

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING AGENDA

TUESDAY, MARCH 3, 2026, 9:00 AM AND WEDNESDAY, MARCH 4, 2026, 9:00 AM
COUNTY ADMINISTRATION CENTER
BOARD CHAMBER, ROOM 310
1600 PACIFIC HIGHWAY SAN DIEGO, CA 92101

LAND USE LEGISLATIVE SESSION
WEDNESDAY, MARCH 4, 2026, 9:00 AM

Order of Business

- A. Roll Call to Reconvene from Tuesday, March 3, 2026
- B. Closed Session Report
- C. 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.
- D. Consent Agenda
- E. Discussion Items

Viewing Agenda Materials

All documents and attachments related to agenda items are available for public viewing. You can access them online at www.sandiegocounty.gov/cob, or in person at the Clerk of the Board's Office, located at 1600 Pacific Highway, Room 402, San Diego, CA 92101. The Board Meeting calendar is online at www.sandiegocounty.gov/bos/calendar.html.

How to Speak at a Board Meeting

If you would like to speak at the meeting, either in person or by phone, you can sign up by visiting <https://PublicComment.SanDiegoCounty.gov>. On the form, you will be asked to enter your name and choose how you would like to participate, either by attending in person or calling in virtually. If you choose to speak by phone, please make sure to enter a valid phone number so we can identify you when you call. You will also be asked to select the agenda item or items you wish to comment on and indicate whether you are in favor, opposed, or neutral. Once you submit the form, you will receive a confirmation email. If you need the information on the website in another language, simply click the Translate button at the top of the page and select your preferred language.

You can also submit a comment in writing at www.sandiegocounty.gov/ecomment, via email to PublicComment@sdcounty.ca.gov, or by mail to 1600 Pacific Highway, Room 402, San Diego, CA 92101.

Board Actions and Recommendations

The Board of Supervisors may take action on any item listed on the meeting agenda. While each agenda item includes recommendations, these are only suggestions and do not limit what the Board may ultimately decide. Individuals should not assume that the Board will follow the recommendations.

Accessibility Accommodations

The County is committed to making Board meetings accessible to everyone. If you need accommodations to participate, please contact us at least three days before the meeting by calling 619-531-5434 (TTY 619-531-4803) or emailing PublicComment@sdcounty.ca.gov. If you need a sign language interpreter, you can call 619-531-4908. Assistive Listening Devices are also available from the Clerk of the Board's Office in Room 402.

Language Interpretation Services

The County of San Diego wants everyone to be able to participate in Board meetings—no matter what language they speak. A Spanish interpreter is available at every Board of Supervisors meeting to assist those who wish to speak to the Board in Spanish. If you need interpretation in another language, please request it at least 72 hours before the meeting by calling 619-531-5434 or emailing PublicComment@sdcounty.ca.gov.

In addition, the County can provide space in the Board Chamber's Observation Balcony for those providing or receiving interpretation, supporting the use of personal devices like phones or headsets, or help connect you to outside interpretation services for other languages. Please contact the Clerk of the Board in advance so we can make the necessary arrangements. Interpretation must not interrupt the meeting, in accordance with Government Code Section 54957.95.

Levine Act Notice – Campaign Contribution Disclosures

Under the Levine Act (Government Code § 84308), anyone involved in a proceeding before the Board, such as for a license, permit, or other entitlement for use, must disclose any campaign contributions over \$500 made to Board Members within the past 12 months. This includes contributions made by the parties themselves or their agents. The disclosure must include the name of the contributor and recipient, the amount, and the date of the contribution. Disclosures can be made orally during the meeting or in writing on the request-to-speak form.

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.	SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: ADOPT AN ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL, ENERGY EFFICIENCY, GREEN BUILDING CODES, AND AN ORDINANCE AMENDING THE FLOOD DAMAGE PREVENTION ORDINANCE, AND RELATED CEQA EXEMPTION (TRIENNIAL COUNTY BUILDING CODE UPDATE) (2/11/2026 - FIRST READING; 3/4/2026 - SECOND READING)

2. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF AN ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (02/11/2026 - ADOPT
RECOMMENDATIONS INCLUDING INTRODUCING AN ORDINANCE;
03/04/2026 - SECOND READING OF AN ORDINANCE, UNLESS ORDINANCE IS
MODIFIED ON SECOND READING, AND CEQA EXEMPTION FINDING
3. APPROVE AND AUTHORIZE EXECUTION OF ASSOCIATE COMMISSION
MEMBER AGREEMENT WITH THE SOUTHERN CALIFORNIA COASTAL
WATER RESEARCH PROJECT AUTHORITY AND RELATED CEQA
EXEMPTION
4. APPROVAL OF A REVISED JOINT POWERS AGREEMENT BETWEEN THE
CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO FOR THE
PLANNING, OPERATION AND MAINTENANCE OF THE OTAY RANCH
PRESERVE AND RELATED CEQA EXEMPTION

DISCUSSION ITEMS

- | Agenda # | Subject |
|-----------------|---|
| 5. | NOTICED PUBLIC HEARING:
ADU ORDINANCE AMENDMENT INCLUDING THE SEPARATE SALE OF
ADUs AND RELATED CEQA EXEMPTION |
| 6. | CALL A SPECIAL ELECTION TO LEVY SPECIAL TAX IN PERMANENT ROAD
DIVISION NO. 1000, ZONE NO. 9B HARRIS ANNEX IN RANCHO SANTA FE
AND RELATED CEQA EXEMPTION |

ADDITION TO CONSENT AGENDA

7. AUTHORIZE SUBCONTRACTOR SUBSTITUTION FOR THE CALAVO
PARK PROJECT

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1. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ADOPT AN ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL, ENERGY EFFICIENCY, GREEN BUILDING CODES, AND AN ORDINANCE AMENDING THE FLOOD DAMAGE PREVENTION ORDINANCE, AND RELATED CEQA EXEMPTION (TRIENNIAL COUNTY BUILDING CODE UPDATE) (2/11/2026 - FIRST READING; 3/4/2026 - SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

On February 11, 2026 (07), the Board of Supervisors took action to further consider and adopt the Ordinances on March 4, 2026.

