

February 8, 2022

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,
SAN DIEGO COUNTY FLOOD CONTROL DISTRICT, HOUSING AUTHORITY OF THE
COUNTY OF SAN DIEGO, COUNTY OF SAN DIEGO IN-HOME SUPPORTIVE
SERVICES PUBLIC AUTHORITY, SAN DIEGO COUNTY SANITATION DISTRICT, SAN DIEGO
COUNTY FIRE PROTECTION DISTRICT, COUNTY OF SAN DIEGO SUCCESSOR AGENCY TO
THE COUNTY OF SAN DIEGO REDEVELOPMENT AGENCY
REGULAR MEETING
MEETING AGENDA
TUESDAY, FEBRUARY 8, 2022, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

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

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

(Members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present, pursuant to Resolution No. 22-003, adopted January 11, 2022.)

- B. Invocation was led by Most Reverend Ramon Bejarano, Auxiliary Bishop of San Diego.
- C. Pledge of Allegiance was led by Jessica Clar's Kindergarten Class from Ashley Falls Elementary.
- D. Presentation or Announcement of Proclamations and Awards:

Vice-Chair Nora Vargas presented a proclamation declaring February 8, 2022, to be African American Association of County Employees Day throughout the County of San Diego.

Chair Nathan Fletcher and Vice-Chair Nora Vargas presented a proclamation declaring February 12-20, 2022, to be Love Your Heart Week throughout the County of San Diego.

Supervisor Joel Anderson and Supervisor Jim Desmond presented a proclamation declaring February 2022, to be Homeowners' Exemption Awareness Month throughout the County of San Diego.

Supervisor Terra Lawson-Remer presented a proclamation declaring February 8, 2022, to be The North County NAACP Day throughout the County of San Diego.

Presiding Judge of the Superior Court, Judge Michael T. Smyth, swore in Chief Probation Officer Tamika Nelson.

- E. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.

- F. Approval of the Statement of Proceedings/Minutes for the meeting of January 25, 2022.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of January 25, 2022.

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

- G. Consent Calendar

- H. Discussion Items

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

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

Board of Supervisors' Agenda Items

Category	#	Subject
Health and Human Services	1.	ADOPT THE REVISED SAN DIEGO COUNTY BOARD OF SUPERVISORS POLICY A-128, COMPREHENSIVE HOMELESS POLICY
Financial and General Government	2.	NEIGHBORHOOD REINVESTMENT PROGRAM & COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 2) [FUNDING SOURCES: GENERAL PURPOSE REVENUE AND TRANSIENT OCCUPANCY TAX REVENUES] (4 VOTES)
	3.	COMMUNITY ENHANCEMENT AND NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 1) [FUNDING SOURCES: GENERAL PURPOSE REVENUE AND TRANSIENT OCCUPANCY TAX REVENUES]
	4.	ESTABLISHMENT OF THE CALIFORNIA MICROBUSINESS COVID-19 RELIEF GRANT PROGRAM AND APPROPRIATION OF GRANT FUNDING [FUNDING SOURCE: CALIFORNIA OFFICE OF THE SMALL BUSINESS ADVOCATE GRANT FUNDING FOR THE CALIFORNIA MICROBUSINESS COVID-19 RELIEF GRANT PROGRAM] (4 VOTES)

5. EMPLOYER AND EMPLOYEE RETIREMENT
CONTRIBUTION RATES FOR FISCAL YEAR 2022-23
[FUNDING SOURCE: A COMBINATION OF PROGRAM
SPECIFIC AND GENERAL PURPOSE REVENUE]
6. AMENDMENT TO SERVICES AGREEMENT BETWEEN
THE COUNTY OF SAN DIEGO AND THE SAN DIEGO
COUNTY AIR POLLUTION CONTROL DISTRICT
RELATED TO AUDITOR AND CONTROLLER SERVICES
7. SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: AMENDMENTS TO THE COMPENSATION
ORDINANCE AND ADMINISTRATIVE CODE (1/25/2022 -
First Reading; 2/8/2022 - Second Reading)
[FUNDING SOURCE: EXISTING REVENUE WITH
COUNTY DEPARTMENTS]
- Appointments 8. APPOINTMENTS: VARIOUS
- Communications Received 9. COMMUNICATIONS RECEIVED
- Public Safety 10. SET A HEARING FOR 03/15/2022:
FILLING THE VACANCY OF THE SAN DIEGO COUNTY
ELECTIVE OFFICE OF SHERIFF
11. PRELIMINARY REPORT AND RECOMMENDATIONS ON
DATA-DRIVEN APPROACHES TO PUBLIC SAFETY,
TREATMENT AND SERVICE EXPANSIONS, AND
ADVANCING EQUITY THROUGH ALTERNATIVES TO
INCARCERATION
12. PROBATION - PRETRIAL SERVICES PROGRAM
[FUNDING SOURCE: STATE GENERAL FUND
ALLOCATED THROUGH THE JUDICIAL COUNCIL OF
CALIFORNIA]
- Health and Human Services 13. ADDRESSING HOMELESSNESS AMONG OLDER
ADULTS
14. RECEIVE AN UPDATE ON AND APPROVE ACTIONS
RELATED TO COMPASSIONATE EMERGENCY
SOLUTIONS AND PATHWAYS TO HOUSING FOR
PEOPLE EXPERIENCING HOMELESSNESS
[FUNDING SOURCES: HOMELESS HOUSING
ASSISTANCE PROGRAM ROUND 3 (HHAP-3) AND
AMERICAN RESCUE PLAN ACT (ARPA)]
15. RECEIVE THE FIRST 5 SAN DIEGO 2021 ANNUAL
REPORT

16. RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS IN RESPONSE TO THE LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY, AMEND CONTRACTS RELATED TO THE COUNTY OF SAN DIEGO'S COVID-19 PANDEMIC RESPONSE, AND ADOPT A RESOLUTION AUTHORIZING TELECONFERENCED PUBLIC MEETINGS
[FUNDING SOURCES: ALLOCATION OF CARES ACT, CORONAVIRUS RELIEF FUND (CRF) REVENUE, GENERAL FUND BALANCE, REALIGNMENT, FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FUNDS, AND PROGRAM REVENUES AVAILABLE FOR RESPONSE EFFORTS; EPIDEMIOLOGY AND LABORATORY CAPACITY (ELC) ENHANCING DETECTION AND EXPANSION GRANTS, EXISTING REALIGNMENT, FEMA, ARPA, AND ANY ELIGIBLE FEDERAL OR STATE STIMULUS FUNDING THAT MIGHT BECOME AVAILABLE; IMMUNIZATION COOPERATIVE AGREEMENTS, AND ANY ELIGIBLE FEDERAL OR STATE STIMULUS FUNDING THAT MIGHT BECOME AVAILABLE; ELC ENHANCING DETECTION EXPANSION GRANT AND ANY ELIGIBLE FEDERAL OR STATE STIMULUS FUNDING THAT MIGHT BECOME AVAILABLE; FEMA AND ARPA FUNDS]

Financial and
General
Government

17. NOTICED PUBLIC HEARING:
REGIONAL ECONOMIC ANALYSIS AND IMPACT
REPORT ON PROPOSED WORKING FAMILIES
ORDINANCE AND ADOPTION OF ORDINANCE AND BID
PREQUALIFICATION POLICY
[FUNDING SOURCES: CHARGES TO CLIENT
DEPARTMENTS AND FUTURE OPERATIONAL PLANS]

Closed Session

18. CLOSED SESSION

Public
Communication

19. PUBLIC COMMUNICATION

1. **SUBJECT: ADOPT THE REVISED SAN DIEGO COUNTY BOARD OF SUPERVISORS POLICY A-128, COMPREHENSIVE HOMELESS POLICY (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Board of Supervisors (Board) has led significant actions in recent years to address homelessness. On April 6, 2021 (6), the Board took actions to address the crisis of homelessness and directed the Chief Administrative Officer to revise Board Policy A-128, the County of San Diego's (County) Comprehensive Homeless Policy, to further ensure an equitable region for all San Diego County residents. Additionally, on November 2, 2021 (04), the Board adopted the Framework for Ending Homelessness (Framework) to operationalize the Board's guiding principles on homelessness and align the existing work throughout the region. The Framework encompasses the County's ongoing work and provides a vision to support forward, collaborative and impactful progress. Through these actions, the Board continues to demonstrate their commitment to ending homelessness.

In response to the Board's direction, and with respect to the Board's guiding principles on homelessness, County Health and Human Services Agency staff collaborated with all applicable County departments to revise Board Policy A-128 that puts equity, dignity, and opportunity at its core and raises the issue of homelessness and its impact across the enterprise. The purpose of this policy is to summarize the County's comprehensive response to homelessness and ensure alignment with the Framework. The revised Board Policy A-128 recognizes that poverty, inequitable economic opportunity, and trauma are among the most significant causes of homelessness and that a comprehensive approach must embrace the economic, physical, and mental well-being of all San Diego County residents.

This item supports the County of San Diego's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by improving the lives of persons at-risk of and experiencing homelessness through providing guidance for existing and future regional efforts to address the homelessness crisis.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt the revised San Diego County Board of Supervisors Policy A-128, Comprehensive Homeless Policy.

EQUITY IMPACT STATEMENT

According to The Regional Taskforce on Homelessness, in 2020 there were at least 27,390 individuals who experienced homelessness in San Diego County. Additionally, the San Diego region conducts a Point-in-Time Count, which identifies the number of individuals living on the streets or in emergency shelters on one specific designated day of the year. In the 2020 count, 7,638 individuals were identified as living on the streets or in shelters throughout the county. Of those who were unsheltered, 58% reported having a disability and 27% were 55 years or older. Unified under a County of One approach, the County is dedicated to addressing the root causes of homelessness and providing preventative and supportive services to the most vulnerable residents.

People of color are disproportionately impacted among those experiencing homelessness, with 27.2% identifying as Black or African American-roughly five times the proportion of African Americans in the region-3.4% identified as American Indian or Alaska Native-which is nearly three times the proportion in the region-and 2.8% identifying as Asian. Further, Latinos make up 28% of the region's population experiencing homelessness. Ensuring racial and social equity in all aspects of homelessness prevention and response is one of the key principles that guide Board Policy A-128, the County of San Diego's Comprehensive Homeless Policy. Key components in the proposed revisions to Board Policy A-128 intended to address these disparities include: adopting a Housing First approach; providing culturally and linguistically appropriate services; and moving towards more street outreach led by social workers. Further, the proposed revisions to Board Policy A-128 seeks to enhance focus on deepening the knowledge of homelessness and housing instability that may be obscured for members of Latino communities and other population groups by collecting and reviewing disaggregated data and evaluating non-traditional sources.

