

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, AUGUST 17, 2022, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. REGULAR SESSION: Meeting was called to order at 9:00 a.m.

PRESENT: Supervisors Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson; Terra Lawson-Remer; Jim Desmond; also, Ryan Sharp, Assistant Clerk of the Board of Supervisors.

(Members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present, pursuant to Resolution No. 22-115, adopted July 20, 2022.)

- B. Closed Session Report
- C. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Consent Calendar
- E. Discussion Items

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

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|--|
| 1. | ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE REPAIR AND EXTENSION OF A CULVERT ON MADRID WAY IN SPRING VALLEY
[FUNDING SOURCE: ROAD FUND FUND BALANCE] |
| 2. | ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THREE TRAFFIC SIGNALS IN THE UNINCORPORATED COUNTY AREAS
[FUNDING SOURCE: EXISTING PRIOR YEAR AVAILABLE GENERAL FUND FUND BALANCE AND ROAD FUND FUND BALANCE] |

3. LINDO LAKE IMPROVEMENTS PROJECT - AUTHORIZE CHANGE ORDER FOR PHASE 1 AND ESTABLISH AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR PHASE 2 [FUNDING SOURCE: PRIOR YEAR'S GENERAL FUND BALANCE; STATE OF CALIFORNIA SAN DIEGO RIVER CONSERVANCY GRANT; PRIOR YEARS UNASSIGNED GENERAL FUND FUND BALANCE; EXISTING GENERAL-PURPOSE REVENUE] (4 VOTES)
4. ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE CALIFORNIA NATURAL RESOURCES AGENCY URBAN GREENING PROGRAM
5. GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE PORTIONS OF OTAY MESA ROAD, AND AN IRREVOCABLE OFFER OF DEDICATION FOR PORTIONS OF ALTA ROAD, LONE STAR ROAD, AND AN UNNAMED ROAD IN THE EAST OTAY MESA COMMUNITY PLAN AREA (VACATION NO. 2022-0011) [FUNDING SOURCE: DEPOSIT FROM THE APPLICANT]
6. ADOPT RESOLUTION AUTHORIZING APPLICATION FOR THE SUSTAINABLE AGRICULTURAL CONSERVATION LANDS PROGRAM PLANNING GRANT PROMOTING AGRICULTURAL SUSTAINABILITY
7. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ORDINANCE AMENDMENTS TO THE GRADING, CLEARING AND WATERCOURSES ORDINANCE TO STREAMLINE THE AGRICULTURAL CLEARING PERMIT PROCESS
[FUNDING SOURCE: PRIOR YEAR GENERAL FUND FUND BALANCE]
8. TRAFFIC ADVISORY COMMITTEE (08/17/2022 - ADOPT RECOMMENDATIONS; 08/31/2022 - SECOND READING OF AN ORDINANCE)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT]
9. COMMUNITY IDENTIFICATION SIGNAGE PROGRAM IN THE PUBLIC RIGHT-OF-WAY
10. PUBLIC COMMUNICATION

1. SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE REPAIR AND EXTENSION OF A CULVERT ON MADRID WAY IN SPRING VALLEY (DISTRICT: 4)

OVERVIEW

The County of San Diego's (County) Department of Public Works (DPW) maintains over 18,000 drainage culverts in the unincorporated region. Drainage culverts are buried structures, typically constructed of concrete or metal pipe, that channel water away from structures, such as buildings and roadways. They enhance safety for motorists and protect the County's transportation system from deterioration and costly future repairs. During a DPW Field inspection, staff determined that the existing metal culvert located on Madrid Way in Spring Valley is blocked by concrete, soil, rock, debris, and other materials. Due to corrosion, the culvert is no longer functioning as designed. The blockage can cause flooding on Madrid Way and at the adjacent residence during storm events. Based on inspections and a preliminary engineering evaluation, DPW has determined that this culvert cannot be cleared due to the poor condition of the culvert and must be replaced to remedy the existing wet weather flooding condition. This project will replace the existing culvert through open excavation to mitigate the blockage, add an additional stormwater inlet to capture runoff, and extend the underground culvert pipe to the rear of the residence located on Madrid Way. DPW has included the impacted residential property owner in the design process and has received their concurrence and support for this project as designed.

This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the repair and extension of a drainage culvert on Madrid Way in Spring Valley. If approved, construction will be scheduled to begin in fall 2022 and be complete by the end of 2022. The construction cost is estimated at \$325,000, including a 20% contingency based on risk evaluations for unforeseen conditions during construction, and the funding source is Road Fund fund balance.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

EQUITY IMPACT STATEMENT

As part of the culvert evaluation that was conducted, the Department of Public Works identified that this culvert is within an underserved community, as defined in the combined CalEnviroScreen and Healthy Places Index GIS layer. The proposed improvements will provide significant benefits to the residents in this community that routinely utilize Madrid Way to access their homes, neighborhood schools, businesses, and other facilities in this community.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, construction costs are estimated at \$325,000, including a 20% contingency. The funding source is Road Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

County construction contracts are competitively and publicly bid and help stimulate the local economy by creating primarily construction-related employment opportunities. All workers employed on public works projects must be paid prevailing wages determined by the California Department of Industrial Relations, according to the type of work and location of the project. The prevailing wage rates are usually based on rates specified in collective bargaining agreements.

ACTION:

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

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

2. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THREE TRAFFIC SIGNALS IN THE UNINCORPORATED COUNTY AREAS (DISTRICTS: 4 & 5)**

OVERVIEW

The Traffic Advisory Committee (TAC) is part of the Department of Public Works (DPW) traffic engineering program. TAC was established by the Board of Supervisors (Board) in the 1960s to provide traffic regulations and recommendations within the unincorporated areas of the county. Upon receipt of a request or recommendation for a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item, including engineering and traffic condition studies. TAC recommendations are provided to the Board for consideration. The Board then makes the final decision as to what action will be taken, such as traffic signals.

County staff conducts an annual review of road segments and intersections that do not currently have traffic signals. The TAC evaluates the intersections and provides recommendations to the Board based on increased traffic volumes and traffic accident data, input from DPW staff, and the support of the associated Community Planning and Sponsor Groups. If the Board approves recommendations, intersections are added to the Department of Public Works (DPW) Traffic Signal Priority List (Priority List). The Priority List is reevaluated annually, and projects are implemented as funding is identified. The following three intersections were approved by the Board on the dates shown below.

