

September 27, 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, SEPTEMBER 27, 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 of September 13, 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 September 13, 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. | ADVERTISE AND AWARD MULTIPLE CONSTRUCTION CONTRACTS FOR CULVERT REPAIR AND REPLACEMENT AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: ROAD FUND FUND BALANCE AND SB 1] |
| 2. | MCCLELLAN-PALOMAR AIRPORT - AMENDMENT TO AVIATION LEASE WITH PALOMAR AIRPORT CENTER LLC FOR SCHEDULED RENT ADJUSTMENT ONLY AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: RENTAL PAYMENTS FROM THE LESSEE UNDER THE TERMS OF THE AMENDED LEASE]
(4 VOTES) |
| 3. | NOTICED PUBLIC HEARING:
AMEND THE GROUNDWATER ORDINANCE (September 27, 2023 - first reading; October 11, 2023 - second reading); AND FOCUSED UPDATE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES AND REPORT REQUIREMENTS FOR GROUNDWATER |
| 4. | TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION (09/27/2023 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN ORDINANCE; 10/25/2023 - SECOND READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED ON SECOND READING)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT] |
| 5. | ENACT AN ORDINANCE AND ADOPT A RESOLUTION TO DISSOLVE SAN DIEGO COUNTY PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 - ALAMO WAY IN CREST, AND RELATED CEQA EXEMPTION |
| 6. | EAST COUNTY ADVANCED WATER PURIFICATION PROJECT OPEN SPACE VACATION AND AN ADDENDUM TO PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATIONS, PDS2023-VAC-23-001 AND PDS2023-ER-23-14-011; LAKESIDE COMMUNITY PLAN AREA (9/27/2023 - SET HEARING; 10/25/2023 - HOLD HEARING)
[FUNDING SOURCE: PROVIDED BY THE JOINT POWER AUTHORITY] |
| 7. | PUBLIC COMMUNICATION |

1. SUBJECT: ADVERTISE AND AWARD MULTIPLE CONSTRUCTION CONTRACTS FOR CULVERT REPAIR AND REPLACEMENT AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)

OVERVIEW

The County of San Diego (County), Department of Public Works (DPW) maintains over 17,000 drainage culverts in the unincorporated areas of San Diego county. Culverts convey water beneath or away from roadways enhancing safety for motorists, minimizing contaminants such as sediment in our waterways, and protecting roadways from costly damage and public inconvenience. Culvert maintenance is a necessary component of maintaining our 2,000 miles of County-maintained roads which provides for the safe conveyance of people and goods throughout the region and supports walkability and a robust economy. Culvert maintenance work is also supportive of the May 2, 2017 (11), Board of Supervisors (Board) action to achieve an average Pavement Condition Index (PCI) of 70 within the County-maintained road network with funding from Senate Bill 1 (2017), the Road Repair and Accountability Act. PCI is an industry standard rating system used by DPW to rate the condition of roads with zero representing a failed roadway and 100 representing a newly paved road. The expanded annual road resurfacing program enacted by the Board in May 2017, began in Fiscal Year 2017-18 and since that time has included the maintenance of culverts associated with roads selected for resurfacing to support the Board's PCI goal and avoid damage to the County-maintained road network.

DPW staff identify culvert maintenance projects each fiscal year following the development of the road resurfacing list. Culverts associated with the roads on the resurfacing list are then evaluated by DPW staff and data is collected on the severity of rust, holes, and other potential damage that could impact the functionality of the culverts. Culverts that are identified with significant rust and holes or with other issues that require maintenance are added to the culvert maintenance list.

The list of culverts associated with the road resurfacing program is included in Attachment A and identifies 207 culverts throughout the unincorporated areas of the region. There are 151 culverts associated with recent and upcoming resurfacing activities that are planned to be constructed as part of this project and 56 culverts associated with future resurfacing activities. A portion of the 56 culverts could be constructed with this project if construction costs are below the available budget amount. Culverts not able to be constructed as part of this project will be constructed in future projects.