Additionally, securing equitable homeless housing, supports and funding will assist those who are homeless or at-risk of homelessness throughout San Diego County. Therefore, it is anticipated that Board Policy A-128 will provide guidance regarding housing and supports to residents who are disproportionality represented in the homeless system, including justice involved individuals, individuals with a range of health and social needs, as well as Black, Indigenous and People of Color (BIPOC). In general, the incidence of Black, Native Americans and other persons of color experiencing homelessness mirrors the disparities found at the broader community levels.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOT PRESENT: Desmond

2. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM & COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 2)

OVERVIEW

The County of San Diego is fortunate to have an opportunity to reinvest taxpayer money into our communities for the benefit of the public. This action will assist the County in meeting the needs of the community.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON

1. Allocate \$86,898 from the Neighborhood Reinvestment Program budget (Org 15655) to La Mesa Post No. 282, The American Legion, Department of California to repair their facility at 8118 University Avenue, La Mesa, CA by helping fund such things as heating and air conditioning system, flooring, stucco repairs, and painting.
2. Allocate \$12,000 from the Community Enhancement Program budget (Org 12900) to SHABACK ALTURISTIC, INC. to Project Feed to cover the transportation and distribution of provided meals serving 700 or more people, including in Julian.
3. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Julian Historical Society to support the Continuation of Historic Preservation/ Restoration and Archiving including Washington Mine Stabilization, Archive Collection, Security Enhancement (to include insurance cost to protect rare JHS Museum collections as well as Archives and copying/ AV equipment), Museum Interior Rehabilitation (Garage & HQ), Enhanced Speaker & Docent Programs/Web Site Enhancement, Historic Vehicle Modification & Restoration, Completion of Hist. Vehicle Maintenance & Tool Display Area, greater Historic Book Sales/ Media Program Development, enhanced QR Code Tour Program, JHS Town Kiosk and content Rehabilitation, Historic Art Restoration/ Preservation and cost to comply with COVID-19 reopening/ operating requirements.
4. Allocate \$3,000 from the Community Enhancement Program budget (Org 12900) to Julian Pioneer Museum to support Historic Archiving, Education, Preservation & Restoration Project, including restoration of a historic stamp mill
5. Rescind the May 19, 2020 (16) allocation of \$42,900 from the Neighborhood Reinvestment budget (15655) to the City of Santee so that the funds can be reallocated to other projects.
6. Establish appropriations of \$7,680 in the Neighborhood Reinvestment Program budget (Org 15655) based on the return of unused funds from prior year allocations so they can be allocated to other projects. **(4 VOTES)**
7. Find that the grants have a public purpose.
8. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to agreements with the organizations awarded grants establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
9. Find that the grants to the La Mesa Post No. 282 of the American Legion, Julian Historical Society, and Julian Pioneer Museum are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

We recognize that the systemic impacts that inequitable policies may create for residents in San Diego County. Find that these proposed allocations of funds are intended to improve the quality of life throughout the County by providing funds for nonprofits whose work addresses inequities, promotes quality of life and improves outcomes that align with the vision of our county. Organizations were chosen based on their location or the demographics they serve with a focus on organizations that focus on vulnerable community member, youth events and inclusive community events. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach, and programs. Their supporting documents were reviewed as well as impact reports and community testimony

FISCAL IMPACT

Funds for the grant request allocations are included in the Fiscal Year 2021-22 Operational Plan for the Neighborhood Reinvestment Program (Org 15655) and the Community Enhancement Program (Org 12900). The fiscal impact of these recommendations is \$86,898 from the Neighborhood Reinvestment Program budget (Org 15655) and \$25,000 from the Community Enhancement Program budget (Org 12900) totaling \$111,898. The funding sources are General Purpose Revenue and Transient Occupancy Tax Revenues.

Funds for the return of unused funds are not included in the Fiscal Year 2021-22 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). If approved, it will result in cost and revenue of \$7,680 and the funding source is return of unused funds from prior year Neighborhood Reinvestment program allocations so they can be allocated to other projects.

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOT PRESENT: Desmond

3. SUBJECT: COMMUNITY ENHANCEMENT AND NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 1)

OVERVIEW

The County of San Diego is fortunate to have an opportunity to reinvest taxpayer money into our communities for the benefit of the public. This action will assist the County in meeting the needs of the community.

RECOMMENDATION(S)

VICE-CHAIR NORA VARGAS

1. Allocate \$25,000 from the Community Enhancement Program budget (Org 12900) to Free to Thrive to fund bilingual, Spanish-speaking attorneys to provide legal services for human trafficking survivors.

2. Allocate \$50,000 from the Community Enhancement Program budget (Org 12900) to Rebel Soccer League d.b.a. Rebels Soccer Club to support their College Athletic Recruitment Program to support academic and collegiate development for underserved youth, and funding for providing financial assistance to low-income families experiencing hardships due to COVID-19 by waiving soccer league registration fees.
3. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15650) to San Diego Mountain Biking Association to fund equipment rentals for mini excavator, motorized wheelbarrow, soil compactor, water pump, water tank, hoses, and other materials to support in the maintenance of both the Sweetwater Bike Park and the Greg Cox Bike Park.
4. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650) to Bilateral Safety Corridor Coalition d.b.a. BSCC to help establish and enhance educational and housing facilities for victims of human trafficking and their families by providing funding for a rental unit, client education and job training, personal counseling as needed, and for an additional case manager, as needed.
5. Find that each of the proposed grants has a public purpose.
6. Authorize the Office of Financial Planning to enter into agreements and make minor amendments to agreements that do not change the purpose or amount of the grant to organizations awarded funds.
7. Waive Board Policy B-72 with regard to the allocation to Bilateral Safety Corridor Coalition d.b.a. BSCC to allow Neighborhood Reinvestment Funds to be used to provide funding for a rental unit, client education and job training, personal counseling as needed, and for an additional case manager, as needed.
8. Find that the grant to the San Diego Mountain Biking Association is exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

We recognize that the systemic impacts that inequitable policies may create for residents in San Diego County. Find that these proposed allocations and amendment of funds are intended to improve the quality of life throughout the County by providing funds for non-profits and local agencies whose work addresses inequities, promotes quality of life and improves outcomes that align with the vision of our county. Organizations and agencies were chosen based on their location or the demographics they serve with a focus on organizations and agencies that focus on vulnerable community members, youth and senior events, and other inclusive community events. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach, and programs. Their supporting documents were reviewed as well as impact reports and community testimony.

FISCAL IMPACT

Funds for these grant requests are included in the Fiscal Year 2021-22 Operational Plan for Community Enhancement Program budget (Org 12900) and Neighborhood Reinvestment Program budget (Org 15650). The fiscal impact of these recommendations is \$75,000 from the Community Enhancement Program budget (Org 12900) and \$65,000 from the Neighborhood Reinvestment Program budget (Org 15650) totaling \$140,000. The funding sources are General Purpose Revenue and Transient Occupancy Tax Revenues. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOT PRESENT: Desmond

4. SUBJECT: ESTABLISHMENT OF THE CALIFORNIA MICROBUSINESS COVID-19 RELIEF GRANT PROGRAM AND APPROPRIATION OF GRANT FUNDING (DISTRICTS: ALL)

OVERVIEW

On October 11, 2021, the California Governor's Office of Business and Economic Development, through the California Office of the Small Business Advocate, announced the solicitation of applications from California's 58 county governments for the California Microbusiness COVID-19 Relief Grant (MBCRP) Program as eligible grantmaking entities to administer a program that would make grants available to eligible microbusinesses impacted by COVID-19 and related health and safety restrictions.

On November 16, 2021 (12), the Board of Supervisors (Board) authorized the Deputy Chief Administrative Officer/Chief Financial Officer, or their designee, to pursue grant funding that provides opportunities for economic prosperity, community development, and/or relief opportunities for the San Diego regional economy. Under this authority, the Finance and General Government Group applied for the MBCRP Program and was notified on December 22, 2021, that the County of San Diego (County) was awarded \$4,175,000. Through this grant, Auditor and Controller will work with contractors to provide outreach and technical assistance to grant applicants, making sure that this program reaches the businesses that need it most. In total, the County will be able to distribute 1,550 grants to eligible microbusinesses totaling \$3,875,000.

Today's action requests the Board to authorize the Auditor and Controller to take all necessary actions to establish the MBCRP Program consistent with grant requirements and establish appropriations.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Auditor and Controller or designee to execute agreements with microbusinesses and take all necessary actions to establish the California Microbusiness COVID-19 Relief Grant Program consistent with grant requirements.
2. Establish appropriations of \$300,000 in Auditor and Controller (\$45,000 in Salaries & Benefits, \$255,000 in Services & Supplies for grant administration contracts) based on California Office of the Small Business Advocate (CalOSBA) funds for the California Microbusiness COVID-19 Relief Grant Program. **(4 VOTES)**
3. Establish appropriations of \$3,875,000 in Countywide Finance Other, Services & Supplies, for the distribution of awarded grants, based on CalOSBA funds for the California Microbusiness COVID-19 Relief Grant Program. **(4 VOTES)**

EQUITY IMPACT STATEMENT

The Microbusiness grants will allow for the County to provide additional financial assistance to underserved small business groups that have negatively been impacted by the COVID-19 pandemic, and that have faced historic barriers to accessing capital, including businesses majority owned and operated by women, minorities or persons of color, veterans, undocumented individuals, and individuals living in rural or low-wealth areas on low income. The grant funds may be used towards the purchase of equipment, investments in working capital, applications for/or renewal of permits, payment of business debt accrued due to the COVID-19 pandemic, costs resulting from the COVID-19 pandemic and related health and safety restrictions, or business interruptions or closures incurred because of the COVID-19 pandemic.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2021-22 Operational Plan for Auditor and Controller or Countywide Finance Other. If approved, this request will result in costs and revenue of \$4,175,000 in Fiscal Year 2021-22. Of the total costs and revenue, \$300,000 will be in the Auditor & Controller for Salaries and Benefits and grant administration contracts while \$3,875,000 will be in Countywide Finance Other for the grant awards that will be disbursed to approved microbusinesses. The funding source is California Office of the Small Business Advocate grant funding for the California Microbusiness COVID-19 Relief Grant Program. Any funding not disbursed will be returned to the state by December 30, 2022. There will be no change in net General fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

The California Microbusiness COVID-19 Relief Grant Program will have a positive impact on qualified businesses within the region by providing \$2,500 grants to assist in the purchase of equipment, investments in working capital, applications for/or renewal of permits, payment of business debt accrued due to the COVID-19 pandemic, costs resulting from the COVID-19 pandemic and related health and safety restrictions, or business interruptions or closures incurred because of the COVID-19 pandemic.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOT PRESENT: Desmond

5. **SUBJECT: EMPLOYER AND EMPLOYEE RETIREMENT CONTRIBUTION RATES FOR FISCAL YEAR 2022-23 (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, The Segal Group, Inc., for Fiscal Year (FY) 2022-23 on November 18, 2021.

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 2022-23 is 44.81%, reflecting a slight decrease from the FY 2021-22 aggregate employer rate of 45.82%. Historically, there have been minor increases in employer and member contribution rates, however, this decrease primarily is due to an investment return that was greater (after “smoothing”) than the Retirement Fund’s 7.00% investment return assumption and lower-than-expected cost-of-living adjustments (COLA), balanced by the effect of amortizing the prior year’s unfunded actuarial accrued liability (UAAL) over a smaller than expected total payroll.

The average member rate as a percentage of payroll decreased from 11.84% to 11.58%. This decrease is primarily due to changes in member demographics amongst the tiers.

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 2022-23 as recommended by the SDCERA actuary and approved by the Retirement Board on November 18, 2021.

EQUITY IMPACT STATEMENT

Approval of this recommendation will fully fund the County’s retirement contribution in the FY 2022-23 Operational Plan to meet the County’s obligation to provide a defined benefit pension plan for permanent employees. SDCERA’s retirement benefits support a broad community of diverse employees and retirees, providing long-term financial support well after active employment with the County of San Diego concludes. Competitive retirement benefits provided by a secure and stable retirement fund are part of ensuring the County can be competitive in attracting and retaining an appropriately sized, skilled and diverse workforce to design and implement policies, programs and services that ensure equitable opportunities.

FISCAL IMPACT

If the recommendation to adopt the rates of employer retirement contributions as recommended by the SDCERA actuary is approved, the estimated annual employer retirement contribution costs for the County and all participating employers will be approximately \$655.7 million for FY 2022-23, a minor decrease of approximately \$11,000 from the FY 2021-22 estimated employer contribution.

