

November 03, 2021

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, NOVEMBER 3, 2021, 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 Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson; Terra Lawson-Remer; Jim Desmond; also, Ryan Sharp, Assistant Clerk of the Board of Supervisors.

B. Closed Session Report

C. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.

D. Approval of the Statement of Proceedings/Minutes for the meeting of October 20, 2021.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of October 20, 2021.

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

E. Formation of Consent Calendar

F. Discussion Items

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

Board of Supervisors' Agenda Items

Agenda #	Subject
1.	SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND COUNTY ADMINISTRATIVE CODES PROVISIONS APPLICABLE TO THE LAND USE AND ENVIRONMENT GROUP

2. ADOPT MCCLELLAN-PALOMAR AIRPORT MASTER PLAN UPDATE, CERTIFY MASTER PLAN ENVIRONMENTAL IMPACT REPORT, AND PROVIDE DIRECTION ON AIRPORT SUSTAINABILITY
[FUNDING SOURCE: PRIOR YEAR AVAILABLE AEF FUND BALANCE]
(4 VOTES)
3. OPTIONS TO UPDATE REGULATIONS FOR RENEWABLE ENERGY PROJECTS IN THE UNINCORPORATED AREA INCLUDING BATTERY STORAGE PROJECTS
[FUNDING SOURCE: AVAILABLE GENERAL FUND FUND BALANCE]
4. SAN PASQUAL VALLEY GROUNDWATER SUSTAINABILITY PLAN
[FUNDING SOURCE: A COMBINATION OF EXISTING GENERAL FUND FUND BALANCE AND EXISTING GENERAL PURPOSE REVENUE]
5. SECURING ENTERTAINMENT WORKER SAFETY AT COUNTY FACILITIES
6. ACHIEVING THE VISION OF THE SAN DIEGO RIVER PARK
[FUNDING SOURCE: PRIOR YEAR AVAILABLE GENERAL FUND FUND BALANCE]
(4 VOTES)
7. TRAFFIC ADVISORY COMMITTEE (11/03/2021 - ADOPT RECOMMENDATIONS; 11/17/2021 - SECOND READING OF ORDINANCES)
8. CONTINUED ITEM FROM 11/02/2021 ITEM 21:
CLOSED SESSION
9. PUBLIC COMMUNICATION

**1. SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND
COUNTY ADMINISTRATIVE CODES PROVISIONS APPLICABLE
TO THE LAND USE AND ENVIRONMENT GROUP
(DISTRICTS: ALL)**

OVERVIEW

On October 20, 2021 (02), the Board of Supervisors took action to further consider and adopt the Ordinances on November 3, 2021.

In accordance with Board of Supervisors (Board) Policy A-76, Sunset Review Process, the LandUse and Environment Group (LUEG) periodically reviews Board policies and provisions of the County of San Diego (County) Administrative Code and County Regulatory Code to ensure they reflect current Board standards and practices, that obsolete policies and Code provisions are removed, and that policy language is revised for clarity.

Today's proposed actions include: approval of amendments for three Administrative Code sections (Article XII-A: County Librarian, Article XXIV: Department of Parks and Recreation, and Article XXII: Department of Planning and Land Use, currently known as Department of Planning and Development Services); approval of amendments for eight Board Policies:

- a. I-103: Open Space Easement Vacations
- b. I-123: Conservation Agreement for the Multiple Species Conservation Program (MSCP) Plan
- c. I-132: Valley Center Mitigation Policy
- d. I-135: Allocation of Excess Capacity in the Campo Water and Sewer Service Area
- e. J-010: Installation of New or Replacement or Extension of Existing Utility Facilities in Road Projects Financed by Countywide Funds
- f. J-028: San Diego County Traffic Guidelines
- g. J-035: Protection of Routes to Accommodate the Transportation of Oversize Loads
- h. J-036: Policy and Procedures for Preparation of Community Right-of-Way Development Standards

The proposed action also includes approval of a new sunset review date, December 31, 2028, for the policies and ordinances reviewed in this letter.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Consider and adopt the three Ordinances amending the San Diego County Administrative Code Ordinances (Second Reading).

AN ORDINANCE AMENDING SECTION 175.3 OF ARTICLE XII-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO ADOPTION AND ENFORCEMENT OF RULES AND REGULATIONS FOR COUNTY LIBRARY FACILITIES;

AN ORDINANCE AMENDING SECTION 1638 OF ARTICLE XXIV OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE DEPARTMENT OF PARK AND RECREATION TO UPDATE AND CLARIFY EXISTING PROCEDURES AND ELIMINATE INFORMATION THAT IS NO LONGER NECESSARY; and,

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES ARTICLE XXII RELATING TO THE DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES TO UPDATE AND CLARIFY EXISTING PROCEDURES AND ELIMINATE INFORMATION THAT IS NO LONGER NECESSARY.

2. Approve the new sunset review date of December 31, 2028 for the amended San Diego County Administrative Code.

EQUITY IMPACT STATEMENT

County departments are guided by several Regulatory Codes, Administrative Codes, and Board policies in order to serve the region and customers consistently and equitably. The periodic review of County codes and policies ensures that departments keep documents up to date, provide clarifying language and continue to guide departmental practices. Additionally, this practice allows the language within these codes and policies to align with current efforts and be revised for inclusivity.

Today's recommendations will contribute to providing equitable, inclusive, and consistent service to the community and customers. The revisions proposed in this Board Letter enable the County of San Diego to provide residents the opportunity to review the updates that are made for consistency, clarity, and accuracy.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting the following:
Ordinance Nos. 10757 (N.S.) entitled: AN ORDINANCE AMENDING SECTION 175.3 OF ARTICLE XII-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO ADOPTION AND ENFORCEMENT OF RULES AND REGULATIONS FOR COUNTY LIBRARY FACILITIES;

Ordinance Nos. 10758 (N.S.) entitled: AN ORDINANCE AMENDING SECTION 1638 OF ARTICLE XXIV OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE DEPARTMENT OF PARK AND RECREATION TO UPDATE AND CLARIFY EXISTING PROCEDURES AND ELIMINATE INFORMATION THAT IS NO LONGER NECESSARY; and,

Ordinance Nos. 10759 (N.S.) entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES ARTICLE XXII RELATING TO THE DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES TO UPDATE AND CLARIFY EXISTING PROCEDURES AND ELIMINATE INFORMATION THAT IS NO LONGER NECESSARY.

