

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, FEBRUARY 26, 2019, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance
- D. Presentation or Announcement of Proclamations and Awards
- E. 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.
- F. Approval of the Statement of Proceedings/Minutes for the meeting of February 12, 2019.
- G. Formation of Consent Calendar
- H. 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.	SHERIFF - REQUEST FOR SINGLE SOURCE PROCUREMENT OF DIGITAL CAPTURE SYSTEMS [FUNDING SOURCE: CURRENT AND FUTURE YEARS IS THE SHERIFF'S FINGERPRINT ID TRUST FUND]
	2.	SHERIFF - REQUEST FOR SINGLE SOURCE PROCUREMENT OF AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM LICENSES AND MOBILE IDENTIFICATION DEVICES [FUNDING SOURCE: SHERIFF'S FINGERPRINT ID TRUST FUND]

3. SHERIFF - NEW USER AGREEMENTS FOR THE CALIFORNIA IDENTIFICATION SYSTEM/REMOTE ACCESS NETWORK
[FUNDING SOURCE: CALIFORNIA IDENTIFICATION SYSTEM/REMOTE ACCESS NETWORK FUNDS]
- Health and Human Services 4. APPROVAL OF CALIFORNIA MUTUAL AID REGION VI INTRA-REGION COOPERATIVE AGREEMENT FOR EMERGENCY MEDICAL AND HEALTH DISASTER SERVICES
- Financial and General Government 5. BRINGING CHOICE AND COMPETITION TO THE ENERGY MARKET
6. STRENGTHENING AUTHORITY OF LOCAL HEALTH OFFICERS RESPONDING TO COMMUNICABLE DISEASE OUTBREAKS
7. EMPLOYER AND EMPLOYEE RETIREMENT CONTRIBUTION RATES FOR FISCAL YEAR 2019-20
[FUNDING SOURCE: A COMBINATION OF PROGRAM SPECIFIC AND GENERAL PURPOSE REVENUE]
- Communications Received 8. COMMUNICATIONS RECEIVED
- Appointments 9. APPOINTMENTS: VARIOUS

1. SUBJECT: SHERIFF - REQUEST FOR SINGLE SOURCE PROCUREMENT OF DIGITAL CAPTURE SYSTEMS (DISTRICTS: ALL)

OVERVIEW

The California Identification System/Remote Access Network (Cal-ID/RAN) is a statewide system that provides local law enforcement agencies with direct access to local, state, and federal automated fingerprint, palm print, photo systems and databases. The network allows for the rapid identification of criminals booked into detention facilities and stores biographic and fingerprint data of arrestees, as well as latent prints lifted from crime scenes. The program is funded through the collection of a \$1 fee charged for every vehicle licensed in San Diego County, which are then deposited into the Sheriff's Fingerprint ID Trust Fund.

The Sheriff's Department serves as San Diego County's Cal-ID/RAN administrator, and membership includes all 18 cities in the region. The program oversees the operation of the Automated Fingerprint Identification System (AFIS), a computerized network that stores and processes fingerprint and palm print images in a searchable database used by law enforcement agencies across the region.

Among the integral pieces of equipment funded by San Diego County's Cal-ID/RAN are what is known as Digital Capture Systems (DCS), which capture, enhance and print detailed finger and palm print images. First purchased in 2006, this equipment is used at various crime laboratories throughout San Diego County. As this original equipment gets old, outdated and no longer covered under maintenance, it must be replaced. There is currently a need to replace a DCS at Chula Vista Police Department Crime Laboratory. The laboratories throughout San Diego County have found DCS to be a forensic tool of great value. There is currently a need to install this system at the crime laboratory in the Oceanside Police Department. The systems currently used are manufactured and distributed exclusively by Foster & Freeman. Purchasing additional systems manufactured by this company would allow absolute compatibility with existing system components and AFIS. In addition, combination of various components and features of Foster & Freeman's DCS make it a complete capture system not available from other providers. These features are tightly incorporated into the print development techniques used in both crime laboratories.

This is a request for approval of single source procurement for two DCS (DCS-5) from Foster & Freeman, as well as ongoing maintenance and support services. The Oceanside Police Department crime laboratory would receive one system, and the Chula Vista Police Department crime laboratory would receive the second system.

