

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING AGENDA

TUESDAY, NOVEMBER 4, 2025, 9:00 AM AND WEDNESDAY, NOVEMBER 5, 2025, 9:00 AM
COUNTY ADMINISTRATION CENTER,
BOARD CHAMBER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CA 92101

LAND USE LEGISLATIVE SESSION
WEDNESDAY, NOVEMBER 5, 2025, 9:00 AM

Order of Business

- A. Roll Call to Reconvene from Tuesday, November 4, 2025.
- 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: Individuals can address the Board on topics within its jurisdiction that are not on the agenda. According to the Board's Rules of Procedure, each person may speak at only one Non-Agenda Public Communication session per meeting. Speakers can choose to speak during either the General Legislative or Land Use Legislative Session.
- E. Approval of the Statement of Proceedings/Minutes for concurrent Special District meetings: County of San Diego Housing Authority meetings of September 30, 2025 and October 21, 2025.
- F. Consent Agenda
- G. Discussion Item

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.

Supporting documentation and attachments for items listed on this agenda can be viewed online at www.sandiegocounty.gov/cob or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101. To access the meeting virtually and offer public comment via a call-in option, please go to: www.sandiegocounty.gov/telecomments for instructions.

ASSISTANCE FOR PERSONS WITH DISABILITIES:

Agendas and records are available in alternative formats upon request. Contact the Clerk of the Board of Supervisors office at 619-531-5434 with questions or to request a disability-related accommodation.

Individuals requiring sign language interpreters should contact the Countywide ADA Title II Coordinator at (619) 531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.

LANGUAGE INTERPRETATION ASSISTANCE:

Language interpretation services for public speakers are available upon request to the Clerk of the Board of Supervisors at least 72 hours prior to the meeting (refer to Board Policy A-139 for additional information). Please contact the Clerk of the Board's office at (619) 531-5434 or via e-mail at publiccomment@sdcounty.ca.gov.

LEVINE ACT NOTICE: DISCLOSURES REQUIRED ON SPECIFIED ITEMS (GOVERNMENT CODE § 84308)

The Levine Act states that parties to any proceeding involving a license, permit or other entitlement for use pending before the Board must disclose on the record of the proceeding any campaign contributions of more than \$500 (aggregated) made by the parties or their agents to Board Members within the preceding 12 months. Participants with financial interests, and agents of either parties or participants, are requested to disclose such contributions also. The disclosure must include the name of the party or participant and any other person making the contribution; the name of the recipient; the amount of the contribution; and the date the contribution was made. This disclosure can be made orally during the proceeding or in writing on a request to speak.

Board of Supervisors' Agenda Items

CONSENT AGENDA

All agenda items listed under this section are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the Board of Supervisors or the Chief Administrative Officer so requests, in which event, the item will be considered separately in its normal sequence.

- | Agenda # | Subject |
|-----------------|---|
| 1. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (10/22/2025 - ADOPT
RECOMMENDATIONS INCLUDING INTRODUCING AN ORDINANCE;
11/5/2025 - SECOND READING OF AN ORDINANCE, UNLESS ORDINANCE IS
MODIFIED ON SECOND READING, AND CEQA EXEMPTION FINDING |
| 2. | LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY
FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL
CRISIS AND RELATED CEQA EXEMPTION |

3. ESTABLISH A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SAN DIEGO AND COUNTY OF LOS ANGELES TO IMPLEMENT THE EQUITABLE BUILDING DECARBONIZATION PROGRAM AND DELEGATE AUTHORITY FOR FUTURE CLIMATE ACTION PLAN IMPLEMENTATION AND CEQA EXEMPTION
4. FIRST AMENDMENT TO THE DEFENSE AND INDEMNIFICATION AGREEMENT FOR THE OTAY RANCH RESORT VILLAGE 13 PROJECT AND RELATED CEQA EXEMPTION

THIS PAGE IS INTENTIONALLY LEFT BLANK.

**1. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (10/22/2025 - ADOPT
RECOMMENDATIONS INCLUDING INTRODUCING AN
ORDINANCE; 11/5/2025 - SECOND READING OF AN ORDINANCE,
UNLESS ORDINANCE IS MODIFIED ON SECOND READING, AND
CEQA EXEMPTION FINDING (DISTRICTS: ALL)**

OVERVIEW

On October 22, 2025 (09), the Board of Supervisors took action to further consider and adopt the Ordinance on November 5, 2025.