This is a request to approve the advertisement and subsequent award of multiple construction contracts to the lowest bidders for culvert maintenance on County-maintained roads. The anticipated project cost for County-maintained culverts is \$10,903,622, including a 5% contingency for unforeseen conditions that may arise during construction. The funding sources are SB 1 and Road Fund fund balance. Advertisement and award of the first of several construction contracts is scheduled for fall 2023. Construction is scheduled to begin in winter 2023-24 and be complete at the end of 2025.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301(c) of the California Environmental Quality Act (CEQA) that the proposed project is categorically exempt from CEQA review because it involves the maintenance of existing culverts involving no or negligible expansion of existing use.
2. Authorize the Director, Department of Purchasing and Contracting, to advertise and award multiple construction contracts and to take other actions authorized by Section 401 et seq. of the Administrative Code with respect to contracting for culvert repair and replacement.
3. Designate the Director, Department of Public Works, as the County Officer responsible for administering the construction contracts in accordance with Board Policy F-41, Public Works Construction Projects.

EQUITY IMPACT STATEMENT

The culvert maintenance work proposed in this action is directly related to the County of San Diego, Department of Public Works expanded annual road resurfacing program and includes culverts that are associated with this resurfacing work. The road resurfacing program utilizes the most recent version of CalEnviroScreen (4.0) and Health Places Index (3.0) GIS layer to identify roads for resurfacing that are located within underserved communities. Approximately 65% of the roads on the resurfacing maintenance lists are within underserved communities. Road resurfacing and culvert maintenance will improve and protect the condition of roads, facilitate transit, and allow cars and buses to travel to underserved communities to bring workers to job centers. County of San Diego construction contracts are also competitively and publicly advertised and bid and help stimulate the local economy.

SUSTAINABILITY IMPACT STATEMENT

Maintaining existing drainage culverts has economic, environmental, health and well-being, and sustainability benefits. Maintaining culverts in a timely manner prevents more costly future maintenance efforts, thereby supporting economic sustainability. Drainage improvements will enhance water quality and promote safe transit throughout the unincorporated communities, which positively impacts sustainable health and well-being benefits. The improvements will also help prevent erosion and flooding which contributes to the County of San Diego's sustainability goal of protecting ecosystems and habitats.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of Public Works Road Fund. If approved, project costs are estimated to be \$10,903,622, including a 5% construction contingency. The funding sources are Road Fund fund balance (\$6,201,122) and SB 1 (\$4,702,500). 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 and publicly bid and help stimulate the local economy by creating primarily construction-related employment opportunities. All workers employed on the public works projects must be paid prevailing wages determined by the California 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 the collective bargaining agreements.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

2. **SUBJECT: MCCLELLAN-PALOMAR AIRPORT - AMENDMENT TO AVIATION LEASE WITH PALOMAR AIRPORT CENTER LLC FOR SCHEDULED RENT ADJUSTMENT ONLY AND RELATED CEQA EXEMPTION (DISTRICT: 3)**

OVERVIEW

McClellan-Palomar Airport (Palomar) is located in the City of Carlsbad (Carlsbad) and is one of eight airports owned by the County of San Diego (County) and operated by the County Department of Public Works (DPW). The County airports system is operated, maintained, and improved using lease revenues and federal and State grant funding. Palomar was constructed on County-owned property and, when it opened in 1959, the surrounding area consisted mainly of agricultural uses. Over the last 60 years, light industrial, commercial, and recreational uses have developed around the airport. Carlsbad annexed the airport in 1978, citing economic benefits, including significant tax revenues for Carlsbad and increased services for the region. Today, the airport serves the community and region as a vital air transportation hub, an emergency services facility, and an economic engine that supports 2,590 local jobs and generates \$72 million in tax revenues and \$461 million in economic activity annually.

Palomar airport infrastructure and facilities include runway, taxiways, commercial airline terminal building, air traffic control tower, communications, and related equipment. Palomar offers air travelers private charter flights and seasonal commercial airline service to Mammoth Lakes, California. Services available to corporate and general aviation users at this airport include hangar and tie-down rentals, aviation fuel sales, aircraft repair, maintenance, parts, pilot supplies, and flight training. Leasing of airport land generates revenue for the Airport Enterprise Fund, which is used by DPW to ensure that all County airports are properly maintained and safe for airport users and the surrounding communities. The Federal Aviation Administration (FAA) is committed to transition the industry to a lead-free aviation fuel by the end of 2030, which is strongly supported by the County.