RECOMMENDATION(S)

SHERIFF

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director of Department of Purchasing and Contracting to enter into negotiations with Foster & Freeman, and, subject to successful negotiations and determination of a fair and reasonable price, award a contract for the purchase of two Digital Capture Systems (DCS), and to amend the contract as needed to reflect changes to services and funding subject to the approval of the Sheriff.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. If approved, this request will result in estimated current year costs and revenue of \$161,500, and annual maintenance future year estimated costs for both systems of \$8,000 per year for a maximum of eight years after the initial one-year warranty period. The funding source for current and future years is the Sheriff's Fingerprint ID Trust Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

2. **SUBJECT: SHERIFF - REQUEST FOR SINGLE SOURCE PROCUREMENT OF AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM LICENSES AND MOBILE IDENTIFICATION DEVICES (DISTRICTS: ALL)**

OVERVIEW

The California Identification System/Remote Access Network (Cal-ID/RAN) is a statewide system that provides local law enforcement agencies with direct access to local, state, and federal automated fingerprint, palm print, photo systems and databases. The network allows for the rapid identification of criminals booked into detention facilities. It also stores biographic and fingerprint data of arrestees, as well as latent prints lifted from crime scenes.

The program is funded through the collection of a \$1 fee for every vehicle registered in San Diego County, which are then deposited into the Sheriff's Fingerprint ID Trust Fund. The Sheriff's Department serves as San Diego County's Cal-ID/RAN administrator, and membership includes all 18 cities in the region. The program oversees the operation of the Automated Fingerprint Identification System (AFIS), a computerized network that stores and processes data used by law enforcement agencies across the region.

Demand for access to the AFIS and use of Cal-ID/RAN's equipment has greatly increased since initial implementation in December 2011. Currently, local agencies need 11 additional AFIS licenses. Local agencies also need 150 additional BlueCheck mobile identification devices, which are used by law enforcement agencies to quickly identify individuals in the field. The equipment enables officers to enter and match fingerprint data against the AFIS database. Gemalto Cogent, Inc. is the sole and exclusive manufacturer of both AFIS and BlueCheck mobile identification devices. The source code for all Gemalto Cogent, Inc. software is exclusive, and no other manufacturer is authorized nor has the ability to modify or update Gemalto Cogent, Inc. software.

Today's request seeks approval of single source procurements for 11 additional AFIS licenses and 150 additional BlueCheck mobile identification devices from Gemalto Cogent, Inc. for use by law enforcement agencies throughout the San Diego County region.

RECOMMENDATION(S)

SHERIFF

1. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director of Department of Purchasing and Contracting to enter into negotiations with Gemalto Cogent, Inc., and, subject to successful negotiations and determination of a fair and reasonable price, award a contract for the purchase of Automated Fingerprint Identification System licenses, and to amend the contract as needed to reflect changes to services and funding subject to the approval of the Sheriff.
2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director of Department of Purchasing and Contracting to enter into negotiations with Gemalto Cogent, Inc., and, subject to successful negotiations and determination of a fair and reasonable price, award a contract for the purchase of BlueCheck mobile identification devices, and to amend the contract as needed to reflect changes to services and funding subject to the approval of the Sheriff.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. If approved, this request will result in estimated current year costs and revenue of \$343,000. The funding source is the Sheriff's Fingerprint ID Trust Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: SHERIFF - NEW USER AGREEMENTS FOR THE CALIFORNIA IDENTIFICATION SYSTEM/REMOTE ACCESS NETWORK (DISTRICTS: ALL)**

OVERVIEW

The California Identification System/Remote Access Network (Cal-ID/RAN) is a statewide system that provides local law enforcement agencies with direct access to local, state, and federal automated fingerprint, palm print, photo systems and databases. The network allows for the rapid identification of criminals booked into detention facilities and stores biographic and fingerprint data of arrestees, as well as latent prints lifted from crime scenes. The Sheriff's Department serves as San Diego County's Cal-ID/RAN administrator, and membership includes all 18 cities in the region.

