

July 8, 2014

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
MEETING AGENDA
TUESDAY, JULY 08, 2014, 09:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

Order of Business

REGULAR SESSION – Regular Meeting was called to order at 9:00 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Bill Horn, Vice Chairman; Greg Cox; Ron Roberts; Dave Roberts; also Thomas J. Pastuszka, Clerk.

Invocation was led by Pastor Harold Brown, CEO, East County Transitional Living Center.

Pledge of Allegiance was led by Junior Miss Lakeside 2014 Trinity Stewart.

Public Communication: [No Speakers]

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	Agenda #	Subject
Public Safety	1.	DISTRICT ATTORNEY – FUNERAL/BURIAL AND DOMESTIC VIOLENCE RELOCATION EMERGENCY FUND – CONTRACT WITH THE STATE OF CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD [FUNDING SOURCE(S): CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD AND GENERAL PURPOSE REVENUE FOR THE UNREIMBURSED ADMINISTRATIVE SUPPORT COSTS]
	2.	SHERIFF – ACCEPT AND APPROPRIATE ADDITIONAL HOMELAND SECURITY GRANT PROGRAM FUNDS [FUNDING SOURCE(S): FEDERAL HOMELAND SECURITY GRANT PROGRAM (HSGP) PASSED THROUGH THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES TO THE CITY OF SAN DIEGO] (4 VOTES)

3. SHERIFF – HOMELAND SECURITY GRANT PROGRAM GOVERNING BODY RESOLUTION
[FUNDING SOURCE(S): FEDERAL DEPARTMENT OF HOMELAND SECURITY GRANT THROUGH CAL OES]
4. SHERIFF – REQUEST TO ESTABLISH APPROPRIATIONS FOR THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT ASSISTANCE PROGRAM
[FUNDING SOURCE(S): GRANT REVENUE FROM THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL]
(4 VOTES)
5. TERMINATION OF LOCAL EMERGENCY: MAY 2014 WILDFIRES
6. OFFICE OF EMERGENCY SERVICES – EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM APPLICATION, ACCEPTANCE AND GOVERNING BODY RESOLUTION
[FUNDING SOURCE(S): U.S. DEPARTMENT OF HOMELAND SECURITY THROUGH THE CALIFORNIA GOVERNOR’S OFFICE OF EMERGENCY SERVICES FISCAL YEAR 2014 EMERGENCY MANAGEMENT PERFORMANCE GRANT]
7. OFFICE OF EMERGENCY SERVICES – HOMELAND SECURITY GRANT PROGRAM APPLICATION, ACCEPTANCE AND GOVERNING BODY RESOLUTION
[FUNDING SOURCE(S): CAL OES GRANT]
8. PUBLIC DEFENDER – REQUEST FOR APPROVAL OF OUT OF COUNTRY TRAVEL
9. MENTAL HEALTH SERVICES PERFORMANCE CONTRACT AGREEMENT
10. HOUSING & COMMUNITY DEVELOPMENT – AUTHORIZE SUBMITTAL OF CALHOME FIRST-TIME HOMEBUYERS GRANT APPLICATION, ACCEPTANCE OF GRANT FUNDS, AND ESTABLISH APPROPRIATIONS
[FUNDING SOURCE(S): UNANTICIPATED GRANT REVENUE FROM CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CALHOME PROGRAM]
(4 VOTES)

Health and
Human Services

Community
Services

- | | | |
|--|-----|--|
| Financial and
General
Government | 11. | NOTICED PUBLIC HEARING:
CONFLICT OF INTEREST CODES: VARIOUS AGENCIES
[FUNDING SOURCE(S): FISCAL YEAR 2014/2015
ADOPTED BUDGET] |
| | 12. | RESPONSE TO 2013-14 GRAND JURY REPORTS |
| | 13. | APPROVAL OF FINANCING DOCUMENTS FOR THE 2014
CERTIFICATES OF PARTICIPATION (EDGEMOOR
SKILLED NURSING FACILITY AND REGIONAL
COMMUNICATIONS SYSTEM REFUNDING) |
| Communications
Received | 14. | COMMUNICATIONS RECEIVED |
| Appointments | 15. | APPOINTMENTS: VARIOUS |
| Closed Session | 16. | CLOSED SESSION |
| Presentations/
Awards | 17. | PRESENTATIONS/AWARDS |

