

November 7, 2023

STATEMENT OF PROCEEDINGS

The Minutes of the

***REGULAR MEETING OF THE
BOARD OF SUPERVISORS***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, NOVEMBER 7, 2023, 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 9:03 a.m.

PRESENT: Supervisors Nora Vargas, Chair; Terra Lawson-Remer, Vice-Chair; Joel Anderson; Jim Desmond; also, Andrew Potter, Clerk of the Board of Supervisors.

ABSENT: (District 4 Seat Vacant)

- B. **Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.**

- C. **Invocation was led by Diana Martinez, Elder Director of the San Pasqual Band of Mission Indians, and Robert Aguilar of the Pauma Band of Luiseno Indians.**

- D. **Pledge of Allegiance was led by Emilio Carranza-Davis.**

- E. **Presentations or Announcement of Proclamations and Awards:**

Chair Nora Vargas presented a proclamation declaring the Month of November 2023, to be Runaway and Youth Homeless Prevention Month throughout the County of San Diego.

Chair Nora Vargas and Vice-Chair Terra Lawson-Remer presented a proclamation declaring November 7, 2023, to be National Adoption Month throughout the County of San Diego.

Vice-Chair Terra Lawson-Remer presented a proclamation declaring November 7, 2023, to be Planned Parenthood Day throughout the County of San Diego.

Supervisor Joel Anderson presented a proclamation declaring November 7, 2023, to be Ronin McCrea Day throughout the County of San Diego.

Supervisor Jim Desmond presented a proclamation declaring November 7, 2023, to be American Legion JB Clark Post 149 Day throughout the County of San Diego.

- F. **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.**

G. Approval of the Statement of Proceedings/Minutes for the meeting of October 24, 2023.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of October 24, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

H. Consent Calendar

I. Discussion Items

J. Board Member Committee Updates. This is an opportunity for Members of the Board to provide informational updates on their committee assignments. No action may be taken.

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

Category	#	Subject
Public Safety	1.	SHERIFF - RATIFICATION OF APPLICATION TO THE U.S. FOREST SERVICE AND ACCEPTANCE OF FUNDING RELATED TO THE CONSOLIDATED APPROPRIATIONS ACT, 2023 COMMUNITY PROJECT FUNDING/CONGRESSIONALLY DIRECTED SPENDING
	2.	SHERIFF - REPORT OF INCARCERATED PERSONS' WELFARE FUND EXPENDITURES FOR FISCAL YEAR 2022-23
	3.	DISTRICT ATTORNEY - REQUEST FOR PROPOSALS FOR THE DISTRICT ATTORNEY CASE MANAGEMENT SYSTEM MODERNIZATION [FUNDING SOURCE: PROPOSITION 172 SPECIAL REVENUE FUND]
	4.	DISTRICT ATTORNEY - STRATEGIC PLAN FOR THE USE OF PROPOSITION 64 FUNDS FOR CONSUMER PROTECTION LAW ENFORCEMENT [FUNDING SOURCE: COUNTY PROPOSITION 64 CONSUMER FRAUD FUND]
	5.	SUNSET REVIEW OF COUNTY ADMINISTRATIVE CODE ARTICLES ASSIGNED TO THE PUBLIC SAFETY GROUP

6. SAN DIEGO COUNTY FIRE - ACCEPTANCE OF FUNDS UNDER THE FISCAL YEAR 2022 USDA FOREST SERVICE COMMUNITY WILDFIRE DEFENSE GRANT, ESTABLISH APPROPRIATIONS, AUTHORIZE CONTRACTS, AND MAKE CEQA FINDINGS
[FUNDING SOURCE: FISCAL YEAR 2022 COMMUNITY WILDFIRE DEFENSE GRANT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE]
(4 VOTES)

**Health and
Human Services**

7. HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE CODE AND BOARD POLICY SUNSET REVIEW 2023; APPROVE AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE GENERAL RELIEF PROGRAM (NOVEMBER 7, 2023 - FIRST READING; DECEMBER 5, 2023 - SECOND READING)
8. RECEIVE UPDATE ON PRIORITIZING OUR VETERANS: ESTABLISHING A CENTER FOR MILITARY AND VETERAN REINTEGRATION IN EAST COUNTY
9. AUTHORIZE THE ACCEPTANCE OF HIV/AIDS SERVICES GRANT FUNDING, EXTEND OUTPATIENT AMBULATORY HEALTH SERVICES CONTRACTS, COMPETITIVELY PROCURE HIV/AIDS SERVICES CONTRACTS, AND AUTHORIZE APPLICATION FOR NEW FUNDING
[FUNDING SOURCE: EXISTING REALIGNMENT; CALIFORNIA DEPARTMENT OF PUBLIC HEALTH; UNITED STATES HEALTH RESOURCES AND SERVICES ADMINISTRATION RYAN WHITE PART A FUNDING]
10. AUTHORIZE CERTIFICATION STATEMENTS FOR CHILD HEALTH AND DISABILITY PREVENTION AND HEALTH CARE PROGRAM FOR CHILDREN IN FOSTER CARE
[FUNDING SOURCE: STATE GENERAL FUND, FEDERAL TITLE XIX, AND REALIGNMENT]
11. AUTHORIZE AGREEMENTS FOR THE HOUSING PRESERVATION AND ANTI-DISPLACEMENT PILOT PROGRAM, AND REALLOCATE FUNDING FROM THE INNOVATIVE HOUSING TRUST FUND
[FUNDING SOURCE: INNOVATIVE HOUSING TRUST FUND (IHTF)]

**Land Use and
Environment**

12. MCCLELLAN-PALOMAR AIRPORT - SEVENTH AMENDMENT TO THREE AVIATION LEASES WITH WESTERN FLIGHT, INC. FOR SCHEDULED RENT ADJUSTMENT ONLY AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: RENTAL PAYMENTS FROM THE LESSEE UNDER THE TERMS OF THE AMENDED LEASE]
(4 VOTES)

13. ADOPT A RESOLUTION AND RELATED CEQA EXEMPTIONS AUTHORIZING APPLICATION FOR THE SUSTAINABLE AGRICULTURAL LANDS CONSERVATION PROGRAM AGRICULTURAL CONSERVATION ACQUISITION GRANT: SAM'S MOUNTAIN RANCH
[FUNDING SOURCE: GENERAL PURPOSE REVENUE IN PDS]
(4 VOTES)
14. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD CONSTRUCTION CONTRACTS FOR 2021-2022 CDBG PEDESTRIAN FACILITY IMPROVEMENT PROJECTS (EAST ALVARADO STREET, FALLBROOK AND EAST 32ND STREET, LINCOLN ACRES) AND RELATED CEQA EXEMPTION
[FUNDING SOURCE: COMMUNITY DEVELOPMENT BLOCK GRANT]
(4 VOTES)
15. ESTABLISH NEW NOMINATION PROCEDURES FOR THE PALOMAR AIRPORT ADVISORY COMMITTEE (PAAC) DUE TO REDISTRICTING
16. RESOLUTION DESIGNATING DATES AND TIMES FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS IN 2024
17. RESOLUTION AMENDING THE RULES OF PROCEDURE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS
18. GENERAL SERVICES - APPROVAL OF FIRST AMENDMENT TO LEASE FOR THE HEALTH AND HUMAN SERVICES AGENCY AND THE PROBATION DEPARTMENT, 7065 BROADWAY, LEMON GROVE, AND NOTICE OF EXEMPTION
[FUNDING SOURCE: SOCIAL SERVICES ADMINISTRATIVE REVENUE, REALIGNMENT, AND EXISTING GENERAL PURPOSE REVENUE; GENERAL PURPOSE REVENUE]
19. ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION (11/7/23 - First Reading; 12/5/23 - Second Reading, unless the ordinance is modified on second reading)
20. AN ORDINANCE ADDING SECTION 438 TO ARTICLE XXIV-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO VOLUNTEER ELECTION POLL WORKERS AND ELECTION SUPPORT VOLUNTEERS (11/07/2023 - First Reading; 12/05/2023 - Second Reading, unless ordinance is modified on second reading)

Financial and
General
Government

21. SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND COUNTY ADMINISTRATIVE CODE PROVISIONS ASSIGNED TO THE FINANCE AND GENERAL GOVERNMENT GROUP (11/7/23 - First Reading; 12/5/23 - Second Reading, unless the ordinances are modified on second reading)
22. DELEGATION OF INVESTMENT AUTHORITY TO THE TREASURER-TAX COLLECTOR AND APPROVAL OF THE INVESTMENT POLICY
23. APPROVAL OF THE CONFLICT-OF-INTEREST CODES FOR RAINBOW MUNICIPAL WATER DISTRICT AND VISTA IRRIGATION DISTRICT
- Appointments 24. APPOINTMENTS: VARIOUS
- Communications Received 25. COMMUNICATIONS RECEIVED
- Public Safety 26. SHERIFF REQUEST FOR SUPPORT OF COUNTY DETENTION FACILITY SYSTEM IMPROVEMENTS
[FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE]
(4 VOTES)
- Health and Human Services 27. CONDUCT AN ENTERPRISE-WIDE ASSESSMENT OF HOMELESS SERVICES IN SAN DIEGO COUNTY
28. BRIDGING THE GAP FOR THOSE IN ADDICTION RECOVERY: FROM HOMELESSNESS TO HOUSING
29. PRIORITIZING ASSISTANCE FOR MILITARY AND VETERANS' FAMILIES SEEKING TO RELOCATE TO THE UNITED STATES
[FUNDING SOURCE: ANTICIPATED FUND BALANCE]
30. ADVANCING REPRODUCTIVE RIGHTS EDUCATION AND PURSUING LITIGATION TO SHUT DOWN FAKE AND FRAUDULENT CRISIS PREGNANCY CENTERS
[FUNDING SOURCE: EXISTING ONE-TIME GENERAL PURPOSE REVENUE]

31. AUTHORIZE COMPETITIVE SOLICITATIONS, SINGLE SOURCE CONTRACT, AMENDMENTS TO EXTEND EXISTING CONTRACTS, AMENDMENTS TO REFLECT CHANGE TO SERVICES AND INCREASE TO FUNDING, AND EXECUTION OF INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF CALIFORNIA AND ACCEPTANCE OF FUNDING [FUNDING SOURCE: MENTAL HEALTH SERVICES ACT (MHSA) AND REALIGNMENT; SHORT DOYLE MEDICAL, DRUG MEDICAL (DMC), SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA), AND COMMUNITY ASSISTANCE, RECOVERY & EMPOWERMENT (CARE) COURT; CENTER FOR DISEASE CONTROL]
- Financial and General Government** 32. NOTICED PUBLIC HEARING: ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF HORTON HOUSE IN AN AGGREGATE AMOUNT NOT TO EXCEED \$70,000,000
33. RESOLUTION IN SUPPORT OF GOVERNOR GAVIN NEWSOM'S RIGHT TO SAFETY AMENDMENT & CALL FOR CONSTITUTIONAL CONVENTION
34. APPROVAL OF THE DELIVERY OF AND THE EXECUTION OF RELATED FINANCING DOCUMENTS FOR THE COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION, SERIES 2023 (COUNTY PUBLIC HEALTH LABORATORY AND CAPITAL IMPROVEMENTS) (4 VOTES)
- Closed Session** 35. CLOSED SESSION
- Public Communication** 36. PUBLIC COMMUNICATION

- SUBJECT: SHERIFF - RATIFICATION OF APPLICATION TO THE U.S. FOREST SERVICE AND ACCEPTANCE OF FUNDING RELATED TO THE CONSOLIDATED APPROPRIATIONS ACT, 2023 COMMUNITY PROJECT FUNDING/CONGRESSIONALLY DIRECTED SPENDING (DISTRICTS: ALL)**

OVERVIEW

In March 2023, the San Diego County Sheriff's Department (Sheriff) was notified of a funding opportunity by the U.S. Forest Service (USFS) totaling \$3,750,000 in Community Project Funding/Congressionally Directed Spending (CPF/CDS) under the Consolidated Appropriations Act, 2023, Public Law 117-328. Notification of the award was received on September 1, 2023, and \$3,750,000 will be used to partially fund the cost of a twin-engine firefighting helicopter to maintain and improve search and rescue incident response and suppression of wildland fires. This is a request to ratify the submission of a grant application to the USFS for the 2023 CPF/CDS for the project period October 1, 2023, through September 30, 2027. This is also a request to authorize the Sheriff to accept the 2023 CPF/CDS funding from the USFS this year and in subsequent years to partially fund the cost of a twin-engine firefighting helicopter and, to authorize the Sheriff, and/or designee, this year and in subsequent years, to review and execute all required grant and grant related documents, including agreements and any annual extensions, amendments, and/or revisions thereof that do not materially impact or alter the services or funding levels.

RECOMMENDATION(S)

SHERIFF

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires prior approval of grant applications and full cost recovery for grants, as this grant program does not recover full cost.
2. Ratify the Sheriff's submission of the grant application to the U.S. Forest Service for the 2023 Community Project Funding/Congressionally Directed Spending for the project period October 1, 2023, through September 30, 2027.
3. Authorize the Sheriff to accept \$3,750,000 from the U.S. Forest Service for the 2023 Community Project Funding/Congressionally Directed Spending this year provided there are no material changes to the grant terms and funding levels.
4. Authorize the Sheriff to apply for and accept funding from the U.S. Forest Service under the Consolidated Appropriations Act, Community Project Funding/Congressionally Directed Spending in subsequent years provided there are no material changes to the grant terms and funding levels.
5. Authorize the Sheriff, and/or designee, in this year and in subsequent years, to review and execute all required grant and grant-related documents, including agreements and any annual extensions, amendments, and/or revisions thereof that do not materially impact or alter the services or funding levels.

EQUITY IMPACT STATEMENT

The acquisition of a twin-engine firefighting helicopter advances equity in the region by maintaining and improving search and rescue incident response and suppression of wildland fires. About 79 percent of the County's unincorporated area is designated as High or Very High Fire Hazard Severity Zones. More than 80 percent of San Diego County's jurisdictional area qualifies as a disadvantaged unincorporated community based on a San Diego Local Agency Formation Commission report on funding, administration, and performance of the former County Service Area No. 135 (now San Diego County Fire Protection District). The service provided by the twin-engine firefighting helicopter will ensure rapid and effective fire suppression efforts and medical and hoist rescues in San Diego County communities that extend from Imperial Beach to Oceanside, east to Imperial County, south to Jacumba, and everywhere in between. This new aircraft will provide a greater safety margin during search and rescue operations as well as expand upon ASTREA's capabilities in protecting citizens of San Diego County from future destructive fires.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions to seek grant funding to acquire a twin-engine firefighting helicopter for fire and safety purposes contributes to the County of San Diego's Sustainability Goal of providing just and equitable access. By acquiring equipment that will be available for use by any agency delivering services related to first responder and public safety, the proposed actions will benefit all San Diego County residents, particularly those residing in areas vulnerable to fire hazards, whether natural or manmade. This twin-engine firefighting helicopter will benefit the region's first responders and firefighters by increasing available capability to respond to incidents thus reducing the risk of loss or damage to property and persons in the affected communities. In addition, the twin-engine firefighting helicopter can be used for medical and hoist rescues of persons facing crisis in remote areas of our county.

FISCAL IMPACT

There is no fiscal impact associated with today's requests to ratify and accept a grant award of \$3,750,000 from the U.S. Forest Service, Community Project Funding/Congressionally Directed Spending (CPF/CDS). This grant will partially offset the cost to acquire a new twin-engine firefighting helicopter. Staff will return to the Board of Supervisors to appropriate 2023 CPF/CDS grant funds. Any subsequent years CPF/CDS grant funds and other funding needed for the purchase and ongoing maintenance of the helicopter will be included in a future Operational Plan for the Sheriff's Department. 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 Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

**2. SUBJECT: SHERIFF - REPORT OF INCARCERATED PERSONS' WELFARE
FUND EXPENDITURES FOR FISCAL YEAR 2022-23
(DISTRICTS: ALL)**

OVERVIEW

The Incarcerated Persons' Welfare Fund (IPWF) was established to provide for the welfare of incarcerated individuals. Funds are expended primarily for educational, vocational, and behavioral training that supports individuals making a positive transition back to their local communities. These types of programs are essential to decreasing the rate of return to custody, contributing to the successful reunification of families, and having a direct impact on reducing future involvement with the justice system.

This is a request for the Board of Supervisors to receive an itemized report of expenditures from the Sheriff's Department Incarcerated Persons' Welfare Fund, as required under California Penal Code section 4025.

RECOMMENDATION(S)

SHERIFF

Receive the San Diego Sheriff's Department Fiscal Year 2022-23 report of Incarcerated Persons' Welfare Fund expenditures.

EQUITY IMPACT STATEMENT

The Incarcerated Persons' Welfare Fund (IPWF) is expended to provide for the welfare of incarcerated persons and to assist in their transition back into the community through educational, vocational, and behavioral training. Providing quality educational and psychosocial intervention in detention facilities assures that vulnerable populations who have experienced incarceration will not be deprived of opportunities to create post-release positive outcomes. Successful reentry and reintegration allow individuals to not only become, but hopefully remain, contributing members of their communities. Due to the unique detention and reentry environment, it is critical to partner with program providers that can adapt to the setting and provide the highest quality learning experiences, credentials, and behavioral treatment. The benefits supported by the IPWF are made available to all eligible incarcerated persons.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to receive the department's Incarcerated Persons' Welfare Fund (IPWF) expenditure report contributes to the County of San Diego's Sustainability Goals of providing just and equitable access and protecting the health and wellbeing of everyone in the region. Individuals need access to quality educational and psychosocial intervention programs while in custody. The wellness programs in the detention facilities provide exercise and wellness education to incarcerated persons. The programs and services provided through IPWF are built to mirror the quality of programs in the community. Access to quality programs is vital for incarcerated persons to be successful when they return to society. These programs provide meaningful experiences and credentials, which are beneficial for employment opportunities upon release.

FISCAL IMPACT

There is no fiscal impact associated with the recommendation to receive the Fiscal Year 2022-23 report of Incarcerated Persons' Welfare Fund expenditures. Expenditures totaling \$3,615,571, noted in the report, are offset by revenue in the Incarcerated Persons' Welfare Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 3. **SUBJECT: DISTRICT ATTORNEY - REQUEST FOR PROPOSALS FOR THE DISTRICT ATTORNEY CASE MANAGEMENT SYSTEM MODERNIZATION (DISTRICTS: ALL)**

OVERVIEW

The Office of the District Attorney (DAO) leverages technology in daily operations to maintain the most efficient operation of judicial procedures, including due process, victim assistance, and integration and communication with justice partner systems. The DAO's Case Management System (CMS) is a legacy application that was custom developed and supported internally as a state-of-the-art application, readily customizable to meet evolving priorities and produce reports for data-driven decision making. It has supported the office's needs for over 20 years.

DAO is seeking to procure new systems to migrate or re-platform the current DAO Case Management System to a robust and scalable platform to enhance interactions with external agencies such as laboratories, public defenders, defense attorneys and State and Local law enforcement agencies, ensure compliance with new legislative requirements, and integrate the full lifecycle of a criminal case, provision of victim services, investigation, support services, and digital media management for the prosecution of misdemeanor and felony crimes.

If approved, today's actions will authorize the Department of Purchasing and Contracting to issue competitive solicitations to migrate or re-platform the case management system business process.