On December 10, 2003 (13), the Board of Supervisors approved a new aviation lease with Jet Source, Inc. The use of the premises by Lessee, is aviation related and necessary to the operation of the airport and to the control of air traffic, and Commercial aviation activities to include subleasing to aviation. Subsequently, this lease has been amended multiple times for various reasons, including: to extend the lease terms, to provide a temporary rent abatement, to revise the outdated lease language, to update the contact information, to reduce the leasehold area and to implement the renegotiated rental rate adjustments. This lease was acquired by Palomar Airport Center LLC on December 18, 2017. This lease requires periodic rent renegotiations to keep current with market rates, and it is due for a negotiated rent adjustment on January 1, 2024.

This is a request to approve the proposed Eighth Amendment to the aviation lease (County Contract No. 75758R). If approved, the amendment will increase monthly base rent, effective on January 1, 2024, to reflect market rates as negotiated and agreed to by the parties based on appraisals.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendment is categorically exempt from CEQA review as it consists of the leasing of existing facilities involving negligible or no expansion of existing or former use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the eighth amendment to aviation lease with Palomar Airport Center LLC (County Contract Number 75758R) (4 VOTES).

EQUITY IMPACT STATEMENT

McClellan-Palomar Airport is one of eight airports owned and operated by the County of San Diego (County) that provide vital air transportation hubs, emergency response facilities, and economic engines. The County pursues delivery of these services in a fair and equitable manner and actively works to remove barriers by providing airport guests with general airport information in the County's threshold languages, encouraging participation and providing competitive opportunities for small businesses that traditionally have less working capital and business owners and managers that may be socially and economically underserved.

SUSTAINABILITY IMPACT STATEMENT

The proposal to amend this aviation lease to increase monthly base rent has economic sustainability benefits, ensuring safe and healthy communities and contributing to the overall success of the region. The revenues from this lease are used to operate, maintain, and improve the County airports system consistent with the County sustainability goal of providing just and equitable access to County services and resources in support of sustainable communities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of Public Works, Airport Enterprise fund. If approved, this request will result in revenue of \$252,810 in Fiscal Year 2023-24, which is an increase of \$3,378 over the current budgeted amount of \$249,432. It will also result in a revenue of \$256,188 in Fiscal Year 2024-25. The funding source is rental payments from the lessee under the terms of the amended lease. There would be no change in net General Fund cost and no additional staff years required.

BUSINESS IMPACT STATEMENT

Leases at airports benefit the local business community by creating jobs, increasing economic activity, providing business opportunities, and supporting infrastructure development. They attract visitors, generate revenue, and help small businesses grow, thus stimulating the local economy and improving the quality of life for residents. Airports connect individuals to jobs and local communities to the world. Revenue derived from airport leases allows DPW to operate and maintain the eight County airports, airstrips and airpark safely, efficiently and cost-effectively. Today's action of implementing scheduled rent adjustment to this aviation lease with Palomar Airport Center LLC promotes self-sufficiency of McClellan-Palomar Airport and enhances the economic viability of the County airports system.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

3. **SUBJECT: NOTICED PUBLIC HEARING:
AMEND THE GROUNDWATER ORDINANCE (September 27, 2023 - first reading; October 11, 2023 - second reading); AND FOCUSED UPDATE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES AND REPORT REQUIREMENTS FOR GROUNDWATER RESOURCES; AND CEQA NO PROJECT FINDING AND EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

Facing a prolonged statewide drought and unrestricted groundwater pumping, California passed the Sustainable Groundwater Management Act (SGMA) in 2014, which provides a framework to regulate groundwater for the first time in California's history. This law strengthens groundwater management by requiring local agencies to balance groundwater extraction with groundwater recharge in basins designated by the California Department of Water Resources as high- or medium-priority.

Today's actions propose (1) amending the County of San Diego's (County's) Groundwater Ordinance and (2) adopting a focused update to the County's California Environmental Quality Act (CEQA): *Guidelines for Determining Significance and Report Format and Content Requirements, Groundwater Resources* (County Groundwater Guidelines). The amendments proposed to the County Groundwater regulations are administrative in nature to implement Court

proceedings and regulatory changes that have already occurred at the state level. The actions ensure consistency and compliance with SGMA, revisions to the State's CEQA Guidelines, and a Superior Court of California (Court) judgment. Changes to the Groundwater Ordinance are limited to the Borrego Springs Groundwater Subbasin (Borrego Basin). Updates to the County Groundwater Guidelines are primarily focused on the three SGMA-mandated basins in the San Diego region, which include the Upper San Luis Rey Valley Groundwater Subbasin (SLR Basin), the San Pasqual Valley Groundwater Basin (San Pasqual Basin), and the Borrego Basin (Attachment A).

