

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, JANUARY 8, 2019, 10:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

**BOARD ORGANIZATIONAL MEETING
9:00 A.M.**

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance
- D. Selection of Chair, Vice Chair, and Chair Pro Tem of the 2019 Board of Supervisors

**REGULAR MEETING
10:00 A.M.**

- E. Presentation or Announcement of Proclamations and Awards
- F. 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 December 11, 2018.
- H. Formation of Consent Calendar
- I. Discussion Items

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

Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcounty.ca.gov/cob/bosa/> or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101.

Board of Supervisors' Agenda Items

Category	#	Subject
Public Safety	1.	REQUEST FOR RATIFICATION OF EMERGENCY REPAIRS AT EAST MESA FACILITIES [FUNDING SOURCE: EXISTING GENERAL PURPOSE REVENUE] (4 VOTES)
	2.	SHERIFF - ESTABLISH APPROPRIATIONS AND ADOPT A RESOLUTION FOR FISCAL YEAR 2018 OPERATION STONEGARDEN (OPSG), ESTABLISH APPROPRIATIONS FOR FISCAL YEAR 2017 URBAN AREAS SECURITY INITIATIVE (UASI), FISCAL YEAR 2018 DNA CAPACITY ENHANCEMENT AND BACKLOG REDUCTION, FISCAL YEAR 2018 OFF-HIGHWAY MOTOR VEHICLE RECREATION (OHMVR), AND FISCAL YEAR 2018 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) [FUNDING SOURCES: OPERATION STONEGARDEN (OPSG) AND URBAN AREAS SECURITY INITIATIVE (UASI): GRANT REVENUE FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY PASSED THROUGH THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES AND THE SHERIFF'S DEPARTMENT'S GENERAL PURPOSE REVENUE; DNA CAPACITY ENHANCEMENT BACKLOG REDUCTION (CEBR): GRANT REVENUE FROM THE U.S. DEPARTMENT OF JUSTICE AND THE SHERIFF'S DEPARTMENT GENERAL PURPOSE REVENUE; OFF-HIGHWAY MOTOR VEHICLE RECREATION (OHMVR): GRANT REVENUE FROM THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION AND SHERIFF'S DEPARTMENT GENERAL PURPOSE REVENUE; SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP): GRANT REVENUE FROM THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PASSED THROUGH THE CALIFORNIA OFFICE OF TRAFFIC SAFETY AND THE SHERIFF'S DEPARTMENT'S GENERAL PURPOSE REVENUE] (4 VOTES)
	3.	JURISDICTIONAL CHANGES TO COUNTY SERVICE AREA NO. 135 AND RELATED PROPERTY TAX EXCHANGE; PROPERTY TAX EXCHANGE RELATIVE TO ISLANDS 2, 3, AND 4 [FUNDING SOURCES: REVENUE FUNDS WITHIN CSA 135 AND GENERAL PURPOSE REVENUE FROM AD VALOREM PROPERTY TAXES WITHIN ISLANDS 2, 3, AND 4]
	4.	ADMINISTRATIVE ITEM: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: CITIZENS' LAW ENFORCEMENT REVIEW BOARD (CLERB) - ADOPT AN ORDINANCE AMENDING SECTION 340.9 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES PERTAINING TO THE DUTIES OF CLERB

5. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND
COUNTY ADMINISTRATIVE CODE ARTICLES ASSIGNED TO THE
PUBLIC SAFETY GROUP

- Financial and
General
Government 6. NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL
FINANCE AUTHORITY FOR THE BENEFIT OF SYSTEM
MANAGEMENT GROUP AND WESTMED COLLEGE, IN AN
AGGREGATE AMOUNT NOT TO EXCEED \$220,000,000

7. APPOINTMENTS OF BOARD MEMBERS TO BOARDS, COMMISSIONS
AND COMMITTEES

8. ADDRESSING THE IMPACTS OF THE MIGRANT SHELTER CRISIS IN
SAN DIEGO COUNTY

9. LIVE WELL MOBILE OFFICE VEHICLE
[FUNDING SOURCE: CALWORKS AND CALFRESH ADMINISTRATIVE
REVENUE]

10. CARDIFF SCHOOL DISTRICT 2019 GENERAL OBLIGATION BONDS
(ELECTION OF 2016, SERIES B)

11. IMPLEMENTATION OF REDUCED SAFETY MEMBER RETIREMENT
BENEFITS FOR NEW EMPLOYEES

12. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
AMENDMENTS TO THE COMPENSATION ORDINANCE
(12/11/2018 - FIRST READING; 01/08/2019 - SECOND READING)
[FUNDING SOURCE: COMBINATION OF GENERAL PURPOSE
REVENUES AND VARIOUS PROGRAM REVENUES]