1. Discovery Street & San Pablo Drive, Lake San Marcos (District 5) - August 8, 2012
(14)
2. Brabham Street & Hillsdale Middle School, Valle de Oro (District 4) - August 2, 2017
(02)
3. Valley Center Road & Ridge Ranch Road, Valley Center (District 5) - June 6, 2020
(09)

The three intersections were identified by DPW staff based on community concerns and service requests from constituents, along with input from neighboring schools and Community Planning and Sponsor Groups. The prioritization method for traffic signals considers collision severity, collision frequency, traffic volumes, pedestrian activity, data from CalEnviroScreen 3.0 and the Healthy Places Index, which includes numerous socioeconomic factors to ensure that underserved communities receive equitable consideration.

Discovery Street & San Pablo Drive is directly adjacent to Valley Christian School and Brabham Street intersects with Hillsdale Middle School. The safety of the school crossings would be improved by the installation of these traffic signals. These traffic signals were prioritized based on traffic volumes, correctable collisions, the presence of pedestrians, and close proximity to schools and school bus stops.

Funding for the three intersections has been identified through the current Road Fund fund balance for roadway construction projects. The Project designs for the three intersections are complete, and the Project is now ready to be advertised for construction. The three identified intersections being considered today are collectively referred to as the 2022 Three Traffic Signals Project (Project) and all are on the Priority List.

This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Project. If approved, construction would be scheduled to begin in early 2023 and be complete by the end of 2023. The construction cost for the three intersections is estimated at \$3,020,000, which includes a 20% contingency, based on risk evaluations for unforeseen conditions during construction. The funding source is the existing prior year available General Fund fund balance (\$1,060,000) and Road Fund fund balance (\$1,960,000).

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the 2022 Three Traffic Signals Project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of existing public roads involving negligible or no expansion of existing or former use.
2. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401, et seq. of the Administrative Code, with respect to contracting for the 2022 Three Traffic Signals Project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.
4. Adopt the following resolution: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 303 RELATING TO THE ESTABLISHMENT OF SIGNALIZED INTERSECTIONS IN THE COUNTY OF SAN DIEGO.

EQUITY IMPACT STATEMENT

DPW conducts routine inspections of facilities and roadways and relies on various community engagement methods such as the Tell Us Now! mobile app and toll-free hotlines to intake reports of safety concerns. To ensure that underserved populations are prioritized, DPW evaluates and identifies vulnerable populations, using data from the Healthy Places Index (HPI), CalEnviroScreen, San Diego Live Well communities, Environmental Justice Communities, and other County data sources during the review of traffic signals, roadways, and street crossings. The review of traffic signals, roadways, and street crossings supports vehicle and pedestrian safety on all County-maintained roads.

Constructing of the traffic signals located across the school driveways will create a safer environment for residents, school students, and pedestrian traffic. The traffic signals and related improvements such as crosswalks and pedestrian ramps improve access for a variety of residents, including persons with disabilities and children.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, construction costs are estimated at \$3,020,000 for the 2022 Three Traffic Signals Project, including a 20% contingency for unforeseen conditions that may arise during construction. The funding source is the existing prior year available General Fund fund balance (\$1,060,000) and Road Fund fund balance (\$1,960,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

County construction contracts are competitively and publicly bid and help stimulate the local economy by creating primarily construction related employment opportunities. All workers employed on public works projects must be paid prevailing wages determined by the California Department of Industrial Relations, according to the type of work and location of the project. The prevailing wage rates are usually based on rates specified in collective bargaining agreements.

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-121, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 303 RELATING TO THE ESTABLISHMENT OF SIGNALIZED INTERSECTIONS IN THE COUNTY OF SAN DIEGO.

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

3. **SUBJECT: LINDO LAKE IMPROVEMENTS PROJECT - AUTHORIZE CHANGE ORDER FOR PHASE 1 AND ESTABLISH AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR PHASE 2 (DISTRICT: 2)**

OVERVIEW

The Department of Parks and Recreation (DPR) operates the 55-acre Lindo Lake County Park located in the community of Lakeside. The park features the Lakeside Community Center and Teen Center, active and passive recreation, and a historic boat house, all of which surround Lindo Lake, the only natural lake in the county.

The Lakeside community's nature and recreation opportunities and the ecosystems of local and migratory wildlife depend on the health of Lindo Lake. When a dam was created on Lake Jennings in the 1960s, it cut off Lindo Lake's natural water supply and impacted its water levels and water quality. For these reasons, the restoration of Lindo Lake and the surrounding habitat is critical for the community and the natural systems in the region.

On May 1, 2019 (13), the Board of Supervisors authorized the Director, Department of Purchasing and Contracting to advertise and award a construction contract for the first of two phases, for the Lindo Lake Improvements project. As the result of competitive procurement, Granite Construction Company was awarded an \$8,830,830 contract to construct Phase 1 which included restoration of the east basin of Lindo Lake, which has been completed.

The restoration of Lindo Lake includes the installation of a natural bentonite clay liner on the lakebed to prevent water loss. During Phase 1 construction, it was discovered that the quantity of bentonite required to complete the project was greater than the approximate quantity in the Bid Schedule. The quantity of additional bentonite required, which is measured by weight, was a result of three circumstances - 1) the area of the east basin requiring bentonite increased, 2) the required thickness of the bentonite application increased, and 3) the form of bentonite required was heavier than anticipated. The cost for the additional bentonite required is \$700,206.67. Board approval is requested to authorize the execution of the change order for the additional bentonite.

Phase 2 restoration of the west basin, like work completed for the east basin, will remove years of sediment, increase the depth of the basin, install a natural bentonite clay liner on the lakebed to reduce water loss, and restore terrestrial and aquatic habitat. Amenities in Phase 2 include a fishing pier, walking paths, and a pedestrian bridge from the community center to the historic boat house. The new bridge will meet accessibility regulations per the Americans with Disabilities Act (ADA).

Today's requests will authorize the Director of the Department of Purchasing and Contracting to execute a change order in the amount of \$700,206.67 to the existing construction contract with Granite Construction Company to compensate for the additional bentonite required for Phase 1 of the project. This change order would be paid from currently available Phase 1 construction contingency funds.

Today's requests will also authorize the Director of the Department of Purchasing and Contracting to advertise and award a construction contract for Phase 2 of the project estimated at \$15,100,000 including contingency. The remaining project funds of \$400,000 will be used for project-related expenses including inspections, testing, construction management, and project administration. The total cost for construction of the Lindo Lake Improvements Phase 2 project of \$15,500,000 was included in the Fiscal Year 2022-2023 Operational Plan based on General Fund balance. If approved, project construction will begin in fall 2022 with completion anticipated in summer 2024.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Supplemental Environmental Impact Report (SEIR) on file with the Department of Parks and Recreation for the Lindo Lake Restoration Project, dated May 1, 2019, State Clearinghouse #1990010240, was completed in compliance with California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, and that the Board of Supervisors has reviewed and considered the information contained therein before approving the project; and

Find on the basis of substantial evidence in the record before the Board that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified SEIR, dated May 1, 2019, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since said SEIR was certified as explained in the July 2022 Environmental Review Update Checklist.

2. Authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of fair and reasonable price, to execute a change order to Contract Number 563307 with Granite Construction Company for the construction of Phase 1 of the Lindo Lake Improvements project in the amount of \$700,206.67 included in project funds appropriated to the project in Fiscal Years 2018-19 and 2020-21 Operational Plan General Fund Fund Balance. **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code and Public Contract Code section 22160-22169, with respect to contracting for construction of Phase 2 of the Lindo Lake Improvements project.
4. Designate the Director, Department of Parks and Recreation (DPR), as the County of San Diego Officer responsible for administering the construction contract for Phase 2 of the Lindo Lake Improvements project in accordance with Section 430.4 of the County Code of Administrative Ordinance and Board Policy F-41, Public Works Construction Projects.

EQUITY IMPACT STATEMENT

The Lindo Lake Improvements project, located in the underserved community of Lakeside, will result in a positive community health impact for all residents. The proposed project will expand nature and recreation opportunities in an area that does not currently have sufficient access to such.

Based on the available data from California State Parks' Parks for All Californians Community Fact Finder Report and the American Community Survey 5-year estimates, 11 percent of the residents within a half-mile radius of the Lindo Lake Improvements project live below the poverty level and within a disadvantaged and severely disadvantaged community. The habitat restoration and recreation opportunities at Lindo Lake County Park would increase accessibility for these individuals by providing a venue to enjoy nature, exercise and improve health outcomes. The project would attract residents to spend time near the lake to access nature as well as the proposed recreational amenities.

According to the available data from California State Parks' Parks for All Californians Community Fact Finder Report and the American Community Survey 5-year estimates, 135 households within a half-mile radius of Lindo Lake County Park do not have access to a vehicle. The Lindo Lake Improvements project will create improved opportunities for the nearly 6,000 community members who live within a half-mile radius of the park to enjoy nature, gather, walk, fish, and observe wildlife without relying on a vehicle. The completion of the restoration of Lindo Lake and the addition of proposed recreation amenities will provide new opportunities to build connections for residents of all ages, backgrounds, and abilities.

FISCAL IMPACT

Funds for the request to authorize a change order in the amount of \$700,206.67 for Phase 1 are included in construction funds appropriated to Phase 1 of the Lindo Lake Improvements Capital Project 1019565 starting in Fiscal Year 2015-16 through 2021-22 Operational Plan in the Capital Outlay Fund. Total Phase 1 Project costs are \$12,225,000. Construction costs of

Phase 1 of the Lindo Lake Improvements project are estimated at \$9,900,000, including the requested approval for the \$700,206.67 change order. Remaining funds of \$2,325,000 is for design, environmental, permitting and project contingency and administration. The funding sources are prior year's General Fund fund balance and State of California San Diego River Conservancy grant. There will be no change in net General Fund cost and no additional staff years.

Funds for the request to authorize the advertisement and award of a construction contract for Phase 2 are included in the FY 2022-23 Operational Plan in the Capital Outlay Fund and will result in total costs of \$15,500,000 for Capital Project 1025566 Lindo Lake Improvements – Phase 2. Construction costs are estimated at \$15,100,000 including contingency. Remaining funds of \$400,000 will be used for related project expenses, including inspections, testing, construction management, and project administration. The funding source is prior year's unassigned General Fund fund balance.

Upon completion of this project, the ongoing cost for operations are estimated at \$445,342 annually, which will include staffing, utility costs, maintenance supplies and services. Operating costs for Phase I are \$197,912 for two staff and operating and maintenance costs and are included in the Fiscal Year 2022-23 Operational Plan. The funding source is existing General Purpose Revenue. Operating costs for Phase II are estimated at \$247,430 and requests for staffing and funding will be included in future Operational Plans when the project is completed in FY 2024-25.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

4. **SUBJECT: ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE CALIFORNIA NATURAL RESOURCES AGENCY URBAN GREENING PROGRAM (DISTRICT: 1)**

OVERVIEW

On September 14, 2016, Senate Bill 859 created the California Natural Resources Agency's (CNRA) Urban Greening Program to support the development of green infrastructure projects. In 2021, Senate Bill (SB) 170 allocated \$50,000,000 from the State General Fund to the CNRA Agency for its Urban Greening Program for projects that reduce greenhouse gas (GHG) emissions and provide multiple benefits such as reducing energy demand and promoting resource efficiencies. The competitive CNRA Urban Greening Program has made \$47,500,000 available for projects, across the state, that acquire, create, or expand community

parks and green spaces, and/or use natural systems to provide environmental and social benefits in the State's disadvantaged or low-income communities. Last year, the Department of Parks and Recreation (DPR) was awarded \$1,000,000 from the CNRA for the construction of Village View local park located in the community of Fallbrook.

DPR analyzed 89 park projects using the Capital Investment Model and California Communities Environmental Health Screening Tool (CalEnviroScreen 4.0) to determine the eligibility of funding based on the grant requirements. Out of the projects analyzed, DPR determined that the Tijuana River Valley Regional Park (TRVRP) Active Recreation and Community Park is the most competitive project for the CNRA Urban Greening Program grant within our portfolio. The TRVRP Active Recreation and Community Park is located in the northeast section of the 1,800-acre regional park, immediately adjacent to the Nestor community in the City of San Diego. The project meets the requirements of the grant by creating a new 64-acre community park and green space adjacent to a disadvantaged community, as defined in CalEnviroScreen 4.0. The park project is in the initial phases of design and the amenities will be determined throughout the public outreach and design process. DPR envisions that the park project will bring local and community active recreation amenities to the established regional park.

This request is to adopt a resolution authorizing DPR to apply for and accept up to \$11,630,300 from the Urban Greening Program administered by the California Natural Resources Agency for the Tijuana River Valley Regional Park Active Recreation and Community Park. The total estimated cost of the project is \$37,764,603 and it is currently scheduled in CINA 2023-24 for design and CINA 2025-26 for construction. Additionally, this request will authorize the Director, DPR, or designee, to conduct all negotiations and to execute and submit all documents that may be necessary to apply for and accept the grant funds.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines
2. Adopt a resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS APPROVING THE APPLICATION FOR GRANT FUNDS FOR URBAN GREENING PROGRAM.
3. Authorize the Director, Department of Parks and Recreation, or designee, as agent of the County, to conduct all negotiations and submit all documents including, but not limited to, applications, contracts, payment requests and to execute the grant agreements, including any extensions or amendments thereof that do not materially impact or alter the grant program or funding levels.