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

2. SUBJECT: ADOPT MCCLELLAN-PALOMAR AIRPORT MASTER PLAN UPDATE, CERTIFY MASTER PLAN ENVIRONMENTAL IMPACT REPORT, AND PROVIDE DIRECTION ON AIRPORT SUSTAINABILITY (DISTRICT: 5)

OVERVIEW

McClellan-Palomar Airport (Palomar) is located in the City of Carlsbad and is one of eight airports owned and operated by the County of San Diego (County), at no cost to the General Fund. 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. The City of Carlsbad annexed the airport in 1978, citing economic benefits including significant tax revenues for the City and increased services for the County. 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 is a federally funded public-use airport and part of the national air transportation system. The Federal Aviation Administration (FAA) regulates this system and by federal law, airport owners and operators, such as the County, cannot restrict the size or type of aircraft landing or taking off from an airport. The FAA provides airports with guidance to safely accommodate the types of aircraft that use an airport, which is the foundation for the safety enhancements identified in the Palomar Master Plan Update (MPU). The FAA generally provides up to 90% grant funding for safety improvements; however, an approved and current Airport Layout Plan, which is included as part of the Master Plan, is required to be eligible for funding.

On December 16, 2015 (3), the County Board of Supervisors (Board) directed staff to update the Master Plan for Palomar. The Master Plan is a 20-year planning road map for airport capital improvements that emphasizes safety. The most recent Master Plan for Palomar, completed in 1997, had reached the end of its 20-year planning period. On September 25, 2013 (2), the Board considered the findings of a 2013 Feasibility Study, which studied a longer runway. The Board directed staff to focus the MPU on safety improvements for the aircraft currently using the airport while remaining within the existing airport property boundaries.

On October 10, 2018 (1) the Board approved the MPU and certified the Program Environmental Impact Report (PEIR). On November 6, 2018, a petition for Writ of Mandate and complaint was filed by Citizens for a Friendly Airport, challenging the Board's decision. On January 26, 2021, the Superior Court (Court) filed a Minute Order upholding the Final PEIR analysis and dismissing the claims, except on two items. While the Court determined the PEIR's noise analysis was generally adequate, the Court found the Final PEIR should have included supplemental noise analysis for areas farther from Palomar. In addition, the Court ruled that an amendment to the conditional use permit (CUP) with the City of Carlsbad is required if the design status of the airport is changed to accommodate the design critical aircraft.

On March 4, 2021, the Court ordered the County to set aside all approvals associated with the October 10, 2018, decision, which included the approval of the MPU, certification for the Final PEIR, and related actions, within 60 days. On May 5, 2021 (13), the Board rescinded the MPU and de-certified the PEIR and related environmental findings pursuant to the Court's order.

The County has now completed the additional noise analysis, as directed by the Court, and updated the PEIR and MPU to address the potential need for an amendment to the CUP. Staff has also developed options for the Board's consideration that would demonstrate the County's leadership in sustainability.

This is a request for the Board to: (1) select the airport design standard for Palomar, including a potential runway extension, which will increase federal grant funding eligibility, and allow the County to pursue safety enhancement projects to protect aircraft currently using Palomar. The Board will select either: (2A) adopt the MPU and take the actions in Item 3 below relating to the Final PEIR, or (2B) not adopt the MPU.

If Recommendation 2A is selected to adopt the MPU, then, together with its action to adopt the MPU, the Board must (3) certify the associated Final PEIR and supporting documents, which, with the added noise analysis, is consistent with the direction of the Superior Court.

(4) If the MPU and associated Final PEIR are adopted and certified, provide direction to staff on sustainability options, with staff's recommendation being to pursue an airport-systemwide sustainability plan, that will position the County to become a leader in aviation-based sustainability across the region.

If Recommendation 2B is selected to not adopt the MPU, then the Board will direct staff to evaluate other airport classifications; return to the Board for further direction upon evaluation and establish appropriations based on prior year Airport Enterprise Fund (AEF) Balance of \$1,100,000.

(5) If the MPU is not adopted, the Board can also direct staff to prepare a new Master Plan for Palomar Airport and provide direction on the inclusion of a sustainability plan.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

See the Background Section of the Board Letter under Airport Design Standards and Attachment H for additional details on the Airport Master Plan Update options.

1. Select the airport design standard, including a potential runway extension:

Airport Design (Pick One)	AND	Runway Extension (Pick One)
Option A. B-II Enhanced Facility: Current design enhanced with installation of an Engineered Material Arresting System (EMAS), which is like a runaway truck ramp for aircraft AND		1. None
		2. 200 feet
		3. Up to 900 feet

Option B. B-II Enhanced Facility Now and Condition D-III Modified Standards Compliance in the Future: Same as Option A, and adding future D-III design standards conditioned on addressing the Conditional Use Permit and Runway Protection Zone requirements and returning to the Board to consider D-III design standards and a runway extension option AND	1.None
	2.200 feet
	3.Up to 900 feet
Option C. D-III Modified Standards Compliance: This alternative reconfigures the airport to meet the D-III design standards. It would shift the runway 123 feet to the north to provide the required separation between the runway and taxiway and includes the installation of EMAS on both ends of the runway AND	1.370 feet

2. McClellan-Palomar Airport Master Plan Update:
 Option A. Adopt the McClellan-Palomar Airport Master Plan Update based on the option selected above under Recommendation 1 related to airport design standard, including a potential runway extension, together with the actions in Item 3 below.

OR

Option B. Do Not Adopt the McClellan-Palomar Airport Master Plan Update (Attachment H) and direct staff to evaluate other airport classification options and return to the Board for further direction upon evaluation AND establish appropriations of \$1,100,000 in the Airport Enterprise Fund (AEF) Spending Plan to provide funds for the evaluation of other airport classification options based on prior year available AEF fund balance. **(4 VOTES)**

3. If Recommendation 2A is selected, then certify and adopt the McClellan-Palomar Airport Master Plan Update Environmental Documents together with its action to adopt the MPU:

If the Board adopts the McClellan-Palomar Airport Master Plan Update (Attachment H), then certify that the Final Program Environmental Impact Report (PEIR), SCH No. 2016021105 has been completed in compliance with California Environmental Quality Act (CEQA) and CEQA Guidelines, that the Final PEIR was presented to the Board, that the Board reviewed and considered the information contained therein, and that the Final PEIR reflects the independent judgment and analysis of the Board (Attachment B); AND

- A. Adopt the Findings Concerning Mitigation of Significant Environmental Effects pursuant to Section 15091 of CEQA Guidelines (Attachment C); AND
- B. Adopt the Statement of Location and Custodian of Record (Attachment E); AND
- C. Adopt the decision and explanation regarding recirculation of draft PEIR (Attachment F); AND
- D. Adopt the Mitigation Monitoring and Reporting Program prepared in accordance with Section 15097 of CEQA Guidelines (Attachment G).

