

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
SPECIAL MEETING AGENDA

TUESDAY, JANUARY 14, 2025, 12:00 PM
COUNTY ADMINISTRATION CENTER
BOARD CHAMBER, ROOM 310
1600 PACIFIC HIGHWAY SAN DIEGO, CA 92101

Order Of Business

- A. Roll Call
- B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.
- C. Discussion Items

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

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 TRANSLATION ASSISTANCE:

Language translation 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

DISCUSSION ITEM

Category	#	Subject
Financial and General Government	1.	FILLING THE VACANCY OF THE FIRST DISTRICT COUNTY OF SAN DIEGO SUPERVISOR
	<u>2.</u>	<u>CLOSED SESSION</u>

1. SUBJECT: FILLING THE VACANCY OF THE FIRST DISTRICT COUNTY OF SAN DIEGO SUPERVISOR (DISTRICT: 1)

OVERVIEW

On December 20, 2024, the Board of Supervisors was notified that First District Supervisor Nora Vargas would not be assuming her next term, therefore the seat is vacant as of January 6, 2025, at 12 noon. The San Diego County Charter gives the Board of Supervisors the authority and responsibility to take action to fill the vacant position within thirty days either by appointment, by appointment until a special election, or by calling a special election. The selected Supervisor would serve the remainder of the unexpired term, with the term ending at 12 noon on Monday, January 8, 2029.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

It is recommended that the Board consider and select one of the following options:

Option 1: Fill the Vacancy of the First District Supervisor by Appointment

1. Determine that the process will be conducted in accordance with the San Diego County Charter, Section 401.4, and Board Policy A-39, "Process to Fill Vacancies on the Board of Supervisors," including the public hearing process, requirements of the applicant, the application form and the selection process.
2. Approve the application packet for the position (Attachment A).
3. Set the application period to commence at 8 a.m., Wednesday, January 15, 2025, and to close at 5 p.m., Monday, January 27, 2025.

Applications would be available from and must be returned to the Clerk of the Board of Supervisors, by the close of the filing period. In order to provide equitable access, it is recommended that the Board waive the requirement in Section 2 of Board Policy A-39 that requires applicants to personally appear to obtain the application forms and allow applicants to access the application forms online. However, applications must be submitted in person, fully completed with the required attachments, for acceptance by the Clerk of the Board of Supervisors.

4. Set a Special Meeting on Wednesday, January 29, 2025, at 2 p.m., as the first hearing on all applicants and select up to five finalists.
5. Set a Special Meeting on Tuesday, February 4, 2025, at 2 p.m., as the second hearing to consider finalists and appoint a First District Supervisor. The appointed Supervisor would be sworn in on Wednesday, February 5, 2025.

Option 2: Fill the Vacancy of the First District Supervisor by Calling a Special Election

1. Adopt the resolution (Attachment B) that calls for a Special Election to be held on Tuesday, April 8, 2025. If no candidate receives a majority vote at that election, then a Special General Election would be held on Tuesday, July 1, 2025.

2. Determine the method to conduct the Special Election(s):
 - a. Conduct the special primary election or the special general election, or both, to be conducted wholly by mail, or
 - b. Utilize the existing method of conducting elections (i.e. Vote Center model).

Option 3: Fill the Vacancy of the First District Supervisor by Appointing a Supervisor Until the Qualification of a Successor Elected at a Special Election

1. Determine that the process will be conducted in accordance with the San Diego County Charter, Section 401.4, and Board Policy A-39, "Process to Fill Vacancies on the Board of Supervisors," including the public hearing process, requirements of the applicant, the application form and the selection process.
2. Approve the application packet for the position (Attachment A).
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4. Set a Special Meeting on Wednesday, January 29, 2025, at 2 p.m., as the first hearing on all applicants and select up to five finalists.
5. Set a Special Meeting on Tuesday, February 4, 2025, at 2 p.m., as the second hearing to consider finalists and appoint a First District Supervisor. The appointed Supervisor would be sworn in on Wednesday, February 5, 2025 and serve until the qualification of a successor elected at the Special Election.
6. Adopt the resolution (Attachment B) that calls for a Special Election to be held on Tuesday, April 8, 2025. If no candidate receives a majority vote at that election, then a Special General Election would be held on Tuesday, July 1, 2025.
7. Determine the method to conduct the Special Election(s):
 - a. Conduct the special primary election or the special general election, or both, to be conducted wholly by mail, or
 - b. Utilize the existing method of conducting elections (i.e. Vote Center model).

EQUITY IMPACT STATEMENT

Today's proposed action seeks to outline the process for filling the vacancy of the First District Supervisor. Depending on the process chosen by the Board, there will be several opportunities for community engagement via public comment beginning with today's public meeting and during future public meetings or through a Special Election.

SUSTAINABILITY IMPACT STATEMENT

The information presented in this report contributes to the County’s efforts to engage the community in meaningful ways and promote an environment that provides equitable access to opportunities for public engagement and representation. These efforts will contribute to the County of San Diego Sustainability Goal No. 1 by “encourag[ing] people and diverse stakeholders to partner and participate in decisions that impact their lives and communities.”

FISCAL IMPACT

There is no fiscal impact associated with the Board’s choice to fill the First Supervisorial District vacancy by appointment. There would be no change in net General Fund cost and no additional staff years.

Funds for special election(s) to fill the vacancy are not included in the Fiscal Year 2024-25 Operational Plan in the Registrar of Voters. If the Board chooses to call a special election to fill the vacancy, anticipated costs could range from \$2.0 million to \$3.3 million per election, for a total cost range of \$4.0 million to \$6.6 million if both a primary and general special election are required. Total costs will depend upon whether the Board chooses a Vote Center model (ranging from \$2.9 million to \$3.3 million per election) or all vote-by-mail election (ranging from \$2.0 million to \$2.4 million per election).

Based on the action taken today, staff will return to the Board to establish appropriations in the Registrar of Voters. The appropriations may be funded by one-time General Purpose Revenue allocated for Appropriation for Contingency pursuant to Government Code §29084. Transfers and revisions to the appropriation for contingencies may be made by formal action of the Board of Supervisors, by a four-fifths vote (Government Code §29125).

BUSINESS IMPACT STATEMENT

N/A

2. SUBJECT: CLOSED SESSION (DISTRICT: 1)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of
Government Code section 54956.9: (Number of Cases – 1)

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