1. **SUBJECT: DISTRICT ATTORNEY – FUNERAL/BURIAL AND DOMESTIC VIOLENCE RELOCATION EMERGENCY FUND – CONTRACT WITH THE STATE OF CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD (DISTRICTS: ALL)**

OVERVIEW:

This is a request to execute a contract with the California Victim Compensation and Government Claims Board (State Board). The Funeral/Burial and Domestic Violence Relocation Emergency Fund (FBDVR) contract will provide an estimated \$450,000 of annual funding for the term July 1, 2014, through June 30, 2017. This contract ensures that victims with certain emergency needs such as relocation, funeral and burial arrangements are assisted. If approved, this request will support the District Attorney's Restitution Enforcement Program, which in partnership with San Diego Superior Court serves those citizens who have been victims of crime.

This is also a request to adopt a resolution, as requested by the California Victim Compensation and Government Claims Board, to execute a contract for the Funeral/Burial and Domestic Violence Relocation Emergency Fund for the term July 1, 2014, through June 30, 2017.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-16 Approved Operational Plan in the District Attorney's Office and are held in a trust fund for the sole purpose of the agreement. If approved, this request will result in annual program cost and revenue estimated at \$456,300. The funding sources are the California Victim Compensation and Government Claims Board (\$450,000) and General Purpose Revenue for the unreimbursed administrative support costs (\$6,300). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

DISTRICT ATTORNEY

1. Waive Board Policy B-29, Fees, Grants, and Revenue Contracts – Department Responsibility for Cost Recovery, which requires full cost recovery for revenue contracts.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S FUNERAL/BURIAL AND DOMESTIC VIOLENCE RELOCATION EMERGENCY FUND AGREEMENT WITH THE CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD.

3. Approve and authorize the District Attorney to review and execute the Funeral/Burial and Domestic Violence Relocation Emergency Fund Agreement with the State Board in the estimated amount of \$450,000 of annual funding for the term of July 1, 2014 through June 30, 2017, including any extensions, amendments, and revisions thereof that do not materially impact either the program or funding level.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-084, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S FUNERAL/BURIAL AND DOMESTIC VIOLENCE RELOCATION EMERGENCY FUND AGREEMENT WITH THE CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

2. **SUBJECT: SHERIFF – ACCEPT AND APPROPRIATE ADDITIONAL HOMELAND SECURITY GRANT PROGRAM FUNDS (DISTRICTS: ALL)**

OVERVIEW:

On February 7, 2012 (3), the Board of Supervisors approved the acceptance of Fiscal Year (FY) 2011 Homeland Security Grant Program (HSGP) funds from the U.S. Department of Homeland Security (DHS), passed through the California Governor's Office of Emergency Services (Cal OES), and sub-granted through the County of San Diego Office of Emergency Services and City of San Diego. HSGP is comprised of five interconnected grant programs: State Homeland Security Program (SHSP), Urban Areas Security Initiative (UASI), Operation Stonegarden (OPSG), Metropolitan Medical Response System (MMRS), and Citizen Corps Program (CCP) grants. The City of San Diego is the local administrator of the UASI grant. The City of San Diego received notification from Cal OES that there are unspent FY 2011 HSGP funds to be reallocated to jurisdictions that are able to use the funds. Cal OES, through the City of San Diego, has reallocated unspent FY 2011 HSGP grant funds to the Sheriff's Department in the amount of \$2,629,285.