The County is obligated to fund approximately 93% of the estimated annual employer retirement contributions, or \$609.8 million in FY 2022-23, a minor decrease of approximately \$10,230 from the estimated annual employer retirement contributions in the prior fiscal year. Other participating employers are obligated to make the remaining 7% contribution to SDCERA. These employers include the San Diego Superior Court, the Local Agency Formation Commission, the San Dieguito River Valley Joint Powers Authority, SDCERA and the Air Pollution Control District. The County's 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

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOT PRESENT: Desmond

6. **SUBJECT: AMENDMENT TO SERVICES AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT RELATED TO AUDITOR AND CONTROLLER SERVICES (DISTRICTS: ALL)**

OVERVIEW

California Assembly Bill 423 (Gloria, 2019) amended the California Health and Safety Code to require the composition of the San Diego County Air Pollution Control District (APCD) Board to include County, City, and public members. As a result, the APCD ceased to be part of the County of San Diego (County) organizational structure on March 1, 2021. On August 5, 2020 (14), the Board of Supervisors authorized the execution of a services agreement between the County and APCD to specify the services to be provided by the County, including limited services in the County's Oracle financial system until July 1, 2022. On April 6, 2021 (29), the Board of Supervisors authorized the amendment of the services agreement for changes relating to fleet management services, indemnity and insurance.

Today's proposed action would authorize the Auditor and Controller to continue to provide APCD with limited services in the County's Oracle financial system until July 1, 2025 and authorize the Chief Administrative Officer to amend the agreement between the County and APCD to reflect this change.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Auditor and Controller to continue to provide limited services in the County's Oracle financial system, as described in the services agreement, to the San Diego County Air Pollution Control District until July 1, 2025.
2. Authorize the Chief Administrative Officer, or designee, to execute an amendment to the services agreement between the County of San Diego and the San Diego County Air Pollution Control District to continue the County's limited services in the County's Oracle financial system until July 1, 2025.

EQUITY IMPACT STATEMENT

The Air Pollution Control District's (APCD) mission is to improve air quality to protect public health and the environment. This is accomplished through the engineering, monitoring and technical services, compliance, rule development, and grants and incentives divisions. It is anticipated that, by continuing to provide limited services to APCD through the County's Oracle financial management system, the APCD will continue to provide the public with critical services while maintaining and improving effective operations that benefit public health and wellbeing.

FISCAL IMPACT

There is no direct fiscal impact as a result of today's requested action. If approved, the amendment to the Services Agreement will not result in a change to the service level. The County's approved Fiscal Year 2021-22 Cost Allocation Plan includes \$216,647 to provide these services to APCD, as reflected in the Fiscal Year 2021-22 Operational Plan for the Auditor & Controller. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOT PRESENT: Desmond

**7. SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
AMENDMENTS TO THE COMPENSATION ORDINANCE AND
ADMINISTRATIVE CODE (1/25/2022 - FIRST READING; 2/8/2022 –
SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

On January 25, 2022 (12), the Board of Supervisors took action to further consider and adopt the Ordinances on February 8, 2022.

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 amends the Compensation Ordinance by 1) establishing the Community Health Worker and Peer Support Specialist classifications in the Classified Service to support the Departments of Homeless Solutions and Equitable Communities and Behavioral Health Services respectively; and 2) amending Section 5.9.1 of the Compensation Ordinance, which adds Juneteenth as a County-observed holiday.

Today's recommendations also amend Administrative Code Section 57, which also adds Juneteenth as a County-observed holiday.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Submit ordinances for further Board consideration and adoption on February 8, 2022 (second reading).

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND
ESTABLISHING COMPENSATION.

AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE SECTION 57.

2. If, on February 8, 2022, the Board takes action as recommended in item 1, the Chief Administrative Officer is directed to take any necessary action to conform applicable County policies, rules, regulations and ordinances to the addition of Juneteenth as a County-observed holiday.

EQUITY IMPACT STATEMENT

The Department of Human Resources is committed to assuring equity is considered in classification and review work in order to provide and retain a skilled, adaptable, and diverse workforce for County departments. Today's recommendations provide for the appropriate classification of positions.

The Health & Human Services Agency has requested to add the Peer Support Specialist classification and Community Health Worker classification to provide additional linkages to County resources and case management services to ensure person-centered and trauma informed services are delivered in an equitable way to improve the individual's quality of life. Groups that will benefit from these services include vulnerable populations including economically disadvantaged communities, youth, immigrants, seniors, disabled, physically and mentally ill.

The requested action is strongly aligned to the initiatives in the County's 2022-2027 Strategic Plan and its vision for a just, sustainable, and resilient future for all. By creating these classifications, the County will enhance resources and develop programs to address the immediate needs of the County's underserved populations.

Today's recommendations will also add Juneteenth, a day that is celebrated to commemorate the end of slavery in the United States, as a County-observed holiday. If adopted by the County Board of Supervisors, the Chief Administrative Officer will take action to ensure that all applicable policies, rules, regulations, and ordinances of the County are amended, as necessary, to conform to the addition of Juneteenth as a County-observed holiday. Any necessary amendment to other County ordinances affected by this change will be presented to the Board for adoption as necessary.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan. If approved, this request will result in an additional annual cost of approximately \$500,000 to establish a new County holiday. The funding source will be existing revenue within County departments. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10768 (N.S.), entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION; and, Ordinance No. 10769 (N.S.), entitled: AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE SECTION 57.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOT PRESENT: Desmond

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

OVERVIEW

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

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER

Re-appoint Rick Richardson to the FIRST 5 COMMISSION, Seat No. 3, for a term to begin February 26, 2022 and to expire February 25, 2024.

SUPERVISOR JOEL ANDERSON

Appoint Barbara Nigro to the JULIAN COMMUNITY PLANNING GROUP, Seat No. 1, for a term to expire January 6, 2025.

Appoint Christine McCunney to the POTRERO COMMUNITY PLANNING GROUP, Seat No. 6, for a term to expire January 2, 2023.

SUPERVISOR JIM DESMOND

Appoint James Loge to the CSA NO. 081- FALLBROOK LOCAL PARKS ADVISORY COMMITTEE, Seat No. 1, for a term to expire January 2, 2023.

Appoint David Throop to the CSA NO. 081 - FALLBROOK LOCAL PARKS ADVISORY COMMITTEE, Seat No. 3, for a term to expire January 2, 2023.

Appoint Paul M. Hogan to the HIDDEN MEADOWS COMMUNITY SPONSOR GROUP, Seat No. 8, for a term to expire January 2, 2023.

Appoint Gregory Doud to the I-15 CORRIDOR DESIGN REVIEW BOARD, Seat No. 2, for a term to begin February 16, 2022 and to expire February 16, 2024.

CHIEF ADMINISTRATIVE OFFICER

Appoint Pamela Highfill to the COUNTY OF SAN DIEGO HIV PLANNING GROUP, Seat No. 21, for a term to expire February 8, 2026.

Re-appoint Amy Applebaum to the COUNTY OF SAN DIEGO HIV PLANNING GROUP, Seat No. 32, for a term to expire September 13, 2024.

EQUITY IMPACT STATEMENT

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

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOT PRESENT: Desmond

9. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Note and file.

EQUITY IMPACT STATEMENT

N/A

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOT PRESENT: Desmond

**10. SUBJECT: SET A HEARING FOR 03/15/2022:
FILLING THE VACANCY OF THE SAN DIEGO COUNTY ELECTIVE
OFFICE OF SHERIFF (DISTRICTS: ALL)**

OVERVIEW

On January 19, 2022, the Board of Supervisors was notified that County Sheriff William D. Gore would be resigning from his office effective February 3, 2022. Mr. Gore has dedicated over 50 years of his life to public service in the area of public safety, including as the head of the San Diego's County Sheriff's Department since 2009. County government and the people we serve are losing a loyal public official who dedicated himself to public safety and the sound management of the Sheriff's Department.

The San Diego County Charter states that the Board of Supervisors has the power to fill, by appointment, any vacancy that occurs in an elective County office other than a member of the Board of Supervisors and that the appointee shall hold office until the election of a successor. Board Policy A-105, "Process to Fill Vacancies of Elected Offices other than Board of Supervisors," details the process to fill vacancies of elected offices other than the Board of Supervisors, and in accordance with A-105, applications will be accepted to fill the position of Sheriff. The Board will conduct up to two public hearings and will appoint an individual to complete the current term of office which ends in January 2023.

This action requires up to three steps: Today, February 8, 2022, the Board may approve the form of notice and application, and the deadline for acceptance of applications. On March 15, 2022, the Board will conduct the first public hearing during which the Board will select no more than five (5) finalists from among those who have applied. If necessary, on March 22, 2022, a second public hearing will take place during which the Board will make a final selection from among the finalists.

Board Policy A-105 states that the person so appointed shall be prepared to formally assume the office not later than twenty (20) business days following the selection by the Board of Supervisors.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

On February 8, 2022

1. Determine that the process to fill the vacancy of the County Sheriff will be conducted in accordance with the San Diego County Charter and Board Policy A-105, including the public hearing process, requirements of the applicant, the application form and the selection process.
2. Approve the application packet for the position prepared by the Clerk of the Board which includes the form of notice to advertise the position (Attachment A).
3. Set the application period to commence at 8 a.m. Wednesday, February 9, 2022, and to close at 5 p.m. on Friday, March 4, 2022. Applications are available from and must be returned to the Clerk of the Board, by the close of the filing period. In consideration of the COVID-19 pandemic and to provide equitable access, the Board is requested to waive the requirement in Section 2 of Board Policy A-105 that requires applicants to personally appear to obtain the application forms and allow applicants to access the application forms online. Applications must be submitted in person, fully completed with the required attachments, for acceptance by the Clerk.
4. Require the following with respect to this application process:
 - a. Each finalist must provide written responses to any questions the Board may ask the finalists to prepare for the final hearing.
 - b. Each finalist must grant the County permission to conduct credit and criminal records background checks.
 - c. Inform the finalists that the appointment of the successful applicant will be contingent on that applicant passing the County's standard medical exam.
5. Set March 15, 2022 as the first hearing on all applicants.
6. Set a Special Meeting on March 22, 2022 at 9 a.m. as the second hearing to consider finalists.

On March 15, 2022

1. Conduct a public hearing and hear from each of the applicants.
2. Select no more than five (5) finalists from among those who have applied.

On March 22, 2022

1. Conduct a public hearing and hear from each of the finalists.
2. Select and appoint one of the finalists to serve as and complete the current term of the County office of the Sheriff, contingent upon passing the County's standard medical exam.

EQUITY IMPACT STATEMENT

Today's proposed action seeks to outline the process for filling the vacancy of the elected office of the County of San Diego Sheriff. The Sheriff's Department provides law enforcement services that aim to protect everyone's right to life and security of person. This includes approximately one million diverse county residents spanning the nearly 4,500 square miles of service area, nine contract cities, the Grossmont/Cuyamaca Community College District, seven court facilities throughout the county, and 18 Indian reservations, in addition to the approximately 5,000 individuals that are in custody per day. Ensuring public safety requires positive engagement, proactive involvement, and genuine connection with the diverse communities and residents being served. Therefore, the selection process for the filling of the vacancy of the San Diego County elected office of Sheriff will ensure the department is led by an individual that will guide the department as it strives for equitable outcomes in our county and guarantees that law enforcement services work in tandem with all communities and across County departments, toward reducing crime, repairing harm, safely diverting individuals in crisis or with other care needs to the appropriate systems of care, and improving the quality of life throughout the entire jurisdiction. There will be several opportunities for community engagement via public comment beginning with today's public meeting, and during the future public meetings that are being proposed for March 15 and March 22, 2022.