EQUITY IMPACT STATEMENT

The park project will serve the community of Nestor in the incorporated area of the City of San Diego. The new community park will be in the Tijuana River Valley and will provide new opportunities to engage in recreation activities that promote healthy, active living and reduce the risk of chronic disease and stress. The proposed project will expand active recreation opportunities in an area that does not currently have sufficient access to such programming. The project meets the grant requirements by creating a new 64-acre community park and green space adjacent to a disadvantaged community, as defined in the CalEnviroScreen 4.0.

At present, 40% of residents in this region are more than a 10-minute walk, 20-minute bike ride, or 30-minute transit trip to a park per the City of San Diego's 2021 Parks Master Plan. While the park is operated by the County of San Diego, it is located within the City of San Diego. The park project will serve all residents of the region, and the local park amenities will be designed to serve the immediately surrounding neighborhood of Tijuana River Valley and Nestor, both of which are part of the City of San Diego. The addition of active recreation programming will increase access to recreation for residents of the Tijuana River Valley and will expand opportunities to recreate and experience nature closer to home, work, or school. It will also create an intergenerational hub and shared gathering space for friends, families, and neighbors to come and build a community.

FISCAL IMPACT

If approved, today's actions would authorize the submittal of one application for grant funds up to \$11,630,300 for the Urban Greening Program. There are no matching funds required for this grant.

The Board approved a waiver of Board Policy B-29 for LUEG grants on June 24, 2020 (12), therefore a waiver is not requested as part of this action. The Department of Parks and Recreation (DPR) will return to the Board of Supervisors to establish the necessary appropriations for construction not covered by grant funds in FY 2025-26. The amount needed for construction is currently estimated at \$37,764,603. The park is projected to open in FY 2026-27. DPR will return to the Board during the advertise and award phase to request any additions to operations and maintenance costs that are determined to be necessary during the design phase of the project. If a grant is awarded, any unrecovered cost per Board Policy B-29 would be funded by available prior year General Fund fund balance.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-122, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS APPROVING THE APPLICATION FOR GRANT FUNDS FOR URBAN GREENING PROGRAM.

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

5. SUBJECT: GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE PORTIONS OF OTAY MESA ROAD, AND AN IRREVOCABLE OFFER OF DEDICATION FOR PORTIONS OF ALTA ROAD, LONE STAR ROAD, AND AN UNNAMED ROAD IN THE EAST OTAY MESA COMMUNITY PLAN AREA (VACATION NO. 2022-0011) (DISTRICT: 1)

OVERVIEW

The Asset Management Division of the Department of General Services is processing a request to summarily vacate a portion of Otay Mesa Road, and an Irrevocable Offer of Dedication (IOD) for portions of Alta Road and Lone Star Road, which are all county-maintained roadways; and an IOD for an unnamed local industrial road that has not been constructed. A summary vacation is a streamlined process by which a public road, offer of dedication for a public road, or public service easement is abandoned through one action where public noticing is not required. A summary vacation may be requested by the public if the easement interests are found to be excess to County of San Diego (County) needs and are not required for the purposes for which they were obtained. In many cases, vacating a public road, an offer of dedication for a public road, or a public service easement can be a public benefit through improved use of the land made available by the vacation.

The applicant has requested to vacate two portions of the northerly side of Otay Mesa Road, and an IOD for portions of the west side of Alta Road, the south side of Lone Star Road, and the east side of an unnamed local industrial road that encumber their property. The property is located in an industrial area at the northwest corner of Otay Mesa Road and Alta Road, within the East Otay Mesa Community Plan Area in the unincorporated community of East Otay Mesa. The vacated areas are excess because the remaining roadways will be in accordance with the Mobility Element per the General Plan. This vacation will allow the owner to expand industrial development where the site is zoned for heavy industrial uses such as manufacturing operations, wholesale storage and distribution manufacturing, salvage yards and outdoor storage.

Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate two portions of Otay Mesa Road, and an IOD for portions of Alta Road, Lone Star Road, and an unnamed road, which are excess right-of-way not required for street or highway purposes.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed vacation is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacation of a public right-of-way easement that is not needed for public road purposes and will not have a reasonably foreseeable direct or indirect effect on the environment and is therefore not a project subject to CEQA as defined in section 15378.

2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE PORTIONS OF OTAY MESA ROAD, AND AN IRREVOCABLE OFFER OF DEDICATION FOR PORTIONS OF ALTA ROAD, LONE STAR ROAD, AND AN UNNAMED ROAD IN THE EAST OTAY MESA COMMUNITY PLAN AREA (VACATION NO. 2022-0011).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2022-0011 pursuant to State of California Streets and Highways Code Section 8336.

EQUITY IMPACT STATEMENT

The removal of encumbrances from private lands that are no longer needed for public road purposes will provide an overall public benefit and improve use of the land made available by the vacation. The proposed summary vacation is located in an industrial area and will allow parcel owners that were impacted by the encumbrances to better use their property. The existing surrounding road system will continue to provide adequate access for all properties located near the proposed vacation and the summary vacation would not preclude future development.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$4,000 to process the proposed summary vacation. The funding source is a deposit from the applicant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-123, entitled: RESOLUTION TO SUMMARILY VACATE PORTIONS OF OTAY MESA ROAD, AND AN IRREVOCABLE OFFER OF DEDICATION FOR PORTIONS OF ALTA ROAD, LONE STAR ROAD, AND AN UNNAMED ROAD IN THE EAST OTAY MESA COMMUNITY PLAN AREA (VACATION NO. 2022-0011).

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

6. **SUBJECT: ADOPT RESOLUTION AUTHORIZING APPLICATION FOR THE SUSTAINABLE AGRICULTURAL CONSERVATION LANDS PROGRAM PLANNING GRANT PROMOTING AGRICULTURAL SUSTAINABILITY (DISTRICTS: ALL)**

OVERVIEW

Declining agricultural trends in San Diego County, if not carefully addressed, will continue to negatively impact our local farming communities, our rural economies, and the larger San

Diego region as a whole. Not only is agriculture a major economic driver for the region, but it is also at the cornerstone of modern civilization, having ushered us into a world where food supplies and other farmed goods necessary for our survival are more plentiful and widely available. However, with ever-shifting political priorities, local impacts from climate change, and a host of other challenges, farmers in our region are increasingly at risk of going out of business. For example, the Fallbrook region, known as the “avocado capital of the world,” has experienced a loss of nearly 20% of its avocado groves in the past few years, suggesting that growing avocados is becoming economically infeasible for many of our local farmers.