This is a request to authorize the Sheriff's Department to accept and appropriate an additional \$2,629,285 in FY 2011 HSGP grant funds from DHS, which are passed through Cal OES, and sub-granted through the City of San Diego.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-16 Approved Operational Plan in the Sheriff's Department. If approved, this request will result in current year direct costs and revenue of \$2,629,285. The funding source is the federal Homeland Security Grant Program (HSGP) passed through the California

Governor's Office of Emergency Services to the City of San Diego. The HSGP reimburses all Sheriff's Department direct costs but does not reimburse costs for administrative support. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SHERIFF

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, which requires full cost recovery for grants, as this grant program does not recover full costs.
2. Authorize the Sheriff's Department to accept additional Fiscal Year 2011 Homeland Security Grant Program (HSGP) grant funds in the amount of \$2,629,285 from the U. S. Department of Homeland Security, passed through the California Governor's Office of Emergency Services, and sub-granted through the City of San Diego for the project period beginning November 18, 2011 to August 1, 2014.
3. Authorize the Sheriff to review and execute all required HSGP grant and grant related documents, including agreements with other government agencies for the distribution of grant funds where necessary to carry out the purposes of the grant, and any annual extensions, amendments and/or revisions thereof that do not materially impact or alter the services or funding level.
4. Establish appropriations of \$2,629,285 in the Sheriff's Department for Services and Supplies to purchase P25 compatible radios to strengthen interoperable communications based on unanticipated revenue from the California Governor's Office of Emergency Services. **(4 VOTES)**

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

3. **SUBJECT: SHERIFF – HOMELAND SECURITY GRANT PROGRAM
GOVERNING BODY RESOLUTION (DISTRICTS: ALL)**

OVERVIEW:

The U.S. Department of Homeland Security provides funding to the California Governor's Office of Emergency Services (Cal OES) through the Homeland Security Grant Program (HSGP). Fiscal Year 2014 HSGP includes direct funding from Cal OES to Regional Threat Assessment Centers to support terrorism prevention, preparedness and response efforts in the county. Cal OES requires that a governing body resolution specific to the 2014 grant program be included with the application.

This is a request for the Board of Supervisors to adopt a governing body resolution authorizing the Sheriff and specified San Diego County Sheriff's Department staff to execute any actions necessary for the purposes of the 2014 HSGP grant for the San Diego Regional Threat Assessment Center/Law Enforcement Coordination Center.

FISCAL IMPACT:

There is no fiscal impact associated with the request to adopt a resolution. If the grant application is approved by the California Governor's Office of Emergency Services (Cal OES), staff will return to the Board of Supervisors for approval to accept the award and to appropriate funds. The funding source will be a federal Department of Homeland Security grant through Cal OES. There is no match required for this grant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SHERIFF

Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE FISCAL YEAR 2014 HOMELAND SECURITY GRANT PROGRAM.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-085, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE FISCAL YEAR 2014 HOMELAND SECURITY GRANT PROGRAM.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

4. **SUBJECT: SHERIFF – REQUEST TO ESTABLISH APPROPRIATIONS FOR THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT ASSISTANCE PROGRAM (DISTRICTS: ALL)**

OVERVIEW:

This is a request to establish appropriations of \$100,000 based on grant revenue from the California Department of Alcoholic Beverage Control (ABC) under the 2014/2015 Grant Assistance Program (GAP). The Sheriff will use the grant award for education, prevention, and enforcement related to alcohol control laws for the project period July 1, 2014, through June 30, 2015.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-16 Approved Operational Plan for the Sheriff's Department. If approved, this request will result in current year direct costs and revenue of \$100,000. The funding source is grant revenue from the California Department of Alcoholic Beverage Control. This grant award recovers all Sheriff's Department direct costs but does not reimburse costs associated with administrative overhead and support. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SHERIFF

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, which requires full cost recovery for grants and revenue contracts, as these grant programs do not recover full cost.
2. Establish appropriations of \$100,000 in the Sheriff's Department for Salaries and Benefits for overtime (\$93,000) and Services and Supplies (\$7,000) based on unanticipated revenue from the California Department of Alcoholic Beverage Control Grant Assistance Program for the project period July 1, 2014, through June 30, 2015. **(4 VOTES)**
3. Authorize the Sheriff to review and execute all required grant and grant-related documents, including agreements with other government and non-government agencies for the distribution and/or reimbursement of grant funds where necessary to carry out the purposes of the grant, and any annual extension, amendments, and revisions thereof that do not materially impact or alter the services or funding levels.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

5. SUBJECT: TERMINATION OF LOCAL EMERGENCY: MAY 2014 WILDFIRES (DISTRICTS: ALL)

OVERVIEW:

On May 14, 2014, the Chief Administrative Officer, serving as the County's Director of Emergency Services and as Coordinator of the Unified San Diego County Emergency Services Organization, issued a Proclamation of Local Emergency as a result of the fires in multiple locations throughout the County. On May 20, 2014 (19), the Board of Supervisors ratified the Proclamation of Local Emergency, and on June 17, 2014 (2), the Board reviewed and continued the local emergency pursuant to California Government Code Section 8630(c). Section 8630 requires local governing bodies to review the need for continuing the local emergency at least every 30 days and to terminate the local emergency at the earliest possible date that conditions warrant. This is a request for the Board to find that conditions no longer warrant a local emergency and proclaim the termination of the local emergency as required by California Government Code Section 8630(d).

FISCAL IMPACT:

There is no fiscal impact associated with this request.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that there is no longer a need for continuing the local emergency, pursuant to California Government Code Section 8630(c).
2. Proclaim the termination of the local emergency as set forth in the attached July 8, 2014, PROCLAMATION OF TERMINATION OF LOCAL EMERGENCY, pursuant to California Government Code Section 8630(d).

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor R. Roberts, the Board took action as recommended.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

6. SUBJECT: OFFICE OF EMERGENCY SERVICES – EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM APPLICATION, ACCEPTANCE AND GOVERNING BODY RESOLUTION (DISTRICTS: ALL)

OVERVIEW:

The U.S. Department of Homeland Security (DHS) has provided funding to the California Governor's Office of Emergency Services (Cal OES) through the Emergency Management Performance Grant (EMPG) Program. Cal OES is

responsible for administering and distributing the grant funds to counties. The purpose of the grant is to support comprehensive emergency management and to encourage the improvement of mitigation, preparedness, response, and recovery capabilities for all hazards.

This is a request to apply for and accept funds from the Cal OES Fiscal Year 2014 EMPG Program in the amount of \$791,261, including a pass-through of \$61,402 to the City of Chula Vista and \$184,206 to the City of San Diego. There is a 100 percent match requirement for the grant, which will be met through General Purpose Revenue. Also requested is the adoption of a resolution authorizing the Deputy Chief Administrative Officer of the Public Safety Group, or the Director or the Assistant Director of the Office of Emergency Services (OES) to execute any actions necessary for the purpose of obtaining federal financial assistance provided by DHS and subgranted through the State of California. This is also a request to waive Board Policy B-29.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-15 Approved Operational Plan in the Office of Emergency Services (OES). If approved, this request will result in current year costs and revenue of \$791,261, with \$545,653 for emergency management in OES, \$61,402 for a pass-through to the City of Chula Vista and \$184,206 for a pass-through to the City of San Diego. The grant award recovers all direct costs, but does not include costs associated with administrative support estimated to be \$39,459. The funding source is the U.S. Department of Homeland Security through the California Governor's Office of Emergency Services Fiscal Year 2014 Emergency Management Performance Grant. There is a 100 percent match requirement for the grant which will be met through General Purpose Revenue. The cities of San Diego and Chula Vista will provide resources to satisfy their match requirement. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Office of Emergency Services to submit a grant application to the California Governor's Office of Emergency Services for the Fiscal Year 2014 Emergency Management Performance Grant Program in the amount of \$791,261 to support comprehensive emergency management, and to accept the funds if awarded, provided there are no material changes to the grant terms and funding levels.
2. Waive Board Policy B-29, Fees, Grant, Revenue Contracts – Department Responsibility for Cost Recovery, which requires full-cost recovery of grants.
3. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM.

4. Authorize the Director of the Office of Emergency Services to enter into expenditure contracts of \$61,402 with the City of Chula Vista and \$184,206 with the City of San Diego, for a total of \$245,608 for the period July 1, 2014, to June 30, 2015, in accordance with the guidelines for the Emergency Management Performance Grant Program, if the Emergency Management Performance Grant is awarded and accepted.
5. Authorize the Director of the Office of Emergency Services to review and execute all required and related grant documents, including any annual extensions, amendments and revisions thereof that do not materially impact or alter the services or funding level for the Emergency Management Performance Grant Program.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-086, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

7. **SUBJECT: OFFICE OF EMERGENCY SERVICES – HOMELAND SECURITY GRANT PROGRAM APPLICATION, ACCEPTANCE AND GOVERNING BODY RESOLUTION (DISTRICTS: ALL)**

OVERVIEW:

The U.S. Department of Homeland Security (DHS) provides funding to the California Governor's Office of Emergency Services (Cal OES) through the Homeland Security Grant Program. This program incorporates the State Homeland Security Program (SHSP) and the Urban Areas Security Initiative (UASI). The County Office of Emergency Services (OES) is responsible for administering and distributing the grant funds in the County for terrorism prevention, preparedness and response efforts.