FISCAL IMPACT

There is no fiscal impact as a result of the recommended actions. The position is budgeted in the Department of the Sheriff.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors took the following actions:

1. Determined that the process to fill the vacancy of the County Sheriff will be conducted in accordance with the San Diego County Charter and Board Policy A-105, including the public hearing process, requirements of the applicant, the application form and the selection process.
2. Approved the application packet for the position prepared by the Clerk of the Board which includes the form of notice to advertise the position (Attachment A).

3. Set the application period to commence at 8 a.m. Wednesday, February 9, 2022, and to close at 5 p.m. on Friday, March 4, 2022. Applications are available from and must be returned to the Clerk of the Board, by the close of the filing period. In consideration of the COVID-19 pandemic and to provide equitable access, the Board is requested to waive the requirement in Section 2 of Board Policy A-105 that requires applicants to personally appear to obtain the application forms and allow applicants to access the application forms online. Applications must be submitted in person, fully completed with the required attachments, for acceptance by the Clerk.
4. Required the following with respect to this application process:
 - a. Each finalist must provide written responses to any questions the Board may ask the finalists to prepare for the final hearing.
 - b. Each finalist must grant the County permission to conduct credit and criminal records background checks.
 - c. Inform the finalists that the appointment of the successful applicant will be contingent on that applicant passing the County's standard medical exam.
5. Set March 15, 2022 as the first hearing on all applicants.
6. Set a Special Meeting on March 22, 2022 at 9 a.m. as the second hearing to consider finalists.

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

11. SUBJECT: PRELIMINARY REPORT AND RECOMMENDATIONS ON DATA-DRIVEN APPROACHES TO PUBLIC SAFETY, TREATMENT AND SERVICE EXPANSIONS, AND ADVANCING EQUITY THROUGH ALTERNATIVES TO INCARCERATION (DISTRICTS: ALL)

OVERVIEW

On October 19, 2021 (3), the Board of Supervisors (Board) directed a series of actions focused on creating alternatives to incarceration, with an emphasis on data and stakeholder input to develop recommendations to enhance public safety, advance equity, and reduce incarceration of people who do not pose a public safety threat by providing community-based rehabilitative services and supports in lieu of custody. The October 19, 2021 (3), agenda item observed that jail populations during the COVID-19 public health emergency had dropped by more than 25 percent. The Board Letter directed specific activities, described research questions, requested broad stakeholder engagement, and set forth reporting timelines through early 2023 to develop data-driven analysis of jail populations, policies enacted in response to COVID-19 affecting these populations, information on public safety outcomes, and comprehensive recommendations and fiscal analysis for short, mid, and long-term actions to reduce San Diego County jail populations safely and permanently. The Board direction identified actions to be led by the County Chief Administrative Office and actions to be conducted by an independent contracted consultant.

In response, the County's Public Safety Group convened a first group of stakeholders to develop immediate analysis and a first set of recommendations for services that support alternatives to incarceration that can be included in the Fiscal Years 2022-24 CAO Recommended Operational Plan. Stakeholders include County and City of San Diego criminal justice agencies and Health and Human Services Agency partners who collaborated in a series of workgroups over the past few months. These initial recommendations were also reviewed by community members who provided insightful and diverse input in an evening forum on January 19, 2022. Input from that meeting and from future community meetings will be essential to developing additional recommendations. The initial recommendations presented in a Preliminary Report include short and mid-term proposals to support alternatives to incarceration and connections to services for people with drug, alcohol, and public conduct-related non-violent misdemeanor charges. Jail bookings related to these misdemeanor offenses have decreased significantly during the COVID-19 emergency, and the proposals described today are designed to safely maintain the current lower numbers of jail bookings and create new service connections for vulnerable community members.

Today's request is to receive a Preliminary Report on Data-Driven Alternatives to Incarceration, and to approve referring the proposals for services developed by stakeholders for inclusion in the Fiscal Years 2022-24 CAO Recommended Operational Plan. These proposals include enhancing the capabilities of the sobering services program to serve higher acuity clients and provide successful care transitions and exploring the further integration of substance use and mental health services including sobering services in current and future crisis stabilization units (CSUs).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive a Preliminary Report on Data-Driven Alternatives to Incarceration.
2. Authorize the Chief Administrative Officer to enhance the capabilities of sobering services in the Central region to serve higher acuity clients and provide successful care transitions. Refer funding for sobering services capabilities to the Fiscal Years 2022-24 CAO Recommended Operational Plan.
3. Authorize the Chief Administrative Officer to explore further integration of substance use and mental health services including sobering services in current and future crisis stabilization units and include any recommendations in the scheduled returns to the Board regarding Data-Driven Alternatives to Incarceration.

EQUITY IMPACT STATEMENT

Nationally, social determinants lead to disproportionate arrest and incarceration of people of color and those who are poor, mentally ill, struggling with addiction, disabled or homeless. The same is true in San Diego County, where people of color are disproportionately incarcerated, as are those with behavioral health conditions and those experiencing homelessness. For example, in 2021 black individuals composed 20 percent of the average daily jail population, according to jail data, while only 5 percent of San Diego County residents are black, according to Census data. Likewise, for example, the 2020 Point in Time (PIT) Count estimated 25 percent of individuals in jail had been homeless at the time of arrest, while homeless individuals represent only a small fraction of San Diego County's residents. The 2020 PIT Count also found 7 of 10 unsheltered individuals interviewed in the community had been to jail at some point.

Today's proposals focus on creating alternatives to incarceration through services that address social determinants associated with justice system involvement. The proposals are designed to advance fairness and equity and create better outcomes for underserved and diverse communities disproportionately impacted by the justice system and reduce justice involvement, incarceration, recidivism, and longstanding disproportionalities. Proposed services will be evaluated for their effectiveness in engendering short and long-term positive outcomes with attention to cultural responsiveness and accessibility among the County's diverse populations, especially those disproportionately impacted by justice involvement. Information on demographics and geographic area will be collected, reviewed, and reported to continually inform the design, effectiveness, and equity of these services. Throughout this project, community stakeholders will be engaged in the review of data and outcome measures to provide diverse perspectives and inform ongoing implementation. This includes an initial public, community listening forum that was hosted by the Public Safety Group Executive Office on January 19, 2022, and internal County stakeholder workshops.

FISCAL IMPACT

There is no current year fiscal impact associated with the today's request. Funds for Recommendation #2 will be included in the Fiscal Years 2022-24 CAO Recommended Operational Plan and will be supported by 2011 Public Safety Realignment, Community Corrections Subaccount. There will be no change in net General Fund cost and no additional staff years. Staff will return to the Board with possible actions according to the schedule directed by the Board regarding Data-Driven Alternatives to Incarceration and seek approval for financial impacts associated with any future Board recommendations.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

12. SUBJECT: PROBATION - PRETRIAL SERVICES PROGRAM (DISTRICTS: ALL)

OVERVIEW

On July 12, 2021, the State of California enacted the State Budget through Senate Bill (SB) 129. The Budget Act allocates funds to local courts for both one-time and ongoing resources to support pretrial services programs. In accordance with the Budget Act, courts are the lead agency and shall contract with any county department, including county probation departments, to provide pretrial services, except those departments or agencies that have primary responsibility for making arrests or prosecuting criminal offenses.

In San Diego County, the San Diego County Probation Department (Probation) and Public Safety Group Executive Office have worked with the Superior Court and criminal justice partners to develop a pretrial monitoring service program which also provides supportive services to individuals while they are in the community pending their court appearance. These services will build on the pretrial assessments and reports currently prepared by the Sheriff's

Department. Probation will now offer the pretrial services monitoring component of the program which includes client progress reports to the court and linkages to supportive community services. Probation anticipates pretrial monitoring and services beginning on June 30, 2022.

Today's request is to receive a staff update on the pretrial services implementation planning efforts. Further, today's request will authorize the Department of Purchasing and Contracting to issue a Request for Proposals (RFP) to provide support services to persons participating in pretrial monitoring in the community. Services will be designed to support individuals' success in attending court appointments with no further justice involvement through linkage to critical supportive services. In addition, the Board is asked to approve the Memorandum of Agreement (MOA) between the County and the San Diego Superior Court.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive a staff presentation on the Pretrial Services Implementation planning efforts.
2. In accordance with Section 401, Article XIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue a Request for Proposals (RFP) for services to Pretrial Services defendants and upon successful negotiations and determination of a fair and reasonable price, award a contract for a term of one (1) year with four (4) one-year option years and up to an additional six (6) months if needed, subject to availability of funds and a need for services, and to amend the contract as needed to reflect changes to services and funding that do not materially impact or alter the program, subject to the approval of the Chief Probation Officer.
3. Authorize the Chief Probation Officer to execute a Memorandum of Agreement (MOA) with the San Diego Superior Court for the administration of a pretrial services program based on funds allocated through the Judicial Council of California for the period of February 15, 2022 to June 30, 2024, and to extend and amend the MOA as needed to reflect changes to services and funding that do not materially impact or alter the program.
4. Waive Board Policy B-29 Fees, Grants, Revenue Contracts- Department Responsibility for Cost Recovery which requires revenue contracts to be docketed at least sixty (60) days prior to the effective date of the contract.

EQUITY IMPACT STATEMENT

Individuals who are justice-involved experience reentry barriers that impact their ability to successfully exit the justice system. These individuals may face challenges with linking to treatment services, identifying employment, and finding permanent housing. The pretrial release, monitoring and services program supports a criminal justice system that promotes success for all individuals regardless of race, ethnicity, or geography with additional support through peer navigators who share lived experience in the justice system. Using the one-time funds allocated by the State to support pretrial services, San Diego County will also pilot a Connection Points program focused on pretrial populations leaving San Diego's three booking jails. Connection Points will provide a location for assessments, referrals, and connections to immediate and ongoing needs. Participation and outcome data will be collected and reviewed by sub-populations to continually inform the design of the program.

FISCAL IMPACT

There is no fiscal impact associated with the request in the current fiscal year. One-time costs and revenue of \$11 million includes \$7.5 million to pilot a program for community support services. Ongoing costs and revenue estimated at \$6.0 million includes the addition of 17 staff years to carry out the requirements of the Memorandum of Agreement. Both one-time and ongoing costs will be included in the Fiscal Years 2022-24 CAO Recommended Operational Plan for the Probation Department. The funding source will be the State General Fund allocated through the Judicial Council of California. There will be no change in net General Fund cost and no additional staff years in the current fiscal year. Any additional costs and staffing will be included in future Operational Plans for the Probation Department.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

13. SUBJECT: ADDRESSING HOMELESSNESS AMONG OLDER ADULTS (DISTRICTS: ALL)

OVERVIEW

Older adults are at the center of California's housing affordability and homelessness crisis. As the cost of housing continues to soar, many older Californians living on low and fixed incomes are being forced to choose between paying rent, eating, or buying medications. As a result, older adults represent the fastest growing age group of the people experiencing homelessness in San Diego.

Older Adults and Homelessness

The number of newly homeless in San Diego County doubled in 2020. According to San Diego's 2020 Point in Time Count, one out of four of San Diego's homeless adults is over the age of 55. Among this group of unsheltered older adults, 88% became homeless in San Diego County and 43% are experiencing homelessness for the first time in their lives. There are 2,000 older adults that are actively homeless, and this number is projected to triple over the next decade. The number of adults aged 55 and over is projected to grow from 170,000 in 2017 to 225,000 by 2026, with the fastest growth among those 65 and over.