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 1950s to provide traffic regulations and recommendations within the unincorporated areas of the region. To be effective, the TAC proposes policies that will enhance safety, reduce congestion, and be legally enforceable. The TAC meets every two months 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. The TAC recommendations are provided to the Board for consideration.

The TAC recommends the Board act on 11 items from June 6, 2025, TAC meeting:

District. Item	Location	Request	Description
1. 1-A*	Mesa Vista Way/Bonita Mesa Road from Sweetwater Road to the city limits of National City (west of Putter Drive) in Bonita.	Review requested by residents.	Certify the 35 MPH speed limit for radar enforcement.
2. 2-A	Blossom Valley Road from Lake Jennings Park Rd to Quail Canyon Road in Blossom Valley.	Review requested by residents.	Certify the 45 MPH speed limit for radar enforcement.
2. 2-B*	Alpine Boulevard from Arnold Way to Tavern Road in Alpine.	Review requested by residents.	Establish a 50 MPH speed limit and certify the speed limit for radar enforcement.
3. 3-A*	San Dieguito Road from El Apajo to the San Diego city limit (east of Circa Oriente) in Fairbanks Ranch.	Review requested by residents.	Certify the 45 MPH speed limit for radar enforcement.

District. Item	Location	Request	Description
4. 4-A	Vista Grande Road from Hillsdale Road to Dehesa Road in Hillsdale.	Review requested by DPW staff.	Certify the 40 MPH speed limit for radar enforcement.
5. 5-A	Mountain Meadow Road from Champagne Boulevard to Hidden Meadows Road in Hidden Meadows.	Review requested by residents.	Certify the 50 MPH speed limit for radar enforcement.
5. 5-B	Mountain Meadow Road from Hidden Meadows Road to end of County maintenance in Hidden Meadows.	Review requested by residents.	Certify the 35 MPH speed limit for radar enforcement.
5. 5-C*	Gird Road from Reche Road to 1,000' south of Oak Cliff Drive in Fallbrook.	Review requested by DPW staff.	Combine with the adjacent southern segment and certify the 45 MPH speed limit for radar enforcement.
5. 5-D*	Gird Road from 1,000' south Oak Cliff Drive to State Route 76 in Fallbrook.	Review requested by DPW staff.	Combine with the adjacent northern segment and certify the 45 MPH speed limit for radar enforcement.
5. 5-E	Mission Road and Live Oak Park Road in Fallbrook.	Review requested by residents.	Add the intersection to the County's traffic signal list for design and construction.
5. 5-F	East Vista Way and Hutchison Street in Bonsall.	Review requested by residents.	Add the intersection to the County's traffic signal list for design and construction.
*Item requires two hearings.			

Approval of Items 1-A on Mesa Vista Way/Bonita Mesa Road in Bonita (District 1), 2-A on Blossom Valley Road in Blossom Valley (District 2), 2-B on Alpine Boulevard in Alpine (District 2), 3-A on San Dieguito Road in Fairbanks Ranch (District 3), 4-A on Vista Grande Road in Hillsdale (District 4), 5-A on Mountain Meadow Road in Hidden Meadows (District 5), 5-B on Mountain Meadow Road in Hidden Meadows (District 5), 5-C on Gird Road in Fallbrook (District 5), and 5-D on Gird Road in Fallbrook (District 5) would support speed enforcement which enhances roadway safety. Properly posted speed limits inform drivers on safe speeds, reduce the number and severity of collisions, and allow for enforcement.

Approval of Items 5-E on Mission Road and Live Oak Park Road in Fallbrook (District 5) and 5-F East Vista Way and Hutchison Street in Bonsall (District 5) will add the intersections to the County's traffic signal installation or modification list. The County's Traffic Signal List allows staff to seek funding for subsequent design and construction. Traffic control signals will provide safety enhancement measures for pedestrians, bicyclists, and all other road users. Properly designed traffic control signals help manage intersections safely and efficiently by coordinating vehicle and pedestrian movement.