This is a request to submit an application to apply for and accept a Cal OES Fiscal Year 2014 State Homeland Security Program Grant in the amount of \$3,305,206. This is also a request to adopt a governing body resolution authorizing the Deputy Chief Administrative Officer, Public Safety Group, or the Director or the Assistant Director of the OES to execute any actions necessary for the purposes of the grant.

FISCAL IMPACT:

There is no fiscal impact associated with the request to submit a grant application to Cal OES and to adopt an associated resolution. If the application is approved by the California Governor's Office of Emergency Services (Cal OES), staff will return to the Board of Supervisors for approval to appropriate funds of approximately \$3,305,206. The funding source will be a Cal OES grant. There is no match required for this grant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Office of Emergency Services to submit a grant application in the amount of \$3,305,206 to the California Governor's Office of Emergency Services for the Fiscal Year 2014 State Homeland Security Program Grant, and to accept the funds if awarded, provided there are no material changes to the grant terms and funding levels.
2. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE STATE HOMELAND SECURITY PROGRAM GRANT.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-087, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE STATE HOMELAND SECURITY PROGRAM GRANT.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

8. SUBJECT: PUBLIC DEFENDER – REQUEST FOR APPROVAL OF OUT OF COUNTRY TRAVEL (DISTRICTS: ALL)

OVERVIEW:

In accordance with Board of Supervisors Policy D-7, Out-of-County Business and Related Guidelines and Processes, this is a request for one (1) Deputy Public Defender to attend the general assembly of the Conference of Collegiate Bars and Associations of Attorneys of Mexico A.C. (CONCAAM) in Puerto Vallarta, Mexico, from July 23 through July 26, 2014.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-15 Operational Plan for the Department of the Public Defender. All costs associated with this travel request, estimated at \$2,300, will be covered by CONCAAM. The only cost to the County will be the regular salary and benefits for the Deputy Public Defender. No

overtime will be incurred as a result of this trip. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Approve travel to Puerto Vallarta, Mexico, for one Deputy Public Defender to attend the general assembly of the Conference of Collegiate Bars and Associations of Attorneys of Mexico A.C. (CONCAAM) from July 23 through July 26, 2014.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

9. **SUBJECT: MENTAL HEALTH SERVICES PERFORMANCE CONTRACT AGREEMENT (DISTRICTS: ALL)**

OVERVIEW:

The California Department of Health Care Services (DHCS), previously the Department of Mental Health Services, under the provisions of Section 5650(a) and 5847 of the California Welfare and Institutions Code; and Title 9, California Code of Regulations (CCR), section 3310 enters into an agreement with the County of San Diego through a performance contract to provide public mental health services throughout the county. DHCS is responsible for the administration of the Mental Health Services Act (MHSA), Projects for Assistance in Transition from Homelessness (PATH) and Community Mental Health Services Grant (MHBG) programs in addition to each county's provision of community mental health services provided with realignment funds. The performance contract establishes the County's responsibility to provide an integrated and coordinated range of services appropriate to meet the needs of clients and to implement system wide performance outcome measurements for Realignment, MHSA, PATH, and MHBG funded services provided in San Diego County. This year, and historically, the performance contracts have been received and ratified during or after the contract term.

Today's action, if approved, ratifies the Fiscal Year 2013-14 Performance Contract Agreement with the California Department of Health Care Services, authorizes its execution by the Clerk of the Board, and seeks authorization for the Clerk of the Board, subject to the approval of the Director, Health and Human Services Agency, to execute ongoing Performance Contracts with the State. Policy-related issues or material funding changes will continue to be submitted to the Board of Supervisors for approval.