Furthermore, homelessness among older adults has disproportionately impacted communities of color. In San Diego, African Americans make up 4% of the general population, but nearly a quarter of the homeless population. According to the California Office of Statewide Health Planning and Development (OSHPD), Emergency Department Discharge Data, 62% of homeless individuals that are aged 55 or older that are discharged from the emergency department are persons of color and 17% of those individuals are African American. Since these alarming statistics have been collected in the last few years through the 2020 Regional Task Force on the Homeless, and 2019 State discharge and Serving Seniors data collection, homelessness and financial insecurity have continued to worsen as a result of economic effects of COVID-19, inflation, and double digit rent price increases.

Challenges for Older Adults

Living on a fixed income is a challenging reality for millions of older Americans. Social Security provides most retirement income for approximately half of households aged 65 and older. Cost of Living Adjustments for retirees has not kept pace with the increased cost of housing in San Diego. In California, older adults who collect Social Security can expect to receive less than \$1,500 on average per month to pay their bills when the average rent in the region for an apartment is just under \$2,500. This leaves more older Americans living on fixed incomes that make it challenging to pay for necessary expenses such as food, transportation and medical expenses. Approximately half of households aged 55 and older have no retirement savings in a defined benefit plan or IRA. Many become homeless because they lack an economic safety net. Some suffer catastrophic events with dire financial consequences and may be forced to take actions that compromise their savings and financial security.

Further, older adults are not always eligible for certain programs. For instance, rapid rehousing programs are often designed to target working populations that are temporarily experiencing homelessness. Older adults may not be able to work due to age and physical ailments, so alternatives such as a shallow rent subsidy program are especially pertinent for older adults.

Our regional housing supply has not kept pace with the needs of low-income older adults, where wait lists for subsidies and voucher programs can extend several years. According to the National Coalition for the Homeless, there are at least nine older adults waiting for every one unit of affordable senior housing nationwide. There are currently almost 68,000 individuals on the San Diego County Housing Choice Voucher waitlist and nearly 40,000 individuals on waitlists for Project Based Vouchers. Collectively, nearly 65% of the population on the waitlists are older adults or have an older adult family member. San Diego County's skyrocketing rents and affordable housing shortages are the greatest barriers low-income older adults face. With the average rent for a one-bedroom apartment in San Diego being \$2,443 per month, older adults living on fixed incomes are struggling to keep a roof over their heads.

Early Intervention to Keep People in Their Homes

For a significant number of older adults, a relatively modest increase in rental assistance could be difference between staying in their homes or experiencing an episode of homelessness. More than half (56%) of those interviewed in the 2021 Serving Seniors Needs Assessment said that an additional \$300 or less of monthly income would increase their rent security. Permanent supportive and deed restricted affordable housing for older adults are long term solutions that also need to be addressed, but in the short term, the shallow rental subsidy program could help to prevent individuals from falling into homelessness.

We know that an ounce of homeless prevention is worth a pound of cure. Studies show that early intervention programs that keep people in their homes and prevent an experience of homelessness often leads to dramatically better life outcomes and cost savings.

Today's action aligns with the County's homelessness framework and aims to design a new pilot program at the County that will provide a shallow rental subsidy to low-income, rent-burdened older adults who are imminently at-risk of homelessness thereby keeping people in their homes and preventing an experience of homelessness. This action also calls for an evaluation framework to be developed to determine the effectiveness of this pilot in realizing improved life outcomes for program participants, and cost savings resulting from reduced homeless emergency services.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON AND SUPERVISOR TERRA LAWSON-REMER

1. Direct the Chief Administrative Officer to design a pilot shallow rental subsidy program for older adults who are low-income, rent-burdened, and at-risk of homelessness and return to the Board within 90 days with program design and eligibility recommendation for consideration and approval by the Board of Supervisors.
2. Direct the Chief Administrative Officer to explore the inclusion of the below criteria in the program parameters:
 - a. Eligible applicants should be 55 years of age or older;
 - b. Eligible applicants should be low income, possibly at or below 50% of the Area Median Income;
 - c. Eligible applicants should be rent-burdened, as defined by the U.S. Department of Housing and Community Development;
 - d. Eligible applicants should be actively seeking alternative affordable housing or enrollment in a Project Based Voucher, Housing Choice Voucher, or public housing Program waitlist;
 - e. Eligible applicants should be determined to be at-risk of homelessness
 - f. The program would pay rental subsidies to landlords on tenants' behalf.
3. Direct the Chief Administrative Officer to return to the Board within 90 days with recommendations around pilot program size, dollar amount, and funding sources. Potential funding sources could include one-time stimulus funds and already appropriated ARPA funds dedicated to homeless solutions
4. Direct the Chief Administrative Officer to develop an evaluation framework to determine program effectiveness and include this framework in the 90-day return back. The evaluation framework should include a logic model, anticipated short-term and medium-term results, programmatic output and outcome metrics that will be collected and tracked over time, and specific plans for evaluating the program effectiveness (such as a quasi-experimental program design).

EQUITY IMPACT STATEMENT

A shallow rent subsidy program would help prevent financially vulnerable older adults from losing their housing and having to forgo basic needs that others can typically afford. Older adults of color are more likely to face extreme rent burden and are at a much greater risk of becoming homeless. By providing shallow rent subsidies to aging individuals with limited income and no alternative housing or employment options, this preventive initiative will assist those on the verge of homelessness. It will help promote equitable living and uplift low-income older adults and communities of color.

FISCAL IMPACT

The recommendation to have staff come back with a proposed program design does not have a fiscal impact at this time. There will be no immediate change in net General Fund costs and staff years. Funds for a new shallow rent subsidy program are not included in the County's Fiscal Year 2021-2023 Operational Plan. Program costs could be several million dollars a year but would depend on design parameters including the subsidy amount and number of older adults served. The funding source for ongoing costs of a new program has not been identified.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took the following actions:

1. Directed the Chief Administrative Officer to design a pilot shallow rental subsidy program for older adults who are low-income, rent-burdened, and at-risk of homelessness and return to the Board within 90 days with program design and eligibility recommendation for consideration and approval by the Board of Supervisors.
2. Directed the Chief Administrative Officer to explore the inclusion of the below criteria in the program parameters:
 - a. Eligible applicants should be 55 years of age or older;
 - b. Eligible applicants should be low income, possibly at or below 50% of the Area Median Income;
 - c. Eligible applicants should be rent-burdened, as defined by the U.S. Department of Housing and Community Development;
 - d. Eligible applicants should be actively seeking alternative affordable housing or enrollment in a Project Based Voucher, Housing Choice Voucher, or public housing Program waitlist;
 - e. Eligible applicants should be determined to be at-risk of homelessness
 - f. The program would pay rental subsidies to landlords on tenants' behalf.
3. Directed the Chief Administrative Officer to return to the Board within 90 days with recommendations around pilot program size, dollar amount, and funding sources. Potential funding sources could include one-time stimulus funds and already appropriated ARPA funds dedicated to homeless solutions and seek state and federal funding.
4. Directed the Chief Administrative Officer to develop an evaluation framework to determine program effectiveness and include this framework in the 90-day return back. The evaluation framework should include a logic model, anticipated short-term and medium-term results, programmatic output and outcome metrics that will be collected and tracked over time, and specific plans for evaluating the program effectiveness (such as a quasi-experimental program design).

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

14. SUBJECT: RECEIVE AN UPDATE ON AND APPROVE ACTIONS RELATED TO COMPASSIONATE EMERGENCY SOLUTIONS AND PATHWAYS TO HOUSING FOR PEOPLE EXPERIENCING HOMELESSNESS (DISTRICTS: ALL)

OVERVIEW

On October 19, 2021 (15), the San Diego County Board of Supervisors (Board) unanimously took action to further address the crisis of homelessness and directed the Chief Administrative Officer to return to the Board within 120 days with a plan that incorporates the following components:

- Work with the developers and community partners while Zoning Ordinance amendments are being developed to identify properties, buildings and concepts for low-barrier emergency shelters, safe lots and associated services in East County and countywide, preferably in the unincorporated area, and return to the Board with identified locations, funding and an implementation plan.
- Evaluate current resources and gaps and develop a program with flexible funding to address barriers to housing stability and report back on effectiveness annually.
- Create a plan to enhance outreach and case management direct services including robust data collection and analysis in East County and countywide.

To enable further action on program development, today's item requests the following from the Board:

- Receive an update on the progress of the items listed above and receive the Implementation Plan for Compassionate Emergency Solutions and Pathways to Housing for People Experiencing Homelessness.
- Authorize competitive solicitations for facility management, homeless services and associated supplies for emergency shelter options (sleeping cabins, safe parking and safe camping [Recreational Vehicle (RV)]).
- Authorize a competitive solicitation for Specialized Funding for Imminent Needs.
- Authorize the Agency Director, or designee, to accept initial disbursement of Homeless Housing, Assistance and Prevention 3 (HHAP-3) funding.
- Authorize Agency Director, or designee, to execute agreements, certification forms and all other actions necessary as required by the State of California as related to HHAP-3 funding.

If approved, the competitive solicitation process would occur in alignment with the Department of General Services processes to ensure comprehensive internal coordination and efficiency in moving this effort forward.

This item supports the County of San Diego's (County) vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished

by improving the lives of persons at-risk of and experiencing homelessness through enhanced funding and innovative new programming. In addition, these efforts support the Framework for Our Future which prioritizes communities and populations in San Diego that have been historically left behind. Lastly, today's action is aligned with the County's Framework for Ending Homelessness. Establishing emergency housing options is in alignment with the Framework's Emergency/Interim Housing and Resources strategic domain. Additionally, establishing Specialized Funding for Imminent Needs and enhancement of outreach and case management services, including robust data collection, supports the Framework for Ending Homelessness' Services, Treatment and Outreach strategic domain.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive an update on compassionate emergency solutions and pathways to housing for persons experiencing homelessness and the Implementation Plan for Compassionate Emergency Solutions and Pathways to Housing For People Experiencing Homelessness.
2. Find that the proposed actions are not a project pursuant to California Environmental Quality Act (CEQA) Guidelines sections 15060(c)(3) and 15378 and are exempt from CEQA pursuant to Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed actions may have a significant effect on the environment.
3. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for facility management, homeless services and associated supplies associated with implementation of an emergency shelter program that may include sleeping cabins or other emergency housing such as safe camping (RV camping) and safe parking at one or more sites within the County and upon successful negotiations and determination of a fair and reasonable price, award contracts for an initial term of up to one year, with four one-year options, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program funding or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.
4. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for administration, services and related supplies associated with development and implementation of Specialized Funding for Imminent Needs program countywide and upon successful negotiations and determination of a fair and reasonable price, award contracts for an initial term of up to one year, with four one-year options, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program funding or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.
5. Authorize the Agency Director, Health and Human Services Agency, or designee, to apply for and accept the State of California Interagency Council on Homelessness (formerly Homeless Coordinating and Financing Council) Homeless Housing, Assistance and Prevention HHAP-3 initial disbursement of funding for HHAP-3.

6. Authorize the Agency Director, Health and Human Services Agency, or designee to execute agreements, execute certification forms, prepare and execute all necessary documents for the submittal, regulatory processing and implementation, and take any other actions necessary as required by the State of California for Homeless Housing, Assistance and Prevention HHAP-3 initial disbursement funding for HHAP-3.

EQUITY IMPACT STATEMENT

The Regional Taskforce on Homelessness Point-in-Time Count identifies the number of individuals living on the streets or in emergency shelters on one specific designated day of the year. In the 2020 Point-in-Time Count, 7,638 individuals were identified as living on the streets or in shelters throughout the county. Of those who were unsheltered, 58% reported having a disability and 27% were 55 years or older. Unified under a County of One approach, the County of San Diego is dedicated to addressing the root causes of homelessness and providing preventative and supportive services to the most vulnerable residents. The Framework for Ending Homelessness (Framework) outlines the path toward building the capacity to advance the San Diego County Board of Supervisors priority of addressing homelessness.