4. If Recommendation 2A is selected to Adopt the McClellan-Palomar Airport Master Plan Update, then provide direction on a sustainability plan by selecting one of the following options:

Option A. Direct staff to prepare a McClellan-Palomar Airport Sustainability Plan

OR

Option B. Direct staff to prepare a County Airports System Sustainability Plan with a priority on implementing sustainability measures for McClellan-Palomar Airport [*Staff Recommendation*]

5. If Recommendation 2B is selected to Not Adopt the McClellan-Palomar Airport Master Plan, provide direction on the inclusion of a sustainability plan with a new Master Plan:

Direct staff to prepare a new Master Plan for McClellan-Palomar Airport with Integrated Sustainability AND establish appropriations of \$4,500,000 in the Airport Enterprise Fund (AEF) Spending Plan to provide funds for development of a Master Plan for McClellan-Palomar Airport with Integrated Sustainability based on prior year available AEF fund balance. (4 VOTES)

EQUITY IMPACT STATEMENT

The eight airports owned and operated by the County of San Diego, Public Works, Airports (County Airports) provide vital air transportation hubs, emergency response facilities, and economic engines. The County pursues delivery of services at County Airports and actively works to remove barriers, encourage participation, and provide competitive opportunities for small businesses that traditionally have less working capital and business owners and managers that may be socially and economically underserved, through public outreach and added consideration in our procurement and leasing selection criteria.

County Airports connect rural, suburban, and urban communities, businesses, and people by facilitating over 518,000 commercial (using small 30 to 70 passenger aircraft), corporate (up to approximately 20 passengers), government, and private aircraft operations annually. As bases for CalFire, US Forest Service, Sheriff Aerial Support to Regional Enforcement Agencies, and Mercy Air, County Airports ensure the readiness and rapid response of emergency services for community members, including underserved communities. County Airports are home to over 100 aeronautical and non-aeronautical businesses. Through rents and user fees, County Airports are 100% self-funded, allowing General Fund revenues to be used for other priorities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2021-22 Operational Plan for the Master Plan Update (MPU). If the current MPU is approved with an accompanying sustainability plan, this request will result in no change in the Airport Enterprise Fund (AEF) for FY 2021-2022.

If the Board directs staff to not adopt the Palomar Airport Master Plan, evaluate other airport classification options and return to the Board for further guidance upon evaluation (Recommendation 2B) or to prepare a new Master Plan with integrated sustainability (Recommendation 5), this request will result in costs of up to \$4.5 million in consultant services and staff costs for FY 2021-22. The funding source is the prior year available AEF fund balance. There will be no change in net General Fund cost and no additional staff years.

The proposed actions will not commit the County to construct any facilities or improvements and will not financially obligate the County. Staff will return to the Board at a future date for approval to advertise and award construction contracts as projects are fully designed, and for any necessary appropriations as funding becomes available for implementing the Board's selected MPU alternative. It is expected the projects will be completed in phases over the 20-year planning period, and staff will seek authorization to apply for federal and State grants in future years.

BUSINESS IMPACT STATEMENT

The Federal Aviation Administration (FAA) identifies Palomar as a National Primary Commercial Service Airport in the National Plan of Integrated Airports System, indicating both its national significance and its eligibility for federal grant funding for airport improvements. The FAA-certified Palomar for air carrier service in 1996, which grants airlines the authority to offer scheduled flights to the community and the greater San Diego region. The FAA-certified smaller, less-active airports, like Palomar, to become commercial service airports that offer regional service for 30 to 70 passenger aircrafts, with the focus to make services affordable for the region without compromising safety and operational capabilities. After Palomar was certified for Regional Service, airlines offered flights to Los Angeles and Phoenix using small, 30-passenger aircraft. This Regional Service at Palomar increased to an annual peak of 78,519 passengers in 2000. Beginning in 2008, airlines began to discontinue the use of this type of aircraft. The newer regional aircraft cannot operate at Palomar due to its short runway length, and Regional Service ended in 2015.

With continued interest of residents and stakeholders, the MPU contemplated future Regional Service at Palomar. However, there are several factors that limit Regional Service, such as the runway length, design standards, pavement strength, aircraft parking areas, and passenger terminal capacity. The runway length and design standards are the most critical. Palomar has a single 4,897-foot runway. Within the contiguous United States, there are no airports with runways less than 5,000 feet that have commercial air service.

Regional Service using small, regional, 30 to 70 passenger aircraft could provide additional revenues to the Airport Enterprise Fund (AEF) from commercial landing fees, parking, and fuel flowage; restaurant and rental car concessions; and vehicle parking. Also, the FAA currently allocates \$150,000 in Airport Improvement Program Entitlement grant funding to Palomar annually, which would increase to a minimum of \$1 million, if Palomar were to have over 10,000 commercial passengers per year, using small, passenger aircraft. The FAA also allows commercial service airports to collect a Passenger Facility Charge (PFC) from airlines to help pay for needed capital improvements. PFCs could generate up to \$2 million in additional revenue annually.

In addition to more and closer air travel options, Regional Service at Palomar using small, regional, 30 to 70 passenger aircraft also has potential economic benefits to employees, businesses, and municipalities in North County and the region. The McClellan-Palomar Airport Economic Impact Analysis Report determined that, without Regional Service using small, regional, 30 to 70 passenger aircraft, Palomar currently supports 2,590 jobs and generates \$461 million in economic activity and \$72 million in tax revenue. Without further development, Palomar would support an estimated 3,380 jobs and generate \$596 million in economic activity and \$94 million in tax revenues in 2036. The MPU presented today forecasted the ability of the airport to accommodate up to 575,000 passengers annually, on small, regional, 30 to 70 passenger aircraft. In this scenario, Palomar's economic activity would almost double, with an estimated 6,720 jobs and generate \$1.0 billion in annual economic activity and \$160 million in annual tax revenues.