The Board's action on Items 2-A on Blossom Valley Road in Blossom Valley (District 2), 4-A on Vista Grande Road in Hillsdale (District 4), 5-A on Mountain Meadow Road in Hidden Meadows (District 5), 5-B on Mountain Meadow Road in Hidden Meadows (District 5), 5-E on Mission Road and Live Oak Park Road in Fallbrook (District 5), and 5-F on East Vista Way and Hutchison Street in Bonsall (District 5) 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 October 22, 2025, would allow implementation by DPW.

The Board's action on Items 1-A on Mesa Vista Way/Bonita Mesa Road in Bonita (District 1), 2-B on Alpine Boulevard in Alpine (District 2), 3-A on San Dieguito Road in Fairbanks Ranch (District 3), 5-C on Gird Road in Fallbrook (District 5), and 5-D on Gird Road in Fallbrook (District 5) would introduce an ordinance to amend and establish speed limit zones. This action would revise the County Code and requires two steps. On October 22, 2025, the Board will consider the TAC items. If the Board takes action as recommended, then on November 5, 2025, 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 November 5, 2025, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 1:

Item 1-A. Mesa Vista Way/Bonita Mesa Road from Sweetwater Road to the city limits of National City (west of Putter Drive) in Bonita – Certify the 35 MPH speed limit for radar enforcement.

District 2:

Item 2-A. Blossom Valley Road from Lake Jennings Park Road to Quail Canyon Road in Blossom Valley - Certify the 45 MPH speed limit for radar enforcement.

Item 2-B. Alpine Boulevard from Arnold Way to Tavern Road in Alpine – Establish a 50 MPH speed limit and certify the speed limit for radar enforcement.

District 3:

Item 3-A. San Dieguito Road from El Apajo to the San Diego city limit (east of Circa Oriente) Fairbanks Ranch - Certify the 45 MPH speed limit for radar enforcement.

District 4:

Item 4-A. Vista Grande Road from Hillsdale Road to Dehesa Road in Hillsdale – Certify the 40 MPH speed limit for radar enforcement.

District 5:

Item 5-A. Mountain Meadow Road from Champagne Boulevard to Hidden Meadows Road in Hidden Meadows – Certify the 50 MPH speed limit for radar enforcement.

Item 5-B. Mountain Meadow Road from Hidden Meadows Road to end of County maintenance in Hidden Meadows – Certify the 35 MPH speed limit for radar enforcement.

Item 5-C. Gird Road from Reche Road to 1,000' south of Oak Cliff Drive in Fallbrook – Combine with the adjacent southern segment and certify the 45 MPH speed limit for radar enforcement.

Item 5-D. Gird Road from 1,000' south of Oak Cliff Drive to State Route 76 in Fallbrook – Combine with the adjacent northern segment and certify the 45 MPH speed limit for radar enforcement.

Item 5-E. Mission Road and Live Oak Park Road in Fallbrook – Place the intersection on the County's traffic signal list for design and construction.

Item 5-F. East Vista Way and Hutchison Street in Bonsall – Place the intersection on the County's traffic signal list for design and construction

CHIEF ADMINISTRATIVE OFFICER

Adopt the following Ordinance:

ORDINANCE ADDING SECTION 72.169.90., AMENDING SECTIONS 72.164.5., 72.162.21., AND 72.169.74.5., AND DELETING SECTION 72.169.74.6. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

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 allows 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 uses the Healthy Places Index (3.0) and CalEnviroScreen (4.0) to ensure that 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 most 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 proposed actions have social, health and well-being, and environmental sustainability benefits. The Traffic Advisory Committee has made addressing sustainability a top priority by partnering with local communities and industry leaders in a public forum every two months 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 2025-26 Operational Plan in the Department of Public Works, Road Fund. If approved, this request will result in costs and revenue of \$12,696 in Fiscal Year 2025-26 for staff time, materials, and supplies. The funding source is the 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

2. **SUBJECT: LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL CRISIS AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

On June 27, 2023 (16), the County of San Diego (County) Board of Supervisors (Board), issued a Proclamation of Local Emergency (Proclamation) as a result of the continued conditions for detrimental impacts to the environment, economy, and property within San Diego county, caused by persistent impacts from cross-border sewage pollution and sewage impacted ocean waters. The Proclamation was issued pursuant to the San Diego County Code of Regulatory Ordinances sections 31.101 et seq. and California Government Code section 8630. The Proclamation further asked the Governor to proclaim a State of Emergency in San Diego County. Government Code section 8630(c) requires local governing bodies to review the need for continuing the local emergency at least once every 60 days until the local emergency is terminated.