Cal-ID/RAN is jointly funded by the County and the cities. User agreements between the County and cities outline agency contributions towards the shared costs of the program estimated at \$5.0 million. The County's share is funded through the collection of \$1 for every vehicle registered in the County, as authorized through Vehicle Code Section 9250.19, which is deposited to the Sheriff's Fingerprint ID Trust Fund.

The current, five-year Cal-ID/RAN user agreements expire on June 30, 2019. This is a request to approve new Cal-ID/RAN user agreements with all cities within the San Diego region for a period of five (5) years from July 1, 2019, through June 30, 2024. The agreements provide for the user agencies to contribute towards the cost of the program.

RECOMMENDATION(S)

SHERIFF

Approve and authorize the Clerk of the Board of Supervisors to accept and execute upon receipt Cal-ID/RAN user agreements for the following estimated amounts with the cities of Carlsbad (\$26,000), Chula Vista (\$55,000), Coronado (\$5,000), Del Mar (\$1,500), El Cajon (\$27,000), Encinitas (\$13,000), Escondido (\$34,000), Imperial Beach (\$6,000), La Mesa (\$14,000), Lemon Grove (\$7,500), National City (\$15,000), Oceanside (\$46,000), Poway (\$9,500), San Diego (\$150,000), San Marcos (\$18,000), Santee (\$12,000), Solana Beach (\$3,000), and Vista (\$22,000) for a period of five (5) years from July 1, 2019, through June 30, 2024.

FISCAL IMPACT

There is no current year fiscal impact associated with this request. Funds for this request will be included in future Operational Plans for the Sheriff's Department. The funding source for future years is California Identification System/Remote Access Network funds. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

4. **SUBJECT: APPROVAL OF CALIFORNIA MUTUAL AID REGION VI INTRA-REGION COOPERATIVE AGREEMENT FOR EMERGENCY MEDICAL AND HEALTH DISASTER SERVICES (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Health and Human Services Agency is responsible for coordinating emergency medical response to public health disasters or emergencies, and has an integral role in response to natural and other disasters, including fires, floods, earthquakes, hazardous spills and other catastrophes that may occur in the San Diego region. To maximize available resources and ensure the most effective response, the County enters into cooperative agreements with other jurisdictions in the Southern California region to provide mutual assistance and share resources, such as equipment, supplies, and behavioral health or environmental health staff, during these types of events.

On August 7, 1990 (3), the San Diego County Board of Supervisors (Board) approved the California Governor's Office of Emergency Services (Cal OES) Region VI Disaster Medical/Health System Inter-County Cooperative Agreement, which established an agreement among the Counties of Imperial, Inyo, Mono, Riverside, San Bernardino, and San Diego (collectively known as Cal OES Region VI) to provide public health, behavioral health, Emergency Medical Service (EMS), and/or environmental health staff, equipment, and/or supplies during a disaster and to be reimbursed by the county receiving this aid. On January 21, 1997 (14), the Board approved the Inter-Region Cooperative Agreement For Emergency Medical and Health Disaster Assistance, which established mutual aid between Cal OES Region VI and Cal OES Region I, consisting of the Counties of Los Angeles, Orange, San Luis Obispo, Santa Barbara and Ventura.

In order to add definitions, insurance requirements, dispute procedures, and further clarify roles and responsibilities, the Cal OES Region VI counties developed a new agreement that will supersede the 1990 Agreement and supplement the 1997 Agreement with Cal OES Region I, which remains in effect.

If approved, today's action requests authorization to execute a new California Mutual Aid Region VI, Intra-Region Cooperative Agreement for Emergency Medical and Health Disaster Services to supersede and replace the 1990 Agreement.