**RECOMMENDATION(S)
DISTRICT ATTORNEY**

In accordance with Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting to issue Competitive Solicitations for case management system and other software, hardware, maintenance, implementation, and support services and upon successful negotiations, and determination of a fair and reasonable price,

award contracts for an initial term of three years, with three (3) two-year option periods and up to an additional six months if needed, and to amend the contracts as needed to reflect changes to services and funding, subject to the approval of the District Attorney.

EQUITY IMPACT STATEMENT

The District Attorney’s Office (DAO) is dedicated to the pursuit of equal and fair justice for all. The DAO Case Management System is technology used by authorized justice partners to access and maintain pertinent case information. Modernizing and expanding the systems to include task management, notification systems for victims and other community members, workflows, and enhanced reporting capabilities will enable the District Attorney’s Office to perform its constitutional and statutory duties in an expeditious manner.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions contribute to the County of San Diego's Sustainability Goals by providing just and equal access to County judicial and victim services. This project will leverage modern technology to future proof the next generation case management system and associated technology to support DAO’s advancing operational and strategic needs. The modernization of systems will prepare DAO for future expansion to accommodate additional needs.

FISCAL IMPACT

Funds for the Case Management System modernization project are included in the Fiscal Year 2023-24 Operational Plan for the District Attorney’s Office. If approved, this request will result in estimated one-time costs and revenue of \$2,500,000 for phase one of the project. The funding source is Proposition 172 Special Revenue Fund. Subsequent year costs and revenues will be included in future Operational Plans. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 4. **SUBJECT: DISTRICT ATTORNEY - STRATEGIC PLAN FOR THE USE OF PROPOSITION 64 FUNDS FOR CONSUMER PROTECTION LAW ENFORCEMENT (DISTRICTS: ALL)**

OVERVIEW

The District Attorney’s Office (DAO) Economic Crimes Division is comprised of Deputy District Attorneys, Investigators, Paralegals and support staff responsible for the investigation and prosecution of a wide range of unlawful marketplace conduct, including unfair, fraudulent and deceptive practices, unfair competition, elder financial abuse, computer intrusion, identity

theft, investment schemes, embezzlement, real estate fraud, sale of dangerous or counterfeit goods, and environmental crimes. These activities harm consumers, especially vulnerable elders, children, and impoverished communities.

The DAO recognizes the serious and growing public harm arising from these unlawful and fraudulent business practices. The DAO's Economic Crimes Division, including its Consumer Protection Unit, CATCH (high-tech crime investigation) team, and Environmental Protection Unit, is committed to identify individuals and businesses engaged in these practices and bring justice through criminal and civil law enforcement actions. The mission of the Economic Crimes Division is to protect San Diego consumers from financial losses and environmental hazards, bring awareness to the community to educate and prevent consumer fraud, and prosecute those committing economic and environmental crimes.

The District Attorney recently convened a countywide stakeholder group assembled from the consumer protection community to assist in formulating a strategic plan to address unmet needs in consumer protection, and to identify ways to expand the DAO's enforcement of these important consumer laws. The stakeholder group included local, state, and federal law enforcement agencies, City Attorney's Office, County Counsel, Public Safety Group leadership, consumer advocates, community representatives, and legal experts. This stakeholder collaboration resulted in recommendations to expand consumer protection activities in the following focus areas: (1) cyber-crime investigations and forensics; (2) unfair competition, deceptive and unlawful business practices; (3) elder financial abuse; (4) additional environmental protection from unfair and unlawful business practices. Penalties held in the Proposition 64 Consumer Fraud Fund, restricted by law to be used solely for unfair competition and consumer protection law enforcement, will fund the implementation of the focus areas.

If approved, this request will authorize competitive procurements required to implement focus areas identified by the DAO and the stakeholder working group. Additional staff would also be required to implement the recommendations. This would include Deputy District Attorneys, investigators, analysts, paralegals, staff personnel and consumer mediators. Position requests would be included in future year operational plans. It is anticipated that the implementation of these projects will contribute significantly to enhanced enforcement of consumer protection laws and will minimize the harm to San Diego County residents resulting from fraudulent and deceptive business practices, unlawful and unfair competition, and environmental and health/safety violations.

**RECOMMENDATION(S)
DISTRICT ATTORNEY**

In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for implementation of consumer protection activities including, but not limited to, cyber-crime investigations and forensics, unfair competition from deceptive and unlawful business practices, elder financial abuse, environmental protection from unfair and unlawful business practices and upon successful negotiations and determination of a fair and reasonable price, award contracts for a term of up to five years, with two option years and up to an additional six months if needed, and to amend the contracts as needed to reflect changes to requirements and funding.

EQUITY IMPACT STATEMENT

San Diego County residents will benefit from the expanded capabilities in our Consumer Protection, Environmental Protection, CATCH (High Tech Crime Investigation Task Force) Units, and the Elder Justice Task Force. County residents are victimized when unlawful and deceptive business practices affect their purchases of necessary consumer goods and services. Consumer fraud violations are increasing dramatically, particularly in the rapidly evolving world of cybercrime, where exponential growth in high-tech fraud schemes makes it vital that the county keep ahead of sophisticated new consumer threats. County residents will also benefit from enhanced fraud prevention and consumer education programs to help the county’s consumers avoid becoming victims of these scams and schemes. Enhanced anti-fraud education holds particular promise as a means of better protecting the county’s highly vulnerable underserved and elderly communities.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to enter into service contracts for consumer protection services and to enhance law enforcement activities contributes to the County of San Diego’s Sustainability Goals of providing equitable access to justice for victims of crime and protecting the health and wellbeing of consumers in all communities including our elderly population and our underserved communities. By increasing our efforts to educate our community about fraud schemes and hold businesses accountable for deceptive and unfair business practices, we ensure equitable access to justice for all San Diego County residents.

FISCAL IMPACT

There is no fiscal impact in the current fiscal year. Subsequent year appropriation requests will be included in future year Operational Plans for the District Attorney’s Office. The funding source is the County Proposition 64 Consumer Fraud Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 5. **SUBJECT: SUNSET REVIEW OF COUNTY ADMINISTRATIVE CODE ARTICLES ASSIGNED TO THE PUBLIC SAFETY GROUP (DISTRICTS: ALL)**

OVERVIEW

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

Today's actions include Board of Supervisors sunset date extensions until December 31, 2030, for one Administrative Code article (Article XIII-B) that required no amendments.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Determine no change is necessary and establish the new sunset review date of December 31, 2030, for ARTICLE XIII-B DEPARTMENT OF ANIMAL SERVICES of the County Administrative Code.

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

This action to review County Administrative Codes aligns with the goal to promote opportunities for community engagement and supports the sustainability of governmental practices and services. Updates proposed in today's action are meant to ensure that codes and policies are up to date, reflect current processes, and are needed to continue services and responsibilities to the region, such as animal services.

FISCAL IMPACT

There is no fiscal impact associated with the proposal to amend the San Diego County Administrative Code and Regulatory Code. There will be no change in General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

6. **SUBJECT: SAN DIEGO COUNTY FIRE - ACCEPTANCE OF FUNDS UNDER THE FISCAL YEAR 2022 USDA FOREST SERVICE COMMUNITY WILDFIRE DEFENSE GRANT, ESTABLISH APPROPRIATIONS, AUTHORIZE CONTRACTS, AND MAKE CEQA FINDINGS (DISTRICTS: 1, 2, AND 5)**

OVERVIEW

Many roads in unincorporated communities traverse areas designated by the state as High or Very High Fire Hazard Severity Zones. Managing vegetation along these roads is critical

because during emergencies such as wildfires, residents use them as exit routes and first responders use them to reach the front lines of an incident. On April 26, 2022 (30), after environmental review, the Board of Supervisors (Board) formally approved a County *Roadside Vegetation Management for Evacuation Preparedness Program* (Roadside Program). Through this program, San Diego County Fire (County Fire) in coordination with the Department of Public Works (DPW) is expanding vegetation management along critical evacuation corridors to 20 feet, beyond the traditional 10 feet of mowing that DPW typically conducts in the public right-of-way.

Current funding for the Roadside Program is limited to approximately 200 lane miles of critical evacuation corridors to be treated with the expanded vegetation management annually. Since its implementation, other community members, Fire Safe Councils, and key stakeholders have expressed interest in expanding the Roadside Program to additional evacuation routes throughout the unincorporated area. On October 07, 2022, County Fire applied for funding from the United States Department of Agriculture, Forest Service (USFS) for the Fiscal Year (FY) 2022 Community Wildfire Defense Grant, with a proposal to expand the County's Roadside Program. On September 21, 2023, County Fire was notified of an additional \$3.4 million in federal grant funds to expand the Roadside Program by 550 additional lane miles through January 2, 2028.

Today's actions include seeking approval to accept grant funds in the amount of \$3,409,443 for the period of approximately November 2023 through January 2028, under the FY 2022 Community Wildfire Defense Grant and establish appropriations of \$500,000 in San Diego County Fire for FY 2023-24. In addition, there's a request to approve and authorize amendments to current and future contracts for work conducted pursuant to the grant and make environmental findings.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions related to roadside vegetation management are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15304(i).
2. Waive Board Policy B-29 (Fees, Grants and Revenue Contracts - Department Responsibility for Cost Recovery), which requires full cost recovery for grants.
3. Authorize the acceptance of \$3,409,443 in funds from Fiscal Year (FY) 2022 USDA Forest Service Community Wildfire Defense Grant.
4. Authorize the Chief Administrative Officer, or designee, to execute all required funding documents and agreements, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
5. Establish appropriations of \$500,000 in San Diego County, Fire Services & Supplies, for contracted vegetation management services based on FY 2022 USDA Forest Service Community Wildfire Defense Grant. (4 VOTES)

6. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director of the Department of Purchasing and Contracting to amend current and future vegetation management (mowing) service contracts as needed over \$1 million annually for services provided under the FY 2022 USDA Forest Service Community Wildfire Defense Grant, and as needed to reflect changes to requirements and additional funding.

EQUITY IMPACT STATEMENT

More than 80 percent of the San Diego County Fire jurisdictional area qualifies as a disadvantaged unincorporated community, based on a San Diego Local Agency Formation Commission (LAFCO) report on the funding, administration, and performance of the former County Service Area No. 135 (now San Diego County Fire Protection District). Furthermore, the 2020 Census Bureau American Community Survey data shows that significant portions of the proposed project areas are located in low-income communities (a community is considered low-income if the median household income of the zip code is less than 80% of the California-wide median household income).

Roadside vegetation management decreases the likelihood of entrapment, loss of life, and loss of property for residents of wildfire-prone unincorporated areas. A total of 79% of the unincorporated area in San Diego County is designated as High or Very High Fire Hazard Severity Zones.

County Fire utilizes equity data, in combination with Fire Hazard Severity risk, to identify areas along public roads to conduct vegetation management for public safety. This grant-funded project would encompass approximately 550 lane miles, directly helping to protect over 20 communities throughout the unincorporated area.

SUSTAINABILITY IMPACT STATEMENT

The *Roadside Vegetation Management for Evacuation Preparedness Program* strengthens the reliability of evacuation corridors in the unincorporated areas. This enhances resilience by ensuring the capability of the community and first responders to react/respond to an emergency incident that requires evacuation, including enhancing the ability to recover from it.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2023-24 Operational Plan for San Diego County Fire. The total grant award is \$3,409,443. If approved, this request will result in estimated costs and revenue of \$500,000 in Fiscal Year 2023-24. Remaining funds of \$2,909,442 will be budgeted in future Operational Plans for San Diego County Fire. The funding source is a Fiscal Year 2022 Community Wildfire Defense Grant from the United States Department of Agriculture, Forest Service. There is a 25% match requirement for the grant, which will be met through existing General Purpose Revenue in the San Diego County Fire. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

7. **SUBJECT: HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE CODE AND BOARD POLICY SUNSET REVIEW 2023; APPROVE AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE GENERAL RELIEF PROGRAM (NOVEMBER 7, 2023 - FIRST READING; DECEMBER 5, 2023 - SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

In accordance with San Diego County Board of Supervisors (Board) Policy A-76, Sunset Review Process, the County of San Diego (County) Health and Human Services Agency (HHS) periodically reviews County Administrative Code and Board Policy to ensure policies reflect current Board standards and practices.

Today's actions seek Board approval to amend provisions in the San Diego County Administrative Code relating to the General Relief Program and extend the Sunset Review date; and determine no change is necessary to Board Policy A-128, Comprehensive Homeless Policy and approve the Sunset Review date.

The ordinance makes non-substantive changes to remove language that is not currently used in California law. It will be introduced to the Board on November 7, 2023, and if approved, will be scheduled for adoption on December 5, 2023. If the proposed ordinance is altered on December 5, 2023, a subsequent meeting date will be selected for the ordinance's adoption.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically underserved as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished as the County Administrative Codes and Board Policies provide a framework for a county that is healthy, safe, and thriving. Additionally, in alignment with the Board's commitment to transparency and open government, the Sunset Review process is an opportunity for HHS to reflect on current policies through an equity lens and recommend changes that allow for greater transparency.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On November 7, 2023:

1. Approve the introduction of the Ordinance (first reading):
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO COUNTY GENERAL RELIEF PROGRAM.

2. Determine no change is necessary to Board Policy A-128, Comprehensive Homeless Policy and approve the Sunset Review date of December 31, 2030.

If on November 7, 2023, the San Diego County Board of Supervisors takes action as recommended, then on December 5, 2023:

1. Consider and adopt (second reading):
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO COUNTY GENERAL RELIEF PROGRAM.
2. Update the Sunset Review date of the San Diego County Administrative Code, Article XV-C, General Relief Program, to December 31, 2030.

EQUITY IMPACT STATEMENT

As part of standard practice, the County of San Diego (County) Health and Human Services Agency (HHSA) performs an annual review of Board Policies and County Administrative and Regulatory Codes that are sunsetting to ensure alignment with current San Diego County Board of Supervisors (Board) values and to ensure that they are updated to reflect applicable laws and regulations. In alignment with the Board's commitment to transparency and open government, the Sunset Review process is an opportunity for HHSA to reflect on current policies through an equity lens and recommend changes that allow for greater transparency.

The changes recommended support the Board's framework toward achieving better outcomes for consumers. The recommended changes regarding Article XV-C, General Relief Program, reflect the County's priority in supporting policies that address disparities and disproportionality and ensure access for all through a fully optimized health and social service delivery system and upstream strategies.

Future Sunset Reviews will continue to utilize an equity lens and a quantitative data-driven approach. Additionally, it is anticipated that these actions will have a positive impact on equity-seeking groups including, Black, Indigenous, people of color, women, people with disabilities, immigrants, youth, and the LGBTQ+ community.

SUSTAINABILITY IMPACT STATEMENT

Today's actions strive for programs and operations that reflect the County of San Diego's (County) values and priorities. By aligning with the County's Sustainability Goals, the changes reflect more equitable, sustainable, and impactful practices. Specifically, extending the Sunset Review date for Board Policy A-128, Comprehensive Homeless Policy, aligns with Sustainability Goal #1 engaging the community in meaningful ways, by investing in community-centered approaches and collaborative leadership to address homelessness. Board Policy A-128 also aligns with Sustainability Goal #2, providing just and equitable access to County services and resources by prioritizing services for individuals who are experiencing homelessness and are part of a particularly vulnerable populations.

Today's action related to Article XV-C, General Relief Program, supports the County's Sustainability Goal #2, by continuing to focus investments on chronically underserved communities, and investing in resilience in vulnerable populations. By updating the sunset date of this ordinance, this action continues to align available County resources with services to maintain fiscal stability and ensure long-term solvency as well as creates policies to reduce poverty, promoting economic sustainability for all. In addition, amendments will ensure the capability to respond and recover to immediate needs for individuals in the region.

FISCAL IMPACT

There is no fiscal impact associated with the recommendations. 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 Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, to further consider and adopt the Ordinance on December 5, 2023, on Consent.

AYES: Vargas, Anderson, Lawson-Remer

NOES: Desmond

ABSENT: (District 4 Seat Vacant)

- 8. SUBJECT: RECEIVE UPDATE ON PRIORITIZING OUR VETERANS:
ESTABLISHING A CENTER FOR MILITARY AND VETERAN
REINTEGRATION IN EAST COUNTY (DISTRICTS: ALL)**

OVERVIEW

According to the California Association of County Veterans Service Officers, San Diego County has the largest concentration of military personnel in the nation, with nearly 120,000 active-duty personnel, and nearly 250,000 Veterans. Military members may face challenges associated with transitioning from military service to civilian life. With a long-standing commitment to ensuring that San Diego County is a region in which military personnel, Veterans, and their families are supported through various programs and initiatives, on September 27, 2022 (29), the San Diego County Board of Supervisors (Board) directed staff to explore establishing a Center for Military and Veteran Reintegration (CMVR) in East County. As part of this action, the Board directed staff to identify potential sites within the County's Second Supervisorial District to establish a reimagined CMVR, including Veterans housing, and to return to the Board with an implementation plan within one year. Today's action requests the Board receive an update on these efforts.

This item supports the County of San Diego's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by exploring opportunities to support the reintegration of Veterans into the community, including through expansion of Veteran facilities as one-stop hubs that provide services tailored to the needs of this population.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Receive update on exploring the feasibility of implementing the Center for Military and Veteran Reintegration model and expanded and novel services at existing County Military and Veteran Resource Centers, as well as establishing an East County Veterans Center.

EQUITY IMPACT STATEMENT

Military members are willing to pay the ultimate sacrifice to keep the nation safe yet may face challenges associated with transitioning from military service to civilian life. Community reintegration is a dynamic process that involves resuming roles in one's community of choice, and for Veterans, that transition is usually their transition from military to civilian life or their journey following an injury or illness. According to 2020 data available through the Veterans Metrics Initiative, many Veterans struggle with day-to-day life after separation from military service, affecting their relationships, jobs, and health. The longitudinal research initiative that followed a cohort of 9,566 Veterans identified that nearly half of Veterans reported having a physical health condition, one-third reported seeking additional education but struggled with educational functioning and satisfaction, and one-third reported having a mental health condition, many of whom also experienced declined social well-being. Services tailored to the needs of Veterans can enhance their transition back into the community by providing mental and healthcare supports, offering opportunities to develop transferable skills and assistance for job training and navigation, social and emotional support, housing navigation, and financial assistance. Today's action will inform the County of San Diego's efforts to provide access to equitable and trauma informed services for all populations, specifically Veterans in San Diego County, to achieve health and social well-being following their military service.

SUSTAINABILITY IMPACT STATEMENT

Today's actions support the County of San Diego's (County) Sustainability Goal #1 to engage the community, Sustainability Goal #2 to provide just and equitable access to County services, and Sustainability Goal #4 to promote health and well-being. Throughout the process of exploring the local implementation of a Center for Military and Veteran Reintegration model and expansion of services to East San Diego County, the County collaborated with existing Veteran organizations and community partners to gather information on available resources and identify opportunities to enhance equitable access to services for the region's Veterans. It is anticipated that doing so would improve the health and well-being of this population, who may need specialized services following the completion of their military service.