- Communications
Received 13. COMMUNICATIONS RECEIVED

- Appointments 14. APPOINTMENTS: VARIOUS

- Closed Session 15. CLOSED SESSION

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1. SUBJECT: REQUEST FOR RATIFICATION OF EMERGENCY REPAIRS AT EAST MESA FACILITIES (DISTRICTS: ALL)

OVERVIEW

On December 4, 2018, a catastrophic equipment failure at the Sheriff’s East Mesa facilities caused a power outage affecting several buildings onsite. Those that lost power included the Rock Mountain Detention Facility, George F. Bailey Detention Facility, East Mesa Reentry Facility, and the Central Production Center. The Sheriff’s Department implemented emergency actions, including switching to a power generator and engaging an emergency contractor to assist with power generation and repairs.

To ensure that essential public services could continue, it was necessary to declare an emergency and forgo competitive solicitation for the generators and equipment repair. In accordance with Public Contract Code Section 22050 and County Administrative Code Section 402, “Emergency Purchases,” a notice to proceed for emergency construction services was issued to Global Power Group, Inc., a construction contractor with previous County facility experience.

The total repair cost is \$910,208.23.

This is a request, pursuant to Public Contract Code Section 22050, to find that there is a need to continue the emergency repair and replacement of structural and systems damage at the East Mesa Facility and authorize continuance of the work without giving notice for bids. The Board of Supervisors is also requested to ratify a construction contract with Global Power Group, Inc. to complete the fabrication of the damaged equipment, as well as the lease, fueling and servicing of the generators.

RECOMMENDATION(S)

SHERIFF

1. Find the proposed project is statutorily exempt from California Environmental Quality Act (CEQA) review pursuant to Sections 15269(b) and 15301 of the CEQA Guidelines because the proposed project is for emergency repairs to a publicly owned service facility necessary to maintain service essential to the public health, safety or welfare and because it consists of the minor alteration of existing public facilities involving negligible or no expansion of existing use.
2. Pursuant to Public Contract Code Section 22050(c), find that there is a need to continue the emergency repair and replacement of the switch gear at East Mesa without giving notice for bids to let a contract. **(4 VOTES)**
3. Pursuant to Section 402 of the County Administrative Code, ratify the contract with Global Power Group, Inc. for emergency repairs of the switch gear at East Mesa, as well as the generator lease, on the basis that public interest and necessity demanded immediate expenditure of funds on an emergency basis without competitive bidding. **(4 VOTES)**
4. Designate the Sheriff, as the County officer responsible for administering the awarded construction contract.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. The switch gear repairs and generator lease resulted in total costs of \$910,208.23. The funding source is existing General Purpose Revenue. There is no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

2. **SUBJECT: SHERIFF - ESTABLISH APPROPRIATIONS AND ADOPT A RESOLUTION FOR FISCAL YEAR 2018 OPERATION STONEGARDEN (OPSG), ESTABLISH APPROPRIATIONS FOR FISCAL YEAR 2017 URBAN AREAS SECURITY INITIATIVE (UASI), FISCAL YEAR 2018 DNA CAPACITY ENHANCEMENT AND BACKLOG REDUCTION, FISCAL YEAR 2018 OFF-HIGHWAY MOTOR VEHICLE RECREATION (OHMVR), AND FISCAL YEAR 2018 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) (DISTRICTS: ALL)**

OVERVIEW

On December 5, 2017 (1), the Board of Supervisors authorized the Sheriff to apply for and accept Operation Stonegarden (OPSG) grant funds in subsequent years. The Sheriff's Department applied for the Fiscal Year (FY) 2018 OPSG grant and was awarded \$8,600,000 on behalf of the participating agencies. This is a request to authorize the Sheriff to establish appropriations in the amount of \$8,600,000 for the project period September 1, 2018 through May 31, 2021, from the U.S. Department of Homeland Security (DHS), passed through the California Governor's Office of Emergency Services (Cal OES). This item also seeks to adopt a governing body resolution authorizing the Sheriff and specific Sheriff's Department staff to execute any actions necessary for the purpose of the FY 2018 OPSG grant program for the County of San Diego region.

On May 8, 2018 (3), the Board of Supervisors authorized the establishment of appropriations in the amount of \$1,000,000 for the FY 2017 State Homeland Security Program (SHSP) for the San Diego Law Enforcement Coordination Center (SD-LECC) for the project period September 1, 2017 through May 31, 2020. On July 17, 2018, the Sheriff received notification from Cal OES of a FY 2017 UASI Supplemental Award of \$1,047,500 to be used in conjunction with the FY 2017 SHSP. This is a request to authorize the Sheriff to establish appropriations in the amount of \$1,047,500 for the project period September 1, 2017 through May 31, 2020, from the DHS, passed through Cal OES.