People of color are disproportionally impacted among those experiencing homelessness, with 27.2% identifying as Black or African American-roughly five times the proportion of African Americans in the region-3.4% identifying as American Indian or Alaska Native-which is nearly three times the proportion in the region-and 2.8% identifying as Asian. 28% of persons experiencing homelessness in San Diego County are Hispanic. Individuals at-risk of or experiencing homelessness, impacted residents, community partners and other key stakeholders were engaged during the development of the plans outlined in today's actions, and their feedback was sought and incorporated.

Ensuring racial and social equity in all aspects of homelessness prevention and response is one of the key principles that guide the Framework and all items that fall under its strategic domains. Additionally, securing equitable homeless housing, supports and funding will assist those who are homeless or at-risk of homelessness throughout San Diego County. Therefore, it is anticipated that the recommended actions will provide needed housing and supports to residents in East County and countywide who are disproportionality represented in the homeless system including justice involved individuals, individuals with a range of health and social needs, as well as Black, Indigenous and People of Color (BIPOC). In general, the incidence of Black, Native Americans and other persons of color experiencing homelessness mirrors the disparities found at the broader community levels.

FISCAL IMPACT

Recommendations 1 and 2

These recommendations have no fiscal impact. There will be no change in net General Fund cost and no additional staff years.

Recommendation 3

Funds for this request are included in the Fiscal Year 2021-23 County of San Diego (County) Operational Plan. If approved, this is expected to result in no change in costs and revenue in Fiscal Year 2021-22 and estimated annual costs and revenue of \$4.3 million in Fiscal Year 2022-23 for site operations of a safe parking, safe camping, and sleeping cabin site once fully implemented. Actual costs may vary depending on site location and the mix of sheltering intervention types. The funding sources that potentially could be applied are Homeless

Housing Assistance Program Round 3 (HHAP-3) and American Rescue Plan Act (ARPA). It is estimated that the identified funding would cover three years of operations. Ongoing funds for subsequent years would need to be identified. Any new federal and/or State funding targeting homelessness efforts will also be evaluated for eligibility. There will be no immediate change in net General Fund cost and no additional staff years related to this recommendation.

Recommendation #3 addresses site operations. Additionally, there will be one-time site acquisition and/or development costs as the selection of sites is finalized. Staff will return to the San Diego County Board of Supervisors once a site is ready to move forward for necessary approvals with cost estimates identified for funding at that time.

Recommendation 4

Funds for this request are partially included in the Fiscal Year 2021-23 Operational Plan in the Health and Human Services Agency. If approved, this will result in no change in cost and revenues in Fiscal Year 2021-22 and estimated costs and revenue of \$1.0 million starting in Fiscal Year 2022-23 for the Specialized Funding for Imminent Needs program. The funding sources that potentially could be applied are HHAP-3 and ARPA. Funds for subsequent years will be incorporated into future operational plans. There will be no change in net General Fund cost and no additional staff years.

Recommendation 5

Funds for this request are not included in the Fiscal Year 2021-23 Operational Plan in the Health and Human Services Agency. If approved, this will result in no change in costs and revenues in FY 2021-22 and annual cost and revenues of \$6.5 million starting in Fiscal Year 2022-23 through 2023-24, for a total of \$13 million. Funds for subsequent years will be incorporated into future operational plans. The funding source is the HHAP-3 grant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

15. **SUBJECT: RECEIVE THE FIRST 5 SAN DIEGO 2021 ANNUAL REPORT
(DISTRICTS: ALL)**

OVERVIEW

In November 1998, voters passed the California Children and Families Act (Proposition 10). The First 5 Commission of San Diego (Commission) uses revenue from voter-approved taxes on cigarettes and tobacco products to promote early childhood development for children ages zero to five. The Commission recently completed and approved its year-end report, providing a summary of the Commission's activities for Fiscal Year (FY) 2020-21. Today, the San Diego County Board of Supervisors is requested to receive the First 5 Commission of San Diego Annual Report for FY 2020-21.

This item supports the County of San Diego's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by seeking to improve early childhood health and development in the San Diego region as well as the Commission's long-term goal to ensure that "all children in San Diego County enter school ready to learn."

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Receive the First 5 Commission of San Diego Annual Report for Fiscal Year 2020-21.

EQUITY IMPACT STATEMENT

The First 5 Commission of San Diego (Commission) has over 20 years of providing high quality early care and education support services throughout the region that are available to every child. This work is led through various contracted partners who provide families of children zero to five with comprehensive services that support the development and overall well-being and support the vision that all children ages zero through five are healthy, loved and nurtured, and enter school as active learners.

Commission services are provided through local community-based organizations and with some engaging targeted populations that include, but are not limited to refugee/immigrant families, teen parents, military connected and low-income. The Commission aims to ensure services are equitably available to all families that have a need, regardless of their race, ethnicity, national origin, religion, gender identity, and/or sexual orientation.

Additionally, the Commission strives to meet the needs of underserved communities and is an advocate for systems change efforts to support the continuity of care for children and their families. This work is accomplished via the approved First 5 San Diego Strategic Plan 2020-2025 (Strategic Plan), which is informed by an hoc committee made up of diverse and cross sector community stakeholders. The committee provided valuable input to inform the Commission of the comprehensive and emerging needs of pregnant women and children zero to five years of age.

The Strategic Plan elevates four new priorities as follows: resilient families, coordinated systems of care, integrated leadership, and sustained funding ensuring that all children in San Diego County are supported. It is the continued focus of the Commission, and every program developed, to continue developing and enhancing its services to address the community needs and to further expand an equity-focused approach. Every contract for services that is developed by the Commission includes performance measures and equity requirements that must be met and are reported on a quarterly basis so that barriers that impact children zero to five in San Diego County can be reduced and/or eliminated.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

1. Received the First 5 Commission of San Diego Annual Report for Fiscal Year 2020-21.
2. Directed the Chief Administrative Officer to report back to the Board of Supervisors with an assessment of additional funding opportunities beyond Prop 10 funding to support the programs.

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

16. **SUBJECT: RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS IN RESPONSE TO THE LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY, AMEND CONTRACTS RELATED TO THE COUNTY OF SAN DIEGO'S COVID-19 PANDEMIC RESPONSE, AND ADOPT A RESOLUTION AUTHORIZING TELECONFERENCED PUBLIC MEETINGS (DISTRICTS: ALL)**

OVERVIEW

A novel coronavirus (COVID-19) was detected in Wuhan City, Hubei Province in China in December 2019. Since then, the virus has rapidly spread across the globe, resulting in the World Health Organization (WHO) declaring COVID-19 a pandemic on March 11, 2020.

On February 14, 2020, the San Diego County Public Health Officer issued a Declaration of Local Health Emergency, pursuant to California Health and Safety Code Section 101080. Additionally, on that day, pursuant to California Government Code 8630, the Chief Administrative Officer (CAO), serving as the County of San Diego (County) Director of Emergency Services and as the Coordinator of the Unified San Diego County Emergency Services Organization, issued a Proclamation of Local Emergency regarding COVID-19.

The County continues to make significant efforts to slow the spread of COVID-19. Today's actions request the San Diego County Board of Supervisors (Board) to receive an update on the local COVID-19 response and ratify all actions taken by the CAO, Public Health Officer, Director, Department of Purchasing and Contracting and Director, Department of General Services in response to the local health emergency and local emergency.

Additionally, the Board is requested to take the following actions:

- Authorize an amendment to the contract with Illumina, Inc. for additional consumables and supplies for molecular sequencing.
- Authorize an amendment to the contract with Helix Opco, LLC for laboratory testing.
- Authorize an amendment to the contract with Mobile Xpress Clinics for specimen collection services.
- Authorize an amendment to the contract with Hagerty Consulting, Inc. for cost recovery related to the County's COVID-19 pandemic response.

Adopt a resolution entitled RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

This item supports the County of San Diego's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by protecting the health of residents against the COVID-19 pandemic.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive an update on the COVID-19 Response.
2. Ratify all actions taken by the Chief Administrative Officer, Public Health Officer, Director, Department of Purchasing and Contracting, and Director, Department of General Services in response to the local health emergency and local emergency.
3. Ratify actions taken by the Director, Department of Purchasing and Contracting, in response to the local health emergency and local emergency and in accordance with San Diego County Administrative Code section 402 to amend Contract #559185 with Illumina Inc. for MiSeq Consumables and Maintenance and to amend the contract as needed to reflect changes to requirements and funding, subject to the approval of the Agency Director, Health and Human Services Agency.
4. Ratify actions taken by the Director, Department of Purchasing and Contracting, in response to the local health emergency and local emergency and in accordance with San Diego County Administrative Code section 402, to execute Contract #565965 for as needed laboratory testing with Helix Opco, LLC, and authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of a fair and reasonable price, to amend the contract to increase the contract amount up to \$50,040,000, subject to the availability of funding, and to amend the contract as required to reflect changes in services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
5. Ratify actions taken by the Director, Department of Purchasing and Contracting, in response to the local health emergency and local emergency and in accordance with County Administrative Code section 402 to amend Contract #565744 for specimen collection services with Mobile Xpress Clinics and authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of a fair and reasonable price, to amend the contract to increase the contract amount up to \$13,517,500, subject to the availability of funding, and to amend the contract as required to reflect changes in services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.

6. In accordance with Board Policy A-87, Competitive Procurement, and County Administrative Code section 401, authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of a fair and reasonable price, to amend Contract #564118 with Hagerty Consulting, Inc. for cost recovery related to COVID-19 through the Federal Emergency Management Agency (FEMA) and the U.S. Department of Treasury, American Rescue Plan (ARPA), and Coronavirus State and Local Fiscal Recovery Funds, to increase the contract to a total amount not to exceed \$8,150,000, subject to the availability of funding, and to amend the contract as required to reflect changes in services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
7. Adopt a resolution entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

EQUITY IMPACT STATEMENT

The COVID-19 pandemic has had a significant impact on the lives of individuals, businesses, and communities across San Diego County. In order to support the most vulnerable, an equity lens was used to prioritize, when appropriate, the distribution of COVID-19 response and recovery-related federal, State, and local funding and resources based on a data-driven approach, identifying communities that have the highest need for support in relation to the number of positive COVID-19 cases.

Through press conferences and presentations at San Diego County Board of Supervisors meetings, the County of San Diego (County) has been able to disseminate critical information about the efforts being done to address and combat the COVID-19 pandemic to a wide audience, as well as providing a forum to receive public comment. To continue the County's commitment to transparency and open government and remove traditional barriers to access and participation in government affairs, today's actions provide the mechanism to present an update on the current COVID-19 response efforts that have an impact on the lives of Black, Indigenous, People of color, women, people with disabilities, immigrants, youth, the LGBTQ community, and economically disadvantaged.

FISCAL IMPACT

It is estimated that through the end of fiscal year ending June 30, 2021, the County of San Diego (County) will have spent over \$680 million on overall COVID-19 response costs, excluding federally dedicated program funds for programs such as rental assistance and nutrition services. Funding sources for County response costs included an allocation of CARES Act, Coronavirus Relief Fund (CRF) revenue, General Fund Balance, Realignment, Federal Emergency Management Agency (FEMA) funds, and program revenues available for response efforts. Also, as of March 3, 2021, funds allocated through the American Rescue Plan Act (ARPA) are also available to fund County response efforts per direction from the San Diego County Board of Supervisors on June 8, 2020 (3). In Fiscal Year (FY) 2021-2022, the County will rely on ARPA funding dedicated for response costs, as well as other stimulus funds, program revenues, Realignment, and County General Fund Balance to cover response costs as needed. The County will continue to pursue other federal and State stimulus revenue and funding sources, including funds through the Federal Emergency Management Agency (FEMA).