FISCAL IMPACT

There is no fiscal impact associated with today's recommendation. There may be future fiscal impacts based on future actions. Any such recommendations would return back for consideration and approval by the Board. Upon return by staff, funding for future costs will need to be identified by the department and will proceed once identified. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The recommended actions may positively impact businesses by expanding opportunities for job navigation and training for Veterans, as well as services related to entrepreneurship and associated technical operational assistance. These efforts will help to grow the workforce in various trades and fields and stimulate the local economy through commerce and the creation of jobs.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

9. **SUBJECT: AUTHORIZE THE ACCEPTANCE OF HIV/AIDS SERVICES GRANT FUNDING, EXTEND OUTPATIENT AMBULATORY HEALTH SERVICES CONTRACTS, COMPETITIVELY PROCURE HIV/AIDS SERVICES CONTRACTS, AND AUTHORIZE APPLICATION FOR NEW FUNDING (DISTRICTS: ALL)**

OVERVIEW

For over 30 years, the San Diego County Board of Supervisors (Board) has authorized grants and agreements with the United States Department of Health and Human Services Health Resources and Services Administration (HRSA) and the California Department of Public Health (CDPH) to provide a variety of testing, treatment, and prevention services to persons living with or vulnerable to HIV. HRSA awarded the County of San Diego (County) *A Status Neutral Approach to Improve HIV Prevention and Health Outcomes for Racial and Ethnic Minorities - Implementation Sites (Status Neutral Approach)* funding in the amount of \$1,500,000 for the period September 1, 2023 through August 31, 2026. *Status Neutral Approach* is a new funding source created by HRSA to help local health jurisdictions integrate HIV testing, treatment, and prevention into a single system. The County was one of only four jurisdictions in the United States to be awarded this funding.

CDPH awarded the County *Pre-Exposure Prophylaxis (PrEP) and Post-Exposure Prophylaxis (PEP) Initiation and Retention (PPIR) Initiative* funding in the amount of \$600,000 for the period July 1, 2023 through June 30, 2027. PPIR was created by CDPH to support PrEP and PEP navigation and retention coordinators utilizing evidence informed approaches to increase organizational capacity and to prioritize services for communities disproportionately impacted by HIV.

In addition, the Board previously authorized the acceptance of funding from CDPH for *Integrated HIV Surveillance and Prevention Funding for Health Departments* on May 23, 2023 (5). CDPH recently issued a no-cost extension for this grant funding for the period January 1, 2024 through May 31, 2024. While this is currently presented as a no-cost extension, it is anticipated that approximately \$1,000,000 in funding for this period will be awarded. This funding provides the core of the County's HIV prevention activities, including funding for HIV testing, disease intervention, outreach, health education, linkage to prevention and care services (antiretroviral therapy, PrEP and PEP), and social marketing and media.

HRSA funds the County to provide medical and support services for persons living with HIV through our Ryan White HIV/AIDS Extension Act Part A funding (Ryan White Part A). The County currently holds eight contracts for these services, and there is a need to extend these contracts for up to two years. Additionally, authorization is requested to conduct a competitive procurement for these services, with new services to begin March 1, 2025.

Today's requests would authorize acceptance of *A Status Neutral Approach to Improve HIV Prevention and Health Outcomes for Racial and Ethnic Minorities - Implementation Sites* grant funding; authorize acceptance of *Pre-Exposure Prophylaxis and Post-Exposure Prophylaxis Initiation and Retention Initiative* grant funding; authorize acceptance of *Integrated HIV Surveillance and Prevention funding for Health Departments* grant funding; authorize extension of current outpatient ambulatory health services contracts by one year; authorize competitive procurements for Outpatient Ambulatory Health Services, Oral Health and Psychiatric Services; and authorize application for additional funding opportunities that would support testing, prevention, and care and treatment needs of individuals and families in San Diego County who are impacted by HIV.

These items support the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as the ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished through education, prevention, and intervention to interrupt transmission of disease in the region. This item also supports the County's Getting to Zero initiative by planning and allocating resources dedicated to services for residents who are living with or vulnerable to HIV.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires prior approval of grant applications and full-cost recovery of grants.
2. Authorize the acceptance of \$1,500,000 in *A Status Neutral Approach to Improve HIV Prevention and Health Outcomes for Racial and Ethnic Minorities - Implementation Sites* grant funds from the Health Resources and Services Administration for the period of September 1, 2023 to August 31, 2026 for status neutral HIV services, and authorize the Agency Director, Health and Human Services Agency, to execute all required grant documents, upon receipt, including any annual extensions, amendments or revisions that do not materially impact or alter the services or funding level.

3. Authorize the acceptance of \$600,000 in *Pre-Exposure Prophylaxis and Post-Exposure Prophylaxis Initiation and Retention Initiative* grant funds from the California Department of Public Health for the period of July 1, 2023 to June 30, 2027 for HIV services that relate to prevention, and authorize the Clerk of the Board to execute all required grant documents, upon receipt, including any annual extensions, amendments or revisions that do not materially impact or alter the services or funding level.
4. Authorize the acceptance of approximately \$1,000,000 in additional *Integrated HIV Surveillance and Prevention Funding for Health Departments* grant funding from the California Department of Public Health for the period of January 1, 2024 through May 31, 2024, and authorize the Clerk of the Board to execute all required grant documents, upon receipt, including any extensions, amendments or revisions that do not materially impact or alter the services or funding level.
5. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, subject to successful negotiations and a determination of a fair and reasonable price, to amend contracts 556170, 556172, 563284, 556175, 556154, 556176, 556212, and 556211 to extend the contract term for up to two years; and amend the contracts as required in order to reflect changes to services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
6. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue Competitive Solicitations for outpatient ambulatory health services, oral health and psychiatric services, and upon successful negotiations and determination of a fair and reasonable price, award contracts for a term of one year and four option years, and up to an additional six months if needed, and to amend the contracts as needed to reflect changes to services and funding, subject to the approval of the Agency Director, Health and Human Services Agency.
7. Authorize the Agency Director, Health and Human Services Agency, or designee, to apply for any additional funding opportunity announcements, if available, to address the prevention, testing, care and treatment needs of those impacted by HIV.

EQUITY IMPACT STATEMENT

Since the beginning of the epidemic, HIV has disproportionately impacted some of our most vulnerable residents. Gay, bisexual, and other men who have sex with men, for instance, are currently estimated to comprise less than 2% of the adult population (LGBTQ+ Identification Rises to 5.6% in Latest U.S. Estimate, gallup.com), and yet they comprise 62% of recent HIV diagnoses and 71% of persons living with HIV. Moreover, in San Diego County, like much of the rest of the United States, HIV has disproportionately impacted Black and Hispanic communities. Blacks comprise less than 5% of the county's population but comprise 12% of recent HIV diagnoses. Hispanics comprise 34% of the population of the county yet comprise 48% of recent HIV diagnoses. Since HIV prevention services funding began in the mid-1990s, efforts have largely been focused on what are now the main tenants of the County of San Diego's (County) local Getting to Zero initiative: test, treat and prevent. Efforts are directed at

populations disproportionately impacted by HIV, including Black and Hispanic gay and bisexual men and other men who have sex with men. Data of new diagnoses during the years 2017-2021 demonstrated that Blacks were diagnosed at a rate of 34.9 per 100,000 and Hispanics were diagnosed at a rate of 19.9 per 100,000. Comparatively, Whites had a rate of 8.2 per 100,000 and Asian/Pacific Islanders had a rate of 5.3 per 100,000.

Since its inception in 1990, the Ryan White HIV/AIDS Treatment Extension Act (formerly the Ryan White CARE Act) has focused on ensuring access to treatment and support services for the most vulnerable residents. Thus far during the previous grant period (March 1, 2022- February 28, 2023), a total of 3,358 clients received services funded by Ryan White Part A in San Diego County. Of those clients, 56% were Hispanic and 13% were Black.

The success in reaching our residents and communities most disproportionately impacted by HIV is due in large part to the HIV Planning Group (HPG), an official advisory board to the San Diego County Board of Supervisors that has legislative authority to allocate Ryan White Part A funding to respond to local needs. In partnership with the HPG, the County Health and Human Services Agency conducts needs assessments every three years among persons living with or those vulnerable to HIV, assessments of system capacity and capabilities every three years, and focus groups with different communities annually. The next needs assessment will be conducted during the current Ryan White fiscal year. During Fiscal Years 2019-20 and 2020-21, the HPG engaged a consultant to conduct a community engagement process to identify how policy, planning, and funding changes could further close the disproportionalities we see among Black, Hispanic, and Transgender communities.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions align with the County of San Diego's Sustainability Goal #2 to provide just and equitable access to services and resources and Sustainability Goal #4 to protect health and well-being. This will be done by increasing capacity and services aimed to prevent, identify, and treat HIV. Testing, identification, and treatment of HIV will improve the overall health of communities, reduce the demand of associated care services, while increasing effectiveness of care providers and lowering operating costs.

FISCAL IMPACT

Recommendation #2: Accept A Status Neutral Approach to Improve HIV Prevention and Health Outcomes for Racial and Ethnic Minorities - Implementation Sites

Funds for this request are included in the Fiscal Year (FY) 2023-25 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs of \$437,402 and revenue of \$416,667 in FY 2023-24, and costs of \$524,882 and revenue of \$500,000 in FY 2024-25, for a total of \$1,574,647 in costs and \$1,500,000 in revenue through FY 2026-27. The funding for this grant is the United States Health Resources and Services Administration. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These unrecovered costs are estimated to be \$20,735 for FY 2023-24, and \$24,882 for FY 2024-25, and a total of \$74,647 through FY 2026-27. The funding source for these costs will be existing Realignment. The public benefit for providing these services far outweighs the costs. There will be no change in net General Fund cost and no additional staff years.

Recommendation #3: Accept Pre-Exposure Prophylaxis and Post-Exposure Prophylaxis Initiation and Retention Initiative

Funds for this request are included in the FY 2023-25 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs of \$160,268 and revenue of \$150,000 in FY 2023-24, and costs of \$160,268 and revenue of \$150,000 in FY 2024-25, and annually through FY 2026-27 for a total cost of \$641,072 and revenue of \$600,000 in funding. These costs will be absorbed with existing appropriations. The funding source for this grant is the California Department of Public Health. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These unrecovered costs are estimated to be \$10,268 for FY 2023-24, and \$10,268 for FY 2024-25, and a total of \$41,072 through FY 2026-27. The funding source for these costs will be existing Realignment. The public benefit for providing these services far outweighs the costs. Funds for subsequent years will be incorporated into future operational plans. There will be no change in net General Fund cost and no additional staff years.

Recommendation #4: Accept Integrated HIV Surveillance and Prevention Funding for Health Departments from the California Department of Public Health

Funds for this request are included in the FY 2023-25 Operational Plan in the Health and Human Services Agency. If approved, this request will result in approximate costs of \$1,258,633 and revenue of \$1,000,000 in FY 2023-24. These costs will be absorbed with existing appropriations. The funding source for this extension is the California Department of Public Health. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These unrecovered costs are estimated to be \$258,633 for FY 2023-24. The funding source for these costs will be existing Realignment. The public benefit for providing these services far outweigh the costs. There will be no change in net General Fund cost and no additional staff years.

Recommendation #5: Authorize Contract Amendments for Extensions

Funds for this request are included in the FY 2023-25 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs and revenue of \$710,000 in FY 2023-24, and estimated costs and revenue of approximately \$710,000 in FY 2024-25. The funding source is the United States Health Resources and Services Administration Ryan White Part A funding. There will be no change in net General Fund cost and no additional staff years.

Recommendation #6: Authorize Competitive Solicitations

Funds for this request are included in the FY 2023-25 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs and revenue of approximately \$750,000 in FY 2023-24, and estimated costs and revenue of approximately \$1,500,000 in FY 2024-25, and \$1,500,000 annually for each contract term. The funding source is the United States Health Resources and Services Administration Ryan White Part A funding. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

10. SUBJECT: AUTHORIZE CERTIFICATION STATEMENTS FOR CHILD HEALTH AND DISABILITY PREVENTION AND HEALTH CARE PROGRAM FOR CHILDREN IN FOSTER CARE (DISTRICTS: ALL)

OVERVIEW

On May 24, 2022 (8), the San Diego County Board of Supervisors (Board) authorized the certification statements for the Child Health and Disability Prevention (CHDP) program and the Health Care Program for Children in Foster Care (HCPCFC). This demonstrates a long-term commitment to helping children reach their full potential by supporting programs that encourage healthy behaviors, link eligible children to low- or no-cost healthcare coverage, provide case management services for low-income children with medical conditions, and provide support for at-risk children in the dependency system. CHDP and HCPCFC receive funding from the California Department of Health Care Services Children’s Medical Services (CMS) and is administered by the County of San Diego (County) Health and Human Services Agency, Public Health Services. CMS requires an annual budget submission process for the provision of services to the children of San Diego County, with certification by the Agency Director, Health and Human Services Agency. This certification process allows the County to receive reimbursements for CHDP and HCPCFC services.

Today’s action requests the approval and execution of the State’s Fiscal Year 2023-24 CHDP Certification Statement. The CHDP Program is in its final fiscal year and will end on July 1, 2024. Additionally, today’s action requests the Board to approve and authorize the Agency Director, Health and Human Services Agency to execute the HCPCFC Certification Statements for the State’s Fiscal Year 2023-24, and the subsequent four fiscal years through Fiscal Year 2027-28. Today’s action also requests the Board to authorize the Agency Director, Health and Human Services Agency, to apply for funding opportunities to support the Health Care Program for Children in Foster Care.

This item supports the County’s vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by supporting preventive health care, early intervention, and treatment programs for at-risk children and families.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve and authorize the Agency Director, Health and Human Services Agency to execute the Fiscal Year 2023-24 State Child Health and Disability Prevention Certification Statement.

2. Approve and authorize the Agency Director, Health and Human Services Agency to execute the Fiscal Year 2023-24 through Fiscal Year 2027-28 Health Care Program for Children in Foster Care Certification Statements.
3. Authorize the Agency Director, Health and Human Services Agency, to pursue future funding opportunities to support the Health Care Program for Children in Foster Care.

EQUITY IMPACT STATEMENT

Child Health and Disability Prevention (CHDP) and Health Care Program for Children in Foster Care (HCPCFC) programs support efforts to reduce disparities and health inequities by providing access and linkage to quality preventive services and ongoing healthcare coverage to low-income children zero to 18 years of age whose family income is at or below 266% of the Federal Poverty Level. These children experience greater risk factors, limited access to care, and increased morbidity and mortality compared to the general population. Poverty contributes to inequitable access to resources and increases the risk of adverse health outcomes. According to the 2021 data from the County of San Diego Health and Human Services Agency, Poverty in San Diego County: Family and Child Poverty, Deep Poverty, Housing, and Employment Report, 20% or more of children aged 18 years or younger in approximately 22% of San Diego County's census tracts are impacted by poverty.

The American Academy of Pediatrics (AAP) Policy Statement on Poverty also addresses the link between childhood poverty and poor health outcomes such as low birth weight, delayed growth and development, compromised mental health, and higher rates of chronic conditions.

Furthermore, untreated early childhood caries is two and half times more common in children experiencing poverty, and the rate of dental visits and dental sealant applications are lower for low-income children. According to AAP, children entering foster care have a high prevalence of undiagnosed or under-treated chronic medical problems. About 50% have chronic physical problems such as asthma, anemia, visual and hearing loss, and neurological disorders, and about 10% are medically fragile or have complex conditions. Getting preventive and routine care such as well-child medical and dental exams, developmental and behavioral screenings, mental health screenings, laboratory tests, and immunizations reduces risk for disease and disabilities, and death for this vulnerable population. The County of San Diego CHDP and HCPCFC programs within the Health and Human Services Agency, Public Health Services work to ensure children are linked and utilize preventive health and dental services. Programs will continue to work closely with CHDP providers and partners to communicate and advance equity-driven initiatives and outcomes, health education, and services.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed actions support the County of San Diego's Sustainability Goal #2 to provide just and equitable access to services and resources by advocating and ensuring at-risk children and youth have equitable access to preventive healthcare services to improve health opportunities and outcomes. Today's proposed actions also support Sustainability Goal #4 to protect the health and well-being of everyone in the region by ensuring providers have the necessary tools needed to educate families regarding the effects of climate change and the negative health impacts from environmental pollutants.

FISCAL IMPACT

There is no new fiscal impact associated with the proposed actions. The proposed actions will allow the County of San Diego to continue to receive revenue for the Child Health and Disability Prevention Program (CHDP), estimate at \$2.6 million, and for Health Care Program for Children in Foster Care (HCPCFC), estimate at \$5.9 million. CHDP funding will end on July 1, 2024, while HCPCFC will continue through Fiscal Year 2027-28. The sources of funding are the State General Fund, Federal Title XIX, and Realignment. There will be no change to net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 11. **SUBJECT: AUTHORIZE AGREEMENTS FOR THE HOUSING PRESERVATION AND ANTI-DISPLACEMENT PILOT PROGRAM, AND REALLOCATE FUNDING FROM THE INNOVATIVE HOUSING TRUST FUND (DISTRICT: 1)**

OVERVIEW

On August 17, 2021 (9), the San Diego County Board of Supervisors (Board) took action to combat the affordable housing crisis by directing the Chief Administrative Officer (CAO), to create the Housing Preservation and Anti-Displacement (HPAD) Pilot Program. The Board further directed that after successful negotiations with Ethos Associates, LLC and a complete third-party review, the CAO return to the Board with necessary proposed agreements for the Board's consideration.

The HPAD Pilot Program requires the County of San Diego (County) to enter into a regulatory agreement with Ethos, that restricts existing Naturally Occurring Affordable Housing (NOAH) units acquired by Ethos under the terms of the agreement. NOAH refers to rental housing that is unrestricted, yet affordable due to market conditions. These properties are neither subsidized nor restricted by any governmental agency, and therefore have a potential risk of becoming unaffordable over time. The regulatory agreement requires the acquisition, renovation, and conversion of these NOAH units into long-term affordable units with rent not to exceed affordability for households with incomes at or below 80% of the area median income. The regulatory agreement restricting these units, as well as financing from the County, will make Ethos eligible for a property tax exemption through Revenue and Tax Code section 214(g).

On August 14, 2023, Ethos submitted a NOAH proposal for consideration. The proposal for Vista Lane Apartments in Chula Vista, California is an existing 151-unit development with current rents below market rates. The development has been partially rehabilitated including roofing, window, landscaping, leasing office, and exterior paint signage upgrades, in addition to renovations in 42 units. The County Health and Human Services Agency (HHSA), Housing and Community Development Services, has completed all required reviews and negotiated a draft regulatory agreement and draft grant agreement for the Board's consideration.

Today's action requests the Board find the proposed action is not subject to the California Environmental Quality Act (CEQA) and is not a project as defined in CEQA Guidelines Section 1537; reallocate \$200,000 from the Innovative Housing Trust Fund to fund the Housing Preservation and Anti-Displacement Pilot Program; and authorize the CAO, or designee, to execute a 55-year regulatory agreement and grant agreement for \$200,000 with Vista Lane Property AGP, LLC, for supportive services costs associated with the Vista Lane property, and perform any actions in furtherance of, or necessary to, administer or implement the agreements.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15060(c)(3) of the State CEQA Guidelines because the activity in question is administrative in nature and is not a project as defined in CEQA Guidelines Section 1537.
2. Reallocate \$200,000 from the Innovative Housing Trust Fund to fund the Housing Preservation and Anti-Displacement Pilot Program.
3. Authorize the Chief Administrative Officer, or designee, to execute a 55-year regulatory agreement for acquisition, renovation, and operations of the Vista Lane property, and grant agreement for \$200,000 with Vista Lane Property AGP, LLC, a Delaware limited liability company its Administrative General Partner, for supportive services costs associated with the Vista Lane property, and perform any actions in furtherance of, or necessary to, administer or implement the agreements.

