. Boundary), in Lakeside/Barona	Recertify the 50 MPH speed limit.
2	2-D	Wildcat Canyon Rd, from Barona Indian Reservation (S. Boundary) to San Vicente Rd, in Barona/San Diego Country Estates	Recertify the 50 MPH speed limit.
3	3-A	Rancho Diegueno Rd, from Rancho Santa Fe Farms Rd to San Dieguito Rd, in Fairbanks Ranch	Recertify the 40 MPH speed limit.

4	4-A	Kenwood Dr, from Campo Rd to Kenwood Ct, in Spring Valley	Certify the 45 MPH speed limit.
4	4-B	Kenwood Dr, from Kenwood Ct to Bancroft Dr, in Spring Valley	Certify the 35 MPH speed limit.
5	5-A*	Fifth St, from Rainbow Valley Bl to Old Highway 395, in Rainbow	Establish a 30 MPH speed limit and certify.
5	5-B	La Sombra Dr, from Discovery St to San Marcos city limit, in Lake San Marcos	Establish a time-specific no stopping zone.
*Indicates second reading of the ordinance is required.			

Approval of Item 2-A on Lakeside Avenue in Lakeside Farms (District 2), Item 2-B on Riverside Drive in Lakeside Farms (District 2), Item 2-C on Wildcat Canyon Road in Lakeside/Barona (District 2), Item 2-D on Wildcat Canyon Road in Barona/San Diego Country Estates (District 2), Item 3-A on Rancho Diegueno Road in Fairbanks Ranch (District 3), Item 4-A on Kenwood Drive in Spring Valley (District 4), Item 4-B on Kenwood Drive in Spring Valley (District 4), and Item 5-A on Fifth Street in Rainbow (District 5) would support speed enforcement which enhances roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Item 5-B on La Sombra Drive in Lake San Marcos (District 5) will provide safety and roadway operation enhancement measures for pedestrians, bicyclists, and all other roadway users by eliminating the potential traffic hazards of stopped vehicles. Properly posted no-stopping zones eliminate potential traffic hazards, improve traffic safety and roadway operation, and increase community quality of life.

The following items do not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore do not require a second reading of an ordinance. Board direction on June 28, 2023, would allow implementation by DPW of:

- Item 2-C on Wildcat Canyon Road in Lakeside/Barona (District 2),
- Item 2-D on Wildcat Canyon Road in Barona/San Diego Country Estates (District 2),
- Item 3-A on Rancho Diegueno Road in Fairbanks Ranch (District 3),
- Item 4-A on Kenwood Drive in Spring Valley (District 4),
- Item 4-B on Kenwood Drive in Spring Valley (District 4), and
- Item 5-B on La Sombra Drive in Lake San Marcos (District 5).

The Board's action on Item 2-A on Lakeside Avenue in Lakeside Farms (District 2), Item 2-B on Riverside Drive in Lakeside Farms (District 2), and Item 5-A on Fifth Street in Rainbow (District 5) would introduce an ordinance to amend and establish speed limit zones. This action would revise County Code and requires two steps. On June 28, 2023, the Board would consider the

TAC items. If the Board takes action as recommended on June 28, then on July 19, 2023, a second reading and adoption of ordinances amending the County Code would be necessary to implement the Board's direction. If the proposed ordinance is altered on June 28, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. Lakeside Avenue from State Route 67 to Valle Vista Road in Lakeside Farms - Revise the western endpoint from Valle Vista Road to Channel Road, reduce the 40 MPH speed limit to 35 MPH, and certify for radar enforcement.

Item 2-B. Riverside Drive from Valle Vista Road to Riverford Road in Lakeside Farms - Revise the eastern endpoint from Valle Vista Road to Channel Road, reduce the 45 MPH speed limit to 40 MPH, and certify for radar enforcement.

Item 2-C. Wildcat Canyon Road from Willow Road to Barona Indian Reservation (south boundary) in Lakeside/Barona - Recertify the 50 MPH speed limit for radar enforcement.

Item 2-D. Wildcat Canyon Road from Barona Indian Reservation (south boundary) to San Vicente Road in Barona/San Diego Country Estates - Recertify the 50 MPH speed limit for radar enforcement.

District 3:

Item 3-A. Rancho Diegueno Road from Rancho Santa Fe Farms Road to San Dieguito Road in Fairbanks Ranch - Recertify the 40 MPH speed limit for radar enforcement.

District 4:

Item 4-A. Kenwood Drive from Campo Road to Kenwood Court in Spring Valley - Certify the 45 MPH speed limit for radar enforcement.

Item 4-B. Kenwood Drive from Kenwood Court to Bancroft Drive in Spring Valley - Certify the 35 MPH speed limit for radar enforcement.

District 5:

Item 5-A. Fifth Street from Rainbow Valley Boulevard to Old Highway 395 in Rainbow - Establish a 30 MPH speed limit and certify for radar enforcement.

Item 5-B. La Sombra Drive, west side, from Discovery Street to San Marcos city limit in Lake San Marcos - Establish a time specific no stopping zone, "No Stopping 8 AM to 10 AM, School Days."

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control on County of San Diego maintained roadways, resulting in negligible or no expansion of existing or former use.

2. Adopt the Traffic Advisory Committee's recommendations.
3. Adopt the following Resolution:
RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO (Item 5-B).
4. Approve the introduction of the following ordinance:
ORDINANCE AMENDING SECTIONS 72.169.46. AND 72.169.59. AND ADDING SECTION 72.169.8.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A, 2-B, & 5-A).

If, on June 28, 2023, the Board takes action as recommended, then, on July 19, 2023:
Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.169.46. AND 72.169.59. AND ADDING SECTION 72.169.8.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A, 2-B, & 5-A).

EQUITY IMPACT STATEMENT

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

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 CAO Recommended Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in costs and revenue of \$8,340 in Fiscal Year 2023-24 for staff time, materials, and supplies. The funding source is State Highway User Tax Account. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, adopting Resolution No. 23-099, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO (Item 5-B); and, took action to further consider and adopt the Ordinance on July 19, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

7. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

April Strawder spoke to the Board regarding status of food voucher.

Consuelo spoke to the Board regarding clapping at Board meetings.

Paul Henkin spoke to the Board regarding concerns with greenhouse gas.

Terri-Ann Skelly spoke to the Board regarding concerns about marijuana businesses.

Nancy Logan spoke to the Board regarding concerns about marijuana businesses.

Ann Riddle spoke to the Board regarding concerns with the sale of marijuana products.

Peggy Walker spoke to the Board regarding concerns with the sale of marijuana products.

Audra M. spoke to the Board regarding SANDAG, Board actions, and comments.

Becky Rapp spoke to the Board regarding the harmful effects of marijuana smoke.

Kelly McCormick spoke to the Board regarding behavioral health services and suicide prevention.

Truth spoke to the Board regarding video recordings at BOS meeting and Board actions.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:12 a.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, July 19, 2023.



NORA VARGAS
Chair

Attest:



ANDREW POTTER
Clerk of the Board

06/28/2023