Today's action supports the countywide *Live Well San Diego* vision by ensuring timely and efficient response to emergency disasters in San Diego County, thereby promoting a healthy, safe and thriving region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Section 21065 of the State of California Environmental Quality Act (CEQA) and Section 15378 of the CEQA Guidelines, find that this action is not a project subject to CEQA, because it is an organizational or administrative action that will not result in direct or indirect physical changes in the environment.
2. Approve and authorize the Agency Director, Health and Human Services Agency, to execute an Intra-Region Cooperative Agreement for Emergency Medical and Health Disaster Services with the signatory counties of the California Governors' Office of Emergency Services (Cal OES) Mutual Aid Region VI, including the Counties of Imperial, Inyo, Mono, Riverside and San Bernardino, for the period from the date of execution to June 30, 2023.
3. Authorize the Agency Director, Health and Human Services Agency, or their designee, to execute any extensions, amendments, and or revisions thereof that do not materially impact or alter the program or level.
4. Authorize the Agency Director, Health and Human Services Agency, or their designee, to pursue any funding opportunities that might support this mutual aid collaboration.

FISCAL IMPACT

There is no fiscal impact associated with executing the agreement. Should the County request assistance from any of the signatories of agreement, the County would be responsible for reimbursing that party for the cost of the aid provided to support emergency response in San Diego at that party's rates. Similarly, the County would receive reimbursement of any aid provided in response to mutual aid requests made by signatories of the agreement. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

5. **SUBJECT: BRINGING CHOICE AND COMPETITION TO THE ENERGY MARKET (DISTRICTS: ALL)**

OVERVIEW

Community choice energy (CCE), which is also called community choice aggregation (CCA), is a type of energy supply program that allows cities and counties to meet the energy needs of local residents and businesses by aggregating the buying power of individual customers within a defined area to secure alternative energy supplies. The pooling of purchasing power to buy or

generate electricity gives ratepayers the choice of where to purchase their power. Choice and competition is the bedrock of CCE. Today, there are 19 CCEs operating throughout the state serving more than 8 million customers.

In San Diego County, the City of Solana Beach has operated the Solana Energy Alliance since 2018. The City of San Diego recently took the next step towards a CCE by laying the groundwork for a future Joint Powers Authority, and the cities of Del Mar, Encinitas, Oceanside, Carlsbad, Chula Vista, La Mesa and Santee are all either actively exploring the feasibility of CCE or moving forward with CCE.

Today's action directs the Chief Administrative Officer to develop a Community Choice Energy program and return to the Board by October 2019 with next steps for implementation, and report back to the Board on progress every two months. Today's action also authorizes the Chief Administrative Officer to engage in discussions with the City of San Diego and other cities in the region on the potential development of a mutually beneficial CCE Joint Powers Authority.

RECOMMENDATION(S)

CHAIRWOMAN DIANNE JACOB AND SUPERVISOR NATHAN FLETCHER

1. Direct the Chief Administrative Officer to develop a Community Choice Energy program and return to the Board by October 2019 with all options and next steps for implementation, and report back to the Board on progress every two months.
2. Authorize the Chief Administrative Officer to engage in discussions with the City of San Diego and other cities in the region on the potential development of a mutually beneficial CCE Joint Powers Authority.
3. Transfer appropriations of \$125,000 from the Department of Planning and Development Services, Services & Supplies to the Department of General Services, Services & Supplies, to conduct CCA/CCE Feasibility Analysis and Implementation Options.

FISCAL IMPACT

The total cost for consultants and staff time to complete today's recommended actions is estimated to be \$300,000. Previously the Board of Supervisors directed staff as part of approving the Climate Action Plan to conduct a thorough Comparative Analysis of the implementation of the Renewable Energy E-2.1 measure; which included aggressively pursuing CCA as mentioned in the Plan; and to not only include the cost analysis of the projects, but the cost to the consumer and ratepayers in the Comparative Analysis. The Fiscal Year 2018-19 Operational Plan includes funds for this request. As part of today's actions, funding anticipated to be used for that analysis, \$125,000, will be repurposed for conducting a CCA/CCE Feasibility Analysis and implementation options. The remaining requirement for \$175,000 to complete today's recommended actions will be referred to budget.

BUSINESS IMPACT STATEMENT

N/A

**6. SUBJECT: STRENGTHENING AUTHORITY OF LOCAL HEALTH OFFICERS
RESPONDING TO COMMUNICABLE DISEASE OUTBREAKS
(DISTRICTS: ALL)**

OVERVIEW

On September 1, 2017, the County's Public Health Officer issued a Declaration of Local Health Emergency in response to an extraordinary number of hepatitis A cases reported in San Diego, which was first detected in early March 2017 and later traced back to November 2016. Despite the local efforts, cases of hepatitis A continued to increase and spread for multiple months resulting in a devastating 582 confirmed cases with 395 of those hospitalized and 20 lives lost. The local health emergency ended on January 23, 2018.