EQUITY IMPACT STATEMENT

The 6th Cycle Regional Housing Needs Assessment, which is a planning process that identifies existing and future housing needs through the year 2029, indicates 68,959 units are needed regionally for very low and low-income individuals and households. Restricted affordable housing units for low-income households may serve seniors, families, persons experiencing homelessness, persons at-risk of homelessness, veterans, persons experiencing homelessness with a serious mental illness, and transitional aged youth. All units reserved for low-income individuals and households, serve tenant populations earning below 80% area median income (AMI). Currently, the AMI for a one-person household is \$77,200 and \$110,240 for a four-person household.

Approval of today's recommendations will contribute to the County of San Diego's efforts to address local housing shortages and help increase access to quality affordable housing, by restricting rents for 151 multi-family units to rates affordable to low-income households for 55-years. This would benefit low-income residents with household incomes at or below 80% of the AMI. Additionally, as a part of this development, low-income residents would have access to supportive services such as community building activities, eviction prevention, information and referrals to other local resources, and supports for seniors and youth. These services will support this population by enhancing and maintaining quality of life and connections to the community.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed action supports the County of San Diego's Sustainability Goal #2, to provide just and equitable access to resources and services by ensuring units of this property are restricted to low-income individuals and families, and cultivating strong relationships with community partners to serve those that have been disproportionately impacted by poverty.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-25 Operational Plan in Health and Human Services Agency. If approved, this request will result in costs and revenue of \$200,000 in FY 2023-25. The funding source is the Innovative Housing Trust Fund (IHTF). The FY 2023-24 Operational Plan includes \$25.0 million in the IHTF to support affordable housing development, preservation, and associated costs. The County of San Diego is reviewing applications for the most recent allocation but has not awarded those funds, and if today's action is approved, this would reduce the total balance of the IHTF by \$200,000. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

12. **SUBJECT: MCCLELLAN-PALOMAR AIRPORT - SEVENTH AMENDMENT TO THREE AVIATION LEASES WITH WESTERN FLIGHT, INC. FOR SCHEDULED RENT ADJUSTMENT ONLY AND RELATED CEQA EXEMPTION (DISTRICT: 3)**

OVERVIEW

McClellan-Palomar Airport (Palomar) is located in the City of Carlsbad (Carlsbad) and is one of eight airports owned by the County of San Diego (County) and operated by the County Department of Public Works (DPW). The County airports system is operated, maintained, and improved using lease revenues and federal and State grant funding. Palomar was constructed on County-owned property, and when it opened in 1959, the surrounding area consisted mainly of

agricultural uses. Portions of Palomar were operated by the County as a municipal solid waste landfill from 1962-1975. No permanent buildings are allowed to be constructed on top of the closed landfill, and the use of the areas located over the landfill is limited to aircraft parking, taxiways, portable hangars, and auto parking. DPW performs monthly maintenance, monitoring, and mitigation, to ensure safety and protect public and environmental health. Over the last 60 years, light industrial, commercial, and recreational uses have developed around the airport. Carlsbad annexed the airport in 1978, citing economic benefits, including significant tax revenues for Carlsbad and increased services for the region. Today, the airport serves the community and region as a vital air transportation hub, an emergency services facility, and an economic engine that supports 2,590 local jobs and generates \$72 million in tax revenues and \$461 million in economic activity annually.

Palomar airport infrastructure and facilities include one runway, taxiways, commercial airline terminal building, air traffic control tower, communications, and related equipment. Palomar offers air travelers private charter flights and commercial airline service to Mammoth Lakes, California, with future flights to Las Vegas Nevada. Among services available to corporate and general aviation users at this airport are hangar and tie-down rentals, aviation fuel sales, aircraft repair, maintenance, parts, pilot supplies, and flight training. Leasing of airport land generates revenue for the Airport Enterprise Fund, which is used by DPW to ensure that all County airports are properly maintained and safe for airport users and the surrounding communities.

On December 10, 2003 (13), the Board of Supervisors (Board) approved three new 30-year aviation leases with Western Flight, Inc. Subsequently, these leases have been amended multiple times for various reasons, including: to extend the lease terms, to provide a temporary rent abatement, to revise the outdated lease language, to update the contact information, and to implement the renegotiated rental rate adjustments. These leases require rent to be renegotiated every five years to keep current with market rates and are due for a negotiated rent adjustment as of August 16, 2023. The lessees will continue to pay the current monthly payment until the new terms are approved. Once approved the rent due will be retroactive to August 16, 2023.

This is a request to approve the proposed seventh amendment to aviation leases with Western Flight, Inc. (County Contract Numbers 75728R, 75729R, and 75730R). If approved, the amendment will increase monthly base rent, as of August 16, 2023, to reflect market rates and comparative market analysis of neighboring leaseholds, as negotiated and agreed to by parties. The annual increase in rent for Contract Number 75728R is \$2,064; for Contract Number 75729R is \$2,688; and for Contract Number 75730R is \$264, for a total of \$5,016 per year increase.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendment is categorically exempt from CEQA review as it consists of the leasing of existing facilities involving negligible or no expansion of existing or former use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the seventh amendments to aviation leases with Western Flight, Inc. (County Contract Numbers 75728R, 75729R, and 75730R). **(4 VOTES)**

EQUITY IMPACT STATEMENT

McClellan-Palomar Airport is one of eight airports owned and operated by the County of San Diego (County) that provide vital air transportation hubs, emergency response facilities, and economic engines. The County pursues delivery of these services in a fair and equitable manner and actively works to remove barriers by providing airport guests with general airport information in the County's threshold languages, encouraging participation and providing competitive opportunities for small businesses that traditionally have less working capital and business owners and managers that may be socially and economically underserved.

SUSTAINABILITY IMPACT STATEMENT

The proposal to amend this aviation lease to increase monthly base rent has economic and social sustainability benefits. This lease provides increased services for the region. The revenues from this lease are used to operate, maintain, and improve the County airports system consistent with the County sustainability goal of providing just and equitable access to County services and resources in support of sustainable communities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of Public Works, Airport Enterprise fund. If approved, this request will result in additional revenue of \$4,396 in Fiscal Year 2023-24, for a total current year revenue of \$265,576. It will also result in a revenue of \$266,196 in Fiscal Year 2024-25. The funding source is rental payments from the lessee under the terms of the amended lease. There would be no change in net General Fund cost and no additional staff years required.

BUSINESS IMPACT STATEMENT

Leases at airports benefit the local business community by creating jobs, increasing economic activity, providing business opportunities, and supporting infrastructure development. They attract visitors, generate revenue, and help small businesses grow, thus stimulating the local economy and improving the quality of life for residents. Airports connect individuals to jobs and local communities to the world. Revenue derived from airport leases allows DPW to operate and maintain the eight County airports, airstrips, and airpark safely, efficiently, and cost-effectively. Today's action of implementing scheduled rent adjustment to this aviation lease with Western Flight, Inc. promotes self-sufficiency of McClellan-Palomar Airport and enhances the economic viability of the County airports system.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

**13. SUBJECT: ADOPT A RESOLUTION AND RELATED CEQA EXEMPTIONS
AUTHORIZING APPLICATION FOR THE SUSTAINABLE
AGRICULTURAL LANDS CONSERVATION PROGRAM
AGRICULTURAL CONSERVATION ACQUISITION GRANT: SAM'S
MOUNTAIN RANCH (DISTRICTS: ALL)**

OVERVIEW

Each year, the California Department of Conservation (DOC) allocates money to support the conservation of agricultural resources and agricultural planning programs. The Sustainable Agricultural Lands Conservation Program (SALC), a component of the Strategic Growth Council's Affordable Housing and Sustainable Communities Program administered by the DOC, supports California's greenhouse gas (GHG) emission reduction goals by making strategic investments to protect agricultural lands from conversion to more GHG-intensive uses. SALC is part of California Climate Investments, a statewide program that puts billions of Cap-and-Trade dollars to work reducing GHG emissions, strengthening the economy, and improving public health and the environment - particularly in disadvantaged communities.

The SALC guidelines are released annually and Round 9 SALC were released in April 2023, which includes three grant funding opportunities: agricultural conservation acquisition capacity funding, agricultural conservation acquisition grants, and agricultural conservation planning grants. The proposed agricultural conservation acquisition grant would, if awarded, provide funding to acquire a 450.08-acre agricultural conservation easement on Sam's Mountain Ranch, an active avocado and citrus orchard northeast of Valley Center in Pauma Valley, through the County of San Diego's Purchase of Agricultural Conservation Easement (PACE) Program. The PACE Program promotes the long-term preservation of agricultural land in the unincorporated area by compensating property owners who volunteer to place easements on their agricultural property. These easements are granted to the County to limit future uses on the property to agricultural operations and reduce future development potential, eliminating the risk of conversion to another use thus ensuring agricultural viability for generations to come. Since the inception of the PACE Program in 2011, the County has preserved 3,341 acres of agricultural land.

After being contacted by the property owners of Sam's Mountain Ranch, Planning & Development Services (PDS) staff identified the SALC conservation acquisition grant as a potential funding source to acquire the 450.08-acre agricultural conservation easement. Although the County could fund this easement acquisition through the PACE Program, the County has identified the SALC Program as an opportunity to receive grant funding to offset costs for the acquisition in order to ensure funding remains available for other property owners. The proposed SALC acquisition grant that PDS is applying for, would provide 90% of the funding, in the amount of \$1,381,500 towards the agricultural conservation easement acquisition. The remaining 10% would be funded by the County's PACE Program's existing General Purpose Revenue up to the estimated amount of \$153,500. Additionally, the proposed SALC conservation acquisition grant would provide \$30,000 for administrative costs, for a total grant amount of \$1,411,500. This acquisition would surpass the yearly goal of 443 acres while ensuring a majority of the PACE annual budget remains available to acquire additional agricultural conservation easements.

This is a request for the Board of Supervisors (Board) to adopt a Resolution authorizing the Director of PDS, or a designee, to apply for the Round 9 SALC Agricultural Conservation Acquisition Grant requesting a total of \$1,411,500 for the acquisition of the agricultural conservation easement and associated costs and complete the work included in the proposal. 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. If a grant is awarded, any unrecovered cost per Board Policy B-29 would be funded by available General Purpose Revenue in PDS. If awarded and approved by the Board, this request will establish an additional \$1,411,500 in the PACE Program Fund based on a grant from the California Department of Conservation SALC Program.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3), 15317, and 15325(b) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, any grant money received would be used for the establishment of an agricultural preserve, and CEQA does not apply to transfers of ownership in land to allow continued agricultural use and preserve existing natural conditions.
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 LANDS CONSERVATION PROGRAM AGRICULTURAL CONSERVATION ACQUISITIONS GRANT: SAM'S MOUNTAIN RANCH (Attachment A)**
3. Authorize the Director, Planning & Development Services, or their designee, to execute all required grant documents pertaining to the **ROUND 9 CALIFORNIA SUSTAINABLE AGRICULTURAL LANDS CONSERVATION PROGRAM**, including any annual extensions, amendments and/or revisions that do not materially impact or alter the services or funding levels.
4. Establish appropriations of \$1,411,500 in Planning & Development Services, Services and Supplies allocation for the future acquisition of 450.08 acres of agricultural lands (Sam's Mountain Ranch), based upon a grant award from the California Department of Conservation Sustainable Agricultural Lands Conservation Program, with final acquisition approval from the Board to be acquired at a future date. **(4 VOTES)**

EQUITY IMPACT STATEMENT

Application to the Sustainable Agricultural Lands Conservation Program (SALC) will provide funding to acquire a 450.08-acre agricultural conservation easement without exhausting the annual Purchase of Agricultural Conservation Easement (PACE) Program budget in the process to allow continued support of sustainable agriculture in San Diego County. This will allow the PACE Program budget to be used to purchase agricultural conservation easements from willing sellers through the PACE Program. The PACE Program supports existing farming operations

and social sustainability by protecting and maintaining agricultural resources that contribute to the food system throughout the region. Social sustainability is about identifying and proactively managing impacts on people and communities. Therefore, relationships and engagement with stakeholders are essential. Because the PACE Program relies on voluntary participation, stakeholder coordination is integral to its success, and stakeholder outreach and coordination are planned to continue for the foreseeable future.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed actions to apply for funding to acquire an agricultural conservation easement would contribute to the County of San Diego Sustainability Goals to transition to a green, carbon free economy; and to protect the health and wellbeing of everyone in the region. If awarded and approved, the agricultural conservation easement would contribute to the 2018 CAP Measure T-1.2 and the State's 2030 GHG reduction targets through decreased transportation, energy use, waste, and water consumption associated with preserving land that could otherwise be developed. The agricultural conservation easement would contribute to the County of San Diego Sustainability Goal to protect the health and wellbeing of everyone in the region by protecting and maintaining agricultural resources that contribute healthy produce to the food system throughout the region.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2023-24 Operational Plan in Planning & Development Services (PDS). If approved, this request will result in estimated costs and revenue of \$1,565,000 over the grant term in Fiscal Years 2023-24 through Fiscal Year 2024-25. The funding sources are \$1,411,500 in California Department of Conservation grant funding; \$153,500 in matching funds provided by existing General Purpose Revenue.

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. If a grant is awarded, any unrecovered cost per Board Policy B-29 would be funded by available General Purpose Revenue in PDS. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 23-130, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING DIRECTOR, PLANNING & DEVELOPMENT SERVICES, TO APPLY FOR THE SUSTAINABLE AGRICULTURAL LANDS CONSERVATION PROGRAM AGRICULTURAL CONSERVATION ACQUISITIONS GRANT: SAM'S MOUNTAIN RANCH.

AYES: Vargas, Anderson, Lawson-Remer, Desmond
ABSENT: (District 4 Seat Vacant)

14. SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD CONSTRUCTION CONTRACTS FOR 2021-2022 CDBG PEDESTRIAN FACILITY IMPROVEMENT PROJECTS (EAST ALVARADO STREET, FALLBROOK AND EAST 32ND STREET, LINCOLN ACRES) AND RELATED CEQA EXEMPTION (DISTRICTS: 1 & 5)

OVERVIEW

The Department of Public Works (DPW) seeks to provide pedestrians with safe and accessible facilities to enhance multi-modal mobility within communities. New and infill sidewalk locations are identified by overlaying socioeconomic data with DPW's Pedestrian Gap Analysis, GIS mapping, Local Road Safety Plan data, and incorporating community group and stakeholder priorities. Two locations are proposed for new sidewalk, curb, gutter, and pedestrian ramps that are accessible and compliant with the Americans with Disability Act (ADA). Providing safe facilities for pedestrians promotes walkability and connectivity for the community. The projects are located within the communities of Fallbrook and Lincoln Acres.

East Alvarado Street is a two-lane road that allows travel from west to east in the unincorporated community of Fallbrook. East Alvarado Street has continuous sidewalk on the north side of the street, but there is approximately a 500-foot gap in the sidewalk along the south side of East Alvarado Street just west of South Brandon Road. Surrounding land uses include local businesses and employment centers, health care offices, public services (including the San Diego County Sheriff's Office), and residential areas. This segment currently has no sidewalks or defined stormwater conveyance on the street, and limited room for pedestrians or wheelchair users to traverse.

East 32nd Street is primarily a residential two-lane road that provides direct access to the La Vista Memorial Park and Mortuary within the unincorporated community of Lincoln Acres. This Memorial Park is a center of the community and holds various events, family gatherings, and religious services. There is continuous sidewalk on the south side of East 32nd Street, but there is a sidewalk gap on the north side of the street. This gap spans from 75 feet east of Olive Street to Cypress Street, on both sides of the entrance to the Memorial Park. There are small shopping plazas, grocery stores, churches, restaurants, and childcare providers all within a half-mile of the project. Public transportation is within one block of this site and includes bus connectivity to Plaza Bonita Mall as an employment center and access to food and services. Filling this gap in the sidewalk will benefit residents and pedestrians by enabling active transportation and accessibility to essential services.

DPW was successful in obtaining funding from the Fiscal Year 2021-22 Community Development Block Grant program (CDBG). The federal CDBG grant funds are provided by the U.S. Department of Housing and Urban Development (HUD) and administered by the County of San Diego Health and Human Services Agency (HHSA) Housing and Community Development Services (HCDS) Division. To qualify for a grant award, CDBG sidewalk projects must be located in census tracts with more than 50% of the surrounding households defined as low- or moderate-income, according to federal standards.

HHSA established a Memorandum of Understanding with HCDS and DPW to direct the implementation of the projects in accordance with their Annual Funding Plan. Accordingly, DPW has completed design engineering and right-of-way acquisition for both sites and prepared the construction contract for public advertisement and award.

Community	Project Location	Improvements	Cost
Fallbrook	East Alvarado Street- south side of street, west of South Brandon Road	500 feet of concrete curb, gutter and sidewalk, and associated facilities	\$586,000
Lincoln Acres	East 32 nd Street- north side of street from Cypress to 75 feet east of Olive Street	580 feet of concrete curb, gutter, and sidewalk and associated facilities	\$577,000

Prior to the start of construction, DPW will provide notifications such as mailers, door hanger notices, social media postings, and signage that describe the nature and expected duration of the construction activities. The notifications will be provided in English, and Spanish, which are the primary languages spoken in this community, and will be provided in other languages if requested. Project information will also be available through the DPW webpage. The Project will be constructed within the public right of way, and during construction, traffic control measures such as cones and signage will be in place for temporary traffic detours to limit impacts on the community.

This is a request for the Board of Supervisors (Board) to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Project. Upon Board approval, the Department of Purchasing and Contracting will advertise and subsequently award a contract for construction. Construction is scheduled to begin Spring 2024 and completed Summer 2024. Construction cost for both sites is estimated at \$886,000 including a 25% contingency for unforeseen conditions, and the funding source is CDBG funds.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the 2021-2022 CDBG Pedestrian Facility Improvement Projects are independently and collectively exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because they involve minor alteration of existing public roadway and pedestrian facilities, involving negligible or no expansion of existing or former use.
2. Establish appropriations of \$886,000 in the Department of Public Works Road Fund Fiscal Year 2023-2024 Detailed Work Program for the construction of CDBG Pedestrian Facility Improvement Projects based on revenue from the Community Development Block Grant. (4 VOTES)

3. Authorize the Director of Purchasing and Contracting to advertise and award multiple construction contracts and to take any action authorized by Section 401 et seq., of the Administrative Code, with respect to contracting for the CDBG Pedestrian Facility Improvement Projects.
4. 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.

EQUITY IMPACT STATEMENT

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. Installing concrete sidewalks, curbs, and gutters is an important mobility element that supports effective drainage on County-maintained roads and enhances safe and effective walkability within unincorporated communities. The Department of Public Works (DPW) conducts routine annual 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. In addition, DPW staff regularly attend community planning and sponsor group meetings, and other community meetings, including revitalization meetings.