At the request of groundwater pumpers within the community of Borrego Springs, the Court has adjudicated groundwater rights in the Borrego Basin. The Groundwater Ordinance is being amended to comply with the Borrego Springs Subbasin Groundwater Rights Adjudication (2021 Judgment). The 2021 Judgment provided holders of groundwater rights in Borrego Springs to work together alongside the County and the Borrego Water District to manage the Borrego Basin through a court-approved process. To accomplish this, the 2021 Judgment established the Borrego Springs Watermaster (Watermaster) as the entity responsible for managing groundwater resources in the Borrego Basin. Over the last two years, County staff and Watermasters have met regularly to align internal processes and procedures. The Groundwater Ordinance will now reflect that future water use is subject to the 2021 Judgment, which requires Borrego Basin groundwater users to have groundwater rights consistent with the Watermaster requirements before project approval. Therefore, all projects subject to the Groundwater Ordinance within the Borrego Basin must demonstrate the ability to obtain water rights before project approval.

The focused update to the County Groundwater Guidelines will reference SGMA and the State's 2018 revised CEQA Guidelines, which address a project's impacts on groundwater. The current version of the County Groundwater Guidelines already considers groundwater sustainability when determining a project's environmental impact. The updated County Groundwater Guidelines will reference the recent regulatory changes and the 2021 Judgment. Additionally, the requirement for groundwater investigations will now require a California Professional Geologist to prepare and sign reports in lieu of the current two-step requirement of being a California Professional Geologist and being a consultant on the County's CEQA Consultants list (CEQA List) for groundwater resources. This requirement is consistent with other similar County guidelines and is expected to reduce the cost to applicants while making it easier for applicants to find more qualified consultants.

The focused update to the County Groundwater Guidelines does not require a second hearing and is scheduled for adoption during today's hearing (September 27, 2023). The amended Groundwater Ordinance will be introduced on September 27, 2023, and, if approved, will be scheduled for adoption on October 11, 2023. If the proposed Groundwater Ordinance is altered on October 11, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the amended Groundwater Ordinance, and the updated California Environmental Quality Act (CEQA) *Guidelines for Determining Significance and Report Format and Content Requirements, Groundwater Resources* (County Groundwater Guidelines) comply with CEQA and State CEQA Guidelines because adoption of the amended Groundwater Ordinance, and the County Groundwater Guidelines are not a project as defined in the Public Resources Code section 21065 and CEQA Guidelines Section 15378, and are therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060(c); separately and independently, are categorically exempt pursuant to Section 15308 of the CEQA Guidelines because these actions will enhance and protect the environment; and because it can be seen with certainty that there is no possibility that they may have a significant effect on the environment (Section 15061(b)(3) of the State CEQA Guidelines) as stated in the Groundwater Ordinance and County Groundwater Guidelines Notice of Exemption (Attachment B, on file with the Clerk of the Board).
2. Approve the introduction of the Ordinance (first reading) entitled:
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE ARTICLE 10249 SECTIONS 67.720 and 67.750 OF THE SAN DIEGO COUNTY GROUNDWATER ORDINANCE RELATING TO THE BORREGO SPRINGS SUBBASIN (Attachment H, on file with the Clerk of the Board).
3. Recommend that the Board of Supervisors adopt the Resolution:
RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS ADOPTING THE COUNTY OF SAN DIEGO GUIDELINES FOR DETERMINING SIGNIFICANCE AND REPORT FORMAT AND CONTENT REQUIREMENTS, GROUNDWATER RESOURCES, DATED SEPTEMBER 27, 2023 (Attachment D, on file with the Clerk of the Board).

If, on September 27, 2023, the Board takes action as recommended, then on October 11, 2023: Consider and adopt the Ordinance Amending Sections 67.720 and 67.750 of the San Diego County Groundwater Ordinance Relating to the Borrego Springs Subbasin (second reading).

EQUITY IMPACT STATEMENT

Amending the Groundwater Ordinance and County Groundwater Guidelines will assist in an efficient and consistent review of projects potentially impacting groundwater resources. With the goal of equitable access to groundwater resources, the Groundwater Ordinance and County Groundwater Guidelines will require projects to provide relevant information to make appropriate planning decisions and determinations while meeting applicable regulations. These additional requirements will provide the surrounding communities with transparency of potential groundwater users before projects are approved.