National building codes were developed in response to natural disasters, such as fires and earthquakes. Advancements in building sciences and construction engineering have allowed codes to evolve beyond simply reducing risks. Today's codes establish minimum standards to ensure homes and buildings are designed and constructed to protect public health, safety, community welfare, and built to be more sustainable. Planning & Development Services (PDS) helps establish, use, and enforce up-to-date building codes through the review of proposed plans, issuance of building permits, and onsite construction inspections. These ongoing efforts, including regular code updates, enhance building resiliency and welfare, and maintain a culture of preparedness.

The California Building Standards Code (State Model Code) aims to ensure public health, safety, and general welfare through provisions that address structural strength and stability, emergency egress, fire prevention, electrical hazards, sanitation, air and water quality, energy efficiency, accessibility, and the sustainability of buildings and structures. Structures designed and built to these standards are more likely to maintain their structural integrity in the event of a disaster. This provides building occupants with sufficient time to escape, ensures the safety of emergency responders, and protects their lives.

Every three years, the State of California (State) updates the State Model Code. The 2025 edition of the State Model Code was published on July 1, 2025, and is available for adoption as of January 1, 2026. State law allows local governments to make more restrictive additions, modifications, and deletions through local amendments to the State Model Code when the changes are reasonably necessary due to local climatic, geological, and topographical conditions. To ensure statewide public health and safety, the State Model Code prohibits local modifications from being less restrictive than the baseline requirements contained in the codes. With each new edition of the State Model Code, State law also allows local jurisdictions to readopt any existing local amendments to be carried into the triennial code update. Once adopted, the collection of State Model Codes and local amendments is collectively known as the County Building Code.

The 2025 State Model Code update makes significant advancements in energy efficiency and building sustainability, aligning with the County's Regional Decarbonization Framework and the 2024 Climate Action Plan (CAP). 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. To implement the CAP, today's request includes updates to the existing

voluntary Green Building Incentive Program (GBIP) to provide streamlined plan checks and permitting discounts for projects that voluntarily exceed the State Model Code requirements to reduce greenhouse gas emissions from energy and water use in buildings.

Separately, construction and the placement of structures in areas of special flood hazard in the unincorporated county are governed by the Flood Damage Prevention Ordinance (FDPO). This ordinance implements the National Flood Insurance Program (NFIP) and the Community Rating System (CRS) by regulating development in floodways and floodplains to protect lives and property against flood risk. The Federal Emergency Management Agency (FEMA) manages the NFIP and CRS programs and conducts periodic reviews of communities implementing ordinances like the FDPO. Today's action also includes the introduction and adoption, by ordinance, of minor edits to the County's FDPO to implement FEMA CRS recommendations related to engineering review and freeboard requirements. This administrative change codifies existing best practices implemented by review staff, with no new impact on designers, builders, or owners. It is important to implement FEMA recommendations to ensure unincorporated communities can continue to purchase flood insurance through the NFIP as well as receive discounts on flood insurance premiums through the CRS program.

Today's request is the first reading to consider the adoption of the proposed ordinances, which contain local amendments to the State Model Code, and amendments to the FDPO recommended by FEMA. This request includes the readoption of prior local amendments, such as fire hardening, energy efficiency, flood prevention, and emergency housing amendments, that were previously Board directed and remain applicable. Additionally, today's request includes updates to the GBIP to provide permitting incentives for projects that volunteer to go beyond State code requirements to support implementation of the 2024 CAP. If the Board takes the action recommended today, then on March 4, 2026, the Board can consider and adopt the proposed ordinances.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Submit the ordinance for further Board consideration and adoption (second reading).
AN ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL, ENERGY EFFICIENCY, AND GREEN BUILDING CODES (TRIENNIAL COUNTY BUILDING CODE UPDATE)
2. Upon adoption of the Triennial County Building Code Update, direct the Clerk of the Board to provide a certified copy of the adopted Ordinance repealing and reenacting the County Building, Residential, Electrical, Plumbing, Mechanical, Energy Efficiency, and Green Building Codes (Triennial County Building Code) together with the associated findings (Attachments A-C) to the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833 pursuant to Health and Safety Code Section 17958.7.
3. Submit the ordinance for further Board consideration and adoption (second reading).
AN ORDINANCE AMENDING THE COUNTY FLOOD DAMAGE PREVENTION ORDINANCE TO REFLECT COMMUNITY RATING SYSTEM REQUIREMENTS

4. Submit the ordinance for further Board consideration and adoption (second reading).
An Ordinance Amending Schedule F of Section 362.1 of the San Diego County
Administrative Code to Reduce Fees for Buildings Using Sustainable Building Practices

EQUITY IMPACT STATEMENT

Regular updates to the County Building Code help increase transparency and create uniform standards applied equally across all unincorporated communities. Local amendments to the State Model Code create customized changes to address the public health and safety needs of our local community. Local Amendments expand beyond statewide transparency and accountability efforts through local stakeholder engagement, including direct feedback from vulnerable communities and those closely connected to the communities they serve. According to the California Energy Commission, extensive community input, including from underserved communities and those directly impacted by changes (homeowners and homebuilders), shaped the development of the State Model Code. The State Model Code helps reduce disproportionate equity impacts faced by vulnerable communities. Updates to the Energy Code, included in the 2025 State Model Code, help address some of the disproportionate effects of climate change. They introduce new standards to reduce air pollution and improve indoor air quality, thereby enhancing public health.