The Community Development Block Grant (CDBG) Program funds services and facilities to benefit the most vulnerable in our communities. The allocation of these federal grant funds is aligned with screening criteria that considers socioeconomic data, and eligibility calculations including census tract income levels. For the East Alvarado Road Sidewalk Improvements site, 69% of surrounding households are considered Low-Moderate Income (LMI). For the East 32nd Street Sidewalk Improvements site, 58% of the surrounding households in the census tract block group are considered LMI according to federal standards. These community infrastructure projects will benefit these moderate- and low-income underserved communities.

Construction is administered in conformance with federal standards for labor practices, wage requirements, safety standards, and are subject to ongoing reporting and verification of compliance with these federal provisions. Further, the CDBG projects require construction contractors to hire and train workers from Section 3 (low- and very-low income) households.

These employment opportunities must be both gender and race neutral. Both the administration of the infrastructure construction project and the use of the newly installed facilities are focused on maximizing benefits within our underserved communities. The new sidewalks will facilitate safe pedestrian routes within the residential and commercial areas within the community, but also connect to transit hubs, libraries, schools, employment centers, and grocery stores for all users.

SUSTAINABILITY IMPACT STATEMENT

Installing fully accessible pedestrian facilities provides new, safe mobility options and connections to non-vehicular transit. Providing this new infrastructure has economic, health and well-being, and environmental sustainability benefits. These new structures promote safe transit options within two communities of San Diego County and provide opportunities for residents to connect to transit hubs across wider areas of the County. These pedestrian facilities will improve

mobility and quality of life while enhancing pedestrian accessibility and safety along existing public roadways, which also supports the County's Climate Action Plan in improving roadway segments as multi-modal. These improvements will help to create resilient communities while contributing to the County's sustainability goal of reducing greenhouse gas emissions and providing just and equitable access for residents. Increasing walkability will further County of San Diego sustainability goals of reducing vehicle miles traveled and emissions.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2023-24 Operational Plan in the Department of Public Works (DPW) Road Fund Detailed Work Program. If approved, this request will result in additional construction costs and revenue of \$886,000 including a 25% contingency tied to recommendation 2. The funding source is the Community Development Block Grant. There will be no change in net General Fund cost and no additional staff years.

The total project estimated costs are \$1,163,000 and includes \$277,000 for design, environmental review, right-of-way acquisition and construction inspection. The construction contract is estimated at \$886,000 including a 25% contingency for unforeseen conditions.

BUSINESS IMPACT STATEMENT

County of San Diego construction contracts are competitively and publicly bid and help stimulate the local economy by creating primarily construction-related employment opportunities. All workers employed on the 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 the collective bargaining agreements. A skilled and trained workforce requirement will be included in the contract in compliance with the County's Working Families Ordinance requirements for County construction projects.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 15. SUBJECT: ESTABLISH NEW NOMINATION PROCEDURES FOR THE PALOMAR AIRPORT ADVISORY COMMITTEE (PAAC) DUE TO REDISTRICTING (DISTRICTS: 3 AND 5)**

OVERVIEW

McClellan-Palomar Airport (Palomar Airport) is located in the City of Carlsbad (Carlsbad) and is one of eight airports owned by the County of San Diego (County) and operated by the County Department of Public Works (DPW). Palomar Airport was constructed on County-owned property, and when it opened in 1959, the surrounding area consisted mainly of agricultural uses and a closed landfill. Today, the airport serves the region as a vital air transportation hub, an emergency services facility, and an economic engine that supports 2,590 local jobs and generates \$72 million in tax revenues and \$461 million in economic activity annually.

On January 5, 1988 (43), the County Board of Supervisors (Board) added Article XL, Section 730 et seq. to the San Diego County Code of Administrative Ordinances (Administrative Code) to formalize the duties, responsibilities, membership, and selection of the Palomar Airport Advisory Committee (PAAC). The PAAC was originally established to develop a noise control plan for the airport; however, its duties have expanded to advising the Board and the Chief Administrative Officer on airport land use, development, master planning, and operational issues. The PAAC has also grown to provide a forum for neighboring communities to speak on matters involving the airport.

The criteria for PAAC membership, including the nomination and appointment process, are defined in Article XL of the Administrative Code. The PAAC is currently comprised of nine members who have a general interest in aviation, aviation leasing or business and understanding of the surrounding communities. During the formation of the PAAC in 1988, Palomar Airport was within the footprint of the Third Supervisorial District and was bordering the Fifth Supervisorial District. At that time, PAAC membership stood at eleven members nominated by both districts, with four from the Third Supervisorial District and five from the Fifth Supervisorial District. Following a subsequent supervisorial boundary redistricting approved by the Board on July 31, 2001(18), Palomar Airport was located entirely within the boundaries of the Fifth Supervisorial District. As a result, the Board amended Article XL of the Administrative Code to reduce the membership to nine and to have the Fifth Supervisorial District nominate all nine members. During the 2010 redistricting of supervisorial boundaries, the Board approved the continuation of the Fifth Supervisorial District nominating all nine members.

Discussions with Carlsbad, prompted by the development of the Palomar Airport Master Plan during 2018, eventually led to the March 28, 2019 Mutual Cooperation and Settlement Agreement between Carlsbad and the County. As part of those discussions Article XL was amended on January 9, 2019 (04) to enable the cities of Carlsbad, Vista, San Marcos, and Oceanside to recommend PAAC seats to the Board for consideration thorough the Fifth Supervisorial District. The remaining five at-large seats are also currently nominated by the Fifth Supervisorial District.

On January 15, 2022, the County of San Diego Independent Redistricting Commission completed redistricting of the supervisorial districts. As a result of redistricting, the footprint of Palomar Airport now resides entirely within the Third Supervisorial District and aircraft operations impact surrounding communities in both the Third and Fifth Supervisorial Districts. To better align PAAC membership with recent redistricting, it is proposed that staff be directed to return to the Board with amendments to Article XL of the Administrative Code. The recommended changes are to: 1) renumber and redesignate nomination process for all nine

PAAC seats; 2) amend District 3 and 5 nominations for each seat; 3) change nomination process for the PAAC's 9th seat to be nominated by the Chief Administrative Officer (CAO) and create new qualification criteria for the 9th PAAC seat. Furthermore, in the spirit of regional cooperation and because the airport itself is located in Carlsbad, a reasonable approach to restructuring the PAAC appointment process would also include dividing the eight of the nine seats evenly among District 3 and District 5, with four nominations assigned to each respective district. The remaining seat would be nominated by the Chief Administrative Officer (CAO) as an "industry" member. The "industry" member must have expertise and experience at Palomar

Airport in aviation and/or aeronautical airport business operations within fields such as, but not limited to a pilot, mechanic, airplane owner, airport property business owner who is a lessee or sub-lessee or other related fields and have a demonstrated interest in the economic viability of the airport. Each of the nine members would continue to serve terms that run concurrent with the appointing supervisor, with the CAO appointment's term running concurrent with the District 3 Supervisor.

Today's action provides direction regarding the structure of the PAAC following redistricting and directs staff to return to the Board within 90 days with proposed amendments to the San Diego County Administrative Code establishing a new PAAC appointment procedure.

RECOMMENDATION(S)
SUPERVISOR JIM DESMOND

1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.
2. Direct the Chief Administrative Officer (CAO) to return to the Board within 90 days with proposed amendments to the San Diego County Administrative Code establishing a new PAAC appointment procedure, as follows:
 - a. Renumber all nine seats for sake of clarity, ensuring four seats each are nominated by both District 3 and 5, and one seat is nominated by the CAO:
 - i. **District 5**
 1. Seat 1 is for a City of Oceanside member.
 2. Seat 2 is for a City of San Marcos member.
 3. Seat 3 is for a City of Vista member.
 4. Seat 4 is an "at large" member.
 - ii. **District 3**
 1. Seat 5 is for a City of Carlsbad first member.
 2. Seat 6 is for a City of Carlsbad second member.
 3. Seat 7 is an "at large" member.
 4. Seat 8 is an "at large" member.
 - iii. **CAO**
 1. Seat 9 is designated as an "industry" member as defined in subsection 'e.'
 - b. The PAAC shall consist of these nine members.
 - c. Two members must reside in the city of Carlsbad and one each must reside in the cities of Oceanside, San Marcos and Vista. Each city may identify a resident(s) residing in their respective jurisdiction as a candidate to be considered for nomination to the designated District Supervisor for the PAAC seat. If any city fails to identify a resident as a candidate for consideration or the candidate is determined by their respective Supervisor as unacceptable, each Supervisor may nominate a member of its own choice from that city.

- d. Three members shall be from the general public (“at large”) - two residing within District 3 and one residing within District 5.
- e. The PAAC’s 9th seat shall be recommended by the CAO as an “industry” member. The “industry” member must have expertise and experience at Palomar Airport in aviation and/or aeronautical airport business operations within fields such as, but not limited to a pilot, mechanic, airplane owner, airport property business owner who is a lessee or sub-lessee or other related fields and have a demonstrated interest in the economic viability of the airport.

EQUITY IMPACT STATEMENT

The Palomar Airport Advisory Committee (PAAC) gathers input from the public, reviews issues and makes recommendations to the Board of Supervisors on a range of airport matters. Therefore, it’s important for PAAC membership to represent those who are most affected by Palomar Airport operations. Distributing members evenly among the affected supervisorial districts (Districts 3 and 5) ensures those most affected by airport operations are given equal representation on the PAAC and opportunity to provide input.

SUSTAINABILITY IMPACT STATEMENT

Establishing new PAAC appointment procedures will ensure the PAAC continues to serve the public on making recommendations on a range of matters, including those that impact the fiscal and environmental sustainability of airport operations.

FISCAL IMPACT

There is no fiscal impact associated with today’s recommendations. There may be fiscal impacts associated with future related recommendations for which staff would return to the Board for consideration and approval. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 16. **SUBJECT: RESOLUTION DESIGNATING DATES AND TIMES FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS IN 2024 (DISTRICTS: ALL)**

OVERVIEW

The recommended action is that the Board adopt the resolution setting the 2024 Board of Supervisors regular meeting schedule.

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS

Adopt the resolution: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS SETTING THE DATES AND TIMES FOR REGULAR MEETINGS OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS IN CALENDAR YEAR 2024

EQUITY IMPACT STATEMENT

The Board of Supervisors annually adopts a calendar for regular meetings. This ensures that the public is well informed of the meetings and can plan for active participation in local government.

SUSTAINABILITY IMPACT STATEMENT

The proposed meeting calendar allows stakeholders to plan for community engagement and identify meaningful ways to continually seek input to foster inclusive and sustainable communities.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

There is no business impact associated with this action.

ACTION:

This item was continued to December 5, 2023 at the request of Chairwoman Vargas.

17. **SUBJECT: RESOLUTION AMENDING THE RULES OF PROCEDURE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS (DISTRICTS: ALL)**

OVERVIEW

The recommended action is that the Board adopt a resolution to amend the Board of Supervisors' Rules of Procedure to clarify that the adopted calendar sets the meeting start time, redefined the Tuesday session as the "Legislative session," and added other clarifying language pertaining to public participation.

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS

Approve amendments to the Board of Supervisors Rules of Procedure and adopt a Resolution entitled: RESOLUTION AMENDING THE RULES OF PROCEDURE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS

EQUITY IMPACT STATEMENT

As publicly elected officials, our number one duty is to serve the people of San Diego. We prioritize transparency and accessibility to improve public understanding of how the County operates and participation in shaping future priorities. These efforts towards accessibility are particularly important to reach those communities that have been previously disconnected from the County civic process. It is anticipated that through these changes to the Rules of Procedure

we will ensure that the diverse voices of our community can be heard in an equitable and civilized manner, and as such, can provide input that is vital to a healthy democratic institution.

SUSTAINABILITY IMPACT STATEMENT

The changes to the Rules of Procedure allows stakeholders to plan for community engagement and identify meaningful ways to continually seek input to foster inclusive and sustainable communities.

FISCAL IMPACT

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT

There is no business impact associated with this action.

ACTION:

This item was continued to December 5, 2023 at the request of Chairwoman Vargas.

- 18. SUBJECT: GENERAL SERVICES - APPROVAL OF FIRST AMENDMENT TO LEASE FOR THE HEALTH AND HUMAN SERVICES AGENCY AND THE PROBATION DEPARTMENT, 7065 BROADWAY, LEMON GROVE, AND NOTICE OF EXEMPTION (DISTRICT: 2)**

OVERVIEW

The Health and Human Services Agency (HHS) Lemon Grove Family Resource Center (FRC) has operated out of a 40,000 square foot building located at 7065 Broadway in the City of Lemon Grove since 1990. On September 25, 2018 (08), the Board of Supervisors (Board) approved a five-year lease agreement that allowed for interior improvements required for the integration of the Probation Department into the Lemon Grove FRC.

The existing lease expired on September 30, 2023, and HHS and Probation have continued occupancy on a holdover basis while a lease amendment was negotiated. Staff from the Department of General Services have negotiated an amendment to extend the term of the lease.

Today's request is approval of the first amendment to the lease agreement.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed lease amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15301.
2. Approve and authorize the Director, Department of General Services, to execute the lease amendment for space located at 7065 Broadway, Lemon Grove.

EQUITY IMPACT STATEMENT

It is anticipated that the proposed lease amendment for the Health and Human Services Agency Lemon Grove Family Resource Center will have a positive impact on the community by ensuring access for all through a fully optimized health and social delivery system.

SUSTAINABILITY IMPACT STATEMENT

Implementing effective sustainability objectives is crucial to ensuring safe and healthy communities and contributing to the overall success of the region. The approval of the lease amendment is appropriate as it supports the County’s Strategic Initiative of Sustainability to ensure the capability to respond to immediate needs for individuals, families, and the region.

FISCAL IMPACT

Health and Human Services Agency

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of approximately \$573,300 in Fiscal Year 2023-24 based on an amendment commencement date of December 1, 2023, and costs and revenue of approximately \$999,338 in Fiscal Year 2024-25. There is a 3.5% rent adjustment in December 2024. The funding sources are Social Services Administrative Revenue, Realignment, and existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

Probation Department

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Probation Department. If approved, this request will result in costs and revenue of approximately \$191,100 in Fiscal Year 2023-24 based on an amendment commencement date of December 1, 2023. The funding source is existing General Purpose Revenue. Estimated costs and revenue for Fiscal Year 2024-25 (\$333,113) and option years will be included in future years operational plans for the Probation Department. There is a 3.5% rent adjustment in December 2024. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 19. **SUBJECT: ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION (11/7/23 - First Reading; 12/5/23 - Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)**

OVERVIEW

The Compensation Ordinance enacted by the Board of Supervisors establishes procedures for compensating County of San Diego employees. The Department of Human Resources provides recommendations for changes to the Compensation Ordinance based on legislative changes, environmental factors, organizational changes, etc. with the goal of providing and retaining a

skilled, adaptable, and diverse workforce. Today's actions reflect the compensation ordinance changes to accomplish this goal. Approval of these compensation ordinance changes will provide the authority needed for County departments to implement the classification and compensation changes outlined in this letter.

Today's recommendations are for the Board to approve the introduction of the ordinance (first reading) to amend the Compensation Ordinance. If the Board takes action as recommended, then on December 5, 2023, staff recommends the Board adopt the ordinances (second reading). If the proposed ordinance is altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

On November 7, 2023:

1. Approve the introduction of the Ordinance (first reading):
AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND
ESTABLISHING COMPENSATION

If, on November 7, 2023, the Board takes action as recommended in item 1 above, then, on December 5, 2023:

2. Approve the adoption of the Ordinance (second reading):
AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND
ESTABLISHING COMPENSATION

If the proposed ordinance is altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

EQUITY IMPACT STATEMENT

The Department of Human Resources is committed to assuring that equity is considered in classification and compensation. Today's recommendations provide amendments to the compensation ordinance that will assist the County of San Diego to provide and retain a skilled, adaptable, and diverse workforce for County departments and enables the County to deliver superior services to the residents and visitors of the County of San Diego.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions amending the compensation ordinance aligns with the County of San Diego's Sustainability Goals by promoting sustainable economic growth for our community. The proposed actions included in this letter provide just and equitable wages as well as the establishment of quality job opportunities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan for the impacted departments. If approved, this recommendation will result in total estimated ongoing costs as follows:

<i>in millions</i>		<u>FY 23-24</u>	<u>FY 24-25</u>
A	Base salary and benefit increases	\$ 0.04	\$ 0.09
B	Total Ongoing Cost (incremental increase)	\$ 0.04	\$ 0.09
C	Total Cost	\$ 0.04	\$ 0.09

There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, to further consider and adopt the Ordinance on December 5, 2023, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

20. **SUBJECT: AN ORDINANCE ADDING SECTION 438 TO ARTICLE XXIV-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO VOLUNTEER ELECTION POLL WORKERS AND ELECTION SUPPORT VOLUNTEERS (11/07/2023 - First Reading; 12/05/2023 - Second Reading, unless ordinance is modified on second reading) (DISTRICTS: ALL)**

OVERVIEW

With over 1.9 million active registered voters, the mission of the Registrar of Voters (ROV) is to conduct voter registration and voting processes with the highest level of professional election standards, including accountability, security and integrity, thereby earning and maintaining public confidence in the electoral process. The ROV conducts elections on behalf of the more than 500 political districts in San Diego County.

Today's actions request that the Board of Supervisors review and approve an ordinance to add Section 438 to Article XXIV-A of the San Diego County Administrative Code related to stipends and expense allowances for volunteer poll workers and other election support volunteers. This recommended action recognizes the exceptional commitment involved in order to perform an important civic function. Under the County's vote center model, voting is open for eleven or four days, including Election Day. Service as a poll worker involves long hours to open, close and operate vote centers and many are called upon to transport election materials. Costs and expense for transportation, parking, meals, child or elder care, and other incidentals can be a deterrent for individuals who have an interest in becoming a poll worker.

The ROV, Auditor & Controller and Department of Human Resources have faced many challenges with each election in the recruitment, training, on-boarding, time tracking, and pay warrants for thousands of poll workers. With the change to the multi-day vote center model that began in June 2022, the prior stipend/allowance structure for volunteer poll workers working on Election Day was replaced with an hourly rate based on the number of hours of service. However, this caused significant County personnel time and administrative demands for time tracking and processing payroll. A stipend and/or expense allowance is similar to the County's previous model and that of many other counties for their volunteer poll workers. This will provide greater flexibility and reduce administrative burdens associated with administering the County's volunteer poll worker and election support volunteer programs.

Today's actions include introducing an Ordinance adding Section 438 to Article XXIV-A of the San Diego County Administrative Code (first reading) and if approved, it will be scheduled for adoption on December 5, 2023. If the proposed ordinance is altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

On November 7, 2023:

1. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance:
AN ORDINANCE ADDING SECTION 438 TO ARTICLE XXIV-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO VOLUNTEER ELECTION POLL WORKERS AND ELECTION SUPPORT VOLUNTEERS

If on November 7, 2023, the Board takes action as recommended on Item 1 above, then on December 5, 2023:

2. Approve the adoption of the following Ordinance (second reading), read title and waive further reading of the Ordinance:
AN ORDINANCE ADDING SECTION 438 TO ARTICLE XXIV-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO VOLUNTEER ELECTION POLL WORKERS AND ELECTION SUPPORT VOLUNTEERS

If the proposed ordinance is altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

EQUITY IMPACT STATEMENT

A person's vote can influence policy and who represents them in government, which in turn impacts their environment, health, and quality of life. Having the appropriate resources to conduct a fair, accurate and transparent election allows all eligible citizens to have a part in matters that affect them.