Since 2004, the Board of Supervisors has authorized the Sheriff's Department to apply for and accept U. S. Department of Justice DNA Capacity Enhancement and Backlog Reduction (CEBR) Program grants, formerly named "DNA Backlog Reduction Program" and "Forensic DNA Backlog Reduction Program." The Sheriff's Department Crime Laboratory uses these funds to reduce backlogged casework through overtime and to replace older equipment to improve delivery of DNA analysis services. This is a request to establish appropriations of \$278,225 for the FY 2018 DNA CEBR Program for the project period January 1, 2019 through December 31, 2020.

On July 12, 2011 (3), the Board of Supervisors authorized the Sheriff's Department to apply for and accept grant funding from the California Department of Parks and Recreation. This is a request to establish appropriations of \$55,326 for the 2017/2018 Law Enforcement Grants and Cooperative Agreements Program for Off-Highway Motor Vehicle Recreation (OHMVR) for the project period October 1, 2018 through September 30, 2019. There is a minimum 25 percent match (\$18,811), which will be met through in-kind time and services provided by the Sheriff's Off-Road Enforcement Team Reserve Deputies and other Sheriff's staff.

Since October 9, 2012, the Sheriff has applied annually for, and been awarded the Selective Traffic Enforcement Program (STEP) grant by the National Highway Traffic Safety Administration (NHTSA) passed through the California Office of Traffic Safety (CA OTS). This is a request to establish appropriations of \$403,000 in grant funding from the NHTSA passed through the CA OTS for the project period October 1, 2018 through September 30, 2019.

RECOMMENDATION(S)

SHERIFF

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for grants, as these grant programs do not recover full cost.
2. Establish appropriations of \$8,600,000 in the Sheriff's Department for Salaries & Benefits (\$4,716,774), Services & Supplies (\$3,610,226), and Capital Assets - Equipment (\$273,000) for the Sheriff and to reimburse participating local and state law enforcement agencies, based on unanticipated revenue from Fiscal Year 2018 Operation Stonegarden grant funds for the project period of September 1, 2018 through May 31, 2021. **(4 VOTES)**
3. Adopt a Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE FISCAL YEAR 2018 OPERATION STONEGARDEN GRANT PROGRAM.
4. Establish appropriations of \$1,047,500 in the Sheriff's Department, Services & Supplies, based on unanticipated revenue from Fiscal Year 2017 Urban Areas Security Initiative (UASI) grant funds for the project period September 1, 2017 through May 31, 2020. **(4 VOTES)**
5. Establish appropriations of \$278,225 in the Sheriff's Department for Salaries & Benefits for overtime (\$80,904), Services & Supplies (\$163,161), and Capital Assets - Equipment (\$34,160), based on unanticipated revenue from the U. S. Department of Justice Fiscal Year 2018 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program for the project period January 1, 2019 through December 31, 2020. **(4 VOTES)**
6. Establish appropriations of \$55,326 in the Sheriff's Department, Salaries & Benefits for overtime (\$41,451), and Services & Supplies (\$13,875), for the 2017/2018 Law Enforcement Grants & Cooperative Agreements Program, based on unanticipated revenue from Off-Highway Motor Vehicle Recreation (OHMVR) grant funds for the project period October 1, 2018 through September 30, 2019. **(4 VOTES)**

7. Establish appropriations of \$403,000 in the Sheriff's Department, Salaries & Benefits for overtime (\$368,822) and Services & Supplies (\$34,178), based on unanticipated revenue from a Selective Traffic Enforcement Program (STEP) grant for the project period October 1, 2018 through September 30, 2019. **(4 VOTES)**
8. Authorize the Sheriff, and/or designee, 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 Fiscal Year (FY) 2018 Operation Stonegarden (OPSG), FY 2017 Urban Areas Security Initiative (UASI), FY 2018 DNA CEBR Program, FY 2018 Off-Highway Motor Vehicle Recreation (OHMVR), and FY 2018 Selective Traffic Enforcement Program (STEP) grant programs, and any annual extensions, amendments, and/or revisions thereof that do not materially impact or alter the services or funding level.

FISCAL IMPACT

These requests total \$10,384,051 of additional appropriations for the Sheriff's Department, and are not included in the Fiscal Year 2018-19 Operational Plan. These additional appropriations are based on grant awards that are anticipated to recover Sheriff's Department direct costs, but not all costs associated with administrative overhead and support. These additional administrative overhead and support costs are estimated at \$1,588,729, and will be funded by existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years. Details related to each grant program are detailed below.

Operation Stonegarden (OPSG)

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$10,021,392 (\$6,614,992 for the Sheriff; \$25,000 for reimbursement to Probation; and \$3,381,400 for reimbursement to other agencies) and revenue of \$8,600,000. The funding sources are grant revenue from the U.S. Department of Homeland Security passed through the California Governor's Office of Emergency Services (\$8,600,000) and Sheriff's Department's General Purpose Revenue (\$1,421,392). The grant award recovers all Sheriff's Department direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$1,421,392. There will be no change in net General Fund cost and no additional staff years.