ACTION:

This item was withdrawn at the request of the Chief Administrative Officer.

3. SUBJECT: OPTIONS TO UPDATE REGULATIONS FOR RENEWABLE ENERGY PROJECTS IN THE UNINCORPORATED AREA INCLUDING BATTERY STORAGE PROJECTS (DISTRICTS: ALL)

OVERVIEW

On February 10, 2021 (02), the Board of Supervisors (Board) directed staff to complete permit process improvements and expand the design review checklist process for renewable energy projects. The Board also directed staff to return to the Board after additional stakeholder engagement with further analysis of a renewable energy Zoning Ordinance update. The Board also directed staff to develop approaches to incentivize and streamline distributed energy generation; review additional renewable energy opportunities; and explore community benefit agreements, local hire provisions, and other mechanisms that might benefit communities to improve conditions where renewable energy facilities are located.

Staff conducted over 30 stakeholder interviews with community, environmental, industry, labor, and utility groups. Environmental stakeholder groups, such as the Climate Action Campaign and San Diego 350, support renewable energy projects with an interest in distributed energy resources, such as rooftop solar. Energy industry members, such as Terra-Gen and EnerSmart Storage, discussed the benefits of siting battery storage near electrical substations and permitting process improvement opportunities. Community Planning and Sponsor Group (CPSG) Chairs shared their concerns about the need for decommissioning of battery storage facilities to ensure environmental issues are avoided once the facility reaches the end of its useful life. The International Brotherhood of Electrical Workers (IBEW) supports process improvements but expressed hesitancy in streamlining projects, emphasizing the importance of environmental and community review. Other labor groups such as Local 89 and the San Diego Building Trades Council expressed support for the County reviewing Community Benefit Agreements and/or Local Hire Provisions or Project Labor Agreements where legally possible. Utility groups, such as San Diego Gas & Electric, the Clean Energy Alliance (CEA), and San Diego Community Power (SDCP), shared their renewable energy goals and objectives. CEA is a Community Choice Energy (CCE) program formed as a Joint Powers Authority (JPA) between the cities of Del Mar, Solana Beach, and Carlsbad. SDCP is also a CCE program, formed as a JPA between the cities of San Diego, Chula Vista, Encinitas, La Mesa and Imperial Beach. The input received from this outreach

helped inform staff's efforts toward developing a Zoning Ordinance update to streamline and incentivize battery energy storage, a technology that can enable high levels of renewable energy integration and help absorb the fluctuations in energy from variable generation sources, such as solar and wind.

Staff recommends streamlining battery storage projects from the current Minor Use Permit to a Site Plan in two industrial zones, Basic Industrial (M-50) and Limited Impact Industrial (M-52). A Site Plan is a lower discretionary permit with required environmental review and the opportunity for community input. This change would save applicants two to four months in time because a Site Plan, unlike a Minor Use Permit, does not require a public hearing and is approved by the Director of Planning & Development Services. To address concerns raised by CPSG Chairs, staff will explore including decommissioning requirements for battery storage projects in the Zoning Ordinance update. These requirements are similar to those currently in place for large-scale solar energy and wind turbine projects, such as monitoring the project to ensure removal of energy facilities and conversion of the site to a use that is compatible with surrounding uses upon final decommissioning. Decommissioning requirements also incorporate fire protection plans, biology and cultural monitoring, and recycling of project components. Decommissioning requirements include secured financial agreements with the developer to ensure the facility decommissioning will take place. Since these streamlining changes only apply to two industrial zones, they do not raise significant compatibility concerns with other surrounding uses and could be included in next year's Zoning Ordinance Cleanup project. This Zoning Ordinance Cleanup is expected to start in July 2022 and be completed within 12 months. Costs to include this update for battery storage projects would be consolidated in that larger project and not require any immediate funding.

Looking beyond a Zoning Ordinance update, new opportunities are available to incentivize distributed energy generation through the partnership with the County and the SDCP CCE program. CCEs around the State are implementing new programs to incentivize community solar and customer rooftop installations. The County can help implement similar programs in partnership with other local jurisdictions that will benefit the region.

As directed by the Board, staff investigated opportunities to incorporate community benefit agreements into large-scale renewable energy projects. Staff currently facilitates these types of agreements for private development projects by encouraging developers to work with community groups during the project review process. There may be opportunities for the County and SDCP to do more under their respective contracts. For example, a recent SDCP Request for Proposals seeking renewable energy generation included, as evaluation factors, benefits to the local economy and local workforce when selecting winning proposals. The Board could also establish a voluntary or mandatory community benefit program for private developers to pay fees to benefit communities near their projects. Staff is developing community benefit agreement program options and will return for Board consideration in the near future.

Local hire provisions are typically construction contract-based provisions to improve local employment opportunities for members of the community wherein the facility is being constructed. Federal law largely prohibits the County from creating resident preferences because they would interfere with non-residents' ability to work and could impose burdens on

interstate commerce. This would largely prohibit the County from mandating private parties enter into local hire provisions. However, when it comes to the County's or SDCP's own construction contracts, either could include a local hire provision as permitted by State law. State law currently allows for a local small business preference to allow local contractors to compete effectively for the County's own contracts.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the potential future actions presented comply with the California Environmental Quality Act (CEQA) and County of San Diego CEQA Guidelines because any future changes to the County Zoning Ordinance will be analyzed under CEQA as a future project and that the various approaches to further incentivize and streamline distributive renewable energy generation are exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines.

- 2A. Make Battery Storage a Site Plan Permit in Two Industrial Zones: Direct the Chief Administrative Officer to (1) amend the Zoning Ordinance to streamline the permit process for large-scale battery energy storage (i.e., Minor Impact Utilities) projects by changing the permit type from a Minor Use Permit to a Site Plan (SP) in Basic Industrial (M-50) and Limited Impact Industrial (M-52) zones; (2) amend the Zoning Ordinance to require battery storage projects to comply with County decommissioning requirements; and (3) include these changes as part of the upcoming Zoning Ordinance Cleanup in Fiscal Year 2022-23 and direct the Chief Administrative Officer to determine the funds necessary to implement this program and refer amount to the Fiscal Year 2022-23 budget. The Action Sheet (Attachment A) includes alternative options the Board may select in lieu of Staff Recommendation 2A above.