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 encouraging building and vehicle electrification. The proposed updates to County building standards and Green Building Incentive Program reduce energy consumption, reduce indoor water consumption, preserve natural resources, and protect indoor air quality. In addition, proposed wildfire and flood resiliency standards safeguard public health and well-being while reducing demand on first responders during natural disasters resulting from climate change. 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

There is no fiscal impact associated with today's action. There will be no change in net General Fund costs and no additional staff years. A waiver of Board Policy B-29: Fees, Grants, Revenue Contracts - Departmental Responsibility for Cost Recovery (Board Policy B-29) is requested because the proposed waiver of fees for the Green Building Incentive Program (GBIP) will not recover full operating costs for services provided. There are already funds included in the Fiscal Year 2025-26 Operational Planning for Planning & Development Services (PDS) for waivers related to plan review and building fees for the Green Building Incentive Program.

BUSINESS IMPACT STATEMENT

While there is an increased upfront cost to develop certain new residential construction (heat pump technology, electric ready wiring for future electric appliances, and larger solar and storage capacity) and certain new commercial construction (increased mandatory solar and energy storage) as a result of a new requirement established by the State, the California Energy Commission (CEC) identified long-term savings for building occupants resulting from increased energy efficiency estimated to provide over \$4.8 billion statewide for the 2025 code package.

These additional long-term utility energy savings would outweigh the increased upfront construction costs when measured over the useful life of the home or business (measured over 30 years). Increased construction costs are recovered through reduced utility costs over time, resulting in net cost neutrality. In addition, the 2025 code package encourages voluntary all-electric construction, resulting in estimated construction cost savings of \$2,000 to \$3,000 per unit (from removing gas appliances and gas infrastructure).

**2. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF AN ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (02/11/2026 - ADOPT
RECOMMENDATIONS INCLUDING INTRODUCING AN
ORDINANCE; 03/04/2026 - SECOND READING OF AN ORDINANCE,
UNLESS ORDINANCE IS MODIFIED ON SECOND READING, AND
CEQA EXEMPTION FINDING (DISTRICTS: 2, 3, & 4)**

OVERVIEW

On February 11, 2026 (06), the Board of Supervisors took action to further consider and adopt the Ordinance on March 4, 2026.

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 three items from October 3, 2025 TAC meeting:

District. Item	Location	Request	Description
2. 2-A*	Arnold Way from Alpine Boulevard to Tavern Road in Alpine.	Review requested by DPW staff.	Establish a 30 MPH speed limit and certify the 30 MPH speed limit for radar enforcement.
3. 3-A*	La Granada from Avenida de Acacias to Los Morros in Rancho Santa Fe.	Review requested by DPW staff.	Split the speed zone into two segments, certify the 45 MPH speed limit for radar enforcement on La Granada from Avenida de Acacias to Avenida Maravillas, and establish a 40 MPH speed limit and certify the 40 MPH speed limit on La Granada from Avenida Maravillas to Los Morros.

4. 4-A*	Horizon Hills Drive/Rolling Hills Drive from El Cajon city limit to Fuerte Drive in Mount Helix.	Review requested by DPW staff.	Establish a 35 MPH speed limit and certify the 35 MPH speed limit for radar enforcement.
*Item requires two hearings.			

Approval of Items 2-A on Arnold Way in Alpine (District 2), 3-A on La Granada in Rancho Santa Fe (District 3), and 4-A on Horizon Hills Drive/Rolling Hills Drive in Mount Helix (District 4) 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. The Board’s action on all of these items would introduce an ordinance to amend and establish speed limit zones. This action would revise the County Code and require two steps. On February 11, 2026, the Board will consider the TAC items. If the Board takes action as recommended, then on March 4, 2026, 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 March 4, 2026, then on that date a subsequent meeting date will be selected for the ordinance’s adoption. This action would revise the County Code and requires two steps.

**RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE**

District 2:

Item 2-A. Arnold Way from Alpine Boulevard to Tavern Road in Alpine - Establish a 30 MPH speed limit and certify the 30 MPH speed limit.

District 3:

Item 3-A. La Granada from Avenida de Acacias to Los Morros in Rancho Santa Fe - Split the speed zone into two segments, certify the 45 MPH speed limit for radar enforcement on La Granada from Avenida de Acacias to Avenida Maravillas, and establish a 40 MPH speed limit and certify the 40 MPH speed limit on La Granada from Avenida Maravillas to Los Morros.

District 4:

Item 4-A. Horizon Hills Drive/Rolling Hills Drive from El Cajon city limit to Fuerte Drive in Mount Helix - Establish a 35 MPH speed limit and certify the 35 MPH speed limit.

CHIEF ADMINISTRATIVE OFFICER

Adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.161.91., 72.161.93., 72.169.32., AND 72.169.98. 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 impact 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.

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 \$6,470 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

3. **SUBJECT: APPROVE AND AUTHORIZE EXECUTION OF ASSOCIATE COMMISSION MEMBER AGREEMENT WITH THE SOUTHERN CALIFORNIA COASTAL WATER RESEARCH PROJECT AUTHORITY AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) works to protect and enhance regional water resources through collaborative planning and science-based investments in multi-benefit projects that improve water quality and ecosystem health. A key strategy in this effort is leveraging regional partnerships that advance initiatives supporting water quality, watershed health, and the science needed to protect and restore aquatic ecosystems. Since 2008, the County has been an associate commission member of the Southern California Coastal Water Research Project (SCCWRP). SCCWRP is a joint powers authority composed of Southern California's major wastewater and stormwater agencies, along with State and federal regulatory partners. Through this collaboration, SCCWRP conducts objective, science-based research to better understand how wastewater and stormwater discharges affect coastal aquatic ecosystems and public health.