On July 19, 2023 (4), September 13, 2023 (3), November 8, 2023 (2), December 6, 2023 (2), January 24, 2024 (1), March 13, 2024 (3), May 1, 2024 (4), June 26, 2024 (4), July 17, 2024 (6), September 11, 2024(3), October 22, 2024 (9), December 11, 2024 (1), January 29, 2025 (2), March 12, 2025 (2), May 07, 2025 (2), June 25, 2025 (4), July 22, 2025 (4), and September 10 (1) the Board found that there is a continuing need for the local emergency. This is a request to find that a review of the local emergency has been conducted and that the local emergency will remain in effect.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proclamation of local emergency is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and (3), 15061(b)(3), and 15378(b)(4)&(5) because the action is an administrative action intended to facilitate state and federal funding, does not commit the County to a specific project, and will not have a reasonably foreseeable direct or indirect effect on the environment.
2. Find that there is a need to continue the local emergency and that the local emergency shall continue subject to review requirements until terminated pursuant to Government Code section 8630(d).

EQUITY IMPACT STATEMENT

The communities closest to the San Diego International Border, including the communities of Imperial Beach, San Ysidro, Otay Mesa, and Tijuana River Valley are identified by SB 535 (2012) and CalEnviroScreen 4.0 as being Environmental Justice communities having high pollution burdens for impaired water bodies, elevated PM2.5, elevated linguistic isolation, and poverty rates. By supporting the local emergency proclamation, the County of San Diego remains committed to working with local, state, federal, and Mexican authorities to improve conditions for these communities. Local Environmental Justice communities who have decades of suffering from various pollution sources, have been advocating and working to raise their concerns to the various agencies, and have engaged to elevate the need for data collection to document environmental injustices.

SUSTAINABILITY IMPACT STATEMENT

This action letter aligns with the County of San Diego's (County) Sustainability Goals: protect health and wellbeing and the environment. The proposed action contributes to the County's Sustainability Goal No. 6 to protect the environment and promote our natural resources, diverse habitats, and cultivate a natural environment for residents, visitors, and future generations to enjoy.

FISCAL IMPACT

There is no fiscal impact associated with this request to continue the emergency. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

Increased beach water closures resulting from sewage impacts have a direct effect for the surrounding community due to decreased tourism, patronage of local businesses, and opportunities for youth recreation and camps. By continuing a local emergency, the County of San Diego will be able to engage businesses and non-profit service providers that have been impacted by the restricted access to local beaches and oceans with the goal of assisting in identifying ways to connect them to any state or federal relief programs.

3. **SUBJECT: ESTABLISH A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SAN DIEGO AND COUNTY OF LOS ANGELES TO IMPLEMENT THE EQUITABLE BUILDING DECARBONIZATION PROGRAM AND DELEGATE AUTHORITY FOR FUTURE CLIMATE ACTION PLAN IMPLEMENTATION AND CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

On September 11, 2024 (6), the County of San Diego (County) Board of Supervisors (Board) adopted the 2024 Climate Action Plan (CAP), which establishes actions the County will take to meet greenhouse gas (GHG) emissions reduction targets for 2030 and 2045 and achieve a goal of net zero emissions by 2045. The CAP directs the County to expand access to programs and services that will increase energy efficiency, energy resiliency, and electrification in the unincorporated area. These services help residents by reducing utility bills through reduced energy usage, improving public health through indoor air quality improvements, and increasing resiliency to climate impacts through home weatherization upgrades.

In August 2024, the California Energy Commission selected the County of Los Angeles to be the administrator of the State “Equitable Building Decarbonization Program Direct Install” (EBD Program). The purpose of the EBD Program is to decarbonize homes through the voluntary installation of energy-efficient appliances, measures, and related upgrades directly to low-income households in under-resourced communities. The EBD Program will direct \$25 to \$30 million to support the decarbonization of eligible homes within selected community focus areas in the San Diego region, which includes the unincorporated area. By partnering with the County of Los Angeles and contributing an additional \$500,000 in funding to the EBD Program, the County of San Diego would expand its program’s reach to additional community focus areas in the unincorporated area to all eligible communities, such as the County’s Environmental Justice communities (e.g., Spring Valley, Sweetwater, North El Cajon, and North Lemon Grove) and be able to take GHG reduction credit for CAP implementation. This force multiplier partnership would also help the County of San Diego avoid administrative costs associated with developing and administering a separate program with similar goals, ensuring that County funding goes toward direct investments in the community.