EQUITY IMPACT STATEMENT

Further incentivizing and streamlining distributive renewable energy generation can help accelerate the County of San Diego's (County) transition to 100% clean energy. The transition away from energy generated by fossil fuels and toward renewables will reduce health impacts to communities most affected by emissions associated with traditional energy sources. Additionally, increasing distributive renewable energy reduces demand for large utility-scale generation and transmission projects which reduces the potential for further impacts to rural communities. As a member of the San Diego Community Power (SDCP) Community Choice Energy program, the County could support programs that focus on making renewable energy more accessible and electricity more affordable for underserved communities.

FISCAL IMPACT

There is no fiscal impact associated with receiving the recommendations and project approaches presented today. Should the Board of Supervisors (Board) direct staff to amend the Zoning Ordinance as part of the update, staff will combine the costs of this project with other Zoning Ordinance clean-up items and present a consolidated budget to the Board for Fiscal Year (FY) 2022-23. Staff would begin work on this Zoning Ordinance change upon receipt of funding on July 1, 2022.

Funds for this request are not included in the Fiscal Year 2021-22 Operational Plan. The Action Sheet (Attachment A) includes alternative options the Board may select in lieu of Staff Recommendation 2A above. If the Board directs staff to begin this work immediately or expand the scope, costs range from \$195,000 to \$1,122,000, depending on the complexity and

environmental review needed. Depending on which option the Board selects, there are various fiscal impacts per recommendation. If Options 2A, 2C or 2D are approved, this request will result in an estimated cost ranging from \$195,000 to \$950,000 in one-time costs and \$172,000 in ongoing costs for staff beginning in Fiscal Year 2022-23, that will be referred to budget to establish appropriations and identify a funding source. If 2D is approved, this would include one staff year to support efforts. The impact to net General Fund costs and staff years will depend on the final determination of costs.

If Option 2B is approved, this request will result in one-time costs and revenue of \$195,000 in Fiscal Year 2021-22. The funding source is available General Fund fund balance. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

Through one-on-one stakeholder interviews and follow-up discussions, staff engaged distributive renewable energy industry stakeholders to identify opportunities for Zoning Ordinance improvements. Several utility-scale project developers support the approach to streamline the permit process for battery energy storage projects by changing the permit type from a Minor Use Permit to a Site Plan in Basic Industrial (M-50) and Limited Impact Industrial (M-52) zones. The recommended Zoning Ordinance update for streamlining battery energy storage projects can enable high levels of renewable energy integration in the unincorporated areas by streamlining the permitting process for battery energy storage projects which will save some applicants two to four months of permit processing time.

ACTION:

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

1. Found that the potential future actions presented comply with the California Environmental Quality Act (CEQA) and County of San Diego CEQA Guidelines because any future changes to the County Zoning Ordinance will be analyzed under CEQA as a future project and that the various approaches to further incentivize and streamline distributive renewable energy generation are exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines.
- 2A. Make Battery Storage a Site Plan Permit in Two Industrial Zones: Direct the Chief Administrative Officer to (1) prepare and return with a Zoning Ordinance amendment to streamline the permit process for large-scale battery energy storage (i.e., Minor Impact Utilities) projects by changing the permit type from a Minor Use Permit to a Site Plan in Basic Industrial (M-50) and Limited Impact Industrial (M-52) zones; (2) prepare and return with a Zoning Ordinance amendment to require battery storage projects to comply with County decommissioning requirements; and (3) include these changes as part of the upcoming Zoning Ordinance Cleanup in Fiscal Year 2022-23 and direct the Chief Administrative Officer to determine the funds necessary to implement this program and refer amount to the Fiscal Year 2022-23 budget.
 - i. Direct the Chief Administrative Officer to include in the Ordinance that returns to the Board continued provisions for public comments during the processing of battery projects and options to expand the appeal process across the County of San Diego.
3. Direct the Chief Administrative Officer to return to the Board as early as December with recommendations on staffing options to meet the needs of processing renewable energy projects.

4. Direct the Chief Administrative Officer to continue to work with stakeholders on decommissioning plans for battery storage projects.

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

4. **SUBJECT: SAN PASQUAL VALLEY GROUNDWATER SUSTAINABILITY PLAN (DISTRICTS: 2, 3, AND 5)**

OVERVIEW

On June 21, 2017 (4), the Board of Supervisors (Board) entered into a Memorandum of Understanding (MOU) with the City of San Diego (City) to establish a Groundwater Sustainability Agency (GSA) over the San Pasqual Valley Groundwater Basin (Basin) as required by the State of California's Sustainable Groundwater Management Act (SGMA). The purpose of a GSA is to develop a Groundwater Sustainability Plan (Sustainability Plan) to achieve long-term groundwater sustainability in a basin by ensuring groundwater resources meet current and future needs without degrading water quality or chronically lowering groundwater levels. A Sustainability Plan contains groundwater monitoring requirements to assess basin conditions, along with measures to be implemented to achieve sustainable conditions within 20 years of implementation if a basin is found not to already be sustainable. Those measures could range from water conservation to groundwater use curtailments. While there are three SGMA-mandated basins in the San Diego region, today's actions focus on the San Pasqual Valley Groundwater Basin (Basin).

The City and County of San Diego (County) collaboratively developed the Sustainability Plan for the Basin with comprehensive stakeholder input. Approximately 90 percent of the Basin is located within and owned by the City of San Diego, and approximately 10 percent of the Basin is located within the jurisdiction of the County of San Diego. Managing groundwater in the Basin will involve ongoing coordination with the City, and decisions regarding water management, monitoring, cost-sharing, and cost structures will continue to be a collaborative effort.

The approach to developing the Sustainability Plan included establishing a Joint County/City San Pasqual Valley Groundwater Basin Advisory Committee (Advisory Committee) and a Technical Peer Review Group to provide input to County and City staff on both policy and technical-related issues. After a 60-day public comment period, which ended on August 13, 2021, the draft Sustainability Plan was finalized and is provided (Attachment B) for Board consideration today. Since SGMA requires both the Board and City Council to adopt the Sustainability Plan, the City Council will also consider the adoption of the Sustainability Plan in advance of the State deadline of January 31, 2022, as required by SGMA.

If the County does not adopt the Sustainability Plan by that date, groundwater users in the portion of the basin that is within the County-only jurisdiction would be subject to alternative self-reporting requirements and fees imposed by the California State Water Resources Control Board (State Water Board). If the City also does not adopt the Sustainability Plan, the State Water Board may designate the Basin as probationary and prepare an interim Sustainability Plan.