Membership in SCCWRP enables the County to help shape scientific research that informs effective stormwater management and supports compliance with State and federal water quality mandates, including the Municipal Separate Storm Sewer System (MS4) Permit (Permit). The Permit requires the County and other agencies to eliminate pollution sources entering local waters and has been updated several times since its initial issuance in 1990 to include more rigorous requirements. Since joining SCCWRP in 2008, the County has collaborated with SCCWRP's team of expert scientists on studies that identify and address pollution sources to support regulatory compliance. For example, SCCWRP research has informed strategies for meeting bacteria and nutrient Total Maximum Daily Load (TMDL) requirements, and investigations such as the Surfer Health Study, Santa Margarita River Nutrient Initiative, San Diego River Investigative Order, and using advanced DNA methods to link Mexican sewage to U.S. beach pollution have provided insight into the most effective approaches for improving water quality. SCCWRP's studies are routinely published in peer-reviewed journals and are widely recognized by regulators and the scientific community. The County's Department of Environmental Health and Quality has also partnered with SCCWRP to develop a faster method for measuring bacteria levels in beach and bay waters, enabling more timely public health notifications.

The County's continued participation in SCCWRP ensures access to regionally coordinated, peer-reviewed science that supports Permit compliance and the County's regulatory position. Through shared regional monitoring programs that fulfill MS4 requirements, membership provides a strong return on investment by reducing duplication and distributing technical costs across member agencies. SCCWRP's applied research on Best Management Practice (BMP) performance further ensures that County investments in structural and non-structural controls are guided by sound science and targeted toward solutions that yield the greatest water quality benefit. These efforts have helped keep Permit requirements practical and avoid unnecessary infrastructure costs for the County and private development projects. If the County withdraws from SCCWRP, we would lose access to shared technical expertise and the regional forum where Permit decisions are shaped. That would reduce our influence, increase the risk of stricter or inconsistent requirements, and likely raise compliance costs.

Membership in SCCWRP provides the County with numerous benefits, the most significant of which include:

- Access to high-quality scientific research at a fraction of the cost of conducting independent studies;
- Greater credibility and influence in shaping regulatory policies grounded in sound science;
- Direct engagement with State and federal regulators through collaborative forums that support strategic and cost-effective compliance planning.
Gives the County a seat at the table to shape practical Permit requirements that protect water quality without driving up unnecessary costs for public and private projects.

The current five-year Associate Commission Member Agreement was approved by the County of San Diego Board of Supervisors on September 16, 2020 (11) and expires on June 30, 2026. Today's request is for the Board to approve the County's continued partnership with SCCWRP. A new five-year Associate Commission Member Agreement would allow continued collaboration among SCCWRP, the County, and participating regulatory and regulated agencies.

If approved, the new agreement will extend the County's participation from July 1, 2026, through June 30, 2031.

County membership costs would begin at \$150,000 in Fiscal Year 2026-27, with a total not-to-exceed amount of \$796,250 over the five-year term. Funding for Fiscal Year 2026-27 will be requested in the CAO Recommended Operational Plan for the Department of Public Works General Fund. Funding for subsequent fiscal years will be included in future Operational Plans. No additional staff years are required.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378. Section 15060(c)(3) specifies that activities which do not cause a direct or reasonably foreseeable indirect physical change in the environment are not considered "projects." Because entering into a member agreement with the Southern California Coastal Water Research Project (SCCWRP) will have no impact on the environment, it does not meet the definition of a project and is therefore not subject to CEQA review.
2. Authorize the Director, Department of Public Works, or designee, to execute an Associate Commission Member Agreement with the Southern California Coastal Water Research Project Authority for Fiscal Years 2026-27 through 2030-31, and to execute all amendments to the agreement as necessary and take all action necessary to fulfill the County obligations under the agreement.

EQUITY IMPACT STATEMENT

Today's action supports the County of San Diego's (County) ongoing commitment to protecting public health, enhancing community well-being, and advancing regional water sustainability. Through membership in the Southern California Coastal Water Research Project (SCCWRP), efforts to reduce pollution to local waterways and protect natural resources directly benefit residents across the region, including in the unincorporated area. In particular, the County is committed to addressing water quality challenges in under-represented communities, which have historically experienced greater impacts from environmental stressors. Ensuring the health of our streams and beaches is essential for providing diverse and accessible recreational opportunities for citizens throughout all regions of San Diego County.

SUSTAINABILITY IMPACT STATEMENT

Today's action to authorize an Associate Commission Member Agreement with the Southern California Coastal Water Research Project (SCCWRP) contributes to social, health and well-being, and environmental sustainability goals of the County. Continued participation in SCCWRP enables regional collaboration and investment in projects that improve water quality and protect critical habitats across San Diego County. Through SCCWRP, the County contributes to research and initiatives that support regulatory compliance with Total Maximum Daily Loads (TMDLs) for pollutants such as bacteria, nitrogen, and phosphorus, while focusing on the most critical contaminants in our local watersheds. These efforts focus on protecting human and aquatic health while preserving recreational benefits for the community.