Urban Areas Security Initiative (UASI)

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$1,055,461 and revenue of \$1,047,500. The funding sources are grant revenue from the U.S. Department of Homeland Security passed through the California Governor's Office of Emergency Services (\$1,047,500) and the Sheriff's Department General Purpose Revenue (\$7,961). The grant revenue recovers Sheriff's Department direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$7,961. There will be no change in net General Fund cost and no additional staff years.

DNA Capacity Enhancement Backlog Reduction (CEBR)

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$305,592 and revenue of \$278,225. The funding sources are grant revenue from the U.S. Department of Justice (\$278,225) and the Sheriff's Department General Purpose Revenue (\$27,367). The grant revenue recovers Sheriff's Department direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$27,367. There will be no change in net General Fund cost and no additional staff years.

Off-Highway Motor Vehicle Recreation (OHMVR)

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$68,737 and revenue of \$55,326. The funding sources are grant revenue from the California Department of Parks and Recreation (\$55,326) and Sheriff's Department General Purpose Revenue (\$13,411). The revenue recovers Sheriff's Department direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$13,411. There is a minimum 25 percent match (\$18,811) requirement for this grant that will be exceeded by in-kind salaries and benefits. There will be no change in net General Fund cost and no additional staff years.

Selective Traffic Enforcement Program (STEP)

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$521,595 and revenue of \$403,000. The funding sources are grant revenue from the National Highway Traffic Safety Administration passed through the California Office of Traffic Safety (\$403,000) and the Sheriff's Department's General Purpose Revenue (\$118,595). The revenue recovers Sheriff's Department direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$118,595. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: JURISDICTIONAL CHANGES TO COUNTY SERVICE AREA NO. 135 AND RELATED PROPERTY TAX EXCHANGE; PROPERTY TAX EXCHANGE RELATIVE TO ISLANDS 2, 3, AND 4 (DISTRICT: 2)**

OVERVIEW

This letter concerns two jurisdictional changes to fire protection and emergency medical services in County Service Area 135 (CSA 135) and unserved territories within San Diego County. The first is the divestiture of fire protection and emergency medical services from portions of CSA 135 to the Alpine Fire Protection District (Alpine FPD). The second is the extension of fire protection and emergency medical services to three unserved areas in the Ramona, Poway, Lakeside, Spring Valley, Bonita, and Alpine areas.

With regard to the first jurisdictional change, on November 13, 2018 the Board of Supervisors (Board) ~~is requested to adopt~~ a resolution of intention to set a public hearing for the proposed divestiture to Alpine FPD. In today's action, ~~if the resolution is approved~~, the Board is requested ~~on January 8, 2019~~ to adopt a resolution for the divestiture and adopt a property tax exchange resolution for the proposed jurisdictional change to CSA 135.

With regard to the second jurisdictional change, on February 2, 2016 (1) the Board approved the submission of an application to the San Diego Local Agency Formation Commission (LAFCO) to extend fire protection and emergency medical services to the three unserved areas - Islands 2, 3, and 4. In conjunction with the Board's LAFCO application, the Lakeside, San Miguel, and Bonita-Sunnyside Fire Protection Districts, as well as the Ramona Municipal Water District, agreed to annex territory within Islands 2, 3, and 4 that would be logically served by their respective districts. To complete this reorganization, the Board is requested on January 8, 2019 to adopt a property tax exchange resolution relative to these proposed jurisdictional changes.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt the Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR DIVESTITURE OF STRUCTURAL FIRE AND EMERGENCY MEDICAL SERVICES LATENT POWERS FROM COUNTY SERVICE AREA 135 TO THE ALPINE FIRE PROTECTION DISTRICT (Attachment B).

2. Adopt the Resolution entitled:
RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES (Attachment C).

3. Find that adoption of the proposed resolution for divestiture of portions of CSA 135 and resolution of property tax exchange are not subject to the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15378(b)(4) because the proposed actions involve government fiscal activities which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment, and CEQA Guidelines Section 15378(b)(5) because the proposed actions involve organization or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

4. Authorize County departments to take all actions necessary to complete the divestiture of fire and emergency medical services and transfer special tax revenues from CSA 135 into the Alpine FPD.