SUSTAINABILITY IMPACT STATEMENT

The actions to amend the County's Groundwater Ordinance and update the County Groundwater Guidelines align with the County's sustainability goals and sustainability commitments in the FY 2022-23 Operational Plan by focusing on policies that protect our natural resources. By ensuring adequate groundwater resources are available to serve both existing users and proposed development, the County prioritizes long-term sustainable strategies, which is key to being a greater steward of natural resources and preserving, protecting, and maintaining groundwater resources for future generations.

FISCAL IMPACT

The amended Groundwater Ordinance and the updated County Groundwater Guidelines will be implemented through publicly or privately funded and initiated projects. The private sector will pay for private development costs through the entitlement and permitting process. Public projects may be initiated by County departments such as the Department of Parks and Recreation or the Department of Public Works. Each department will monitor its budget and identify project costs and the funding source(s) during project development and include in future Operational Plans. There is no fiscal impact associated with these recommendations. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

The updated County Groundwater Guidelines are expected to reduce the cost to applicants by removing the CEQA list requirement, thus, making it easier for applicants to find qualified consultants. Currently, there are only nine consultants on the CEQA list for groundwater resources. This change would create additional opportunities by expanding the number of consultants able to conduct hydrogeologic investigations for projects proposing to use groundwater.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors closed the Hearing and took action as recommended, and adopted Resolution No. 23-119, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS ADOPTING THE COUNTY OF SAN DIEGO GUIDELINES FOR DETERMINING SIGNIFICANCE AND REPORT FORMAT AND CONTENT REQUIREMENTS, GROUNDWATER RESOURCES, DATED SEPTEMBER 27, 2023; and, the Board will further consider the adoption of the Ordinance on October 11, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

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

OVERVIEW

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

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

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

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

Approval of Item 4-A at Hilton Head Road and Inverary Drive in Hillsdale (District 4) will provide safety enhancement measures for pedestrians, bicyclists, and all other roadway users by assigning a full stop to all approaches at intersections. Properly posted stop controls at intersections reduce the number and severity of collisions by assuring reasonable drivers enter intersections at a low speed and have more time to take heed of the traffic situation.

The Board's action on Item 4-A at Hilton Head Road and Inverary Drive in Hillsdale (District 4) does not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore does not require a second reading of an ordinance. Board direction on September 27, 2023, would allow for implementation by DPW.

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

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 1:

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

District 4:

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

District 5:

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

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

CHIEF ADMINISTRATIVE OFFICER

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 Resolutions:
RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO. (Item 4-A)

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN THE COUNTY OF SAN DIEGO. (Item 4-A)
4. Approve the introduction of the Ordinance (first reading) entitled:
ORDINANCE AMENDING SECTIONS 72.163.55., 72.161.25.2. AND 72.161.27. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY. (Items 1-A, 5-A, & 5-B)

If, on September 27, 2023, the Board takes action as recommended, then, on October 25, 2023: Consider and adopt the following Ordinance:
ORDINANCE AMENDING SECTIONS 72.163.55., 72.161.25.2. AND 72.161.27. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY. (Items 1-A, 5-A, & 5-B)

EQUITY IMPACT STATEMENT

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

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in costs and revenue of \$7,760 in Fiscal Year 2023-24 for staff time, materials, and supplies. The funding source is State Highway User Tax Account. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

Resolution No. 23-120, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO;

Resolution No. 23-121, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN THE COUNTY OF SAN DIEGO; and,

The Board will further consider the adoption of the Ordinance on October 25, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 5. **SUBJECT: ENACT AN ORDINANCE AND ADOPT A RESOLUTION TO DISSOLVE SAN DIEGO COUNTY PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 - ALAMO WAY IN CREST, AND RELATED CEQA EXEMPTION (DISTRICT: 2)**

OVERVIEW

Special districts are created in order to provide new or enhanced local services and infrastructure to specific communities. Permanent Road Division (PRD) Zones are a type of special district that provides private road maintenance services and are governed under Streets and Highways Code Section 1160, et seq. The County of San Diego’s PRD Program is administered by the Department of Public Works (DPW) and provides maintenance services to approximately 100 miles of private roads in multiple unincorporated communities. Road maintenance services are primarily funded by property owner paid assessments that are collected through the annual tax roll, reducing administrative costs from billing and payment collection. Regular road maintenance helps keep the overall repair costs down, protects the residents’ investments in their properties, and enhances road safety by providing maintained access to homes and the community.