FISCAL IMPACT

There is no fiscal impact associated with today's recommendation in Fiscal Year 2025-26. If approved, funds for this request will be included in the Fiscal Year 2026-27 CAO Recommended Operational Plan in the Department of Public Works (DPW) General Fund - Watershed Protection Program. If approved, this request will result in costs and revenue of \$150,000 in the Fiscal Year 2026-27. The total cost over the five-year agreement period will not exceed \$796,250. The funding source is existing General Purpose Revenue allocated to the DPW General Fund - Watershed Protection Program. Funding for subsequent fiscal years will be included in future Operational Plans. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 4. SUBJECT: APPROVAL OF A REVISED JOINT POWERS AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO FOR THE PLANNING, OPERATION AND MAINTENANCE OF THE OTAY RANCH PRESERVE AND RELATED CEQA EXEMPTION (DISTRICTS: 1 & 2)**

OVERVIEW

The County of San Diego (County) Board of Supervisors (Board) and the City of Chula Vista (City) City Council adopted the Otay Ranch General Development Plan/Subregional Plan (Subregional Plan) on October 28, 1993 (1). The Subregional Plan contemplated development within a series of villages that would be located within the City's and the County's land use jurisdictions in an area known as Otay Ranch, which is within the southwestern San Diego region, in the area generally surrounding the Lower Otay Reservoir. To mitigate impacts from development, the Subregional Plan also conceptualized an approximately 11,000-acre preserve system (Otay Ranch Preserve) that would be jointly managed by the County and the City in perpetuity as an entity referred to as the Preserve Owner/Manager (POM). In 1993, along with the adoption of the Subregional Plan, the Board also adopted Phase 1 of the Resource Management Plan (RMP) for the Otay Ranch Preserve (Preserve), which established a comprehensive program for the long-term protection and management of sensitive resources located within the Preserve.

Due to the joint nature of planning and development for Otay Ranch, on March 6, 1996 (6), the Board approved a 30-year Joint Powers Agreement (JPA) between the City and County. The JPA described the roles and responsibilities for the planning, operation and maintenance of Otay Ranch Preserve by the POM. Since 1996, the County and City have partnered collectively to operate and manage the Otay Ranch Preserve as the POM. The 1996 JPA is set to expire on March 6, 2026, and allows for a 30-year extension. The County and City worked together to update and revise the JPA to further define operational responsibilities and memorialize a variety of regulatory changes that have taken place since the adoption of the original JPA in 1996.

The main revision to the JPA is an administrative update that adds references to relevant efforts, such as the Multiple Species Conservation Program and Phase 2 Resource Management Plan that were not in place in 1996. It also updates staff roles and clarifies duties for managing the Otay Ranch Preserve. These changes do not alter the core partnership or make any major substantive changes and are intended to memorialize the current partnership and structure of the POM. The City of Chula Vista will be bringing the revised JPA to their City Council for adoption on March 3, 2026. The revised JPA will extend for 30 years until March 2056.

Today's requested action will authorize the Director of the County Department of Parks and Recreation to execute a revised JPA between the City of Chula Vista and the County of San Diego for the planning, operation and maintenance of the Otay Ranch Preserve. This request to authorize the revised JPA would result in no increase to annual costs and no additional staff years.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed Joint Powers Agreement is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).
2. Authorize the Director of the Department of Parks and Recreation to execute a revised Joint Powers Agreement between the City of Chula Vista and the County of San Diego for the Planning, Operation and Maintenance of the Otay Ranch Preserve.

EQUITY IMPACT STATEMENT

The Department of Parks and Recreation's continued efforts to maintain the natural habitat in Otay Ranch Preserve will benefit threatened plant and animal species and cultural resources. The revised JPA between the City of Chula Vista and the County of San Diego for the planning, operation and maintenance of the Otay Ranch Preserve will have a positive impact on all San Diego County residents and visitors by continuing to protect water and air quality and continuing to conserve the region's sensitive resources.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to execute the revised JPA between the City of Chula Vista and the County of San Diego for the planning, operation and maintenance of the Otay Ranch Preserve will continue to conserve natural habitat in Otay Ranch Preserve and contribute to the County of San Diego Sustainability Goal No. 6 to protect ecosystems, habitats, and biodiversity.

FISCAL IMPACT

There is no fiscal impact associated with the Board of Supervisors' authorization of the revised Joint Powers Agreement between the City of Chula Vista and the County of San Diego for the planning, operation and maintenance of the Otay Ranch Preserve. Annual operating costs for the Otay Ranch Preserve are provided by Community Facilities Districts that were established as conditions of development within Otay Ranch. If approved, there would be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

**5. SUBJECT: NOTICED PUBLIC HEARING:
ADU ORDINANCE AMENDMENT INCLUDING THE SEPARATE
SALE OF ADUs AND RELATED CEQA EXEMPTION
(DISTRICTS: ALL)**

OVERVIEW

This action proposes updates to the Accessory Dwelling Unit (ADU) section of the Zoning Ordinance (ADU Ordinance) with an amendment. The proposed ADU Ordinance Amendment Including the Separate Sale of ADUs (Amendment), includes updates to align with new mandatory State laws, and introduces an opt-in program to provide smaller, more attainable homeownership opportunities.

The County of San Diego continues to make periodic and regular updates to the Zoning Ordinance to streamline and advance housing efforts in the unincorporated area and maintain alignment with new mandatory State laws. Advancing and improving the Zoning Ordinance has been consistently identified as a priority by industry stakeholders and the community and is a shared objective of the Board of Supervisors (Board).

In 2025, the Chief Administrative Officer established the *Housing for All* initiative to unify and accelerate cross-department efforts to address the housing crisis through a near-term workplan anchored in the Board’s adopted “5 Ps” Housing Solutions Framework-Protect, Preserve, Produce, Promote, and Prevent-which identifies expanding homeownership opportunities, including through innovative tools, as a key action.

Today’s Amendment works to advance these shared goals by updating the ADU Ordinance with mandatory State requirements, clarifying public guidance, and providing a tool to create new pathways to homeownership through the separate sale of ADUs.

The first component of the proposed Amendment incorporates updates for alignment with State laws adopted in 2023 and 2024, and reorganizes the ADU Ordinance for clear public guidance and improved transparency. The second component establishes a County program under Assembly Bill (AB) 1033 to enable the separate sale of ADUs as condominiums in the unincorporated area.