This is a request for the Board to authorize the Director of Planning & Development Services (PDS), or a designee, to enter into a Memorandum of Understanding with the County of Los Angeles to expand access to its EBD Program in the unincorporated area, and to adopt a Resolution authorizing PDS to enter into future Memorandums of Understanding to support CAP implementation.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) because it is not a project as defined in Section 15378(b)(4) and (b)(5) of the State CEQA Guidelines and because it can be seen with certainty that there is no possibility that the proposed Memorandum of Understanding would have a significant effect on the environment.
2. Approve a Memorandum of Understanding entitled: SOUTHERN CALIFORNIA EBD COALITION 2025 CEC EBD PROGRAM AS ADMINISTERED BY THE COUNTY OF LOS ANGELES IN THE SOUTHERN REGION, to be operative upon approval of both agencies, and authorize the Director, Department of Planning & Development Services, or their designee, to execute the Memorandum of Understanding and any extensions, amendments, and revisions thereof that do not materially impact or alter the program (Attachment A).
3. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO ESTABLISHING AND EXECUTING MEMORANDUMS OF UNDERSTANDING FOR THE FURTHERANCE OF CLIMATE ACTION PLAN EFFORTS (Attachment B).

EQUITY IMPACT STATEMENT

This action supports the County’s Equity and Sustainability Strategic Initiatives by advancing efforts that will ensure equal opportunity to energy efficiency programming. Similarly, this action would advance energy equity, or access to affordable reliable energy, and is integral to the achievement of Climate Action Plan (CAP) goals which include reducing greenhouse gas

emissions while meeting equity-based outcomes. One of the main goals of the Equitable Building Decarbonization Program Direct Install (EBD Program) is to increase energy equity by providing services to low-income households in California. Eligibility for the program is dependent on both community and household characteristics. All households served by the program must be in an under-resourced community which is defined by geographic parameters such as disadvantaged communities under Senate Bill 535 and occupied by low-income households.

This action is informed by engagement with the County's Environmental Justice Workgroup on CAP-related building decarbonization programming in Summer 2025. This advisory body, facilitated by the Office of Sustainability and Environmental Justice, ensures representatives of communities systemically impacted by environmental injustices share in decision making around local governments' climate programs, services, and policies. Workgroup members emphasized the importance of prioritizing funding for multifamily homes, and communities that have been historically underinvested or have higher pollution metrics. This feedback informed the selection of additional community focus areas for the EBD Program (e.g., those with higher rates of heat-related deaths, or prevalence of asthma). Their input will continue to help guide the implementation of the EBD Program as well as outreach and marketing efforts locally.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions advance the County Sustainability Goal 3: Transition to a green, carbon free economy, reduce greenhouse gas emissions, support green job creation and workforce development, and prepare for impacts of a changing climate by supporting energy efficiency and electrification efforts that reduce greenhouse gas emissions and improve air quality. Another main goal of the Equitable Building Decarbonization Program Direct Install (EBD Program) is to reduce greenhouse gas emissions associated with household energy use. By improving household energy efficiency, the EBD Program will reduce the amount of energy needed to power households resulting in cost savings. Increasing energy efficiency and electrification of existing buildings is one of the most impactful actions within the County's Climate Action Plan and will result in significant greenhouse gas emissions reductions and support the County's efforts to mitigate climate change.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2025-26 Operational Plan in Planning & Development Services (PDS) for the implementation of the County's Climate Action Plan (CAP). If approved, this request will result in costs and revenue of \$500,000 to expand access to the Equitable Building Decarbonization Program Direct Install in the unincorporated area. The funding source is existing General Purpose Revenue in PDS. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The Equitable Building Decarbonization Program Direct Install (EBD Program) has green economy goals related to supporting the local workforce and providing high-quality jobs, as identified by the State. As a result, the EBD Program requires that projects be performed by workers who pay prevailing wages where possible and prioritize hiring workers from local communities. Local implementation of the EBD Program and today's action will result in direct economic benefits for contractors working on building decarbonization who pay prevailing wages to the local workforce.