SUSTAINABILITY IMPACT STATEMENT

A person's vote has a direct influence on the sustainability of their neighborhood, community, and local region. By voting, San Diego residents have a direct impact on their health, equity, the economy and environment. With the County's implementation of the vote center model, all active registered voters receive a ballot in the mail as required by current law. This increases

accessibility by providing voters with the opportunity to consider the method that is most convenient for them to return their ballot and has the possibility of reducing vehicle miles traveled to cast their vote. In addition, voters have the option of receiving their voter information guides electronically to reduce paper waste. The recommended action today aligns with the County of San Diego Sustainability Goal of providing just and equitable access to County services.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Registrar of Voters. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, to further consider and adopt the Ordinance on December 5, 2023, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

21. **SUBJECT: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND COUNTY ADMINISTRATIVE CODE PROVISIONS ASSIGNED TO THE FINANCE AND GENERAL GOVERNMENT GROUP (11/7/23 - First Reading; 12/5/23 - Second Reading, unless the ordinances are modified on second reading) (DISTRICTS: ALL)**

OVERVIEW

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Finance and General Government Group (“FG3”) periodically reviews certain Board Policies and provisions of the San Diego County Code of Administrative Ordinances (“Administrative Code”) to ensure that they reflect current Board of Supervisors (“Board”) standards and practices. FG3 also reviews for any changes in laws, policies or regulations that govern County departmental operations and services and recommends amendments accordingly.

Today’s recommendations are the culmination of these efforts. Staff recommends the following actions: 1) determine that no amendments are necessary to certain policies and code provisions, 2) determine that amendments are necessary to certain policies and code provisions, 3) defer the sunset review of certain policies until December 31, 2024, and 4) repeal one Administrative Code provision.

Today’s recommendations request the Board’s approval of the introduction of ordinances (first reading) to amend and repeal the corresponding administrative codes with needed changes. If the Board takes action as recommended, then on December 5, 2023, staff recommends the Board adopt the Ordinances (second reading). If the proposed ordinances are altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinances’ adoption.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER
On November 7, 2023:

1. Determine no change is necessary and approve the sunset review date of December 31, 2030, for the following Board of Supervisors Policies and Administrative Code provisions:
 - a. A-4, Appointment of Directors to the California State Association of Counties
 - b. A-5, Appointment of Committee Members to Various State Committees
 - c. A-13, General Regulatory Legislation
 - d. A-43, Response to Grand Jury Reports
 - e. A-76, Sunset Review Process
 - f. A-98, Board Policy on Non-Interference in Administrative Affairs
 - g. A-111, Data/Information and Information Systems
 - h. B-5, Delinquent County Accounts - Small Claims Actions by the Auditor and Controller, Office of Revenue and Recovery
 - i. B-36, Acts Required or Authorized to be Performed Under Revenue and Taxation Code Section 4675 by the Treasurer-Tax Collector
 - j. B-42, Authorization of Power by the Board of Supervisors to the County Auditor and Controller, the County Treasurer-Tax Collector, and the County Counsel Pursuant to Section 4804 of the Revenue and Taxation Code
 - k. B-47, Administration of Unemployment Insurance Claims
 - l. G-4, National Flag-Policy and Display at County Buildings
 - m. Administrative Code Article V-A, Processing and Certification of Routine Claims

2. Approve amendments and the sunset review date of December 31, 2030, for the following Board of Supervisors Policies:
 - a. A-108, Service of Summons and Complaints on Members of the Board of Supervisors in Lawsuits Against Individual Supervisors in their Official Capacity
 - b. A-120, Zero Tolerance for Fraud in County Programs and Services
 - c. B-40, Administration of Workers' Compensation Liabilities
 - d. B-41, Liability Coverage for Volunteers
 - e. B-58, Funding of the Community Enhancement Program
 - f. B-72, Neighborhood Reinvestment Program
 - g. F-23, Inclusion of Works of Art on Certain County Public Buildings
 - h. F-38, Edgemoor Property Development
 - i. F-46, Authority to Name County Buildings and Facilities
 - j. F-47, Procuring Professional Services to Assist with County Acquisition and Leasing of Real Property
 - k. G-10, Exterior Lighting at the County Administration Center and Cedar & Kettner Parking Structure
 - l. G-11, Use of County Facilities by Non-County Organizations
 - m. G-15, Design Standards for County Facilities and Property
 - n. G-15a, County Administration Center Design Guidelines and Facilities Project Coordination

3. Defer the sunset review of the following policies until December 31, 2024:
 - a. A-138, Use of County Seal

4. Approve the introduction of Ordinances (First Reading), waive further reading of the Ordinances entitled:
- AN ORDINANCE AMENDING ARTICLE IX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE OFFICE OF COUNTY COUNSEL
- AN ORDINANCE AMENDING ARTICLE X OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO CLAIMS AGAINST THE COUNTY
- AN ORDINANCE AMENDING ARTICLE XII-F OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE COUNTY COMMUNICATIONS OFFICE
- AN ORDINANCE REPEALING ARTICLE XXI OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO INTERGOVERNMENTAL REPRESENTATION
- AN ORDINANCE AMENDING ARTICLE XXIIb OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE DEPARTMENT OF GENERAL SERVICES
- AN ORDINANCE AMENDING ARTICLE XXVIe OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO REIMBURSEMENTS AND ALLOWANCES
- AN ORDINANCE AMENDING ARTICLE XXVII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE BOARD OF SUPERVISORS

If, on November 7, 2023, the Board takes the action as recommended by recommendation 4, then, on December 5, 2023:

- Submit the Ordinances for further Board consideration and adoption (Second Reading):
- AN ORDINANCE AMENDING ARTICLE IX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE OFFICE OF COUNTY COUNSEL
- AN ORDINANCE AMENDING ARTICLE X OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO CLAIMS AGAINST THE COUNTY
- AN ORDINANCE AMENDING ARTICLE XII-F OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE COUNTY COMMUNICATIONS OFFICE
- AN ORDINANCE REPEALING ARTICLE XXI OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO INTERGOVERNMENTAL REPRESENTATION
- AN ORDINANCE AMENDING ARTICLE XXIIb OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE DEPARTMENT OF GENERAL SERVICES

AN ORDINANCE AMENDING ARTICLE XXVIe OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO REIMBURSEMENTS AND ALLOWANCES

AN ORDINANCE AMENDING ARTICLE XXVII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE BOARD OF SUPERVISORS

2. Approve the sunset review date of December 31, 2030, for these ordinances.

EQUITY IMPACT STATEMENT

The County of San Diego's policies impact residents of the county. In the review of policies, staff considered and accounted for impacts to all communities. In addition, the recommended amendments to policies and code provisions before the Board ensure the use of inclusive pronouns, and the incorporation of new roles created to increase accessibility to County programs and services.

SUSTAINABILITY IMPACT STATEMENT

County of San Diego (County) staff reviewed and, where necessary, is recommending amendments to existing policies and code provisions in alignment with our current County sustainability goals and practices. The recommendations before the Board include updates to Board Policies that incorporate the goal of meeting high standards of sustainability and environmental design recognized by Leadership in Energy and Environmental Design (LEED) Gold building certification as a baseline for any new construction at County facilities. Additionally, the recommendations include updates that promote economic sustainability.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, to further consider and adopt the Ordinances on December 5, 2023, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

22. **SUBJECT: DELEGATION OF INVESTMENT AUTHORITY TO THE TREASURER-TAX COLLECTOR AND APPROVAL OF THE INVESTMENT POLICY (DISTRICTS: ALL)**

OVERVIEW

Annually, the Board of Supervisors (Board) is requested to take several actions regarding the San Diego County Investment Pool. These actions include the annual delegation of investment authority to the Treasurer-Tax Collector and review and approval of the Investment Policy.

Today's actions will delegate investment authority to the Treasurer-Tax Collector for the calendar year 2024 and approve the amended Investment Policy.

RECOMMENDATION(S)

TREASURER-TAX COLLECTOR

1. Adopt the Resolution titled: RESOLUTION DELEGATING INVESTMENT AUTHORITY TO THE COUNTY TREASURER-TAX COLLECTOR (Attachment A, on file with the Clerk of the Board.)
2. Review and approve the San Diego County Treasurer's Pooled Money Fund Investment Policy, as amended.

EQUITY IMPACT STATEMENT

The County Treasurer follows State of California legislated parameters and exercises fiduciary authority for the investment of the funds of the county and the funds of other depositors in the county treasury. The County Treasurer must manage public monies in a way that is consistent with its objectives of safety and liquidity, prudent investment practices and not solely to maximize returns. The investment function benefits the public because the investment earnings provide incremental funding for programs and services.

SUSTAINABILITY IMPACT STATEMENT

The Treasurer-Tax Collector is committed to the County's sustainability goals. To promote just and equitable access to the County's investment process, the County Treasurer utilizes an approved list of brokerage firms to purchase securities. A competitive request for statement of qualifications is conducted every three years. The Treasurer's selection process includes working with the Department of Purchasing and Contracting and a Qualification Evaluation Committee to evaluate proposals from a variety of firms with diverse backgrounds and skillsets.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 23-131, entitled: RESOLUTION DELEGATING INVESTMENT AUTHORITY TO THE COUNTY TREASURER-TAX COLLECTOR.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

23. SUBJECT: APPROVAL OF THE CONFLICT OF INTEREST CODES FOR RAINBOW MUNICIPAL WATER DISTRICT AND VISTA IRRIGATION DISTRICT (DISTRICTS: ALL)

OVERVIEW

The Board of Supervisors serves as the Code Reviewing Body for any local agency, other than city agencies, with jurisdiction wholly within the County, per Government Code Section 82011. The recommended action would approve the proposed amendments to the Conflict of Interest codes of Rainbow Municipal Water District and Vista Irrigation District.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Approve the Conflict of Interest codes of the following agencies:

1. Rainbow Municipal Water District
2. Vista Irrigation District

EQUITY IMPACT STATEMENT

County government includes standing and special citizen boards, commissions, committees and task forces formed to advise the Board of Supervisors and County staff on issues and policies and to serve as links to the community. Boards, commissions and committees provide an inter-relationship between the residents and the government of the County and as such must provide transparent bias-free decision-making. The Board of Supervisors serves as the Code Reviewing Body for any local agency, other than city agencies, with jurisdiction wholly within the County, pursuant to Government Code Section 82011. Under the California Political Reform Act, a public official has a disqualifying conflict of interest in a governmental decision if it is foreseeable that the decision will have a financial impact on their personal finances or other financial interests. In such cases, there is a risk of biased decision-making that could sacrifice the public's interest in favor of the official's private financial interests. To avoid actual bias or the appearance of possible improprieties, the public official is prohibited from participating in the decision.

The recommended action would approve the new Conflict of Interest codes submitted by Rainbow Municipal Water District and Vista Irrigation District. The Conflict of Interest code in this Board Letter enables the County of San Diego to provide transparency and accountability to individual residents, ensuring equitable operations of the government that are free from undue influence.

SUSTAINABILITY IMPACT STATEMENT

Under the Political Reform Act, all public agencies are required to adopt a Conflict of Interest code that designates positions that are required to file the Statement of Economic Interests (Form 700). Conflict of Interest codes must be maintained as updated and accurate to ensure that necessary public officials report their personal financial interests. These required filings provide public transparency about possible conflicts of interest and to ensure governmental decisions are made in the best interest of the public. This board letter supports the County of San Diego's sustainability goal of, "Engaging the community to partner and participate in decisions that impact their lives and communities and transparently share results of outcomes."

FISCAL IMPACT

The funding source for administration of this task is included in the Fiscal Year 2023-2024 Adopted Budget for the Clerk of the Board of Supervisors.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

24. SUBJECT: APPOINTMENTS: VARIOUS (DISTRICTS: ALL)

OVERVIEW

These appointments are in accordance with applicable Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," Board Policy A-77, "Appointments to Fill Vacancies and Cancellation of Election where Insufficient Nominations Filed Prior to Uniform District Election and Citizen Planning Group Election," and Board Policy I-1, "Planning and Sponsor Group Policies and Procedures."

RECOMMENDATION(S)

CHAIR NORA VARGAS

Re-Appoint Patricia Boles to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 12 for a term to expire November 07, 2027.

Re-Appoint Jeff Wiemann to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 13 for a term to expire November 07, 2027.

Re-Appoint Stephen Moore to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 15 for a term to expire November 07, 2027.

Re-Appoint Adam Reed to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 17 for a term to expire November 07, 2027.

Appoint Erin Gospodarec to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 14 for a term to expire November 07, 2027.

Appoint Beth Ploesch to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 16 for a term to expire November 07, 2027.

Appoint Shea Prophet to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 19 for a term to expire November 07, 2027.

Appoint Steven Gachette to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 21 for a term to expire November 07, 2027.

Appoint Diana Venegas to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 22 to complete the unexpired term, and begin a new term to expire November 07, 2027.

VICE-CHAIR TERRA LAWSON-REMER

Appoint Holly Herring to the COUNTY OF SAN DIEGO BEHAVIORAL HEALTH ADVISORY BOARD (BHAB), Seat No. 11 for a term to expire November 07, 2026.

SUPERVISOR JOEL ANDERSON

Appoint Nicholaus Ewing-Pistelak to the CAMPO-LAKE MORENA COMMUNITY PLANNING GROUP, Seat No. 7 for a term to expire January 06, 2025.

Appoint Carmen Longoria to the JESS MARTIN PARK ADVISORY COMMITTEE, Seat No. 4 for a term to expire January 06, 2025.

CHIEF ADMINISTRATIVE OFFICER

Re-Appoint Rhea Van Brocklin to the COUNTY OF SAN DIEGO HIV PLANNING GROUP, Seat No. 18 for a term to expire November 07, 2027.

EQUITY IMPACT STATEMENT

County government includes standing and special citizen boards, commissions, committees, and task forces formed to advise the Board of Supervisors and County staff on issues and policy and to serve as links to the community. Boards, commissions, and committees provide an inter-relationship between the residents and the government of the County. The nominations in this Board Letter enable the County of San Diego to provide individual residents the opportunity to impart valuable insight and input into the operation of the government.

SUSTAINABILITY IMPACT STATEMENT

The County of San Diego has over one hundred boards, commissions, committees, and task forces that serve as voice in the County government. Advisory bodies are an essential role in resident engagement that allow citizens to participate on issues relating to the welfare and quality of life in the County. They are fundamental to the County of San Diego's ability to navigate complex and dynamic policy challenges, are a conduit to the County Bureaucracy, and a broker to community voice. This board letter supports the County of San Diego Sustainability Goal No.1 by "encourage[ing] people and diverse stakeholders to partner and participate in decisions that impact their lives and communities."

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

25. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW

Board Policy A-72, Board of Supervisors Agenda and Related Process, authorizes the Clerk of the Board to prepare a Communications Received for Board of Supervisors' Official Records. Routine informational reports, which need to be brought to the attention of the Board of Supervisors yet not requiring action, are listed on this document. Communications Received documents are on file in the Office of the Clerk of the Board.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Note and file.

EQUITY IMPACT STATEMENT

N/A

SUSTAINABILITY STATEMENT

This board letter is a list of documents received by the Clerk of the Board of Supervisors and/or Board of Supervisors from other entities, other county departments, the public, and internal documents presented to the Clerk of the Board of Supervisors or the Board of Supervisors. This contributes to the overall sustainability of the county by engaging the community in meaningful ways and promote an environment that provides equitable access opportunities for public engagement.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

26. SUBJECT: SHERIFF REQUEST FOR SUPPORT OF COUNTY DETENTION FACILITY SYSTEM IMPROVEMENTS (DISTRICTS: ALL)

OVERVIEW

The San Diego County Sheriff's Department (Sheriff's Department) has the legal and moral obligation to care for individuals in its custodial setting. The department operates a system of seven uniquely designed detention facilities located throughout San Diego County, with a combined average daily population of more than 4,000 incarcerated persons.

On February 3, 2022, the California State Auditor issued a report on San Diego County jails, specifically on in-custody deaths, and recommendations on how to improve health care services and safety in jails. The recommendations impact not only operational and policy conformance but substantial investment in the existing jail system in order for outcomes to materialize as suggested in the report. Since the release of the audit report, the Sheriff's Department has been making intentional efforts to improve service delivery to those in its custodial care. This has been achieved through focused and extraordinary changes to existing systems and processes. The department has significantly moved the needle toward improved and enhanced care. Despite the improvements, further investments are necessary to update the dated detention facilities and existing infrastructure. Existing facilities are not conducive to optimal delivery of care and rehabilitation services, therefore significant investment in systems that have reached end-of-life, including upgrades to plumbing, security, and electrical building infrastructure, is needed in many of the detention facilities. The Sheriff's Department and the County of San Diego (County) have studied the facility needs and developed a systemwide plan to renovate and/or rebuild aging infrastructure.

Today's requested actions seek the Board's support to receive the Sheriff's Department's presentation on the state of County detention facilities; receive the recommendations of the Detention Facility Strategic Framework Plan - Executive Summary (Attachment A); transfer appropriations of \$500,000 to Capital Project 1026161, Vista Detention Facility Modernization, to provide additional funds for the Vista Detention Facility study; and issue a competitive solicitation for consulting services to advise and assist the County on available revenue measures to achieve the needed improvements in the region's jail system.

RECOMMENDATION(S)

SHERIFF

1. Receive the Sheriff's Department's presentation on the state of County detention facilities.
2. Receive the Detention Facility Strategic Framework Plan detailing Sheriff's detention facility and infrastructure needs assessment.
3. Transfer appropriations of \$500,000 from the Sheriff's Department, Services & Supplies, to Contributions to Capital Outlay Fund, Operating Transfers Out, to Capital Project 1026161, Vista Detention Facility Modernization, to provide additional funding for the study. **(4 VOTES)**

4. Establish appropriations of \$500,000 in the Justice Facility Capital Outlay Fund, for Capital Project 1026161, Vista Detention Facility Modernization, based on an Operating Transfers In, the Contributions to Capital Outlay Fund. (4 VOTES)
5. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue Competitive Solicitations for consulting services to advise and assist the County on the various aspects of available revenue measures, to include but not be limited to research, outreach activities, preparation for approval, and implementation/operation of the revenue measure(s), and upon successful negotiations and determination of a fair and reasonable price, award a contract for one year, with four option years, and to amend the contract as needed to reflect changes to services and funding, subject to the approval of the Sheriff.

EQUITY IMPACT STATEMENT

The Sheriff is statutorily required to provide for the health and safety of those in its custodial care. It is a Constitutional right for incarcerated individuals to have access to quality healthcare. Therefore, the Sheriff's Department prioritizes providing quality medical and mental health care to everyone in custody beginning at intake. Facility recommendations and requirements offer a baseline of the infrastructure necessary to enhance delivery of services which will improve outcomes and reduce health disparities. Above and beyond the Constitutional minimum requirements, jail facilities should reflect the community standard of integrated healthcare and support incarcerated persons with a holistic approach. The Sheriff's Department is continually enhancing technology and programs in County detention facilities to enhance the level of care and increase access, thus creating a physical environment conducive to the health and well-being of all incarcerated persons. This approach maximizes the overall health and life trajectory of incarcerated persons, and better supports reentry to the community upon release.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions to support and seek funding for the necessary facility replacements and facility improvements systemwide contributes to the County of San Diego's sustainability goal to provide just and equitable access to County services. The Sheriff's Department has been committed to improving its service delivery to those in its custodial care. This effort will provide more coordinated medical and mental health care service delivery, with a person-centered approach to rehabilitate individuals, as well as provide equitable access for family members and collaborative spaces for criminal justice and community-based partners. By investing in modern infrastructure, the Sheriff's Department will be able to provide enhanced care and resources to individuals in custody.