Effective January 2024, AB 1033 allows jurisdictions on an opt-in basis to adopt local ordinances permitting the separate sale of ADUs as condominiums, and establishes requirements for separate ownership. A local program for the separate sale of ADUs allows the County to create opportunities to build generational wealth, give families flexibility to downsize, reduce displacement, or expand multigenerational living scenarios. The program could also support seniors who wish to age in place while accessing the value of their property.

On March 13, 2024 (10), the Board directed staff to evaluate the feasibility of allowing the separate sale of ADUs in the unincorporated area. In response, staff began community and stakeholder outreach to inform the development of a local ordinance. Based on that input, the Board took formal action on October 9, 2024 (5), directing staff to move forward with the development of a local program that goes beyond the baseline provisions established under AB

1033. Specifically, the Board directed staff to incorporate local eligibility criteria into the program, such as a right of first refusal for owner-occupants, and to further explore additional standards that may be appropriate for implementation in the unincorporated area.

Staff have prepared five options for the Board's consideration regarding implementation of AB 1033. The Board may elect to adopt the State framework as-is, adopt one or more local eligibility criteria in addition to State law, or decline to opt in. Adoption of any local criteria would establish a County-specific program that builds upon, and is consistent with the baseline framework provided by AB 1033. The following options are intended to balance community priorities with State allowances and support the County's *Housing for All* initiative by expanding homeownership opportunities. These options were informed by stakeholder input gathered through the County's public engagement process.

- Option 1: State Framework. Adopt AB 1033 as implemented by the State, allowing separate sales of ADUs consistent with State law without establishing additional local eligibility requirements.
- Option 2: Right of First Refusal. Right of First Refusal contracts must be established. Each condo owner must give either their current tenant or another condo owner living on the same lot the first chance to buy the unit if it's put up for sale.
- Option 3: Detached ADUs Only. The ADU must be detached from the primary unit. Limitation to detached units allows clearer physical and ownership distinctions between the primary residence and the secondary unit.
- Option 4: New Construction Only. The ADU must be new development. Eligibility for the separate sale of ADUs is limited to those that have been newly constructed as condominiums and did not exist prior to condo mapping.
- Option 5: Don't opt in to AB 1033. The County would not opt in to allow the separate sale of ADUs, and current regulations would remain until any future Board action.

While these options were developed based on stakeholder input, they were further refined through the course of community outreach and feedback. The Planning Commission recommended adoption of the State Framework without local eligibility criteria as the most flexible and expansive approach.

Today's request is for the Board to consider and adopt the section of the ADU Ordinance that addresses updates needed to comply with mandatory State law; consider and adopt the section of the ADU Ordinance that allows the separate sale of ADUs; and, at the Board's discretion, provide direction regarding local eligibility criteria to be applied to the separate sale of ADUs in the unincorporated area.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On December 5, 2025, the Planning Commission recommended that the Board of Supervisors adopt the ADU Ordinance Amendment, including a program for the separate sale of ADUs as written under State law, without any additional local eligibility criteria described in the programmatic options presented by County Staff. The Commission reviewed all of the options for local eligibility criteria and expressed concerns that local criteria would restrict implementation, and ultimately supported a fully State-aligned approach as the most flexible and expansive option for implementation of the program.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

1. Find the update to the County’s Zoning Ordinance implementing State law governing the permitting of ADUs is not a “project” and is exempt from CEQA under CEQA Guidelines section 15378(b)(4) as it merely aligns the County’s Zoning Ordinance with State law already in effect. Changes related to the separate sale of ADUs do not require analysis under CEQA as the transfer of ownership of these homes will not cause a direct or reasonably foreseeable indirect physical change in the environment.
2. Adopt the Form of Ordinance, Section 6156.x through 6156.x.C including Section 8900 Table AL-1.0, that addresses updates needed to comply with mandatory State law, (Attachment A, on file with the Clerk of the Board):
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE PART SIX: GENERAL REGULATIONS: ACCESSORY USE REGULATIONS Related to Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Section 6156.x (Clean Copy)
3. Adopt the Form of Ordinance, Section 6156.x.D, that allows the separate sale of ADUs, and at the Board of Supervisors’ discretion, provide direction on local eligibility programmatic options for the separate sale of ADUs in the unincorporated area, (Attachment A, on file with the Clerk of the Board):
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE PART SIX: GENERAL REGULATIONS: ACCESSORY USE REGULATIONS Related to Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Section 6156.x (Clean Copy)

EQUITY IMPACT STATEMENT

Planning & Development Services (PDS) recognizes the historic and ongoing housing inequities that affect many residents in the San Diego region, including barriers to homeownership and challenges in accessing stable, attainable housing. The ADU Ordinance Amendment Including the Separate Sale of ADUs (Amendment) supports greater housing equity in the unincorporated area by improving clarity in ADU regulations and creating new, attainable pathways to homeownership. Aligning the County’s Zoning Ordinance with recent State law reduces procedural barriers that can disproportionately affect first-time buyers and lower-income households. The local program developed under AB 1033 would allow ADUs to be sold separately as smaller, more attainable ownership units, providing opportunities for households to build equity, for seniors to age in place, and for families to remain in their communities.

SUSTAINABILITY IMPACT STATEMENT

This Amendment helps support the County’s housing goals by making it easier for residents to build and understand Accessory Dwelling Unit (ADU) regulations and by creating new opportunities for attainable homeownership. Allowing ADUs to be sold separately as smaller homes can provide more flexible housing choices for first-time homebuyers, multigenerational families, and seniors who wish to remain in their communities. The program supports sustainable growth by encouraging housing within existing neighborhoods where infrastructure, services, and transportation already exist. By keeping the process clear and voluntary the Amendment helps residents make informed housing decisions while supporting stable, long-term community living.