Recommendation #3: Ratify Amendment for Contract #559185 with Illumina Inc., for Consumables and Supplies for Molecular Sequencing

Funds for this request are included in the Fiscal Year 2021-2023 Operational Plan in Health and Human Services Agency (HHSA). If approved, this request will result in costs and revenue of approximately \$1,777,566 in Fiscal Year 2021-22 and costs and revenue of approximately \$385,000 in Fiscal Year 2022-23. The funding source is Epidemiology and Laboratory Capacity (ELC) Enhancing Detection and Expansion grants, existing realignment, FEMA, ARPA, and any eligible Federal or State stimulus funding that might become available. There will be no change in net General Fund costs and no additional staff years.

Recommendation #4: Ratify and Amend Contract #565965 with Helix Opco, LLC for COVID-19 As Needed Laboratory Testing

Funds for this request are included in the Fiscal Year 2021-2023 Operational Plan in HHSA. If approved, this request will result in costs and revenue of approximately \$17,190,000 in Fiscal Year 2021-22. The County will revisit resource needs for future fiscal years depending upon the progression of the pandemic. The funding source is the Immunization Cooperative Agreements, and any eligible Federal or State stimulus funding that might become available. There will be no change in net General Fund costs and no additional staff years.

Recommendation #5: Ratify and Amend Contract #565744 with Mobile Xpress Clinics for COVID-19 Specimen Collection

Funds for this request are included in the Fiscal Year 2021-2023 Operational Plan in HHSA. If approved, this request will result in costs and revenue of approximately \$4,769,500 in Fiscal Year 2021-22. The County will revisit resource needs for future fiscal years depending upon the progression of the pandemic. The funding source is the ELC Enhancing Detection Expansion Grant and any eligible Federal or State stimulus funding that might become available. There will be no change in net General Fund costs and no additional staff years.

Recommendation #6: Authorize Amendment to Increase Funds for Contract #564118 with Hagerty Consulting, Inc.

Funds for this request are included in the Fiscal Year (FY) 2021-2023 Operational Plan in HHSA. If approved, this request will result in costs and revenue of \$525,000 in FY 2021-2022. The County will revisit resource needs for future fiscal years depending upon the progression of the pandemic. The funding sources are FEMA and ARPA funds. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

This action will help support individuals, families and small businesses impacted by COVID-19.

ACTION 16.1:

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

1. Received an update on the COVID-19 Response.
2. Ratified all actions taken by the Chief Administrative Officer, Public Health Officer, Director, Department of Purchasing and Contracting, and Director, Department of General Services in response to the local health emergency and local emergency.

3. Ratified actions taken by the Director, Department of Purchasing and Contracting, in response to the local health emergency and local emergency and in accordance with San Diego County Administrative Code section 402 to amend Contract #559185 with Illumina Inc. for MiSeq Consumables and Maintenance and to amend the contract as needed to reflect changes to requirements and funding, subject to the approval of the Agency Director, Health and Human Services Agency.
4. Ratified actions taken by the Director, Department of Purchasing and Contracting, in response to the local health emergency and local emergency and in accordance with San Diego County Administrative Code section 402, to execute Contract #565965 for as needed laboratory testing with Helix Opco, LLC, and authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of a fair and reasonable price, to amend the contract to increase the contract amount up to \$50,040,000, subject to the availability of funding, and to amend the contract as required to reflect changes in services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
5. Ratified actions taken by the Director, Department of Purchasing and Contracting, in response to the local health emergency and local emergency and in accordance with County Administrative Code section 402 to amend Contract #565744 for specimen collection services with Mobile Xpress Clinics and authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of a fair and reasonable price, to amend the contract to increase the contract amount up to \$13,517,500, subject to the availability of funding, and to amend the contract as required to reflect changes in services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
6. In accordance with Board Policy A-87, Competitive Procurement, and County Administrative Code section 401, authorized the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of a fair and reasonable price, to amend Contract #564118 with Hagerty Consulting, Inc. for cost recovery related to COVID-19 through the Federal Emergency Management Agency (FEMA) and the U.S. Department of Treasury, American Rescue Plan (ARPA), and Coronavirus State and Local Fiscal Recovery Funds, to increase the contract to a total amount not to exceed \$8,150,000, subject to the availability of funding, and to amend the contract as required to reflect changes in services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
7. Directed the Chief Administrative Officer to engage with the State of California and the California Department of Public Health to develop a safe and responsible path to phase out the mask requirement for K-12 students.

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

ACTION 16.2:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took the following action:

8. Adopted Resolution No. 22-009 entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953. (Ref. Board Letter Recommendation 7)

AYES: Vargas, Lawson-Remer, Fletcher, Desmond

NOES: Anderson

17. **SUBJECT: NOTICED PUBLIC HEARING:
REGIONAL ECONOMIC ANALYSIS AND IMPACT REPORT ON
PROPOSED WORKING FAMILIES ORDINANCE AND ADOPTION
OF ORDINANCE AND BID PREQUALIFICATION POLICY
(DISTRICTS: ALL)**

OVERVIEW

On July 13, 2021 (21), the County of San Diego (County) Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) return within 90 days with a draft Working Families Ordinance for consideration that will amend the County Administrative Code pertaining to employment on County construction projects and County-owned real property. Additionally, the Board also requested a prequalification policy and proposed amendments to existing policies to require prospective bidders and proposers on public works projects to prequalify prior to submitting a bid or proposal. The Board also directed the CAO to estimate the impact of the implementation of the Working Families Ordinance on County construction projects and County-owned leased property. Lastly, the Board directed the CAO to update relevant contracting and leasing processes and templates for County construction projects and County-owned leased property to implement the Working Families Ordinance.

On October 5, 2021 (24), the Board accepted a staff-developed report summarizing stakeholder feedback regarding potential impacts of the draft Working Families Ordinance and directed the CAO to engage a consultant to develop a regional economic analysis and impact report. The Board also directed the CAO to return in February 2022 with a draft ordinance for the Board's consideration. Additionally, the Board directed the CAO to bring the draft bid prequalification policy for consideration by the Board in February 2022.

Incorporating the data and analysis received from the County consultant (Consultant), DTA, and the information gathered by County staff, the draft Working Families Ordinance was revised to include creation of a threshold for skilled and trained workforce that is consistent with several other Southern California jurisdictions and agencies with similar ordinances. This threshold would require contractors and subcontractors on County construction projects valued over \$1,000,000 to utilize a skilled and trained workforce. The draft Ordinance was also revised to include sick leave for all employees and contractors working on or from County-owned leased property to match State of California law, a clarification about the application of the Ordinance, the establishment of a wage floor requiring employees and contractors working on or from County-owned real property to be paid no less than a certain hourly wage set by the County, and adding exemptions to the Ordinance aligned with jurisdictions across the state. These exemptions include other government agencies or public utilities, employees or contractors providing services ancillary to business purposes and

working on County-owned property for an average of fewer than eight hours per week in the prior twelve months, tax exempt organizations under section 501(c)(3) of the Internal Revenue Code, and any firms (parent and subsidiary entities included) with 20 or fewer employees. Additionally, County staff recommend that exemptions be made for those new leases or contracts with a federally certified Disadvantaged Business Enterprise/Airport Concession Disadvantaged Business Enterprises, and when a collective bargaining agreement is in effect.

The proposed revision to the Board of Supervisors Policy F-41: Public Works Construction Projects, modifies the wording from “may” to “shall” relating to the requirement that prospective bidders prequalify for any public works project.

Today’s recommendations are that the Board of Supervisors accept the regional economic analysis and impact report developed by a consultant, select an option related to the Working Families Ordinance, and adopt amendments to Board of Supervisors Policy F-41 to implement a bid prequalification policy.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Accept the attached regional economic analysis and impact report that evaluates the cost impact to County construction projects and employment wage standards for workers on County-owned leased property.
2. Select Option 2a, 2b, or 2c:
 - 2a. Approve the introduction (first reading), read title and waive further reading of the Ordinance:
AN ORDINANCE AMENDING THE COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO EMPLOYMENT ON COUNTY CONSTRUCTION PROJECTS AND PROPERTY AND ESTABLISHING A WAGE FLOOR.

OR
 - 2b. Approve the introduction (first reading), read title and waive further reading of the Ordinance:
AN ORDINANCE AMENDING THE COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO EMPLOYMENT ON COUNTY CONSTRUCTION PROJECTS AND PROPERTY.

OR
 - 2c. Decline to adopt an ordinance.
3. Adopt the amendments to Board of Supervisors Policy F-41 implementing a bid prequalification policy.

If, on February 8, 2022, the Board takes the action of Recommendation 2a or 2b, then on March 1, 2022:

4. Consider and adopt the Ordinance amending the County Code of Administrative Ordinances (second reading).

EQUITY IMPACT STATEMENT

County staff and Consultant engaged stakeholders during the past five months through community outreach, including inviting stakeholders from construction projects, lessees of County-owned property and the public, including business, industry, and labor organizations, to participate in virtual forums or provide feedback through written correspondence and surveys. In total, staff and the Consultant reached more than 882 businesses and community members. Feedback in recent surveys is consistent with feedback that was reported to the Board on October 5, 2021 (24).

The Consultant's report (Attachment A, County of San Diego Impact of Working Families Ordinance (EAI Report)) details that the net effect of the proposed ordinance will depend on the relative strength of the increase in income for workers residing in San Diego County and higher labor costs impacting business operations and disincentivizing businesses to hire employees. Further information about the potential impact to workers in the region and the business community are detailed in this letter and the EAI Report.

Community input regarding the proposed Ordinance was important as a portion of the businesses on County-owned property are small businesses and in areas that have been considered SB535 Disadvantaged Communities. The burden of increased costs due to implementing a wage floor and increased benefit costs, may cause some businesses to close or relocate off County-owned property. This could result in the unintended consequence of employees being laid off, which could potentially have a disproportionate impact on low income and/or black, indigenous people of color (BIPOC). However, if the businesses were able to pay the wage floor and associated benefits, this could increase the standard of living for those same low income or BIPOC employees meeting the intended purpose of the Ordinance in helping to adequately provide for themselves and families.

In preparing the recommendations before the Board, staff analyzed community input, practices of other municipalities, and the EAI Report to provide options for the Board's consideration related to the implementation of a Working Families Ordinance.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2021-22 Operational Plan in the Department of General Services (DGS), Department of Public Works (DPW), DPW Airport Enterprise Fund, and the Department of Parks and Recreation (DPR). If approved, this request will result in additional costs to implement as well as projected decreased revenue in the departments as noted below. The County's costs are \$2.0 million in projected revenue losses associated with expiring leases within the first two years of adoption and \$0.4 million to implement the Ordinance; the total ongoing County costs are projected to be \$2.4 million. The County's projected revenue loss of \$2.0 million is a part of the overall negative net economic impact of \$22.6 million as described below in the Business Impact Statement. The projected revenue loss and economic impact are based on the EAI Report, which provides an analysis using certain assumptions; while these assumptions are reasonable, there is inherent uncertainty in forward-looking studies. The actual fiscal impact resulting from actions taken today will be based on actual conditions, which will differ to some degree from the assumptions used in the EAI Report.

The County of San Diego Impact of Working Families Ordinance report (EAI Report) also noted that new personnel and benefit requirements on County construction projects could potentially result in fewer bidders and increased bid prices. The EAI Report was unable, however, to quantify the potential effect.