Based on established thresholds, groundwater levels and water quality data indicate that, currently, the Basin is generally balanced and sustainable. Therefore, the purpose of this Sustainability Plan is to identify monitoring requirements, establish water level and water quality thresholds, and detail possible future management actions should they be needed to safeguard groundwater resources in perpetuity. The GSA established water level thresholds to ensure the effective operation of well infrastructure and the viability of potential groundwater-dependent ecosystems. The GSA also developed thresholds for water quality to inform the GSA of potential worsening water quality conditions. The management actions, to be implemented by the GSA, if needed in the future, could include a detailed well inventory, a basin-wide water metering program, the development and implementation of a Pumping Reduction Plan, and study of potential groundwater-dependent ecosystems.

This item is a request for the Board to adopt the Sustainability Plan for the Basin, authorize Planning & Development Services (PDS) to enter into a cost-reimbursement agreement with the City for Sustainability Plan implementation, and authorize PDS to pursue grant funds from the State of California to support regional water sustainability and sustainable groundwater planning projects. After the Sustainability Plan is adopted by the County and City, and once the cost reimbursement agreement is completed, staff will begin implementing the Sustainability Plan, including monitoring and reporting management actions.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Determine that the proposed actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(1), 15306 and 15307, and Water Code Section 10728.6.
2. Adopt the San Pasqual Valley Groundwater Sustainability Plan.
3. Authorize the Director, Planning & Development Services (PDS) to apply for and accept grant funds and negotiate contracts to support sustainable groundwater management through Fiscal Year 2026-27 as detailed in the Grant Resolution.
4. Adopt a Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO APPLY FOR AND ACCEPT GRANT FUNDING TO SUPPORT SUSTAINABLE GROUNDWATER MANAGEMENT [GRANT RESOLUTION].
5. Approve and authorize the execution of the Grant Resolution by the Clerk of the Board of Supervisors (Clerk).
6. Designate PDS as the department responsible for carrying out the terms of the Grant Resolution.
7. Authorize the PDS Director to negotiate a cost-reimbursement agreement with the City of San Diego for implementation of the Groundwater Sustainability Plan for the San Pasqual Valley Groundwater Basin, which does not materially impact or alter the program funding level for a term not to exceed five years.

EQUITY IMPACT STATEMENT

Planning & Development Services (PDS) endeavors to protect and promote a healthy environment for the residents and visitors of the San Diego region by ensuring safe, sustainable communities and preserving and enhancing the natural environment in which people live. The San Pasqual Valley Groundwater Sustainability Plan (Sustainability Plan) will ensure that the San Pasqual Valley Basin's groundwater supply provides a reliable, good-quality source of water for residents and agricultural operations in San Pasqual Valley in perpetuity.

This Sustainability Plan also supports social sustainability by protecting and maintaining access of residents throughout the San Diego region to basic resources such as food by fostering a thriving agricultural community and encouraging healthy living. Future generations should have the same or greater access to resources compared to the current generation. Social sustainability is about identifying and proactively managing impacts on people and communities and ensuring equal access to resources.

Given the limited population in San Pasqual Valley on which to assess groundwater pumping fees, General Fund dollars and grant funds were used to develop the Sustainability Plan so that the cost of implementing California's Sustainable Groundwater Management Act (SGMA) is evenly distributed. PDS anticipates future management actions to continue to be funded by a combination of grant funds and General Fund dollars so that this even distribution is reflected in ecologic, economic, and social outcomes.

To balance the voice of the community with the governing laws and policies, the Sustainability Plan was developed with the support of an advisory committee representing a variety of groundwater users in the basin. Stakeholder outreach is planned to continue for future management actions.

FISCAL IMPACT

Funds for initial management actions such as monitoring, reporting, education, and outreach are included in the Fiscal Year 2021-22 Operational Plan in Planning & Development Services. Total project costs will be approximately \$465,000, which includes both \$165,000 in staff time and \$300,000 in consulting costs. Although there is a potential to pursue and obtain future State of California grant funds for this project, the funding source is a combination of existing General Fund fund balance and existing General Purpose Revenue.

The Board approved a waiver of Board Policy B-29 Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery for LUEG grants on June 24, 2020 (12), therefore a waiver is not requested as part of this action. If a grant is awarded, any unrecovered cost per Board Policy B-29 would be included in future operational planning in Planning & Development Services as determined by the nature of the project(s) or program(s). Additional, ongoing costs and funding sources for implementation will be included in future Operational Plans. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

This item was withdrawn at the request of the Chief Administrative Officer.

5. SUBJECT: SECURING ENTERTAINMENT WORKER SAFETY AT COUNTY FACILITIES (DISTRICTS: ALL)

OVERVIEW

The County of San Diego Department of Parks and Recreation manages 152 parks and preserves throughout San Diego County. These parks and preserves are a treasure for all residents, whether for hiking, camping, active recreation, weddings, or attending special events.

Special events are a common occurrence at Waterfront Park, among a handful of other parks. These events range from concerts and festivals to rallies and press conferences. It is an objective that the County of San Diego promotes safety standards and certifications to ensure that all programming and facilities are safe for employees, performers, and the public.

The creation and operation of many entertainment events involve complex audiovisual equipment and electrical systems. Rigging of equipment can be dangerous, and safety programs have been developed to ensure that employees have the knowledge and training to avoid an accident, either by employees or by performers. There have been multiple local accidents in which a lack of safety standards and certifications have led to accidents among workers.

There are two safety standards that are considered to be best practice within the entertainment industry, and today's action recommends the County of San Diego adopt these two standards for any events that involve complex equipment. Today's action would direct the Chief Administrative Officer to require that all entertainment employees, vendors, and subcontractors at County of San Diego facilities are certified under the Entertainment Technician Certification Program (ETCP) and Occupational Health and Safety Administration's (OSHA) 10-hour awareness course.

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER

1. Direct the Chief Administrative Officer to require, as part of the existing reservation and event agreements with entertainment event vendors at San Diego County Department of Parks and Recreation facilities certify that all entertainment electricians, portable power distribution technicians, arena rigging, and theatre rigging employees, and associated vendors and subcontractors, are certified under the Entertainment Technician Certification Program (ETCP) and Occupational Health and Safety Administration's (OSHA) 10-hour awareness course, or a comparable safety certification if one of these programs is no longer functioning, upon the approval of the Parks and Recreation Director.
2. Adopt the Resolution titled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO SECURING ENTERTAINMENT WORKER SAFETY AT COUNTY FACILITIES (Attachment A).