FISCAL IMPACT

There is no fiscal impact associated with today’s recommendation. The proposed legislative updates to the Zoning Ordinance are part of the Planning & Development Services workplan to maintain alignment with State housing laws, and can be completed with existing staff resources. There will be no net change in General Fund cost and no additional staff years required.

BUSINESS IMPACT STATEMENT

N/A

6. **SUBJECT: CALL A SPECIAL ELECTION TO LEVY SPECIAL TAX IN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 9B HARRIS ANNEX IN RANCHO SANTA FE AND RELATED CEQA EXEMPTION (DISTRICT: 3)**

OVERVIEW

A Permanent Road Division Zone (PRD Zone) is a district which provides property owners with a mechanism to pay for private road maintenance in a geographically defined area. There are 67 PRD Zones within the unincorporated county that provide maintenance of about 94 miles of roads. Permanent Road Division Zone No. 9B - Harris Annex is located within the Rancho Santa Fe community of the North County Metro Sub Region. The 1.24 miles of roads within Harris Annex require maintenance and potential repairs to ensure safe access, and the existing assessment methodology for this PRD that was established in the 1970s is insufficient to fully fund these needs now and in the future. The PRD Chair circulated and submitted an informal petition signed by PRD property owners in support of calling for an election for an increased special tax in this community. On July 2, 2025, the Department of Public Works (DPW) conducted a Community Outreach event with the residents of PRD 9B. Notice of the meeting was provided to property owners. Multiple cost proposals were presented, and the attendees were generally supportive of the idea of a special tax for this community.

Today’s request is to replace the existing assessment with a special tax determined by an Assessment Engineer to adequately fund-needed work and ensure the viability of the PRD for many years to come. Alternatively, if the existing assessment structure is maintained, limited maintenance can continue for a number of years, but new or modified funding mechanisms will need to be evaluated for long-term PRD sustainability. Per Board Policy J-16, all costs

associated with formation, administration, maintenance, improvement, and rate increases of a PRD Zone, including incidental expenses, engineering and special tax reports, shall be funded by PRD Zone revenues collected from residents through a special tax levied on County property tax bills.

Per California Proposition 218, all new special taxes imposed by a County must be approved by the impacted voters. Therefore, staff is requesting the Board call for a special tax election in Harris Annex to increase the revenue for the PRD and allow for long term maintenance of safe roads. The proposed election date is June 2, 2026. The Registrar of Voters will certify the election and present the results to the Board on July 14, 2026 from the Clerk of the Board. Staff's assessment indicates that the existing rate will provide sufficient funding to maintain the road at a Pavement Condition Index (PCI) of 50 or better for approximately five years. However, without the approval of the new special tax, available revenues will eventually become insufficient to support sustainable road maintenance, and PRD 9B will face insolvency within a few years' time. In that event, staff would reduce service levels to align with available funds and return to the Board with recommendations as needed, including a possible recommendation to dissolve the PRD and return road maintenance responsibility to the property owners.

The special tax will not be implemented unless two-thirds of the votes cast by the registered voters within the boundary of Harris Annex vote "yes" on the special tax. A "yes" vote would result in the replacement of the current assessment with a special tax determined by an Assessment Engineer to provide long-term road maintenance. The current assessment is \$73 a benefit unit, which means a single-family home pays up to \$204 per year. Under the proposed special tax, the maximum rate would be \$1,000 per year for each developed property and \$375 per year for each undeveloped property. The maximum rate will be subject to adjustment by up to 5% each year using the Los Angeles Construction Cost Index (LACCI) or a similar index should the LACCI become unavailable to account for inflation.

Today's proposed action requires two hearings. At today's hearing, the Board will be asked to make a CEQA finding, call an election, designate the Register of Voters as the election's official, and introduce an ordinance to replace the existing assessment used to fund the PRD with a special tax. At the subsequent hearing, after the election is completed, the Registrar of Voters will report on the results of the election and the Board will certify the result; and, if two-thirds voter approval was received for the special tax, adopt the ordinance introduced at the prior hearing, or, if the requisite vote was not received, take no additional action.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER
On March 4, 2026:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15061(b)(3) of the State CEQA Guidelines because the activity involves establishment of a funding mechanism with no commitment to any specific project so that it can be seen with certainty there is no possibility the action may have an impact on the environment.

2. Accept the Special Tax Report for San Diego County Countywide Permanent Road Division No. 1000, Zone No. 9B - Harris Annex on file in the Department of Public Works and available online at http://www.sandiegocounty.gov/dpw/specialdistricts/permroad/PRD_1000_Special_Tax.html.
3. Adopt the resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CALLING FOR A SPECIAL MAIL-BALLOT ELECTION WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 9B - HARRIS ANNEX, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA FOR THE PURPOSE OF IMPOSITION OF A SPECIAL TAX FOR ROAD MAINTENANCE SERVICES, which sets June 2, 2026, as the date of the election.
4. Direct the Registrar of Voters to proceed with the mail ballot election, tabulate all valid ballots received, and certify election results at the continued public meeting on July 14, 2026.
5. Approve the introduction of the Ordinance (first reading) entitled: AN ORDINANCE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIAL TAX REPORT AND LEVYING OF SPECIAL TAXES WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 9B - HARRIS ANNEX AND REPEALING ORDINANCE NO. 9246 9165 ESTABLISHING ASSESSMENTS IN THE PRD.