Department of General Services

If approved, this request may result in projected decreased revenue associated with leases administered by DGS of \$1.8 million. To mitigate these potential losses, DGS will track lease renewal trends on a quarterly basis for two years and propose a strategy to negate actual lease revenue shortfalls; this strategy will include identification of a funding source to replenish actual lost revenue due to adoption of the Ordinance. The funding source for additional costs in future fiscal years will be charges to client departments. There will be no change in net General Fund cost and no additional staff years.

Department of Public Works, Airport Enterprise Fund

If approved, this request may result in projected decreased revenue of \$0.2 million. The DPW Airport Enterprise Fund anticipates being able to absorb this decrease. DPW Airports will track lease renewal trends on a quarterly basis for two years and propose a strategy to negate actual lease revenue shortfalls; this strategy will include identification of a funding source to replenish actual lost revenue due to adoption of the Ordinance. The funding source for the additional costs in future fiscal years will be included, pending identification, in future Operational Plans.

Department of Public Works, Road Fund

If approved, this request may result in Fiscal Year 2022-23 costs of \$121,577 and 1.00 additional staff year to manage and monitor the Skilled and Trained Workforce requirements for the 12 to 18 new construction contracts valued over \$1.0 million that DPW manages annually due to the adoption of the Ordinance. The monitoring of all contract requirements is a key responsibility for the departmental Contracting Officer Representative. The funding source for the additional costs in future fiscal years will be included, pending identification, in future Operational Plans.

Department of Parks and Recreation

If approved, this request may result in Fiscal Year 2022-23 costs of \$121,577 and 1.00 additional staff year to manage and monitor the Skilled and Trained Workforce requirements for the 28 new construction contracts valued over \$1.0 million that DPR manages annually due to the adoption of the Ordinance. The monitoring of all contract requirements is a key responsibility for the departmental Contracting Officer Representative. The funding source for the additional costs in future fiscal years will be included, pending identification, in future Operational Plans.

Overall, there will be no net change in General Fund cost and 2.00 additional staff years in future fiscal years.

BUSINESS IMPACT STATEMENT

The net economic impact described in the Consultant's report is a negative \$22.6 million by the end of 2022; it is comprised of three major components as outlined in Table 15 of Attachment A and as shown below: 1) revenue lost from expiring leases, 2) wages for employees relocated, and 3) wage increases on County property.

Regional Impact Category	End of 2022
<i>Revenue Lost from Expiring Leases</i>	<i>(\$7.0 million)</i>
<i>Wages for Employees Relocated</i>	<i>(\$21.9 million)</i>
<i>Wage Increases on County Property</i>	<i>\$6.3 million</i>
Net Regional Economic Impact	(\$22.6 million)

It is worthwhile to note that the anticipated revenue lost from expiring leases category includes both a business impact and a County impact. The County impact is noted above in the Fiscal Impact Statement. The business impact is on revenue projected to be received from subleases; the impact to ground lessees (agreements in which a tenant can develop a property during the lease period) and anticipated to be \$5.0 million by the end of 2022. Recognizing that this ordinance may impact the value of County leaseholds, staff will consider any such impacts during rental rate negotiations and renegotiations.

Additional details of the anticipated net regional economic impact, its major components, and its impact on businesses are outlined in Attachment A, the EAI Report. This Report uses certain assumptions that have been deemed reasonable, although there are uncertainties inherent in forward-looking economic analyses. The actual impact to business and the regional economy of today's recommendations, may differ from those in the EAI Report.

17.1 ACTION:

A motion was made by Supervisor Fletcher, seconded by Supervisor Lawson-Remer, to take the following actions:

1. Accept the attached regional economic analysis and impact report that evaluates the cost impact to County construction projects and employment wage standards for workers on County-owned leased property.
2. Select Option 2b:
 - 2b. Approve the introduction (first reading), read title and waive further reading of the Ordinance: AN ORDINANCE AMENDING THE COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO EMPLOYMENT ON COUNTY CONSTRUCTION PROJECTS AND PROPERTY, with the following changes in the proposed Ordinance.
 - i. Replace the first paragraph of section 73.10 with the following:
 - Any contractor and its subcontractors (at any level) performing construction pursuant to a contract valued over \$1,000,000, or over \$25,000 where all of the work is performed by an apprenticeable occupation (as that term is defined Public Contract Code Section 2601), awarded by the County in accordance with the Public Contract Code (collectively, "County Construction Contractors") shall:

- ii. Add the following as section 73.11(b), and make conforming edits to renumber the remainder of the sections:
 - Utilize a skilled and trained workforce (as that term is defined in Public Contract Code Section 2601(d)) in the completion of any construction project on County-owned property valued over \$1,000,000, or over \$25,000 where all of the work is performed by an apprenticeable occupation (as that term is defined Public Contract Code Section 2601).

And, take action to further consider and adopt the Ordinance on March 1, 2022.

3. Adopt the amendments to Board of Supervisors Policy F-41 implementing a bid prequalification policy.
4. Direct the Chief Administrative Officer to prepare an annual report on the number of County lessees, the revenue generated, with an analysis looking back in the preceding year.

(A substitute motion was introduced.)

17.2 ACTION:

A substitute motion was made by Supervisor Desmond, seconded by Supervisor Anderson, to take the following actions:

1. Accept the attached regional economic analysis and impact report that evaluates the cost impact to County construction projects and employment wage standards for workers on County-owned leased property.
2. Select Option 2b:
 - 2b. Approve the introduction (first reading), read title and waive further reading of the Ordinance: AN ORDINANCE AMENDING THE COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO EMPLOYMENT ON COUNTY CONSTRUCTION PROJECTS AND PROPERTY, with the following changes in the proposed Ordinance.
 - i. Replace the first paragraph of section 73.10 with the following:
 - Any contractor and its subcontractors (at any level) performing construction pursuant to a contract valued over \$1,000,000, or over \$25,000 where all of the work is performed by an apprenticeable occupation (as that term is defined Public Contract Code Section 2601), awarded by the County in accordance with the Public Contract Code (collectively, "County Construction Contractors") shall:
 - ii. Add the following as section 73.11(b), and make conforming edits to renumber the remainder of the sections:
 - Utilize a skilled and trained workforce (as that term is defined in Public Contract Code Section 2601(d)) in the completion of any construction project on County-owned property valued over \$1,000,000, or over \$25,000 where all of the work is performed by an apprenticeable occupation (as that term is defined Public Contract Code Section 2601).
 - iii. Exclude all airport lands and agriculture on County-owned leased land in the Ordinance.

And, take action to further consider and adopt the Ordinance on March 1, 2022.

3. Adopt the amendments to Board of Supervisors Policy F-41 implementing a bid prequalification policy.
4. Direct the Chief Administrative Officer to prepare an annual report on the number of County lessees, the revenue generated, with an analysis looking back in the preceding year.

AYES: Anderson, Desmond

NOES: Vargas, Lawson-Remer, Fletcher

(Motion failed due to lack of majority vote.)

17.3 ACTION:

Noting for the record that an Errata was submitted; ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors closed the Hearing and took the following actions:

1. Accepted the attached regional economic analysis and impact report that evaluates the cost impact to County construction projects and employment wage standards for workers on County-owned leased property.
2. Selected Option 2b:
 - 2b. Approved the introduction (first reading), read title and waived further reading of the Ordinance: AN ORDINANCE AMENDING THE COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO EMPLOYMENT ON COUNTY CONSTRUCTION PROJECTS AND PROPERTY, with the following changes in the proposed Ordinance.
 - i. Replace the first paragraph of section 73.10 with the following:
 - Any contractor and its subcontractors (at any level) performing construction pursuant to a contract valued over \$1,000,000, or over \$25,000 where all of the work is performed by an apprenticeable occupation (as that term is defined Public Contract Code Section 2601), awarded by the County in accordance with the Public Contract Code (collectively, "County Construction Contractors") shall:
 - ii. Add the following as section 73.11(b), and make conforming edits to renumber the remainder of the sections:
 - Utilize a skilled and trained workforce (as that term is defined in Public Contract Code Section 2601(d)) in the completion of any construction project on County-owned property valued over \$1,000,000, or over \$25,000 where all of the work is performed by an apprenticeable occupation (as that term is defined Public Contract Code Section 2601).

And, took action to further consider and adopt the Ordinance on March 1, 2022.

3. Adopted the amendments to Board of Supervisors Policy F-41 implementing a bid prequalification policy.

4. Directed the Chief Administrative Officer to prepare an annual report on the number of County lessees, the revenue generated, with an analysis looking back in the preceding year.

AYES: Vargas, Lawson-Remer, Fletcher

NOES: Anderson, Desmond

18. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Sierra Club, et al. v. County of San Diego, et al.; San Diego Superior Court, Case No. 37-2018-00101054-CU-TT-CTL
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Sierra Club, et al. v. County of San Diego, et al.; San Diego Superior Court, Case No. 37-2018-00014081-CU-TT-CTL
- C. 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 Superior Court, Case No. 37-2018-00013324-CU-TT-CTL
- D. 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 Superior Court, Case No. 37-2018-00030460-CU-TT-CTL
- E. 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 Superior Court, Case No. 37-2018-00054559-CU-TT-CTL
- F. 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 Superior Court, Case No. 37-2019-00026459-CU-WM-CTL

ACTION:

Closed Session matters were continued to the Board of Supervisors session of February 9, 2022.

19. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Consuelo Henkin spoke to the Board regarding COVID-19 vaccinations.

Mark Wilcox spoke to the Board regarding smoking and vaping marijuana impacts on youth.

Terri-Ann Skelly spoke to the Board regarding concerns about marijuana retailers.

Becky Rapp spoke to the Board regarding concerns about impacts of marijuana use on youth.

Mary D spoke to the Board regarding Supervisor Vargas' prior comments about staffing shortages in the Sheriff Department.

Lana Cotton spoke to the Board regarding COVID-19 vaccinations.

Barbara Gordon spoke to the Board regarding concerns about health impacts of marijuana use.

Audra Morgan spoke to the Board regarding COVID-19 vaccinations.

Sandra Myskowski thanked the Board of Supervisors for the work they are doing.

Luke Winegarten spoke to the Board regarding opposition to ghost gun ordinance.

Ann Riddle spoke to the Board regarding concerns about health impacts of marijuana.

Kelly McCormick spoke to the Board regarding concerns about health impacts of vaping marijuana.

Diane Grace spoke to the Board regarding concerns about impacts of marijuana use.

Peggy walker spoke to the Board regarding concerns about presentation regarding marijuana use and licenses.

Kathleen Lippitt spoke to the Board regarding concerns about comments made regarding wages, concerns about titles of ordinances.

Robert Germann spoke to the Board regarding concerns about County airports and requests they be investigated.

ACTION:

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 5:48 p.m. in memory of Micah Pietila-Wiggs, Carol Bentley Ellis, and Don Kojis.

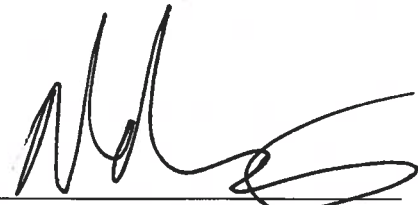
ANDREW POTTER
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Vizcarra
Discussion: Zurita

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

TUESDAY, FEBRUARY 8, 2022

Approved by the Board of Supervisors, on Tuesday, March 1, 2022.

A handwritten signature in black ink, appearing to read 'Nathan Fletcher', written over a horizontal line.

NATHAN FLETCHER
Chair

Attest:

A handwritten signature in blue ink, appearing to read 'Andrew Potter', written over a horizontal line.

ANDREW POTTER
Clerk of the Board

02/08/2022