Conventional wisdom is that rising costs of water, compounding governmental regulations, and urban interface issues including competition for housing and other non-agricultural land uses are leading to more urban landscapes within the rural communities, causing lands previously used for agricultural purposes to be developed for other commercial or residential uses. The root cause is likely a combination of all these factors and possibly others. In order to deliver meaningful and impactful solutions for our struggling farming communities, particularly small farms, it is critical to identify the true underlying causes specific to the San Diego region. Working to support a prosperous and resilient agricultural industry in the region will require technologies and practices that build on agro-ecological knowledge, that enable farmers to more easily navigate the rules and regulations, and help small farms counter environmental degradation and adapt to climate change in ways that maintain sustainable agricultural growth without exhausting resources such as money, seeds, and livestock.

In this spirit, my office has been working with the San Diego County Local Agency Formation Commission (LAFCO) and the County’s Department of Planning & Development Services (PDS) to partner together on a Sustainable Agricultural Lands Conservation Program (SALC) Planning Grant application. PDS oversees various programs to support agriculture and further sustainability, such as the Purchase of Agricultural Conservation Easements program and the Climate Action Plan. Additional agency partners such as the County’s Department of Agriculture, Weights and Measures and the University of California Cooperative Extension will also be engaged to provide technical support and input on this grant.

If successful, up to \$450,000 in grant funds would be made available to LAFCO and PDS to jointly analyze the present and emerging market conditions in our local agriculture industry and identify best practices for local governments to better support the economic sustainability of farming in the region. The proposed planning grant intends to generate reliable and timely market information and best practice data to support and sustain agriculture in San Diego County, focusing on aiding small farms that otherwise have limited capacity to perform this type of analysis or access resources. The best practices information will help to identify incentives, technical support, regulatory streamlining, and other mechanisms that may be employed by local governments or other partners to help increase the economic sustainability of small farms in the region. Mechanisms to be considered for farmers in San Diego County will be driven by best practice research and stakeholder input. These may include, but are not limited to, carbon sequestration projects, technical or other support identifying viable crop types for the future, and/or incentives to increase the environmental sustainability of agriculture with a net financial benefit.

Today's action is a request for the Board of Supervisors (Board) to adopt a resolution authorizing PDS to apply for and accept grant funds for the Round 8 SALC Planning Grant. It will also authorize the Director, Department of Planning & Development Services, to conduct all negotiations and to execute and submit all documents that may be necessary to apply for and accept these grant funds. If grant funds are awarded, PDS will return to the Board to request appropriations as needed.

RECOMMENDATION(S)
SUPERVISOR JIM DESMOND

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING DIRECTOR, PLANNING & DEVELOPMENT SERVICES, TO APPLY FOR THE SUSTAINABLE AGRICULTURAL CONSERVATION LANDS PROGRAM PLANNING GRANT (Attachment A).
3. Authorize the Director, Planning & Development Services, or their designee, as agent of the County of San Diego to conduct all negotiations and submit all documents necessary to apply for and accept grant funds, if awarded, including but not limited to, applications, grant agreements, payment requests, and if funds are awarded, to execute the grant agreements, including any extensions or amendments thereof that do not materially impact or alter the grant programs or funding levels pertaining to the ROUND 8 CALIFORNIA SUSTAINABLE AGRICULTURAL LANDS CONSERVATION PROGRAM.
4. Authorize the Director, Planning & Development Services, or their designee, as agent of the County of San Diego to enter into an agreement with LAFCO to define implementing duties and responsibilities should the grant proposal receive approval.
5. If funds are ultimately awarded, direct the Director, Planning & Development Services, or their designee, to provide to the Board of Supervisors in as timely a manner possible a report that will present the results of the grant analysis, including key issues and challenges realized by small farms in the region, present and emerging market conditions in our local agriculture industry, and best practices on how to address the key issues contributing to declining agricultural trends in San Diego County.

EQUITY IMPACT STATEMENT

Funding made available through the SALC Planning Grant would support more economically sustainable agriculture in San Diego County, with an emphasis on supporting our small farms. Market and best practices information will aid current and prospective farmers and local governments in making informed decisions in the shared interest of sustainable and prosperous agriculture. It is anticipated that the requested action and future implementation of the SALC Planning Grant will have a positive impact on all residents and visitors by protecting and

promoting sustainable agricultural lands, helping to foster a healthy natural environment for the region. The market study will produce data that may be used to create a more resilient agricultural industry and contribute to the region's ongoing food security, along with identifying opportunities and resources for current and future farmers.

FISCAL IMPACT

There is no fiscal impact associated with today's proposed action. If approved, the Department of Planning & Development Services (PDS) will submit grant applications to the California Department of Conservation for Sustainable Agricultural Lands Conservation Program (SALC), for a total of \$450,000 for the continued support of small farms.

The Board approved a waiver of Board Policy B-29 to issue an exception for approval of non-reimbursed costs for LUEG grants on June 24, 2020 (12), therefore a waiver is not requested as part of this action. If a grant is awarded, any unrecovered cost per Board Policy B-29 would be funded by existing General-Purpose Revenue in Planning & Development Services and San Diego County Local Agency Formation Commission (LAFCO) funding as determined by the nature of the project(s) or program(s).

The SALC grant is competitive; therefore, it is unknown if grant funding will be awarded or the final amount of the award. The SALC grant program requires an in-kind funding match. If awarded, in-kind matching funds of \$50,000 will be provided in Fiscal Year 2022-23 by PDS staff hours (\$25,000) funded by existing General-Purpose Revenue and San Diego County LAFCO (\$25,000) funded by San Diego County LAFCO. If approved and grant funds are awarded, PDS will return to the Board to request appropriation of funds as necessary.

There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-124, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING DIRECTOR, PLANNING & DEVELOPMENT SERVICES, TO APPLY FOR THE SUSTAINABLE AGRICULTURAL CONSERVATION LANDS PROGRAM PLANNING GRANT.

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

7. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ORDINANCE AMENDMENTS TO THE GRADING, CLEARING AND
WATERCOURSES ORDINANCE TO STREAMLINE THE
AGRICULTURAL CLEARING PERMIT PROCESS (DISTRICTS: ALL)**

OVERVIEW

On June 29, 2022 (10), the Board of Supervisors took action to further consider and adopt the Ordinance on August 17, 2022.