PRD No. 1000, Zone No. 1003 - Alamo Way (PRD Zone 1003) is located in the unincorporated community of Crest and was established in 1999 to provide private road maintenance services for twenty (20) parcels. Alamo Way is in need of asphalt repair, a resurfacing treatment, and replacement of one (1) drainage culvert. The estimated repair costs are approximately \$163,000 and the PRD Zone lacks adequate funding to repair and maintain the road in good condition. PRD Zone 1003's annual revenue is \$4,400 and is generated from property owner paid assessments. Over the past year, DPW staff has coordinated with property owners to discuss potential funding options to maintain the road in good condition, including increasing the annual assessment amount. On April 4, 2023, ballots were sent to all 20 property owners to determine their preference for road maintenance service levels, including options to increase rates to fund services needed to maintain their roads in good condition, to not increase rates, or to dissolve the PRD. Property owners representing 13 of the 20 parcels returned ballots (65%). Returned ballots from property representing the majority of all parcels (55%, 11 of 20) within PRD Zone 1003 supported the ballot option to disapprove a rate increase and request dissolution of PRD Zone 1003, which meets the requirements of Board of Supervisors Policy J-16: *Use of Permanent Road Division Zones for Maintenance of Public Roads* (Board Policy J-16) for dissolution.

After balloting concluded and dissolution was supported, letters were sent to all property owners to ensure they were aware of the results and their responsibilities for future road maintenance. Once dissolved, any remaining funds are returned to property owners and road maintenance responsibility will revert to the property owners within PRD Zone 1003. Dissolution does not preclude property owners from reforming a PRD Zone in the future, should they desire.

In accordance with Board Policy J-16 the dissolution process requires two steps. On September 27, 2023, the Board will introduce an ordinance to dissolve Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way. If the Board takes action at the first meeting, then on October 11, 2023, the Board will adopt a Resolution to dissolve Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way and repeal the related Ordinance authorizing the collection of benefit charges within the boundaries of PRD Zone 1003.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On September 27, 2023, take the following actions:

1. Find that the proposed actions are exempt from California Environmental Quality Act (CEQA) as specified under Section 15060(c)(3) of the State CEQA Guidelines because the activity is not a project as defined by Section 15378 of the State CEQA Guidelines.
2. Accept the property owner ballot results, on file in the Department of Public Works, requesting authorization to dissolve Permanent Road Division No. 1000, Zone No. 1003 – Alamo Way.
3. Approve the introduction of the Ordinance (first reading) entitled:
AN ORDINANCE TO REPEAL ORDINANCE NO. 9127 (NEW SERIES)
PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON
THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE
PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO
COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO.
1003 - ALAMO WAY.

If on September 27, 2023, the Board takes the actions recommended in Items 1-3, then, on October 11, 2023:

1. Adopt an Ordinance to repeal the existing ordinance to collect assessments within Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way entitled: AN ORDINANCE TO REPEAL ORDINANCE NO. 9127 (NEW SERIES) PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 - ALAMO WAY.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING DISSOLUTION OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 - ALAMO WAY WITHOUT AN ELECTION.
3. Authorize the Director, Department of Public Works and the Auditor & Controller, once dissolution is complete and refunds have been issued to property owners, to take any action necessary to close out all residual funds and transfer to the General Fund relative to Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way.

EQUITY IMPACT STATEMENT

Today's action continues the County's commitment to providing programs and services that enhance the health and safety of our local communities. Permanent Road Division (PRD) Zones are formed at the request of property owners and provide a funding mechanism for the County to provide private road maintenance services. The majority of property owners can request dissolution of a PRD Zone at any time when property owners no longer want to utilize the PRD Program for the long-term maintenance of their private roads. This action to dissolve PRD No. 1000, Zone No. 1003 - Alamo Way (PRD Zone 1003) is requested on behalf of property owners representing the majority of parcels within PRD Zone 1003.