4. **SUBJECT: FIRST AMENDMENT TO THE DEFENSE AND INDEMNIFICATION AGREEMENT FOR THE OTAY RANCH RESORT VILLAGE 13 PROJECT AND RELATED CEQA EXEMPTION (DISTRICT: 1)**

OVERVIEW

The Otay Ranch Resort Village 13 project (Project) is a mixed-use community located on an 1,869-acre site in the Otay Subregional Plan Area. The site is located east of State Route 125 (SR-125) and west of State Route 94 (SR-94), approximately 0.25 miles east of the City of Chula Vista and 12 miles southwest of the community of Jamul. The Project, which included a General Plan Amendment, Specific Plan, Zone Reclassification, Site Plan, and Tentative Map, was approved by the Board of Supervisors (Board) on November 18, 2020 (4). An Environmental Impact Report (EIR) was adopted at that time and is on file with Planning & Development Services.

The Project consists of 1,938 residential units, 40,000 square feet of commercial uses, a 10.1-acre public elementary school site that would be operated by the Chula Vista Elementary School District, 25.1 acres of public/private parks, a 6.1-acre homeowners' association (HOA) neighborhood facility, a 2.3-acre joint use site for a fire station and sheriff storefront, 9.0 miles of multi-use community trails and pathways, 790.3 acres of preserve/open space land to be conveyed to Otay Ranch Resource Management Plan (RMP) Preserve, an additional 69.3 acres of biological open space, and 76.4 acres of internal open space.

In December 2020, opponents of the project filed a lawsuit challenging the County's approvals and certification of the EIR, among other actions taken with respect to the Project, entitled *Center for Biological Diversity et. al. v. County of San Diego, et. al.* (Lawsuit). In March 2025, the opponents and Applicants entered into a Settlement Agreement to stay the Lawsuit. The Settlement Agreement requires the Applicants to make several revisions to the Project (Revised Project) and return to the Board for consideration.

The County and Applicants are parties to the Defense and Indemnification Agreement (Agreement) in connection with the Project, dated December 3, 2020. The Agreement required security to be posted in the amount of \$1,000,000 in connection with the litigation risks associated with the County's processing and/or approval of the Project.

In response to the Settlement Agreement, today's request is a request by the applicant for the Board to amend the Defense and Indemnification Agreement (Agreement). This would be the first amendment to the Agreement and would authorize the release of the entire security in the interim while a Revised Project is processed as required by the Settlement Agreement. This amendment would require the security to be reinstated prior to the Board considering the Revised Project, and immediately if, for any reason, litigation on the original Project resumes. The Applicants have indicated they tentatively plan on resubmitting the Revised Project in late 2025 or early 2026.

RECOMMENDATION(S)

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

1. Find that the approval of the First Amendment to the Agreement (Attachment A on file with the Clerk of the Board) is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(4 and 5).

2. Approve and authorize the Director of Planning & Development Services to execute the First Amendment to the Defense and Indemnification Agreement and release the \$1,000,000 security.

EQUITY IMPACT STATEMENT

This action supports the processing of a Revised Project, which would provide new housing opportunities in unincorporated San Diego County. The Revised Project would also support economic development and opportunities for employment regarding the construction of the Project and future commercial and educational uses that would be part of the master planned community. This amendment to the Defense and Indemnification Agreement would release the security for the Applicants to process a Revised Project, thereby supporting housing, commercial, and educational opportunities for residents in San Diego County.

SUSTAINABILITY IMPACT STATEMENT

This action supports the processing of a Revised Project, which would be designed to be a sustainable community and include additional mitigation measures for greenhouse gas emissions, wildfire risk, and evacuation. All buildings would be required to be fully electric, and all single-family and commercial buildings will incorporate a net-zero energy design. The Revised Project will also reduce the development footprint and preserve an additional 292 acres of open space. These improvements are essential for ensuring the community is safe, resilient, and environmentally responsible.

FISCAL IMPACT

There is no fiscal impact associated with the approval of the amendment, as the Project is privately initiated and located on private property. If approved, the security of \$1,000,000 will be released to the Applicant for the processing of a private project. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A