On October 10, 2018 (2), as part of the Options to Improve Housing Affordability in the Unincorporated Area, the Board of Supervisors (Board) directed staff to streamline grading permits related to housing and additionally to update the Grading, Clearing and Watercourses Ordinance (Ordinance) to decrease time and costs associated with processing Agricultural Clearing permits. Agricultural clearing is when natural vegetation is removed from land to allow for agricultural use, such as planting of crops for cultivation. Farmers are required to apply for Agricultural Clearing permits prior to the clearing of vegetation from their land, and the permits are subject to environmental review. The Board directed staff to comprehensively update the Ordinance in two phases. The first phase was to update the Ordinance for common projects like clearing associated with the installation of a groundwater well or landscaping, followed by a comprehensive update to all the grading standards.

In response to Board direction, staff reviewed other jurisdictions' practices, legal requirements, stakeholder comments, and fiscal implications of various approaches to streamline the Agricultural Clearing process. On May 19, 2021 (6), staff presented to the Board a three-part approach to streamline the process for Agricultural Clearing Permits and address stakeholder comments that revised the options previously directed in 2018. The Board directed staff to amend the Agricultural Clearing Permits Process pursuant to Board Direction on October 10, 2018, selecting Option 1A - Direct staff to pursue a two-part agricultural clearing ordinance update approach. This approach, referred to as the Ordinance Update for Agricultural Clearing, includes (Part I) consolidating the agricultural regulations into a single chapter within the Ordinance and adding clarifying language and missing definitions, and (Part II) exploring agricultural permit streamlining in conjunction with the draft North County Multiple Species Conservation Plan (North County Plan) currently underway and the future draft East County Multiple Species Conservation Plan (East County Plan), which is expected to move forward after the North County Plan is complete. The Multiple Species Conservation Plan (MSCP) provides a framework that balances regional conservation efforts with streamlined building regulations and permit processes. By exploring agricultural permit streamlining in conjunction with the MSCP, the County can provide streamlining opportunities for applicants while ensuring protection of native habitats and wildlife for future generations. Environmental review has begun in Fiscal Year 2021-2022 for Part II and will take approximately three to four years to complete. This phased Ordinance update revised the previous 2018 Board direction by consolidating the comprehensive update under Part II and focusing Part I on making the Ordinance easier to understand by combining the agricultural requirements into one section and providing clarifications and missing definitions.

Today's action addresses Part I of the Board's request to amend the Ordinance to address stakeholder requests to reorganize the agricultural clearing and grading regulations into one chapter. This amendment will clarify definitions while maintaining the current discretionary permit requirements and preserving existing environmental protections for stormwater, erosion, and water quality. Since Board direction on May 19, 2021, staff has worked with stakeholders to consolidate the new chapter and clarify agricultural definitions, including grazing, grubbing, tilling, and trenching. Definitions are provided in the background section under Project Analysis, Part I.

The Ordinance contains regulations for development involving grading, clearing, and watercourses. It is comprised of eight chapters containing information related to thresholds for permit requirements, permit fees, regulations, and design standards for applicable development and contains related definitions.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the Ordinance (second reading) titled:

AN ORDINANCE AMENDING THE GRADING, CLEARING AND WATERCOURSES ORDINANCE, TITLE 8, DIVISION 7, OF THE SAN DIEGO COUNTY CODE TO CONSOLIDATE THE REGULATIONS RELATED TO AGRICULTURAL CLEARING AND GRADING, DATED MAY 20, 2022 (Clean Copy)(Attachment A).

EQUITY IMPACT STATEMENT

Planning & Development Services (PDS) is guided by several Regulatory Codes, Administrative Codes, and Board Policies to serve the region and customers consistently and equitably. The recommendation to amend the Grading, Clearing, and Watercourses Ordinance (Ordinance) will provide clarifying language and continue to guide departmental project processing practices. Improved clarity will result in a greater understanding of the regulations by the public, more efficient administration by staff, and the potential for reduced project review cycles, which saves cost and time for applicants. Amending the Ordinance supports the local economy by working with the public, the agricultural industry, and environmental stakeholders to clarify and improve permit processing and regulations.

FISCAL IMPACT

There is no fiscal impact associated with the ordinance amendments to the grading, clearing and watercourses ordinance as presented today. Funds for amending the Grading, Clearing, and Watercourses Ordinance (Ordinance) are included in the Fiscal Year 2021-22 Operational Plan in Planning & Development Services. The Part I Ordinance amendment will result in costs of \$100,000, and the funding source is from the prior year General Fund fund balance. Approximately \$135,000 of budgeted funds were allocated for project management, meetings, stakeholder engagement and outreach, research, and analysis. The staff recommendation for the Ordinance Update for Agricultural Clearing could be prepared using this existing budget. The total cost of the Ordinance Part I and II is \$1,220,000. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, adopting Ordinance No. 10804 (N.S.), entitled: AN ORDINANCE AMENDING THE GRADING, CLEARING AND WATERCOURSES ORDINANCE, TITLE 8, DIVISION 7, OF THE SAN DIEGO COUNTY CODE TO CONSOLIDATE THE REGULATIONS RELATED TO AGRICULTURAL CLEARING AND GRADING.

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

8. SUBJECT: TRAFFIC ADVISORY COMMITTEE (08/17/2022 - ADOPT RECOMMENDATIONS; 08/31/2022 - SECOND READING OF AN ORDINANCE) (DISTRICTS: 2 & 5)

OVERVIEW

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

The TAC recommends the Board act on two items from the March 11, 2022, TAC meeting agenda:

Items from the 03/11/2022 TAC Meeting			
District	Item	Location	Action
2	2-A	Euclid Avenue, Granite Hills	Recertify the 40 MPH speed limit
5	5-A*	Nordahl Road, San Marcos/Escondido	Reduce the 35 MPH speed limit to 30 MPH and certify
* Indicates second reading of ordinance is required.			

Approval of Item 2-A on Euclid Avenue in Granite Hills and Item 5-A on Nordahl Road in San Marcos/Escondido would support speed enforcement which increases roadway safety and retains an efficient use of roads for the movement of people and goods. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

The Board's action on Item 2-A on Euclid Avenue in Granite Hills does not revise the San Diego County Code of Regulatory Ordinances and therefore does not require a second reading of an ordinance. Board direction on August 17, 2022, would allow implementation by DPW.

The Board's action on Item 5-A on Nordahl Road in San Marcos/Escondido would introduce an ordinance to amend a speed limit zone. This action would revise County Code and require two steps. On August 17, 2022, the Board would consider the TAC items. If the Board takes action as recommended on August 17, then on August 31, 2022, a second reading and adoption of an ordinance amending County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. Euclid Avenue from the El Cajon city limit (at Granite Hills Drive) to Valley View Boulevard in Granite Hills - Recertify the 40 MPH speed limit for radar enforcement.