This item supports the County's *Live Well San Diego* initiative by supporting mental health treatment to vulnerable populations of mentally disabled children, youth, adults, older adults and families in San Diego County.

FISCAL IMPACT:

There is no fiscal impact from this action. If approved, this request will result in no current year costs and revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Ratify and authorize the Clerk of the Board to execute the Standard Agreement for the Mental Health Plan Performance Contract agreement from the California Department of Health Care Services (DHCS) for the period July 1, 2013 through June 30, 2014.
2. Authorize the Clerk of the Board to execute amendments and the annual renewal of the Performance Contract, subject to the approval of the Director, Health and Human Services Agency, when there are no material changes to terms and conditions.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

10. **SUBJECT: HOUSING & COMMUNITY DEVELOPMENT – AUTHORIZE SUBMITTAL OF CALHOME FIRST-TIME HOMEBUYERS GRANT APPLICATION, ACCEPTANCE OF GRANT FUNDS, AND ESTABLISH APPROPRIATIONS (DISTRICTS: ALL)**

OVERVIEW:

The California Department of Housing and Community Development has issued a Notice of Funding Availability (NOFA) for approximately \$43.0 million. Funding awarded through this NOFA will provide for homeownership assistance program activities under the CalHome program.

The Board of Supervisors is requested to adopt a Resolution authorizing the submission of a County grant application for the maximum eligible grant of \$1,500,000 to the California Department of Housing and Community Development to fund first-time homebuyer assistance activity under the CalHome program.

If approved, up to \$1,500,000 in State grant funds will be used to leverage the federal HOME Investment Partnerships program funds already provided by the U.S. Department of Housing and Urban Development to the County for its Down Payment and Closing Costs Assistance Program. The State's grant funds will be used by the County to provide additional funding to first-time homebuyers for down payment and closing costs assistance in the form of deferred repayment loans.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-16 CAO Approved Operational Plan for the Department of Housing and Community Development. If approved, this request may result in up to \$1,500,000 cost and revenue in Fiscal Year 2014-15. The funding source is unanticipated grant revenue from California Department of Housing and Community Development CalHome program. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

Based on experience with this program, it is anticipated that an additional CalHome grant of \$1,500,000, as implemented through the Down Payment and Closing Costs Assistance program, will generate approximately 38 additional real estate sales in San Diego County over the 36-month period following the award.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Director, Department of Housing and Community Development to submit a grant application to the California Department of Housing and Community Development for \$1,500,000 under the CalHome program.
2. Adopt the Resolution entitled:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN DIEGO AUTHORIZING SUBMITTAL
OF AN APPLICATION TO THE CALIFORNIA DEPARTMENT
OF HOUSING AND COMMUNITY DEVELOPMENT FOR
FUNDING UNDER THE CALHOME PROGRAM.

3. Authorize the Director, Department of Housing and Community Development, in consultation with County Counsel, to execute the State's Standard Agreement for acceptance of the grant funds, any amendments thereto, and any related documents necessary for the County's continued participation in the CalHome program.
4. Authorize the Director, Department of Housing and Community Development, to negotiate and execute, with County Counsel concurrence, all contracts, related documents and/or amendments, and to take all necessary actions for the administration and implementation of the CalHome program.

5. Establish appropriations in the amount of \$1,500,000 in the Housing and Community Development Department for the continued operation of the CalHome Down Payment and Closing Costs Assistance Program, contingent upon award of the State of California CalHome grant. (4 VOTES)

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-088, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE CALHOME PROGRAM.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

11. **SUBJECT: NOTICED PUBLIC HEARING:
CONFLICT OF INTEREST CODES: VARIOUS AGENCIES
(DISTRICTS: ALL)**

OVERVIEW:

The Board of Supervisors serves as the Code Reviewing Body for any local government, other than cities, with jurisdiction wholly within the County, per Government Code Section 82011. The recommended action would approve the adopted Conflict of Interest Code submitted by various agencies.

FISCAL IMPACT:

The funding source for administration of this task is included in the Fiscal Year 2014/2015 Adopted Budget. These reviews require minor costs, which may be recoverable from the state of California.