EQUITY IMPACT STATEMENT

All employees should feel confident they are employed in a workplace with rigorous labor and safety standards. Labor rights are fundamentally intertwined with civil rights. Over the past century, we have seen greater protections for workers including minimum wage and a forty-hour workweek. In 1970, the Occupational Safety and Health Administration (OSHA) was created to “ensure safe and healthful working conditions for workers by setting and enforcing standards and by providing training, outreach, education and assistance.”

These standards have been vital to improving equity in the decades since. Vulnerable workers, either by immigration status, race, gender, sexual orientation, or disability, are empowered when safety standards are required.

FISCAL IMPACT

There is no fiscal impact associated with today’s action.

BUSINESS IMPACT STATEMENT

Today’s recommendation will improve business safety by ensuring that all employees, vendors, and subcontractors are adhering to the latest safety standards.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, adopted and amended the resolution, that reflected clarifications that the provisions only apply to outdoor special events; Resolution No. 21-170 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO SECURING ENTERTAINMENT WORKER SAFETY AT COUNTY FACILITIES.

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

6. SUBJECT: ACHIEVING THE VISION OF THE SAN DIEGO RIVER PARK (DISTRICTS: ALL)

OVERVIEW

The San Diego River (SD River) stretches 52 miles, from the headwaters in the Cuyamaca Mountains near Julian to its mouth at the Pacific Ocean. The County Department of Parks and Recreation (DPR) is involved in regional efforts to preserve and enhance open space along the SD River and to create a contiguous trail that would provide residents and visitors an opportunity to connect with this unique resource. The County collaborates with the San Diego River Conservancy (Conservancy), which is a State agency established in 2002 to preserve, restore, and enhance the SD River and the surrounding area. The Conservancy’s actions are overseen by a Governing Board that consists of 17 members from State and local organizations and includes Supervisor Joel Anderson representing the County of San Diego (County).

There have been numerous efforts to analyze and plan the future interconnected multiuse trail and recreational network that would be located alongside the SD River. The most recent planning effort, the SD River Recreational Trail Plan, was completed by the Conservancy in 2020. This planning effort determined that there are multiple gaps in the planned trail alignment, and that there is a need for other activities such as open space protection, habitat

enhancement, and public outreach and education to ensure that the SD River remains an ecological asset for generations to come. The Conservancy's role is to encourage agencies like the County, as well as non-profits, to take on projects as funding is available.

Beginning in March 2021, the County Board of Supervisors (Board) convened a task force to identify priorities for future projects along the SD River and opportunities to implement those priorities. One of the issues identified by the task force was that there is no set funding source to acquire land, implement trails, and complete other projects along the SD River, or for ongoing operations and maintenance. DPR was a member of the task force and is supportive of the Conservancy's efforts. Specifically, the San Diego River Recreational Trail Plan supports the County's Trail Master Plan. DPR recognizes the importance of finding a secure funding source to continue to develop this area. Supporting these efforts will expand access to this valuable ecological asset to all residents. Today's actions would allow the County to take a lead role in preparing an analysis of potential funding options to secure this necessary long-term funding. Obtaining a funding solution is essential to completing the San Diego River Recreational Trail Plan, which supports the County's Master Trail Plan.

Today's action requests \$500,000 in funding for DPR to retain a consultant to study various long-term funding mechanisms that would fund priority projects along the SD River. The consultant will investigate various funding mechanisms and recommend funding strategies for the Board to implement and return in 270 days with options and a recommendation for Board consideration.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(3) and 15378(b)(4).
2. Establish appropriations of \$500,000 in the Department of Parks and Recreation, Services & Supplies, to support the competitive solicitation efforts in assessing long-term funding mechanisms for the San Diego River Park, based on prior year available General Fund fund balance, and return to the Board within 270 days with options and a recommendation for Board consideration. **(4 VOTES)**

EQUITY IMPACT STATEMENT

The San Diego River (SD River) watershed is the most populous watershed in the region and is home to more than half-a-million residents. Public access is restricted to only certain stretches of the SD River that are owned by public agencies and non-profits who have completed environmental plans. This action works toward expanding access to this valuable ecological asset to all residents.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2021-22 Operational Plan in the Department of Parks and Recreation. If approved, this request will result in costs of \$500,000 in the Department of Parks and Recreation. The funding source will be prior year available General Fund fund balance. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

7. SUBJECT: TRAFFIC ADVISORY COMMITTEE (11/03/2021 - ADOPT RECOMMENDATIONS; 11/17/2021 - SECOND READING OF ORDINANCES) (DISTRICTS: 2 & 5)

OVERVIEW

As part of the Department of Public Works (DPW) traffic engineering program, the Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) in the 1960s as an aid in providing uniform traffic regulations throughout the unincorporated areas of the county. The goal of the TAC is to make recommendations to the Board on traffic matters to provide communities in the unincorporated region with a road system that strives to enhance safety and reduce congestion. To accomplish this, traffic policies are established to provide persons using the road system with consistent and uniform regulations. In order to be effective, these policies are designed to be legally enforceable so that the majority of motorists will comply. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County of San Diego (County) maintained roads. Upon receipt of a request or recommendation for a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item including engineering and traffic condition studies.

The TAC recommends the Board act on seven items from the July 23, 2021, TAC meeting agenda:

District	Item	Location	Action
2	2-A	Aurora Drive, Lakeside	Reduce the 40 MPH speed limit to 35 MPH and certify
2	2-B	Olde Highway 80, Flinn Springs	Reduce the 50 MPH speed limit to 45 MPH and certify
2	2-D	Austin Drive, Spring Valley	Certify the 45 MPH speed limit
2	2-E	Kempton Street and Saint George Street, La Presa	Establish an all-way stop intersection
2	2-F	Gillespie Drive and Saint George Street, La Presa	Establish an all-way stop intersection
5	5-A	Rancho Santa Fe Road/La Bajada/Los Morros, Rancho Santa Fe	Certify the 40 MPH speed limit
5	5-B	Paradise Mountain Road, Valley Center	Certify the 45 MPH speed limit

Item 2-C was not discussed at the TAC meeting and therefore there is no recommendation at this time.