If on March 4, 2026, the Board takes the actions recommended in Items 1-5, then on July 14, 2026, the following recommendations will be considered:

1. Receive the election certification from the Registrar of Voters for the Special Tax Election within the boundaries of Permanent Road Division No. 1000, Zone No. 9B - Harris Annex.
2. Adopt a resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING RESULTS OF SPECIAL MAIL-BALLOT ELECTION WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 9B - HARRIS ANNEX, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA FOR THE PURPOSE OF IMPOSITION OF A SPECIAL TAX FOR ROAD MAINTENANCE SERVICES.
3. Approve Special Tax Report for San Diego County Countywide Permanent Road Division No. 1000, Zone No. 9B - Harris Annex, on file in the Special Districts office of the Department of Public Works and available online at http://www.sandiegocounty.gov/dpw/specialdistricts/permroad/PRD_1000_Special_Tax.html.

If the special tax vote passes:

4. Adopt the Ordinance entitled: AN ORDINANCE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIAL TAX REPORT AND LEVYING OF SPECIAL TAXES WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 9B - HARRIS ANNEX AND REPEALING ORDINANCE NO. 9246 9165 ESTABLISHING ASSESSMENTS IN THE PRD.

If the special tax vote fails:

5. Take no additional action. This will leave in place the existing authority allowing for the imposition of an assessment to pay for road repair and maintenance.

EQUITY IMPACT STATEMENT

Today's action continues the County of San Diego's (County) commitment to provide programs and services that enhance communities. Special taxes and assessments fund services for Permanent Road Divisions (PRDs), which support the health, safety, and economic interests of local communities by maintaining safe and reliable road infrastructure. Calling a special election to levy a special tax in PRD No. 1000, Zone No. 9B (Harris Annex in Rancho Santa Fe) will have a direct impact on residents in these communities by providing a mechanism to fully fund continued access to safe and well-maintained roads. This action promotes equity by ensuring that residents within these zones, who are directly impacted by the condition of local roads, have a fair and transparent process to participate in funding decisions that affect their daily safety, mobility, and long-term community sustainability.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports the County of San Diego's (County) Sustainability Goals to protect the health and wellbeing of residents, ensure equitable access to services, and strengthen community resilience by continuing to fund the operation, maintenance, and improvements of local roads. Well-maintained roads promote public safety, support economic sustainability by preventing more costly reconstruction in the future, and ensure reliable access for residents, emergency services, and local businesses. Maintaining roads in good condition also reduces vehicle wear, lowers greenhouse gas emissions from inefficient travel, and extends the lifespan of existing infrastructure.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2025-26 Operational Plan in the Department of Public Works. If approved, this request will result in costs and revenue of approximately \$2,500 to \$5,000 in Fiscal Year 2025-26 for a special election. The funding source is property owner-paid special taxes within Permanent Road Division (PRD) No. 1000, Zone No. 9B (Harris Annex in Rancho Santa Fe). If approved, today's action will authorize a special election allowing registered voters within the affected PRD to determine by a vote to levy special taxes to fully fund the operation and maintenance of local roads. The proposed special taxes will recover all costs associated with maintaining these facilities and the staff and engineering costs associated with today's action as required by Board Policy B-29. Accordingly, there is no projected unrecovered cost and a waiver of Board Policy B-29 is not needed. There will be no change in net General Fund cost and no additional staff years required.

BUSINESS IMPACT STATEMENT

N/A

7. SUBJECT: AUTHORIZE SUBCONTRACTOR SUBSTITUTION FOR THE CALAVO PARK PROJECT (DISTRICT: 4)

OVERVIEW

This Board Letter provides the results of a subcontractor substitution hearing convened to determine whether De la Fuente Construction (DLF), the prime contractor for the Calavo Park project under Contract No. 571951, has demonstrated adequate grounds to substitute Johnston Tractor, Inc. for the current subcontractor to carry out necessary grading work as part of the project and asks the Board to adopt the Hearing Officer's recommendation. The Hearing Officer found DLF has adequate grounds to affect the substitution. The Board of Supervisors (Board) may (1) ratify the Hearing Officer's determination and allow the substitution to proceed or (2) order a new hearing to consider the matter.

Under Public Contract Code (PCC) section 4107, when a prime contractor desires to substitute a new subcontractor to complete work initially assigned to a different subcontractor, the prime contractor must first seek the County's consent. The County is then required to inform the existing subcontractor of the request and, if the existing subcontractor objects, the County must hold a hearing to determine whether substantial evidence supports authorizing the substitution based on the criteria enumerated in PCC section 4107. After hearing evidence from both parties, the Hearing Officer makes a recommendation. Under PCC section 4114, the Board then has the option of ratifying the Hearing Officer's recommendation or ordering a new hearing to consider the matter.

The Department of Parks and Recreation informed the current subcontractor of DLF's request to substitute Johnston Tractor, Inc. for the current subcontractor on January 30, 2026. The current subcontractor objected to the substitution on February 5, 2026. A hearing on the matter was held on February 25, 2026. In Attachment A the Hearing Officer found, based on substantial evidence, the criteria under PCC section 4107(a)(3) and (7) are met and recommends approving the subcontractor substitution request.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed Board of Supervisors action is exempt from provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15378(b)(5) of the State CEQA Guidelines
2. Approve the Hearing Officer's recommendation and allow DLF to proceed with substituting Johnston Tractor, Inc. for the current subcontractor under Contract No. 571951 for the Calavo Park project.

EQUITY IMPACT STATEMENT

The recommended action replaces a subcontractor on a significant County construction project at the conclusion of an unbiased process designed to protect the due process rights of the contractors involved. This supports the efficient implementation of a County project while ensuring fairness and justice in access to County contracting opportunities.

SUSTAINABILITY IMPACT STATEMENT

N/A

FISCAL IMPACT

There is no fiscal impact associated with this recommendation. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

The recommended action replaces a subcontractor exhibiting unsatisfactory performance on a significant County construction project at the conclusion of an unbiased process designed to protect the due process rights of the contractors involved. This helps ensure a continued level playing field for contractors seeking to do business with the County.

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