FISCAL IMPACT

Funds for these requests are included in the Fiscal Year 2023-24 Operational Plan for the Sheriff's Department. These requests will result in Fiscal Year 2023-24 costs and revenue of \$500,000 in the Justice Facility Construction Fund for Capital Project 1026161, Vista Detention Facility Modernization, for a total project budget of \$1,500,000. The funding sources are Proposition 172 revenue (\$1,000,000) and existing General Purpose Revenue (\$500,000). In addition, estimated costs and revenue of \$250,000 have been budgeted in Fiscal Year 2023-24 for procurement of consultant contracts. The funding source is existing General Purpose

Revenue. Total estimated costs for the Vista Detention Facility is \$316 million based on the Strategic Facility Plan and not the comprehensive study underway which will assess costs for a replacement or renovation. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

27. SUBJECT: CONDUCT AN ENTERPRISE-WIDE ASSESSMENT OF HOMELESS SERVICES IN SAN DIEGO COUNTY (DISTRICTS: ALL)

OVERVIEW

In recent years, the County of San Diego (County) Board of Supervisors has taken an extensive approach to address the growing homelessness crisis in San Diego County. While our County continues to invest in homelessness prevention methods such as emergency housing solutions, diversion programs, affordable housing developments, and other services, people experiencing homelessness in San Diego County continues to increase. The most recent Point in Time Count has identified 10,264 individuals as living on the streets or in shelters throughout San Diego County, with our senior population being the fastest growing population to experience homelessness for the first time.

Cities across the State have performed reviews of their homeless services to ensure transparency and accountability in policy and funding solutions. Today's actions would direct the Chief Administrative Officer to seek a consultant to conduct an enterprise-wide assessment on County homelessness efforts to include contracts and contract performance measures as it relates to homelessness, programs and services administered by the County, staffing services dedicated to serving our unsheltered population, and current homeless provider collaborations and efforts with all 18 city jurisdictions. The assessment should also include any identified gaps in County services and provide recommendations on ways to streamline County services, update County contracts and performance measures related to homelessness, and strengthen homelessness collaborations the County has with homeless providers and city jurisdictions across the region, to ultimately improve outcomes for those at the brink of becoming homeless or experiencing homelessness. Although the County has multiple programs, services, staff, and strong partnerships with providers and city jurisdictions to support efforts in ending homelessness, this assessment can be a tool to identify best practices, the effectiveness of efforts, and areas for improvement.

The proposed action today is to conduct an enterprise-wide assessment on County homelessness programs and services, County contracts relating to homelessness, current collaborations with providers and city jurisdictions, and receive recommendations on best practices to enhance efficiencies and achieve better outcomes in supporting our unsheltered population and further prevent homelessness.

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS

1. In accordance with Section 401, Article XXIII of the County Administrative Code, authorized the Director, Department of Purchasing and Contracting, to issue Competitive Solicitations for Consulting Services to identify and assess all contracts, programs, and services the County of San Diego provides to prevent, address, and end homelessness, including assessing the dedicated resources and staffing, and upon successful negotiations and determination of a fair and reasonable price, award contracts for a term of one year and one option year, and up to an additional 6 months if needed, and to amend the contracts as needed to reflect changes to services and funding.
2. Direct the CAO to return to the Board within 6 months - 180 days with the results of this study and recommendations for next steps.

EQUITY IMPACT STATEMENT

The 2023 We All Count Point-in-Time Count identified 10,264 individuals as living on the streets or in shelters throughout San Diego County. To address the needs of our unsheltered population and work towards ending homelessness in our county, the Board of Supervisors adopted the Framework for Ending Homelessness, a framework that outlines the County's strategies for ending homelessness through 5 main strategic domains: Root Causes and Prevention; Diversion and Mitigation; Services, Treatment and Outreach; Emergency/Interim Housing and Resources; and Permanent Housing and Support. Additionally, the Board of Supervisors has taken additional actions and supported investments in a number of efforts to further prevent homelessness and meet the needs of our unsheltered population.

Today's action aims to better understand the County of San Diego's homeless system and ensure services provided to those experiencing homelessness have adequate resources to exit the homeless system with the goal to end homelessness.

SUSTAINABILITY IMPACT STATEMENT

An enterprise-wide assessment of homeless services can lead to more effective and efficient use of resources, ensuring that individuals experiencing homelessness receive better support. This can contribute to the social sustainability of a community by reducing the number of people without shelter and improving their quality of life.

Enhancing homeless services can also lead to improved health outcomes for homeless individuals and contribute to social sustainability. Addressing the root causes of homelessness, such as affordable housing, employment, access to healthcare, mental health services, and substance abuse treatment can prevent new cases of homelessness. This long-term approach can have a positive social sustainability impact by reducing the overall number of people who experience homelessness.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2023-24 Operational Plan in the County of San Diego. Costs associated with conducting this assessment through a contractor are currently unknown, and additional research is required to determine associated costs. There is currently no identified funding to support this assessment. The department will monitor the availability of any new funding opportunities, as the Request for Proposals would not be able to move forward until costs associated have been determined and new funding becomes available, or current funding is reallocated. At this time, 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 Anderson, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 28. **SUBJECT: BRIDGING THE GAP FOR THOSE IN ADDICTION RECOVERY: FROM HOMELESSNESS TO HOUSING (DISTRICTS: ALL)**

OVERVIEW

We have a homelessness crisis in San Diego County, one that continues to worsen every year. The 2023 annual Point-in-Time Count shows that San Diego County has 10,264 homeless individuals on any given night, a 22% increase from the previous year. It is estimated that over a third of our homeless population also have substance use disorder (addiction to drugs and/or alcohol). The addiction crisis compounds the challenges faced by individuals experiencing homelessness.

The San Diego region has a shortage of recovery residences. Recovery residences are a type of supportive living designed to provide a safe and structured environment for individuals who are recovering from substance use disorders. These residences offer a supportive and sober living environment where individuals can focus on their recovery journey while being surrounded by peers who share similar goals and experiences.

There are approximately 100 individuals in North County San Diego who are homeless and in County-funded outpatient substance use treatment for addiction. These individuals have managed to engage in treatment services and achieve and maintain sobriety while overcoming significant barriers to do so. Their lack of housing is a constant threat to their recovery, and they are a population that we should prioritize as we continue to work towards ending homelessness. By providing housing opportunities, we can help prevent these individuals from falling back into homelessness.

Today's action would direct the Chief Administrative Officer to explore a pilot program to enhance investments to expand recovery residence access for homeless persons participating in County-funded outpatient substance use treatment or recovery services in North County. This includes identifying ongoing funding for the increased access. Today's action also directs the Chief Administrative Officer to develop a plan to provide recovery residence access for all homeless persons currently in County-funded outpatient substance use treatment, who are working to maintain sobriety and improve their lives, countywide.

**RECOMMENDATION(S)
SUPERVISOR JIM DESMOND**

1. Direct the Chief Administrative Officer to explore a pilot program to expand recovery residence access for the approximately 100 homeless individuals in North County San Diego who are in County-funded outpatient substance use treatment through enhanced investments and report back to the Board in 90 days.
2. Direct the Chief Administrative Officer to identify funding for the recovery residence expansion pilot program and include findings in the report back.
3. Direct the Chief Administrative Officer to explore a plan to expand the pilot program countywide and report back in 180 days.

EQUITY IMPACT STATEMENT

By increasing the number of recovery residence beds through enhanced investments, the County of San Diego would be expanding services to a currently underserved population. The County of San Diego is committed to providing equal access to services and housing. There is a severe lack of sober living opportunities in the County of San Diego. By supplying stable housing in a sober environment, the County of San Diego can provide housing to a segment of our homeless population.

SUSTAINABILITY IMPACT STATEMENT

This proposed action contributes to the County of San Diego's Sustainability Goal of protecting the health and well-being of all San Diegan residents. Enhancing recovery residence access will help facilitate self-sufficiency and rehabilitation of some of the County's more vulnerable residents.

FISCAL IMPACT

There is no fiscal impact associated with the exploratory recommendations. The department will seek funding opportunities in the current fiscal year and refer to the FY 24-25 budget if no current year funding is identified.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

29. SUBJECT: PRIORITIZING ASSISTANCE FOR MILITARY AND VETERANS' FAMILIES SEEKING TO RELOCATE TO THE UNITED STATES (DISTRICTS: ALL)

OVERVIEW

There is currently a program at the federal level through the Department of Homeland Security (DHS), specifically the U.S. Citizenship and Immigration Services (USCIS) agency called "Military Parole in Place (MIL-PIP). This program is an immigration benefit that is reserved for military members and veterans that grants spouses, parents, sons, and daughters temporary permission to be in the United States while they pursue legal status.

I am recommending that the County create a pilot program through the County Office of Military and Veterans Affairs that prioritizes supporting the MIL-PIP by providing those serving and who have served in the military with the assistance needed to reunite them with their families seeking to relocate to the United States. This action will reaffirm the County's support for our service members and their families, which is stated and mentioned in the County's Legislative Program, who should be recognized and rewarded for the honorable and selfless service they have provided to our nation.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON

Direct the Chief Administrative Officer to develop a pilot program through the County Office of Military and Veterans Affairs and report back to the Board in 120 days or less. The program will focus on conducting outreach and education for qualified individuals to utilize the MIL-PIP program.

EQUITY IMPACT STATEMENT

Veterans contribute to the rich diversity of the San Diego region. Providing opportunity and assistance to veterans embodies equity principles to positively impact a community that is underserved far too often.

SUSTAINABILITY IMPACT STATEMENT

This Board action aligns with the County of San Diego's Sustainability Goal to strive for County programs and operations that reflect the County's values and priorities, which includes our veterans, equity, and sustainability.

FISCAL IMPACT

Today's recommended action would result in estimated costs of \$500,000 to develop and implement a pilot program to provide active-duty military, veterans and their families with outreach and education to assist them with accessing immigration services from the U.S. Citizenship and Immigration Services, Military Parole in Place program. The proposed funding source for these costs is anticipated fund balance. County staff will return to the Board for approval and identification of funds to cover costs for any future actions should the Board authorize full implementation of the program. 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 Anderson, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

30. **SUBJECT: ADVANCING REPRODUCTIVE RIGHTS EDUCATION AND
Pursuing Litigation to Shut Down Fake and
Fraudulent Crisis Pregnancy Centers
(Districts: All)**

OVERVIEW

In September 2023, legal action was initiated by California State Attorney General Rob Bonta against two California “Crisis Pregnancy Centers.” These centers, notorious for their unethical practices, were accused of using deceptive methods to dissuade women from pursuing abortion. The blatant misinformation, presented as “medical advice,” is just one of the tactics deployed by these so-called medical providers.

According to news reports, San Diego County has as many as 16 “Crisis Pregnancy Centers” that unknowing residents could be using to their detriment. These centers misleadingly offer free consultations for services, but then present individuals with anti-abortion information and actively try to stop individuals from terminating their pregnancy. San Diego County residents are at risk of being harmed emotionally and physically by “Crisis Pregnancy Centers.” We must ensure our residents are properly informed about the dangers of these fake reproductive health centers.

Today’s action requests the Board of Supervisors (Board) take action to amplify important programs launched by the state of California in the wake of the overturning of *Roe v. Wade*, and direct the County Chief Administrative Officer to develop a public education campaign plan to make communities aware of deceptive “Crisis Pregnancy Centers,” and share information about vital reproductive health services from reputable and qualified providers such as Planned Parenthood by making the information available to the public through California Senate Bill (SB) 245 and Medi-Cal.

This action will be another step in ensuring that there continues to be broad public access to vital reproductive healthcare services, and that an individual’s right to choose is not jeopardized.

RECOMMENDATION(S)

SUPERVISOR TERRA LAWSON-REMER

1. Direct the County Counsel, in consultation with the Chief Administrative Officer, to bring back recommendations to the Board regarding options for initiation of litigation against, including but not limited to shutting down such centers, whether in Closed or Open Session, as appropriate.

2. Direct the Chief Administrative Officer to create and implement a public education campaign plan that potentially include billboards and social media ads, to (a) increase local awareness around “Crisis Pregnancy Centers,” and (b) educate the public about resources available under California Senate Bill (SB) 245, as well as reproductive services for Medi-Cal recipients.
3. Authorize the Agency Director for Health and Human Services to apply for additional funding opportunities, if available, to fund efforts to increase awareness around reproductive health services.

EQUITY IMPACT STATEMENT

When safe and legal access to abortion and reproductive care is limited, restricted, or jeopardized- people of color, immigrants, young individuals, and people with low incomes are often the first to be impacted. It is imperative that the County of San Diego be at the forefront in defending and protecting the right to abortion and reproductive care and increase public awareness about what services are available within our local communities.

SUSTAINABILITY IMPACT STATEMENT

The plan will seek to use environmentally sustainable forms of advertising and outreach, such as digital communications and billboards, rather than mass mailings or leaflets.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan for the Health and Human Services Agency. If approved, this request will result in estimated one-time costs of \$500,000. HHSA will use existing appropriations to fund costs. The funding source is existing one-time General Purpose Revenue. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

A motion was made by Supervisor Lawson-Remer, seconded by Supervisor Vargas, for the Board of Supervisors to take action as recommended.

AYES: Vargas, Lawson-Remer

NOES: Anderson, Desmond

ABSENT: (District 4 Seat Vacant)

(Motion failed due to a tie vote. Pursuant to Rule 2(g) of the Board’s Rules of Procedure, this item will be placed on the agenda for the next regular meeting.)

31. SUBJECT: AUTHORIZE COMPETITIVE SOLICITATIONS, SINGLE SOURCE CONTRACT, AMENDMENTS TO EXTEND EXISTING CONTRACTS, AMENDMENTS TO REFLECT CHANGE TO SERVICES AND INCREASE TO FUNDING, AND EXECUTION OF INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF CALIFORNIA AND ACCEPTANCE OF FUNDING (DISTRICTS: ALL)

OVERVIEW

The County of San Diego (County) Health and Human Services Agency, Behavioral Health Services provides a comprehensive array of mental health and substance use services to people of all ages. These services are delivered through County-operated programs, as well as contracts with community service providers. Those served include vulnerable populations, including individuals who are experiencing homelessness, individuals with justice involvement, and children and youth with complex behavioral health conditions.

Today's actions recommend the San Diego County Board of Supervisors (Board) authorize competitive solicitations, a single source contract, amendments to extend existing contracts, and an amendment to reflect change to services and increase to funding. These actions aim to sustain critical behavioral health services, with the goal of building a better behavioral health service delivery system for San Diego County's communities. Today's actions support the continuation of critical work to advance the behavioral health continuum of care throughout San Diego County. In addition, today's actions request the Board approve the Drug Medi-Cal Organized Delivery System Intergovernmental Agreement with the State of California to reflect revised revenue amounts allocated by the State, and to accept the funding for Fiscal Years 2023-2027.

Today's actions support the County's vision of a just, sustainable, and resilient future for all, specifically, those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by upholding practices that align with community priorities and improving transparency and trust while maintaining good fiscal management.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Board Policy A-87, Competitive Procurement, and Section 401, Article XXIII of the County Administrative Code (Administrative Code), authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for behavioral health services listed below, and upon successful negotiations and determination of a fair and reasonable price, award contracts for an Initial Term of up to one year, with four 1-year Options, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program, funding or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.
 - a. Strength-Based Case Management Full Services Partnership and Institutional Case Management
 - b. Suicide Prevention, Stigma Reduction and Substance Use Prevention Multi-Media Campaign

c. Breaking Down Barriers Program

d. Transitional Residential Treatment Program

2. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations for behavioral health services, and subject to successful negotiations and determination of a fair and reasonable price, enter into a single source contract with Generations Healthcare of Lakeside, LLC for Adult Residential Skilled Nursing Facility services for an Initial Term of up to one year, with four 1-year Options, and up to an additional six months, if needed; and to amend the contract to reflect changes in program, funding or service requirements subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.
3. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, subject to successful negotiations and a determination of a fair and reasonable price, to amend the contracts listed below to extend the contract term up to June 30, 2025, and up to an additional six months, if needed; expand services, subject to the availability of funds; and amend the contracts as required in order to reflect changes to services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
 - i. Assertive Community Treatment Services
 1. Telecare Corporation (Contract #560755)
 2. Telecare Corporation (Contract #560864)
 3. Telecare Corporation (Contract #560866)
 - ii. Behavioral Health Patient Rights Education and Advocacy Services
 1. Legal Aid Society of San Diego, Inc. (Contract #560727)
4. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, subject to successful negotiations and a determination of a fair and reasonable price, to amend the single source contracts listed below to extend the contract term up to June 30, 2026, and up to an additional six months, if needed; expand services, subject to the availability of funds; and amend the contracts as required in order to reflect changes to services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
 - i. Crisis Services
 1. New Alternatives, Inc. (Contract #533821)

- ii. **Medi-Cal Managed Care Psychiatric Inpatient Hospital Services**
 - 1. Aurora Behavioral Health Care (Contract #553276)
 - 2. Palomar Health (Contract #543125)
 - 3. Scripps Health (Contract #535468)
 - 4. BH-SD OPCO, LLC dba Alvarado Parkway Institute, Inc (Contract #551798)
 - 5. Prime Healthcare (Contract #563176)
- 5. **In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting to amend the following contracts to increase the contract amount, subject to the availability of funds; and to amend the contracts as required to reflect changes to services and funding allocations, subject to the approval of the Agency Director, Health and Human Service Agency.**
 - a. **Independent Living Association and Recovery Residence Association**
 - i. **Community Health Improvement Partners (#566533)**
 - b. **Clinical and Cytological Lab Services**
 - i. **Quest Diagnostics (#562858)**
- 6. **Approve and authorize the Clerk of the Board to execute, upon receipt, the Drug Medi-Cal Organized Delivery System (DMC-ODS) Intergovernmental Agreement from the State of California and accept the funding for Fiscal Year 2023-24 through Fiscal Year 2026-27, estimated at approximately \$684,760,000 over the four-year period. Approve and authorize the Clerk of the Board, subject to the approval of the Agency Director, Health and Human Services Agency, to execute, upon receipt, amendments to the DMC-ODS Intergovernmental Agreement with the State of California, as required, and to reflect revised revenue agreements allocated by the State.**

EQUITY IMPACT STATEMENT

The County of San Diego (County) Health and Human Services Agency, Behavioral Health Services (BHS) serves as the specialty mental health plan for Medi-Cal eligible residents within San Diego County who are experiencing serious mental illness or serious emotional disturbance, and the service delivery system for Medi-Cal eligible residents with substance use care needs. An estimated 5% of San Diegans ages 21 years and older have a serious mental illness (SMI). While SMI is prevalent in all our communities, there are certain groups that have disproportionately high rates of SMI. The 2021 data from the California Department of Healthcare Access and Information indicate that rates of SMI among Black/African American residents were 145% higher compared to others. Additionally, according to the California Health Interview Survey conducted by the University of California Los Angeles in 2022, 9% of San Diegans reported experiencing serious psychological distress in the past month. However, residents living below 200% of the federal poverty level, those who reported a history of incarceration, or who identified as Hispanic/Latino or multiracial, reported higher percentages of serious psychological distress compared to others.