FISCAL IMPACT

If approved, this request will result in transfers of Annual Tax Increment attributable to the County General Fund for all areas and districts involved in this property tax exchange (Attachment C). The percentage exchanged totals approximately \$68,847 annually in current and future property tax revenue received within CSA 135 and Islands 2, 3 and 4, to the Alpine, Lakeside, San Miguel, and Bonita-Sunnyside Fire Protection Districts, and the Ramona Municipal Water District. The estimated current revenue transferred to the Alpine FPD from CSA 135 is \$7,873, and an estimated \$18,062 in future revenue will be transferred from the County General Fund to the Alpine FPD, totaling an estimated \$25,935 annually. The estimated

future revenues transferred to the Lakeside, San Miguel, and Bonita-Sunnyside Fire Protection Districts, CSA 135, and Ramona Municipal Water District from ad valorem property taxes within Islands 2, 3, and 4 is \$42,912. The funding sources are revenue funds within CSA 135 and General Purpose Revenue from ad valorem property taxes within Islands 2, 3, and 4. These revenues are being transferred to the respective agency that will incur the cost of providing fire protection services. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 4. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
CITIZENS' LAW ENFORCEMENT REVIEW BOARD
(CLERB) - ADOPT AN ORDINANCE AMENDING SECTION 340.9 OF
THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE
ORDINANCES PERTAINING TO THE DUTIES OF CLERB
(DISTRICTS: ALL)**

OVERVIEW

On December 11, 2018 (07), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on January 8, 2019.

The Citizens' Law Enforcement Review Board (CLERB) of the County of San Diego was created in 1991 to advise the Board of Supervisors, the Sheriff and the Chief Probation Officer on the handling of citizen complaints concerning the performance of peace officers and custodial officers employed by the Sheriff and Probation departments of San Diego County.

During CLERB's review of its Rules and Regulations, it came to CLERB's attention that its authority to inspect County adult detention facilities was deleted from the Administrative Code in 2005. It is therefore being requested that the Board of Supervisors adopt an ordinance to reinstate this previously-deleted provision. CLERB's authority to inspect the facilities is also included in the existing Rules and Regulations, and CLERB plans to bring amendments to the Rules and Regulations to the Board of Supervisors at a later date.

On December 11, 2018, the Board of Supervisors approved the first reading for this ordinance amending the County Code of Administrative Ordinances. The Board approved a revised version of the proposed ordinance language. This revised language is reflected in the ordinance before the Board today.

Today, the Board is being asked to adopt the second reading of the ordinance amending the County Code of Administrative Ordinances.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Submit the ordinance (Attachment A) for further Board consideration and adoption (second reading):

AN ORDINANCE AMENDING SECTION 340.9 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES PERTAINING TO THE DUTIES OF THE CITIZENS' LAW ENFORCEMENT REVIEW BOARD.

FISCAL IMPACT

There is no fiscal impact associated with this request to amend the Citizens' Law Enforcement Review Board regulations.

BUSINESS IMPACT STATEMENT

N/A

- 5. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND
COUNTY ADMINISTRATIVE CODE ARTICLES ASSIGNED TO THE
PUBLIC SAFETY GROUP (DISTRICTS: ALL)**

OVERVIEW

On December 11, 2018 (06), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on January 8, 2019.

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Public Safety Group periodically reviews certain Board policies and provisions of the County Administrative Code and Regulatory Code to ensure that policies and Administrative and Regulatory Code provisions reflect current Board standards and practices, and amends accordingly. Today's actions are to determine whether changes are needed to the reviewed Board policies and code provisions. Recommendation 5 involves a two-step process: approval of the first reading of the ordinance on December 11, 2018 and adoption on January 8, 2019.

Additionally, Board of Supervisors Policy A-74 Sunset Review of Boards, Commissions and Committees, sets forth the process by which staff reviews active advisory committees to develop recommendations for continuance, deletion or revision of the committees. In accordance with this policy, this is a request to dissolve the nine-member Regional Fire Protection Committee that was established on January 29, 2008 (23), because the committee accomplished its original intended purpose of providing recommendations to the Board of Supervisors prior to the 2008 fire season.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Submit the Ordinance for further Board consideration and adoption, and approve the sunset review date of December 31, 2025 (Second Reading):

AN ORDINANCE AMENDING SECTION 66.1 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO THE SHERIFF'S ASSET FORFEITURE PROGRAM.

FISCAL IMPACT

The requested actions will have no current year or annual cost and will not require any additional staff years.

BUSINESS IMPACT STATEMENT

N/A

6. **SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL
FINANCE AUTHORITY FOR THE BENEFIT OF SYSTEM
MANAGEMENT GROUP AND WESTMED COLLEGE, IN AN
AGGREGATE AMOUNT NOT TO EXCEED \$220,000,000 (DISTRICT: 3)**

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 (“IRC”) and to approve the Authority’s issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$220,000,000 (the “Bonds”) for the acquisition of certain assets and operations of Northcentral University, a virtual educational institution (the “Project”) for the benefit of the System Management Group, (the “Borrower”) and WestMed College (“WestMed”). The Project is located at 11355 North Torrey Pines Road, La Jolla CA 92037. Both the Borrower and WestMed are related parties and collectively part of the National University System. The WestMed will be a principal user of the Project. The Borrower, a nonprofit public benefit corporation organized and existing under the laws of the State of California, qualifies for tax exempt status due to the nature of the Project. Due to the scope of the Project, the Authority will issue both tax exempt and taxable revenue bonds will be issued to finance the Project.