District 5:

Item 5-A. Nordahl Road from the Escondido city limit (near El Norte Parkway) to the San Marcos city limit (at Knob Hill Road) in Escondido/San Marcos - Reduce the existing 35 MPH speed limit to 30 MPH and certify the new speed limit for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control on County maintained roadways, resulting in negligible or no expansion of existing or former use.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Approve the introduction, read title, and waive further reading of the following Ordinances:
ORDINANCE AMENDING SECTION 72.161.63. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-A).

If, on August 17, 2022, the Board takes action as recommended, then, on August 31, 2022: Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTION 72.161.63. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-A).

EQUITY IMPACT STATEMENT

The review of traffic signs and roadway markings supports vehicle safety on County-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 fatal and serious injury crashes are occurring and the disproportionate impacts on certain communities will allow the Department of Public Works (DPW) to identify actions to address the underlying factors and causes and improve safety.

DPW's Local Road Safety Program reviews fatal and severe injury collisions along road segments within the unincorporated areas of the county and utilizes the Healthy Places Index and CalEnviroScreen to ensure underserved populations are prioritized. The Traffic Advisory Committee (TAC) relies on the Local Road Safety Plan and performs reviews of regulatory traffic control devices such as signs and markings. While adherence to sign and marking standards developed by the California Department of Transportation is crucial to obtaining the compliance of 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.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan for the Department of Public Works Road Fund. The funding source is State Highway User Tax Account. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, to further consider and adopt the Ordinance on August 31, 2022.

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

9. SUBJECT: COMMUNITY IDENTIFICATION SIGNAGE PROGRAM IN THE PUBLIC RIGHT-OF-WAY (DISTRICT: 5)

OVERVIEW

On October 5, 2021 (12), the San Diego County (County) Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to develop a community identification signage program for the Fifth District and return to the Board with options for approval.

Decorative community identification signs are typically ground-mounted, or span across a main street and are found in the public right-of-way. These signs identify the name of a community at the primary or gateway entrances and express a community's sense of identity. These decorative signs provide communities an opportunity to build character around residential and commercial development and share the history of the area through symbolic elements. These signs also welcome visitors. To date, there are no ground-mounted or street spanning decorative community identification signs in any of the Fifth District communities, which include three community planning areas (Fallbrook, Rainbow, and Valley Center) and six community sponsor areas (Bonsall, Borrego Springs, Hidden Meadows, Pala/Pauma, Palomar Mountain, and Twin Oaks Valley).

There are currently two established programs for unincorporated communities that may want to display community pride through signage in the public right-of-way along County-maintained roads. The first program, Community Identity Signs (Green Signs), created by the Department of Public Works (DPW) on May 1, 1998, allows communities to request small ground-mounted green signs with white lettering, which include the name of each community, the population, and the elevation. These signs are located within the public right of way, do not require a permit, mark the community boundaries, and are used by motorists, pedestrians, and bicyclists as directional guides. These green signs are available at no cost to communities and are maintained and installed by DPW.

The second program, Decorative Community Identification Signage, was approved by the Board on January 29, 2014 (7). This program includes formal guidelines for the installation of larger, decorative street-spanning or ground-mounted community signs and banners along County-maintained roads. The Decorative Community Identification Signage Program is an applicant-driven process, where stakeholders are responsible for all costs related to planning, permitting, design, installation, and maintenance along with all associated County review and enforcement costs. The total cost to the applicant ranges from approximately \$75,000 to \$245,000 per sign, depending on design, width, and structural features.

On October 5, 2021 (12), Supervisor Desmond allocated Neighborhood Reinvestment Funds to DPW and Planning and Development Services (PDS) to fund staff efforts to develop potential alternative options for decorative community identification signs for unincorporated communities in the Fifth District. In response to the direction, staff conducted public outreach efforts in fall 2021 to Community Planning and Sponsor Groups (CPSGs) in the Fifth District. The CPSGs expressed a desire for an option where the applicants, specifically community groups, would take the lead in developing the architectural concept for a sign. The Board office, alongside County staff, would then facilitate the community's architectural concept through design, construction, and maintenance. Similar to the current applicant-driven process, this alternative option would also require an appropriate funding source(s) identified by the Board, for all costs related to the pre-consultation, preliminary design and engineering, environmental review, construction, and ongoing maintenance activities for each community identification sign project that County staff would facilitate. It is estimated that it would cost the County approximately \$165,000 to \$590,000 per sign to implement the staff facilitated option, not including annual maintenance costs.

Today staff are presenting options for permitting and constructing decorative community identification signs, using the feedback provided by the Fifth District communities, for the Board's consideration and direction: option 3A) maintain the existing applicant-driven Decorative Community Identification Signage Program; option 3B) maintain the existing Decorative Community Identification Signage Program, and direct staff to return to the Board in [180] days to establish the ordinance to implement a Board-approved waiver of all County permit fees to make the existing applicant-driven process more affordable for the community; option 3C) Approve a new County staff facilitated option for decorative community identification signs in which an applicant(s) would work with County staff, the Community Planning or Sponsor Group for the community in which the proposed sign is located, and the Board office to develop an architectural concept and layout and identify project funding.

Although the original Board direction from October 5, 2021, was to only develop options in addition to the existing community identification sign program for the communities of the Fifth District (4A), the Board could direct staff to offer the additional options to all unincorporated communities (4B). If approved, a Board office would need to docket a Board letter requesting approval for use of County General Funds for sign options 3A and 3B as described above. No funding for the permitting or construction of any signs is included with today's action.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Negative Declaration (ND) for the Community Signs and Banners in the Public Right-of-Way - Zoning Ordinance and County Code Amendments, on file with the Department of Public Works (DPW), dated October 28, 2013, State Clearinghouse No. 2013071003, was adopted in compliance with the California Environmental Quality Act (CEQA) on January 29, 2014, and that the decision-making body has reviewed and considered the information contained therein, prior to approving the project; and:

Find that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts that were not considered in the previously adopted ND, dated October 28, 2013, and that no new information of substantial importance, such as a new significant effect, has become available since the ND was adopted.

2. This recommendation maintains the existing Community Identity Sign (Green Sign) Program with no changes for all unincorporated communities. DPW will continue to fund new sign requests at a cost of approximately \$800 per new sign and will continue to maintain the existing 90 Green signs through DPW's annual Road Fund budget.
3. Select one or more of the following options for the Decorative Community Identification Signage Program:
Option A: No changes to the existing applicant funded Decorative Community Identification Signage Program: the total cost to the applicant per sign is approximately \$75,000-\$245,000.