Approval of Items 2-A, 2-B, 2-D, 5-A, and 5-B would support speed enforcement which increases roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Items 2-E and 2-F would provide safety enhancement measures for pedestrians, bicyclists, and all other roadway users by assigning a full stop to all approaches at an intersection. 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 Items 2-D, 2-E, 2-F, 5-A, and 5-B does not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore does not require a second hearing. Board direction on November 3, 2021, would allow implementation by DPW. The Board's action on Items 2-A and 2-B would introduce an ordinance to amend speed limit zones. This action would revise County Code and requires two steps. On November 3, 2021, the Board would consider the TAC items. If the Board takes action as recommended on November 3, then on November 17, 2021, a second reading and adoption of ordinances amending County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. Aurora Drive from Los Coches Road to Highway 8 Business in Lakeside - Reduce the existing 40 MPH speed limit to 35 MPH and certify the 35 MPH speed limit for radar enforcement.

Item 2-B. Olde Highway 80 from Lake Jennings Park Road to Dunbar Lane in Flinn Springs - Reduce the existing 50 MPH speed limit to 45 MPH and certify the 45 MPH speed limit for radar enforcement.

Item 2-D. Austin Drive from Sweetwater Springs Boulevard to Calavo Drive in Spring Valley - Certify the existing 45 MPH speed limit for radar enforcement.

Item 2-E. Kempton Street and Saint George Street in La Presa - Establish an all way stop intersection.

Item 2-F. Gillespie Drive and Saint George Street in La Presa - Establish an all way stop intersection.

District 5:

Item 5-A. Rancho Santa Fe Road/La Bajada/Los Morros from the Encinitas city limit to La Granada in Rancho Santa Fe - Certify the existing 40 MPH speed limit for radar enforcement.

Item 5-B. Paradise Mountain Road from North Lake Wohlford Road to the end of County maintenance (near Sierra Vista Road) in Valley Center - Certify the existing 45 MPH speed limit for radar enforcement.

RECOMMENDATION(S)

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 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 SAN DIEGO COUNTY (Items 2-E & 2-F);

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN SAN DIEGO COUNTY (Item 2-F); and.

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN SAN DIEGO COUNTY (Item 2-E)

4. Approve the introduction, read title, and waive further reading of the following Ordinance:
ORDINANCE ADDING SECTION 72.161.17.5. AND AMENDING SECTION 72.169.96. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A & 2-B).

If, on November 3, 2021, the Board takes action as recommended, then, on November 17, 2021:

Consider and adopt the following Ordinance:

ORDINANCE ADDING SECTION 72.161.17.5. AND AMENDING SECTION 72.169.96. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A & 2-B).

EQUITY IMPACT STATEMENT

The review of traffic signs 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 and ethnicities, ages and abilities. The Department of Public Works' (DPW) actions must be sensitive to community desires and needs, striving to include the voice of every community in

traffic safety. Understanding travel patterns, where fatal and serious injury crashes are occurring and the disproportionate impacts on certain communities will allow DPW to identify actions to address the underlying factors and causes and improve safety.

DPW's Local Road Safety Program reviews fatal and severe injury collisions along road segments within the unincorporated areas of the county and utilizes the Healthy Places Index and other tools to ensure our most vulnerable and underserved populations are prioritized. The Traffic Advisory Committee relies on the Local Road 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 Traffic Advisory Committee 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.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan for the Department of Public Works Road Fund. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting the following:
Resolution Nos. 21-171 entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN SAN DIEGO COUNTY;

Resolution Nos. 21-172 entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN SAN DIEGO COUNTY;

Resolution Nos. 21-173 entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN SAN DIEGO COUNTY; and,

Took action to further consider and adopt the Ordinance on November 17, 2021.

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

**8. SUBJECT: CONTINUED ITEM FROM 11/02/2021 ITEM 21:
CLOSED SESSION (DISTRICTS: ALL)**

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
County of San Diego v. Commission on State Mandates, et al.; San Diego County Superior Court Case No. 37-2020-00009631-CU-WM-CTL
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
BNSF Railway Company v. County of San Diego, et al.; United States District Court, Southern District No. 3:19-cv-07230-HSG
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Eric Woolsey v. County of San Diego, et al.; United States District Court, Southern District No. 3:21-cv-00877-BEN-AHG
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Nathaniel Moore v. Jesse Rodriguez, et al.; United States District Court, Southern District No. 3:20-cv-01481-BAS-BGS
- E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Henry Bils v. County of San Diego, et al.; United States District Court, Southern District No. 3:20-cv-02069-H-BGS
- F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Kathleen Bils v. County of San Diego, et al.; United States District Court, Southern District No. 3:20-cv-02481-H-BGS
- G. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)
- H. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.6)
Designated Representatives: Susan Brazeau, Brad Rankin
Employee Organizations and Unrepresented Employees: All
- I. THREAT TO PUBLIC SERVICES AND FACILITIES
(Subdivision (a) of Government Code section 54957)
Title: Consultation with Security Officer and County Counsel

ACTION:

County Counsel reported that for Closed Session on November 3, 2021, the Board of Supervisors took the following actions:

Item 21A: County of San Diego v. Commission on State Mandates, et. al, by a vote of 4-0 (Vice-Chair Vargas being absent), the Board authorized County Counsel to file an appeal of an adverse court decision.

9. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Russell Walsh spoke to the Board regarding the Loveland Reservoir.

Gretchen Newson spoke to the Board regarding anti-hate and violence during Board meetings.

Steve Hansen, Tony Ricchiuti, and Katie Meyer spoke to the Board regarding climate change.

Audra spoke to the Board regarding COVID-19 mask mandates and vaccines.

Rita Clement, Diane Lopez Hughes, and Maria Rivera spoke to the Board regarding Climate Action and decarbonization.

Gretchen Goel spoke to the Board regarding COVID-19 vaccines and misinformation.

Kelly McCormick spoke to the Board regarding marijuana use amongst youth.

Katy Poponyak spoke to the Board regarding marijuana cultivation on public lands.

KB Strange and Barbara Gordon spoke to the Board regarding marijuana storefronts.

Lisa Breece Linke spoke to the Board regarding parental rights.

Mark Wilcox spoke to the Board regarding protecting children from drug use and marijuana.

Ann Riddle spoke to the Board regarding flavored tobacco products.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 2:40 p.m. in memory of Michael Hart, Robert Robinson, and James Dawe.

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

Consent: Ruffier
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, November 17, 2021.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board

11/03/2021