The Authority is authorized to assist in financing for public benefit organizations wishing to issue revenue obligations, 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 THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BONDS (NATIONAL UNIVERSITY SYSTEM), SERIES 2019A (TAX-EXEMPT) AND THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BONDS (NATIONAL UNIVERSITY SYSTEM), SERIES 2019B (TAXABLE) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$220,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, OF NORTHCENTRAL UNIVERSITY AND CERTAIN OTHER MATTERS RELATING THERETO.

FISCAL IMPACT

If approved, the proposal will result in approximately \$1,000 of unanticipated revenue to be used to reimburse the County for costs associated with this non-County financing.

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

BUSINESS IMPACT STATEMENT

N/A

7. **SUBJECT: APPOINTMENTS OF BOARD MEMBERS TO BOARDS, COMMISSIONS AND COMMITTEES (DISTRICTS: ALL)**

OVERVIEW

The Board of Supervisors annually appoints Board Members to the boards, commissions and committees listed in Attachment A.

RECOMMENDATION(S)

VICE-CHAIRWOMAN DIANNE JACOB

1. Appoint members of the Board of Supervisors to boards, commissions and committees as proposed in Attachment A.
2. Appoint Geoff Patnoe, Director, Office of Strategy and Intergovernmental Affairs, as the second alternate member on the Urban Counties of California.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

8. SUBJECT: ADDRESSING THE IMPACTS OF THE MIGRANT SHELTER CRISIS IN SAN DIEGO COUNTY (DISTRICTS: ALL)

OVERVIEW

The U.S. - Mexico border has seen a surge in Central American migrants seeking asylum from humanitarian abuse, often stemming from gang recruitment and violence from countries with some of the highest murder rates in the world. A majority of these asylum seekers are families, many who have traveled long distances with small children.

Due to this significant increase, the U.S. Immigration and Customs Enforcement (ICE) agency has seen a backlog in the number of applicants they are able to process. To make room for additional asylum seekers, ICE has been releasing asylum seeking families who have permission to stay in the U.S. legally as they await the outcome of their applications.

The San Diego Rapid Response Network (SDRRN), comprised of more than two-dozen non-profit organizations, has established a temporary shelter to ensure families have access to food, medical care, legal services and assistance with travel arrangements to their final destination. The average local stay for migrant families is twenty-four to forty-eight hours. SDRRN is trying to coordinate with ICE to drop off these families at the temporary shelter every day; however, the current shelter has at times been over capacity, creating an urgent need to identify additional locations for the State or an applicable entity to continue providing temporary shelter. If adequate shelter space is not identified swiftly, migrant families may have no choice but to seek accommodations at homeless shelters or on our streets. This would put an undue burden on already stressed homeless providers.

To date, the County of San Diego Health and Human Services Agency (HHSA) has provided vaccines for this migrant population, surveillance, monitoring, training and other support for shelter staff to address public health concerns. Daily, HHSA is providing County nurses and contracted health professionals to assist in health assessments, and social workers to assist in health assessments, translation, and linkage to local resources. In addition, the Department of Environmental Health has provided on-site assessments at shelters to ensure food safety. However, these efforts have no federal or State funding and, coupled with unclear roles and guidelines, makes it challenging for all parties to successfully maintain support over a prolonged period of time. These are federal and State issues, and as such should come with federal and State resources. However, to-date resources are lacking. As an example, on December 18, 2018, the California Office of Emergency Services (Cal OES) sent a letter to the County and impacted cities denying use of their National City armory to assist in the sheltering needs.

Today's action will allow the Chief Administrative Officer to continue efforts to pursue armories or other State properties with the Governor's Office for immediate assistance in sheltering this population. In addition, to ensure better coordination amongst different government agencies and local jurisdictions we ask for the formation of a regional working group made up of federal, State, County and local regional stakeholders to address both short and long-term solutions for the migrant crisis in San Diego County. Today's actions also allow the Chief Administrative Officer to identify County property for a temporary shelter; which the State, or an applicable entity could use to shelter asylum-seeking families during this crisis period. Lastly, we also seek to work with our federal and State delegations on legislative policy that would allow the County to provide on-going services to asylum seeking families and receive reimbursement during this crisis.