BUSINESS IMPACT STATEMENT:

None.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Approve the Conflict of Interest Codes adopted by the following agencies:

1. Diego Plus Education Corporation
2. E3 Civic High
3. Empower Charter School
4. Evangeline Roberts Institute of Learning Charter School
5. Harbor Springs Charter School
6. High Tech High School
7. Holly Drive Leadership Academy
8. North County Transit District
9. Rainbow Municipal Water District

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**12. SUBJECT: RESPONSE TO 2013-14 GRAND JURY REPORTS
(DISTRICTS: ALL)**

OVERVIEW:

The 2013-2014 San Diego County Grand Jury recently completed their term and filed five reports that address County programs under the purview of the Board of Supervisors. All of the reports contained recommendations that require a County response.

According to the California Penal Code Section 933(c), agencies that are the subject of Grand Jury reports must respond in writing to the Findings and Recommendations addressed to them. Therefore, this is a request for your Board to review and approve the draft Finding and Recommendation responses prepared by the Chief Administrative Officer and authorize the Chief Administrative Officer to transmit the responses to the Grand Jury, via the Superior Court Presiding Judge. The proposed responses address the recommendations and findings contained in following five reports:

- Emergency Response Times
- Senior Volunteers
- The Education and Rehabilitation of At-Risk Juveniles
- San Diego Detention Facilities Condition and Management
- Coming Back Home to San Diego

FISCAL IMPACT:

This recommendation will have no fiscal impact.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Approve the proposed responses and authorize the Chief Administrative Officer to transmit the responses to the Grand Jury via the Superior Court Presiding Judge.
2. Direct the Chief Administrative Officer to return to the Board of Supervisors no later than June 1, 2015 with recommendations as described in the County's responses to the Grand Jury recommendations included in its 2013-2014 reports.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

13. SUBJECT: APPROVAL OF FINANCING DOCUMENTS FOR THE 2014 CERTIFICATES OF PARTICIPATION (EDGEMOOR SKILLED NURSING FACILITY AND REGIONAL COMMUNICATIONS SYSTEM REFUNDING) (DISTRICTS: ALL)

OVERVIEW:

Pursuant to Board Policy B-65, Long-term Obligation Financial Management Policy, the County continually reviews its outstanding long-term financial obligations and seeks opportunities to refinance these obligations when economically advantageous pursuant to the Refunding Policy of the County Debt Advisory Committee. Current market conditions have created an opportunity to lower annual lease payments related to the \$112,395,000 County of San Diego Certificates of Participation (2005 Edgemoor Project and 1996 Regional Communications System Refunding) ("2005 COPs") and the \$42,390,000 County of San Diego Certificates of Participation (2006 Edgemoor Completion Project) ("2006 COPs" and together with the 2005 COPs, "Existing COPs"). Proceeds of the 2005 COPs were used to finance a portion of the County's Edgemoor Skilled Nursing Facility ("Facility") and to advance refund a 1996 Regional Communications System financing. Currently, approximately \$72.7 million of the 2005 COPs are outstanding. Proceeds of the 2006 COPs were used to finance a portion of the Facility as well, and approximately \$35.5 million of the 2006 COPs remain outstanding.

Today's recommendations will direct County staff to refund the Existing COPs on an advanced basis, so long as market conditions allow for a refunding that meets requirements stated in the County's Refunding Policy: 1) a minimum net present value ("NPV") savings target of 4% of the principal currently outstanding; 2) a minimum of \$1 million of NPV savings; and 3) annual cash flow savings of at least \$100,000. Today's recommendations will also approve the forms of the documents necessary to execute the refunding and also refers consideration of the refunding to the San Diego County Capital Asset Leasing Corporation ("SANCAL") Board of Directors for approval.

FISCAL IMPACT:

If approved, the refunding will result in budgetary savings to benefit the General Fund of the County. Based on current market conditions, the County would realize annual savings in principal and interest payments of approximately \$620,000, which equates to a \$8.3 million net present value savings over the remaining term of the Existing COPs. The 2014 Refunding COPs would reach final maturity in Fiscal Year 2029-30, the same year currently scheduled for the Existing COPs. The \$8.3 million in net present value savings equates to 7.7% of the outstanding

Existing COPs. The actual amount of savings will be determined based on interest rates at the time of sale of the refunding bonds.