As a steward of public health for the region, BHS must ensure that the services offered through County-operated and contracted programs address the social determinants of health by being accessible, capable of meeting the needs of diverse populations, and with the intent to equitably distribute services to those most in need. In doing so, BHS utilizes a population health approach to identify needs and design services in a manner most impactful, equitable, and yield meaningful outcomes for those served. If approved, today's actions will improve access to treatment and care for populations who are underserved by social and behavioral health resources, including individuals experiencing homelessness, individuals with justice involvement, as well as children and youth with complex behavioral health needs.

SUSTAINABILITY IMPACT STATEMENT

Today's actions support the County of San Diego Sustainability Goal #2 to provide just and equitable access to County services, Sustainability Goal #3 to transition to a green, carbon-free economy, and Sustainability Goal #4, to protect health and well-being. This will be accomplished by providing a wider availability and range of supportive, inclusive, and stigma-free options to those in need of behavioral health services. Services will improve the overall health of communities, reducing the demand of associated care services, and in turn increase effectiveness of care providers and lower operating costs of facilities, thus reducing emissions and waste generated within the care sector.

FISCAL IMPACT

Funds for these requests are included in the Fiscal Years 2023-24 and 2024-25 Operational Plan in the Health and Human Services Agency (HHS). If approved, today's recommendations will result in approximate costs and revenue of \$172.5 million in Fiscal Year (FY) 2023-24 and \$205.6 million in FY 2024-25. There will be no change in net General Fund cost and no additional staff years.

Recommendation #1: Authorize Competitive Solicitations

If approved, this request will result in estimated costs and revenue of \$13.0 million in FY 2024-25. The funding sources are Mental Health Services Act (MHSA) and Realignment. There will be no change in net General Fund cost and no additional staff years.

Recommendation #2: Authorize Single Source Contract with Generations Healthcare of Lakeside, LLC

If approved, this request will result in estimated costs and revenue of \$0.8 million in FY 2024-25. The funding source is Realignment. There will be no change in net General Fund cost and no additional staff years.

Recommendation #3: Authorize Amendments and Extend Contracts

If approved, this request will result in estimated costs and revenue of \$12.2 million in FY 2024-25. The funding sources are MHSA, Realignment, Short Doyle Medi-Cal, Drug Medi-Cal (DMC), Substance Abuse and Mental Health Services Administration (SAMHSA), and Community Assistance, Recovery & Empowerment (CARE) Court. There will be no change in net General Fund cost and no additional staff years.

Recommendation #4: Authorize Amendments and Extend Single Source Contracts

If approved, this request will result in estimated costs and revenue of \$5.8 million in FY 2024-25. The funding sources are MHSA and Short Doyle Medi-Cal. There will be no change in net General Fund cost and no additional staff years.

Recommendation #5: Authorize Amendments to Reflect Change to Services and Increase in Funding

If approved, this request will result in estimated costs and revenue of \$1.3 million in FY 2023-24 and \$2.6 million in FY 2024-25. The funding sources are MHSA, Realignment, Short Doyle Medi-Cal, and Center for Disease Control. There will be no change in net General Fund cost and no additional staff years.

Recommendation #6: Execute DMC-ODS Intergovernmental Agreement from the State of California and Accept Funding

If approved, this request will result in estimated costs and revenue of \$171.2 million for FY 2023-24, and ongoing costs and revenue yearly through FY 2026-27, for a total of \$684.8 million. Funds for subsequent years will be incorporated into future operational plans. The funding source is Drug Medi-Cal. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Desmond

NOT PRESENT: Lawson-Remer

ABSENT: (District 4 Seat Vacant)

32. **SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL
FINANCE AUTHORITY FOR THE BENEFIT OF HORTON HOUSE IN
AN AGGREGATE AMOUNT NOT TO EXCEED \$70,000,000
(DISTRICT: 2)**

OVERVIEW

The County has received a request from the California Municipal Finance Authority (“CMFA” or “Authority”) to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority’s issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$70,000,000 (the “Bonds”), for the benefit of Horton House, L.P. (the “Borrower”) or a partnership of which San Diego Interfaith Housing Foundation (the “Developer”) or a related person to the Developer is the general partner. The Borrower has applied for the financial assistance of the Authority to finance the acquisition, rehabilitation and development of a multifamily rental housing project located at 333 G Street, San Diego, California (the “Project”).

The Authority is authorized to assist in financing for nonprofit public benefit organizations or for-profit corporations with a public benefit project wishing to issue revenue bonds, including the Borrower. In order to initiate such a financing, the Borrower is asking the County of San Diego, a member jurisdiction in which the project resides to: (1) conduct a public hearing to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code; and (2) approve the Authority's issuance of the Bonds. Although the Authority will be the issuer of the Bonds for the Borrower, the financing cannot proceed without the approval of an applicable legislative body.

Today's recommendations will provide the Authority with the required authorization to pursue its determination to issue the Bonds on behalf of the Borrower for the Project.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$70,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF HORTON HOUSE.

EQUITY IMPACT STATEMENT

This financing will help in the creation of quality, affordable housing for seniors over 62 and persons with disabilities in the County of San Diego.

SUSTAINABILITY IMPACT STATEMENT

The proposed action would result in economic benefits for the community by allowing the borrower to continue serving 150 low-income households in the County of San Diego. The project will incorporate the latest energy efficiency trends, as well as extending the property's affordability for an additional 55 years.

FISCAL IMPACT

If approved, the proposal will result in approximately \$991 of unanticipated revenue to be used to reimburse the County for staff costs associated with this non-County financing. There will be no change in net General Fund cost and no additional staff years.

The Borrower will be responsible for the payment of all present and future costs in connection with the issuance of the financing related to the Project. The County will incur no obligation of indebtedness as a result of today's actions.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors closed the Hearing and took action as recommended, and adopted Resolution No. 23-132, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$70,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF HORTON HOUSE.

AYES: Vargas, Anderson, Desmond

NOT PRESENT: Lawson-Remer

ABSENT: (District 4 Seat Vacant)

33. **SUBJECT: RESOLUTION IN SUPPORT OF GOVERNOR GAVIN NEWSOM'S RIGHT TO SAFETY AMENDMENT & CALL FOR CONSTITUTIONAL CONVENTION (DISTRICTS: ALL)**

OVERVIEW

On October 24, 2023 (18), the Board of Supervisors considered this item. The motion to adopt the recommendations failed due to a tie vote, and the Board did not continue the item. Pursuant to Rule 2(g) of the Board of Supervisors Rules of Procedure, the item was placed on the agenda for the next regular meeting.

In the past, San Diego County leaders did not do enough to tackle the issue of gun violence in our communities. The Board of Supervisors (Board) actively defended the 2nd Amendment and did not use their authority to its fullest potential to better protect residents from people who recklessly aim to harm others.

Over the last three years, the new Board and passionate gun violence prevention advocates here in San Diego County have made ghost guns illegal, secured training for County social workers to know the signs of potential gun violence in a home, required firearms in unincorporated areas to be safely stored, and fought for the county to investigate and bring back recommendations to the Board to initiate or join litigation against manufacturers.

On September 29, 2023, the office of Supervisor Lawson-Remer hosted a Gun Violence Reduction Summit that was attended in person and virtually by nearly two hundred community members, experts, and federal, state, county, and city elected leaders. This served as a launching pad for new ideas as it relates to gun violence prevention. Many of the individuals who attended the summit indicated we need more commonsense solutions that will keep San Diegans as safe as possible. Governor Gavin Newsom's Right to Safety Amendment is a great next step in this direction.

California is leading the way as the first state in the nation to call for a Constitutional Convention for gun safety. The item today, requests the adoption of a resolution by the County of San Diego in support of Governor Newsom's Right to Safety Amendment and call for a Constitutional Convention on gun safety. This action would leave the 2nd Amendment unchanged, but the addition of the 28th Amendment would permanently prioritize a federal minimum age to purchase a firearm from age 18 to 21. An exception for law enforcement would be recommended. The Governor's amendment will also mandate universal background checks, institute a reasonable waiting period, and bar civilian purchase of assault weapons within the United States Constitution.

RECOMMENDATION(S)

VICE-CHAIR TERRA LAWSON-REMER

Adopt the resolution titled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO IN SUPPORT OF THE RIGHT TO SAFETY AMENDMENT & CALL FOR A CONSTITUTIONAL CONVENTION FOR GUN SAFETY.

EQUITY IMPACT STATEMENT

Communities of color and those living in poverty are disproportionately impacted by gun violence, and for every gun homicide, there are more than two nonfatal gun shootings. Those that are exposed to gun violence are much more likely to experience stress, depression, anxiety, and post-traumatic stress disorders (PTSD). The long-term repercussions of this are immeasurable. It is imperative that all of our communities are provided with the right to safety through commonsense gun regulations and interventions.

SUSTAINABILITY IMPACT STATEMENT

The proposed item contributes to the County of San Diego's Sustainability Goals by prioritizing the long-term health, safety, and well-being of San Diego residents through support for actions that will reduce gun violence.

FISCAL IMPACT

There is no fiscal impact associated with this item.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

This item was withdrawn at the request of Vice-Chair Lawson-Remer.

34. SUBJECT: APPROVAL OF THE DELIVERY OF AND THE EXECUTION OF RELATED FINANCING DOCUMENTS FOR THE COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION, SERIES 2023 (COUNTY PUBLIC HEALTH LABORATORY AND CAPITAL IMPROVEMENTS) (DISTRICTS: ALL)

OVERVIEW

On March 14, 2023 (25), the Board of Supervisors approved the Capital Improvement Needs Assessment (“CINA”) that includes all planned projects over a five-year period that require funding. The approved CINA included (a) the costs to complete its County Public Health Laboratory (“PHL”) to consist of the design, construction and equipping of a new approximately 52,000 square foot, two-story building and related facilities within the County Operations Center in Kearny Mesa (“COC”), and the design, construction and equipping of a new approximately 725-space parking structure; (b) the costs to consolidate uses and departments currently housed in the four existing four-story office buildings of approximately 150,000 square feet each at the COC, which will consist of the improvement, construction, renovation and equipping of all four buildings, with one building to be used to primarily house the Public Health Services Department, and (c) the costs to improve, renovate, upgrade and equip the existing County Administration Center (“CAC”), located at 1600 Pacific Highway in San Diego, including major systems and seismic upgrades (collectively, the “Projects”).

On June 27, 2023 (17), the Board of Supervisors adopted the Fiscal Year 2023-24 Operational Plan establishing appropriations of \$163,057,474 for completion of the Projects. Planned funding for these appropriations include proceeds of sale from the execution and delivery of Certificates of Participation (2023 COPs) pursuant to the Trust Agreement (as defined below). Since this time, a financing team has been working with County staff to structure this long-term financing and prepare the related financing documents to provide for the sale and delivery of the proposed 2023 COPs.

Today’s recommendations will authorize the execution and delivery of the 2023 COPs and the related financing documents and further authorize related administrative actions by the CAO and staff. Today’s proposed actions will also provide for a portion of the project to be supported by grant funding, which will reduce appropriations supported by the 2023 COPs.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt the Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF A SITE LEASE, A FACILITY LEASE, A TRUST AGREEMENT, A PURCHASE CONTRACT AND A CONTINUING DISCLOSURE AGREEMENT, APPROVING THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION, SERIES 2023 (COUNTY PUBLIC HEALTH LABORATORY AND CAPITAL IMPROVEMENTS), AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH CERTIFICATES AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS RELATED THERETO.

2. Adopt the Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO SITE LEASE, A FIRST AMENDMENT TO FACILITY LEASE AND A TERMINATION AGREEMENT EACH FOR THE AMENDMENT OF LEASED PROPERTY TO RELEASE A PORTION THEREOF, AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS RELATED THERETO.

3. Establish appropriations of \$2,086,256 in the County Health Complex Fund for Capital Project 1024604, County Public Health Laboratory, based on Epidemiology and Laboratory Capacity Enhancing Detection Grant Funding; and cancel appropriations of \$2,086,256 in the County Health Complex Fund for Capital Project 1024604, County Public Health Laboratory, based on projected net proceeds of the 2023 COPs.
(4 VOTES)

EQUITY IMPACT STATEMENT

Construction of the Health and Human Services Agency's County Public Health Laboratory will ensure continuation of essential public health services for all communities experiencing health disparities and inequalities across a wide range of diseases, behavioral risk factors, environmental exposures, social determinants, and health-care access by sex, race and ethnicity, income, education, disability status, and other social characteristics. Many of the testing services provided by the PHL and to be provided at the new PHL building to ensure continuation of essential public health services for all diverse groups (i.e., COVID Testing, STD testing and Tuberculosis (TB) testing, etc.). For example, as many of the County's TB cases are foreign born and are the most vulnerable in our region, the PHL plays a critical role in achieving equity through TB testing services. Furthermore, the PHL plays an important role in improving the health equity of diverse communities, specifically since the PHL is in a border region that serves large military and tribal communities. The new PHL building will be located within the COC campus, which is within the COC's master plan; designed for pedestrian accessibility; and placed for employees to have full access to the campus common areas and gym. Additionally, a new state-of-the-art laboratory in the new PHL building will also support the attraction of a diverse public health laboratory workforce.

Approval of the financing documents and delivery of the 2023 COPs will allow for successful completion of the Projects. Today's action will continue equitable distribution of facilities that provide treatment and services for some of the region's most vulnerable and under-served populations. The PHL will have the ability to test levels of immunity, exposure to active viruses, infectious diseases, identify patterns of diseases like cancer and monitor the air for biological agents for rapid emergency response to protect public health and safety.

SUSTAINABILITY IMPACT STATEMENT

The PHL will have a sustainability focus aligned with Board initiatives and Board Policy G-15. Specifically, the new facility will be all electric, including renewables and achieving greater energy conservation than required by California Energy Code (Title 24). Further, the parking structure will include both public and fleet electric vehicle charging stations as needed. Solar panels on the roof of the PHL and top deck of the parking structure will produce enough energy

to offset approximately 60% of the PHL's use. Construction of this facility at the COC provides for a cost-effective, central location, with an easy transition from temporary facilities into an envisioned new state-of-the-art public health lab, allowing the County to continue to provide excellent public health services to the community.

Today's action supports the County of San Diego's sustainability goals of engaging the community, sustainable facility construction, improved access and removal of barriers for persons of all abilities, and resiliency by ensuring the capability to respond and recover to immediate health needs for individuals, families and the region.

FISCAL IMPACT

Recommendations 1 and 2 will authorize staff to proceed with the sale and delivery of the 2023 COPs related to the Projects, in a principal amount not to exceed \$199 million, to generate proceeds to be used for construction of the PHL, construction and equipping of a new approximately 725-space parking structure, consolidation of uses and departments currently housed in the four existing four-story office buildings and related renovation efforts at the COC, and major system improvements at the CAC, along with costs of issuance and other costs related to the delivery of the 2023 COPs. Pursuant to SB 450, a good faith estimate of the finance charge of the 2023 COPs which includes the costs of issuance (rating agencies, special counsel, disclosure counsel, municipal advisor, title insurance, etc.) and underwriter's discount is \$1,088,020.

Today's action will result in base rental payments (lease payments) of approximately \$12.2 million annually. When the County makes its first lease payment in Fiscal Year 2026-27, the County's Debt Service Ratio will be approximately 1.5%, using Fiscal Year 2023-24 Adopted Budget General Fund Revenues, which is below the 5% maximum provided in County policy. The COPs will mature in 30 years and are anticipated to be issued at a fixed interest rate of approximately 4.73%. The initial lease payments through Fiscal Year 2025-26 will be funded with capitalized interest funded with COPs proceeds, with the remaining lease payments through Fiscal Year 2053-54 supported by General Purpose Revenue. Funds to support these payments will be included in subsequent years' Operational Plans. There will be no additional staff years.

Through final maturity, the total lease payments are currently estimated to total approximately \$334 million, however, the actual amount of annual and total lease payments will be known when the County sells the 2023 COPs and finalizes the interest rates and costs.

Recommendation #3 will establish appropriations of \$2,086,256 in the County Health Complex Fund for Capital Project 1024604, County Public Health Laboratory, based on a grant awarded for Epidemiology and Laboratory Capacity Enhancing Detection Grant Funding, and cancel appropriations of \$2,086,256 in the County Health Complex Fund for Capital Project 1024604, based on 2023 COPs proceeds. The receipt and use of this grant reduces the amount of 2023 COPs and overall borrowing costs.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, and adopted Resolution No. 23-133, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF A SITE LEASE, A FACILITY LEASE, A TRUST AGREEMENT, A PURCHASE CONTRACT AND A CONTINUING DISCLOSURE AGREEMENT, APPROVING THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION, SERIES 2023 (COUNTY PUBLIC HEALTH LABORATORY AND CAPITAL IMPROVEMENTS), AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH CERTIFICATES AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS RELATED THERETO; and, Resolution No. 23-134, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO SITE LEASE, A FIRST AMENDMENT TO FACILITY LEASE AND A TERMINATION AGREEMENT EACH FOR THE AMENDMENT OF LEASED PROPERTY TO RELEASE A PORTION THEREOF, AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS RELATED THERETO.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

35. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
T.T. v. County of San Diego, et al.; San Diego Superior Court,
Case No. 37-2021-00017003-CU-CR-CTL
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Delane Hurley v. City of La Mesa, et al.; San Diego Superior Court,
Case No.: 37-2021-00002819-CU-PO-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Mickail Myles v. County of San Diego, et al.; United States District Court,
Southern District No. 15-cv-01985-JAH-BLM

ACTION:

Noting for the record that Closed Session matters were heard on November 8, 2023; County Counsel reported that for Closed Session, the Board of Supervisors took the following action:

On Item 35C, with three Board members present and voting "AYE" and Supervisor Lawson-Remer absent, the Board ratified County Counsel's decision to file an appeal of the district court's order awarding attorney's fees and costs.

36. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Jeff No Way spoke to the Board regarding government actions.

Jana spoke to the Board regarding the Vaccine Exposure Support Group.

Kera spoke to the Board regarding the corruption of San Diego.

Bryant Rumbaugh spoke to the Board regarding engaged citizens.

Crystal Irving spoke to the Board regarding the recruitment for a new Chief Administrative Officer.

Alan Curry spoke to the Board regarding SDG&E rates.

Barbara Gordon spoke to the Board regarding drug substance abuse and addiction.

Diane Grace spoke to the Board regarding suicide rates for youth using marijuana.

Angela Assoulin spoke to the Board regarding support for Palestinians in Gaza.

Ann Riddle spoke to the Board regarding the Western State Marijuana Summit.

Truth spoke to the Board regarding non-agenda public comment rules.

Robert Germann spoke to the Board regarding health impacts of airport fumes.

Summer Boger spoke to the Board regarding ideologies.

Paul the Bold spoke to the Board regarding government corruption.

Mark spoke to the Board regarding border security.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 5:26 p.m. in memory of Glen Winn, Josefina Ramirez Notsinneh and Matilde “Maty” Gregory.

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

Consent: Vizcarra
Discussion: Zurita


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

Approved by the Board of Supervisors, on Tuesday, December 5, 2023.



NORA VARGAS
Chair

Attest:



ANDREW POTTER
Clerk of the Board

11/7/2023