RECOMMENDATION(S)

SUPERVISOR GREG COX AND SUPERVISOR-ELECT NATHAN FLETCHER

1. Direct the Chief Administrative Officer to continue to pursue armories or other State properties with the Governor's Office for assistance in sheltering this population.
2. Appoint Supervisor Cox and Supervisor-elect Fletcher to a Board of Supervisors sub-committee to establish a regional working group made up of federal, State, County and local regional stakeholders to address both short-term and long-term solutions for the migrant crisis in San Diego County.
3. Direct the Chief Administrative Officer to identify County property for a potential temporary shelter that the State or applicable entity could use to shelter asylum seeking families.
4. Direct the Chief Administrative Officer to work with federal and State delegations on legislative policy, including funding resources, that would allow the County to provide on-going services to asylum seeking families and receive reimbursement, since immigration regulations are not under local authority.

FISCAL IMPACT

There is no fiscal impact associated with today's actions. There will be no change in net General Fund costs and no additional staff years. However, in the absence of federal and State funding, the County is currently using existing General Purpose Revenue to proactively address health and safety concerns in order to protect the San Diego community.

BUSINESS IMPACT STATEMENT

N/A

9. SUBJECT: LIVE WELL MOBILE OFFICE VEHICLE (DISTRICTS: ALL)

OVERVIEW

In 2010, the San Diego County Board of Supervisors adopted the *Live Well San Diego* vision of a region that is Building Better Health, Living Safely and Thriving. As part of this vision, the County has made a collective effort with its over 400 recognized *Live Well San Diego* community partners to help all 3.3 million San Diego County residents live well and thrive. These efforts include the establishment of four Live Well Centers across San Diego County, in addition to a fifth center anticipated in Southeastern San Diego and a sixth anticipated in Oceanside.

As part of the County's effort to reach all San Diego county residents, today's action would approve and authorize the Chief Administrative Officer to acquire a Mobile Office vehicle. This unit would be capable of providing countywide disaster response, public assistance, outreach, veterans services, public health services, behavioral health services, housing services, aging services, homeless services, and training. Providing these services in a mobile capacity will allow the County to have a presence at scheduled events throughout the county as well as quickly deploy to areas in need, ranging from neighborhood street fairs in underserved areas to crisis management for events of catastrophic proportions.

With the creation of a Live Well mobile office vehicle, more residents will be able to improve their health, safety and economic status, providing more of our region with opportunities to grow, connect and thrive.

RECOMMENDATION(S)

SUPERVISOR GREG COX AND SUPERVISOR-ELECT NATHAN FLETCHER

Authorize the Chief Administrative Officer to acquire a Mobile Office vehicle that supports the *Live Well San Diego* vision and Disaster Recovery Services, including necessary equipment, parts, training, tools, test equipment, warranties and services from authorized vendors and maintain the vehicle as part of the County's fleet.

FISCAL IMPACT

There is no fiscal impact in Fiscal Year 2018-19 as the costs are anticipated to occur in Fiscal Year 2019-20. If approved, this request will result in costs and revenue estimated at \$600,000 in Fiscal Year 2019-20. The funding source is CalWORKs and CalFresh administrative revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

10. SUBJECT: CARDIFF SCHOOL DISTRICT 2019 GENERAL OBLIGATION BONDS (ELECTION OF 2016, SERIES B) (DISTRICT: 3)

OVERVIEW

On November 8, 2016, a bond election was held in the Cardiff School District, San Diego County, State of California ("District") at which the requisite 55% or more of the persons voting on the bond measure ("Measure GG Authorization") voted to authorize the issuance and sale of \$22 million principal amount of general obligation bonds of the District.

On January 12, 2017, the District authorized the issuance of the first series of bonds under the Measure GG Authorization in an aggregate principal amount not to exceed \$15,000,000 to be designated the "Cardiff School District 2017 (San Diego County, California) General Obligation Bonds, Election of 2016, Series A" ("2017 GO Bonds"). On March 9, 2017, the District issued the 2017 GO Bonds in an aggregate principal amount of \$14,000,000.

On December 13, 2018, the District authorized the issuance of the second series of bonds under the Measure GG Authorization in an aggregate principal amount not to exceed \$8,000,000 to be designated the "Cardiff School District 2019 (San Diego County, California) General Obligation Bonds, Election of 2016, Series B" ("2019 GO Bonds"). Following the issuance of the 2019 GO Bonds, there will be no issuance amount remaining under the Measure GG Authorization.

Today's recommendation will request adoption of a resolution for issuance of the 2019 GO Bonds. The resolution includes authorizing the District to issue and sell 2019 GO bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent, executing a Paying Agent and Investment Management Agreement, and directing the Auditor and Controller to maintain the tax roll for the 2019 GO Bonds.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE CARDIFF SCHOOL DISTRICT TO ISSUE AND SELL BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

FISCAL IMPACT

The 2019 GO Bonds will be general obligations of the District to be paid from ad valorem property taxes levied within its boundaries, and do not constitute an obligation of the County.