It is incumbent on us as stewards of public health to do everything in our control to prevent another catastrophic event like this from occurring again in San Diego County. That is why I am proposing that our Board support Assembly Bill (AB) 262, authored by Assembly members Todd Gloria and Lorena Gonzalez, which seeks to clarify and strengthen the authorities of local health officers as it relates to communicating relevant information and directing action of governments in its jurisdiction that are affected by the outbreak. This clarity in law is vital in order to improve legal authority for our public health officer and help prevent future outbreaks.

If approved, today's action directs the Chief Administrative Officer (CAO) to support and sponsor AB 262 to strengthen and clarify the authority of local health officers during a communicable disease outbreak.

I urge your support.

RECOMMENDATION(S)

SUPERVISOR NATHAN FLETCHER

Direct the Chief Administrative Officer include support in the County's Legislative Program and sign on as a sponsor of Assembly Bill 262, which seeks to clarify and strengthen the authorities of local health officers as it relates to communicating relevant information and directing action of governments in its jurisdiction that are affected by the outbreak.

FISCAL IMPACT

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT

N/A

7. SUBJECT: EMPLOYER AND EMPLOYEE RETIREMENT CONTRIBUTION RATES FOR FISCAL YEAR 2019-20 (DISTRICTS: ALL)

OVERVIEW

California Government Code Section 31454 requires the Board of Supervisors to adjust the rates of the San Diego County employer and employee retirement contributions in accordance with the recommendations of the Board of Retirement of the San Diego County Employees Retirement Association (SDCERA). The Board of Retirement (Retirement Board) approved the employer and employee contribution rates recommended by its actuary, Segal Consulting, for Fiscal Year (FY) 2019-20 on December 13, 2018.

While the employer contribution rates are different for Safety and General members, the aggregate employer rate (or weighted average rate) approved by the Retirement Board for FY 2019-20 is 42.97%, reflecting an increase from the FY 2018-19 aggregate employer rate of 42.52%.

The recommended increase in the average employer contribution rates was primarily due to differences between actual results and actuarial assumptions in the areas of: salary increases, number of retirements, and the smoothing of a cumulative net investment loss over the past five years, offset somewhat by changes in member demographics and other actuarial gains.

The average member rate as a percentage of payroll decreased from 11.87% to 11.67%. This decrease is primarily due to changes in membership demographics.

RECOMMENDATION(S)

SAN DIEGO COUNTY EMPLOYEES RETIREMENT ASSOCIATION BOARD OF RETIREMENT AND CHIEF ADMINISTRATIVE OFFICER

Adopt the San Diego County employer and employee retirement contribution rates for Fiscal Year 2019-20 as recommended by the SDCERA actuary and approved by the Retirement Board on December 13, 2018.

FISCAL IMPACT

If the recommendation to adopt the rates of employer retirement contributions as recommended by the actuary is approved, the estimated annual employer retirement contribution costs for the County and all participating employers will be approximately \$554.7 million for FY 2019-20, an increase of approximately \$21.9 million from the FY 2018-19 estimated contribution.

The County is obligated to fund approximately 93% of the estimated annual employer retirement contributions, or \$515.9 million, an increase of approximately \$20.4 million from the previous fiscal year. Other participating employers are obligated to make the remaining 7% contribution. These include the San Diego Superior Court, the Local Agency Formation Commission, and the San Dieguito River Valley Joint Powers Authority and SDCERA itself. The actual cost of retirement will differ due to the application of the contribution rates to the actual biweekly payroll as opposed to the actuary's assumed payroll. The funding source is a combination of program specific and general-purpose revenue. No additional staff years are required.

BUSINESS IMPACT STATEMENT

N/A

8. 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

9. 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."

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND

Appoint Jerry Kalman to the FALLBROOK COMMUNITY PLANNING GROUP, Seat No. 1, for a term to expire January 4, 2021.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

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