Option B: Develop a fee waiver for the existing Decorative Community Identification Signage Program, in which the Board of Supervisors (Board) would waive Policy B-29 to allow for an applicant's pre-consultation and permit application fees to be waived, at a cost to the County of approximately \$10,000 to \$20,000 per sign. Direct staff to return to the Board within 180 days to present an ordinance for consideration to implement the fee waiver and establish appropriations to offset the fee waiver.

Option C: Approve a new County of San Diego staff facilitated Decorative Community Identification Signage Program at a cost of approximately \$165,000 to \$590,000 per sign. The cost of each sign will be based on design, width, and structural elements. Funding for each sign would require separate approval by the Board at the point at which a community is ready to move forward to design with a sign concept.

4. If option 3B and/or 3C is selected above, then select a geographic area for which the decorative community identification signage program option(s) applies:

Option A: District 5 unincorporated communities only (as directed by the Board on October 5, 2021).

Option B: All unincorporated communities in San Diego County. This option requires DPW to conduct additional outreach to unincorporated communities located outside District 5 to provide information about the new decorative community signage program option(s) selected by the Board.

EQUITY IMPACT STATEMENT

Both the Green Signs and Decorative Community Identification Signage Program support community character and promote a sense of identity in the unincorporated area.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2022-23 Operational Plan in the Department of Public Works (DPW), General Fund, or Planning & Development Services (PDS) Department.

Costs vary per option selected. The cost of each sign will be based on design, width, and structural elements.

Recommendation 2:

Maintain the existing Green Sign Program for all unincorporated communities at no additional costs to the County of San Diego (County). DPW will continue to fund Green Sign requests at a cost of approximately \$800 per new sign and will continue to maintain the existing 90 Green Signs through DPW's annual Road Fund budget. Funds for this option are included in the Fiscal Year 2022-23 Operational Plan for DPW.

Recommendation 3:

Option 3A: Maintain the existing applicant funded Decorative Community Identification Signage Program for all unincorporated communities. The total cost to the applicant per sign is approximately \$75,000-\$245,000. Funds for this option would be paid by the applicant.

Option 3B: Develop a fee waiver for the existing Decorative Community Identification Signage Program to allow for a waiver of the County pre-consultation and permit application fees for community identification signage. The cost to the County will range from \$10,000 to \$20,000 per community sign, depending on the signage design and individual permitting requirements for that location. Funding for the fee waivers would need to be identified and approved by the Board. If directed, DPW and PDS would return to the Board with an ordinance for consideration to implement the fee waiver and to establish appropriations to offset the fee waiver.

Option 3C: Approve a new Decorative Community Identification Signage Program option where County staff facilitate each sign installation project, including maintenance. In order to install a new community identification sign, DPW anticipates three stages in which County staff will be involved in order to implement the program: pre-consultation, preliminary design and engineering, and final design, construction, and maintenance. The total approximate cost per sign is \$165,000 to \$590,000, as the cost of each sign will be based on design, width, and structural elements. Further details are provided in the background section. Funding for each sign will need to be identified and approved by the Board in a separate action. As with all County construction projects, each sign project will adhere to prevailing wage requirements. Regarding long-term sign maintenance costs, DPW anticipates ongoing annual maintenance costs will range from approximately \$500 to \$5,000 per installed sign, outside of any unplanned major repairs due to damage.

BUSINESS IMPACT STATEMENT

Several unincorporated communities in the Fifth District expressed a desire to the Board of Supervisors to create and place decorative community identification signs in the County of San Diego public right-of-way. These signs identify and distinguish communities to visitors and residents and establish a greater sense of place and character. Without sacrificing road safety, signs could also provide information to visitors about points of interest, commercial districts, and community events. Economic development was at the core of these requests to direct visitors to local shops and businesses.

ACTION:

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

1. Found that the Negative Declaration (ND) for the Community Signs and Banners in the Public Right-of-Way - Zoning Ordinance and County Code Amendments, on file with the Department of Public Works (DPW), dated October 28, 2013, State Clearinghouse No. 2013071003, was adopted in compliance with the California Environmental Quality Act (CEQA) on January 29, 2014, and that the decision-making body has reviewed and considered the information contained therein, prior to approving the project; and:

Found that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts that were not considered in the previously adopted ND, dated October 28, 2013, and that no new information of substantial importance, such as a new significant effect, has become available since the ND was adopted.

2. This recommendation maintains the existing Community Identity Sign (Green Sign) Program with no changes for all unincorporated communities. DPW will continue to fund new sign requests at a cost of approximately \$800 per new sign and will continue to maintain the existing 90 Green signs through DPW's annual Road Fund budget.

3. Selected the following options for the Decorative Community Identification Signage Program:

Option B: Develop a fee waiver for the existing Decorative Community Identification Signage Program, in which the Board of Supervisors (Board) would waive Policy B-29 to allow for an applicant's pre-consultation and permit application fees to be waived, at a cost to the County of approximately \$10,000 to \$20,000 per sign. Direct staff to return to the Board within 180 days to present an ordinance for consideration to implement the fee waiver and establish appropriations to offset the fee waiver.

4. Selected a geographic area for which the Decorative Community Identification Signage Program option(s) applies:

Option B: All unincorporated communities in San Diego County. This option requires DPW to conduct additional outreach to unincorporated communities located outside District 5 to provide information about the new decorative community signage program option(s) selected by the Board.

5. Direct the Chief Administrative Officer to engage additional community groups and return to the Board as soon as possible with a series of options on how the Board can structure the County of San Diego staff facilitated Decorative Community Identification Signage Program in a way that is predictable and reliable for the community.

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

10. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Audra spoke to the Board regarding the voting/election process.

Oliver Twist spoke to the Board regarding teleconferencing comments made at Board hearings and water drops during fire storms.

Becky Rapp spoke to the Board regarding the illegal marijuana market.

Terri-Ann Skelly spoke to the Board regarding secondhand smoke from public smoking and vaping.

Diane Grace spoke to the Board regarding cannabis use during pregnancy.

Peggy Walker spoke to the Board regarding high potency marijuana products.

Kathleen Lippitt spoke to the Board regarding healthy and safe choices for youth and the marijuana industry.

Truth spoke to the Board regarding faulty propaganda, COVID deaths, and public transportation.

Kelly McCormick spoke to the Board regarding youth alcohol and drug prevention.

Ann Riddle spoke to the Board regarding marijuana prevention access for youth.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:37 a.m.

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

Consent: Perez

Discussion: Zurita

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