SUSTAINABILITY IMPACT STATEMENT

Today's action to dissolve Permanent Road Division (PRD) No. 1000, Zone No. 1003 - Alamo Way supports the County's Sustainability Goals to protect the environment and health and wellbeing of residents. Performing road work in a timely manner prevents more costly repairs in the future, supporting both economic and environmental sustainability. Well-maintained roads also reduce costly vehicle maintenance and operation resources, supporting social sustainability. The current funding status for PRD No. 1000, Zone No. 1003 - Alamo Way is not sufficient for the long-term maintenance of their roads. The proposed dissolution will provide annual cost savings to property owners which can be utilized to maintain their roads.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of Public Works Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way Fund (Fund).

The costs to bring this request for dissolution to the San Diego County Board of Supervisors and to complete the dissolution are approximately \$6,800. Approximately \$8,350 was utilized towards road work, including vegetation management in the road right of way, street and directional sign replacement, and repainting the stop legend (printed on the pavement before a stop sign). Any funds remaining in the Fund after dissolution will be returned to property owners. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended. The Board will further consider the adoption of the Ordinance on October 11, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

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

OVERVIEW

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

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

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

If the item is not heard by the Board on September 27, 2023, the first hearing of the item would not be until October 11, 2023, which would delay final action on the item until November 2023, resulting in a significant delay to the construction and the overall project timeline. Docketing the item for a later hearing would cause further delays to construction, and the overall project schedule, and further impact the communities surrounding the project. The longer the item is delayed, the more difficult it is for the construction team to return to the area to complete the remaining work. The delay would impact the completion of this important and critical regional project, increasing costs on a taxpayer funded effort and delaying this public infrastructure project that will provide clean water to the public.

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On September 27, 2023, take the following actions:

1. Set a public hearing on October 25, 2023, at 9:00 a.m. to consider vacating a 0.25-acre portion of a 10.47-acre Biological Open Space Easement (Doc No. 2005-0687366) (Attachment B).
2. Direct the Clerk of the Board of Supervisors (Clerk) to provide notice of the hearing via publication and posting as required by law.

If on September 27, 2023, the Board takes action recommended in items 1-2, then on October 25, 2023:

3. Adopt the environmental findings, which include findings in accordance with Section 15162 and 15164 of the California Environmental Quality Act (CEQA) Guidelines that there are no substantial changes in the East County Advanced Water Purification project (Project) or in the circumstances under which the Project is undertaken that involve significant new environmental impacts which were not considered in the previously

adopted Mitigated Negative Declaration (MND) completed in 2018 and Subsequent MND completed in July 2022, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MNDs were adopted (Attachment C).

4. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING A PORTION OF THE OPEN SPACE EASEMENT PDS2023-VAC-23-001 (Attachment D).
5. Direct the Clerk of the Board to record the Resolution pursuant to the Streets and Highways Code Section 8325.

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in Planning & Development Services. If approved, this request will result in costs and revenue of approximately \$5,000 and will cover the staff time involved with preparing the resolution, public notice, Board letter, and public hearing documents. The funding source is provided by the Joint Power Authority. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, and set a hearing on October 25, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

7. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Robert Germann spoke to the Board regarding San Diego airports.

Bryant Rumbaugh spoke to the Board regarding asylum seekers coming to San Diego.

Michael Brando spoke to the Board regarding rules of a local government body.

Terri-Ann Skelly spoke to the Board regarding mental health and suicide prevention.

Paul the Bold spoke to the Board regarding climate change.

Consuelo spoke to the Board regarding local government actions.

Becky Rapp spoke to the Board regarding concerns of marijuana products sold in communities.

Kathleen Lippitt spoke to the Board regarding the dangers of advertising marijuana products to youth.

Kelly McCormick spoke to the Board regarding smoke free apartment units.

Peggy Walker spoke to the Board regarding concerns of fentanyl pills in our community.

Barbara Gordon spoke to the Board regarding concerns of exposure to second-hand smoke.

Ann Riddle spoke to the Board regarding California Clean Air Day.

Audra spoke to the Board regarding Board of Supervisors actions.

Truth spoke to the Board regarding SANDAG and public transit.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 12:13 p.m.

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

Consent: Perez

Discussion: Zurita

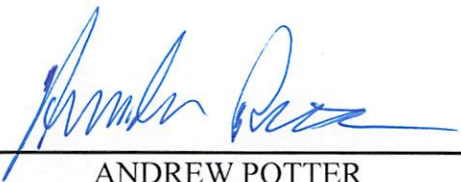
NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Wednesday, October 11, 2023.



NORA VARGAS
Chair

Attest:



ANDREW POTTER
Clerk of the Board

09/27/2023