BUSINESS IMPACT STATEMENT

N/A

11. SUBJECT: IMPLEMENTATION OF REDUCED SAFETY MEMBER RETIREMENT BENEFITS FOR NEW EMPLOYEES (DISTRICTS: ALL)

OVERVIEW

On December 11, 2018 (38), the Board of Supervisors continued the item to January 8, 2019.

The attached proposed resolution implements reduced retirement benefits (to be commonly known as “Safety Tier D”) for persons first hired on or after July 1, 2020, who will become new safety members of the San Diego County Employees Retirement Association (“SDCERA”). The actions in this letter reflect the result of negotiations with represented safety employee bargaining units and will also apply to unrepresented employees who become safety members of SDCERA.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

Adopt the Resolution entitled:

RESOLUTION IMPLEMENTING A NEW RETIREMENT ALLOWANCE FORMULA APPLICABLE TO EMPLOYEES FIRST COMMENCING SERVICE ON OR AFTER JULY 1, 2020 IN SAFETY MEMBERSHIP POSITIONS OF THE SAN DIEGO COUNTY EMPLOYEES RETIREMENT ASSOCIATION.

FISCAL IMPACT

If approved, the recommendations will result in gradual long-term savings in the cost of retirement benefits for County employees. Based on the analysis done by the SDCERA actuary, the employer’s normal cost rate for the new safety members would decrease once Safety Tier D is effective. Pursuant to the memoranda of understanding with the County’s safety member bargaining units, Safety Tier D will be implemented for new safety employees entering SDCERA on or after July 1, 2020.

The analysis provided by the SDCERA actuary notes that enrolling new members in Safety Tier D instead of the current Safety Tier C would result in a 0.66% reduction of Normal Cost rates for both the employer and the member. The Normal Cost rate under Safety Tier D would be 14.22%, down from 14.88% under the current Safety Tier C.

Because data for new employees who will enroll in Safety Tier D is not yet available, the SDCERA actuary arrived at these rates by looking at the data profiles of all current active Tier C safety members and used the same actuarial assumptions and methodologies as in the June 30, 2018 valuation for current Tier C safety members.

The unfunded actuarial accrued liability (UAAL) rates are unaffected at this time by the establishment of the new Safety Tier D benefit plan.

BUSINESS IMPACT STATEMENT

N/A

- 12. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
AMENDMENTS TO THE COMPENSATION ORDINANCE (12/11/2018 -
FIRST READING; 01/08/2019 - SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

On December 11, 2018 (37), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on January 8, 2019.

The proposed amendments to the San Diego County Compensation Ordinance are part of the ongoing efforts to manage and maintain a skilled, adaptable and diverse workforce dedicated to sustaining operational excellence and serving the public. This action: 1) amends the Compensation Ordinance by amending compensation for one (1) job code/classification in the classified service; 2) amending the salary range for four (4) job codes/classifications in the unclassified service; 3) designating one (1) job code/classification as “Terminal”; 4) deleting two (2) job codes/classifications in the classified service; and 5) adding, amending, or repealing various sections of the Compensation Ordinance.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinance entitled:

**AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND
ESTABLISHING COMPENSATION.**

FISCAL IMPACT

Funds for the proposed salary increases are included in the Fiscal Year 2018-19 Operational Plan. The respective departments will use existing appropriations to support these proposed costs. The total estimated cost for next 5 years is \$0.8 million. Subsequent year costs will be included in future Operational Plans. The funding source is a combination of General Purpose revenues and various program revenues. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

13. 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.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

These appointments are in accordance with applicable Board Policy I-1, "Planning and Sponsor Group Policies and Procedures," 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."

RECOMMENDATION(S)

VICE CHAIRWOMAN DIANNE JACOB

Appoint Carolyn Hilfiker to the CUYAMACA WATER DISTRICT, Seat No. 3, for a term to expire on December 2, 2022.

Re-appoint Susan Fortney to the DESCANO WATER DISTRICT, Seat No. 4, for a term to expire January 2, 2023.

Appoint Patrick S. Parker Jr to the JAMUL/DULZURA COMMUNITY PLANNING GROUP, Seat No. 2, for a term to expire on January 2, 2023.

Appoint Kevin James May to the JAMUL/DULZURA COMMUNITY PLANNING GROUP, Seat No. 10, for a term to expire on January 2, 2023.

Re-appoint Kenny Mushet to the JULIAN COMMUNITY PLANNING GROUP, Seat No. 8, for a term to expire January 2, 2023.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

15. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Golden Door Properties, LLC v. County of San Diego; San Diego County Superior Court No. 37-2018-00013324-CU-TT-CTL

- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Sierra Club v. County of San Diego; San Diego County Superior Court No. 37-2012-00101054-CU-TT-CTL

- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Sierra Club, et al. v. County of San Diego; San Diego County Superior Court No. 37-2018-00014081-CU-TT-CTL

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