While the annual lease payments associated with the Existing COPs are secured by the General Fund, the portion of the lease payments related to the 2006 COPs and the Facility-related component of the 2005 COPs is offset by revenue from the County Edgemoor Development Fund, which in turn receives an approximately 48% offset from the State pursuant to Section 14105.26 of the Welfare and Institutions Code relating to Medi-Cal provider reimbursement ("SB 1128"). The aforementioned savings would, in effect, be shared with the State.

The approval of the financing documents will result in no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a 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 CERTIFICATE PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT AND APPROVING THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION (EDGEMOOR AND RCS REFUNDING), SERIES 2014A AND SERIES 2014B (TAXABLE) AND A PRELIMINARY OFFICIAL STATEMENT AND CERTAIN ADDITIONAL ACTIONS RELATING THERETO.

2. Refer the refunding of the Existing COPs to the San Diego County Capital Asset Leasing Corporation (SANCAL) for approval.

ACTION:

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, adopting Resolution No. 14-089, 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 CERTIFICATE PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT AND APPROVING THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION (EDGEMOOR AND RCS REFUNDING), SERIES 2014A AND SERIES 2014B (TAXABLE) AND A PRELIMINARY OFFICIAL STATEMENT AND CERTAIN ADDITIONAL ACTIONS RELATING THERETO.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

14. 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.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Note and file.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

15. 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 I-1, "Planning and Sponsor Group Policies and Procedures," and 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."

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHAIRWOMAN DIANNE JACOB

Appoint Roland W. Eddy to the LAKE CUYAMACA RECREATION AND PARK DISTRICT, Seat No. 5, for a term to expire December 31, 2014.

Appoint Joe Stuyvesant to the JAMUL / DULZURA COMMUNITY PLANNING GROUP, Seat No. 7, for a term to expire January 2, 2017.

Re-appoint Supervisor Bill Horn as the County of San Diego Board of Supervisors representative on the SAN DIEGO COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY, Seat No. 1, for an indefinite term.

Re-appoint Supervisor Ron Roberts as the County of San Diego Board of Supervisors representative on the SAN DIEGO COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY, Seat No. 2, for an indefinite term.

SUPERVISOR DAVE ROBERTS

Appoint Shannon Lerach, PH.D. to the MENTAL HEALTH BOARD, Seat No. 8, for a term to expire December 31, 2014.

CHIEF ADMINISTRATIVE OFFICER

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Lee Cantrell to the ENVIRONMENTAL HEALTH ADVISORY BOARD, SAN DIEGO COUNTY, Seat No. 12, for a term to expire March 22, 2017.

Appoint Penelope J. E. Quintana to the ENVIRONMENTAL HEALTH ADVISORY BOARD, SAN DIEGO COUNTY, Seat No. 17, for a term to expire November 3, 2014.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

16. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW:

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Romeo DelCarmen v. County of San Diego; Workers' Compensation Appeals Board No. ADJ8305810.

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Pointe SDMU LP, et al. v. County of San Diego, et al.; San Diego County Superior Court No. 37-2012-00090197-CU-EI-CTL

ACTION:

County Counsel reported that there were no reportable matters.

17. SUBJECT: PRESENTATIONS/AWARDS (DISTRICTS: ALL)

OVERVIEW:

Vice-Chairman Bill Horn presented a proclamation declaring July 8, 2014, Pete Smith Day throughout the County of San Diego.

Supervisor Ron Roberts and Supervisor Greg Cox presented a proclamation declaring July 8, 2014, Elementary Institute of Science Day throughout the County of San Diego.

Supervisor Greg Cox presented a proclamation declaring July 8, 2014, Rick Schnell Day throughout the County of San Diego.

There being no further business, the Board adjourned at 10:00 a.m. in memory of Louise Shirey and Betty Knutson.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Gomez
Discussion: Panfil

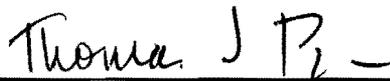
NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Tuesday, July 29, 2014.



DIANNE JACOB
Chairwoman

Attest:



THOMAS J. PASTUSZKA
Clerk of the Board

07/08/14