

March 11, 2014

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, MARCH 11, 2014, 09:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Regular Meeting was called to order at 9:02 a.m.

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

Absent: Supervisor Ron Roberts

Invocation was led by Supervisor Bill Horn.

Pledge of Allegiance was led by Marissa McRoberts, who was cast to play Peter Pan in the youth production of Peter Pan in La Mesa. She also plays soccer for the La Mesa Matrix club team.

Approval of Statement of Proceedings/Minutes for the meeting of February 25, 2014.

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Horn, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of February 25, 2014.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

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

Board of Supervisors' Agenda Items

Category	Agenda #	Subject
Public Safety	1.	SHERIFF – REQUEST TO ADD A POSITION FOR THE SAN DIEGO LAW ENFORCEMENT COORDINATION CENTER [FUNDING SOURCE(S): UNANTICIPATED GRANT REVENUE FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY, HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) PROGRAM] (4 VOTES)

2. REQUEST TO APPLY FOR AND ACCEPT THE SMART SUPERVISION PROGRAM GRANT FUNDS
3. OFFICE OF EMERGENCY SERVICES - A RESOLUTION AUTHORIZING LONG-TERM TRAVEL IN SUPPORT OF THE SAN DIEGO URBAN AREA ALL HAZARDS INCIDENT MANAGEMENT TEAM
4. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: REVISIONS TO THE FARMERS' MARKET LICENSING PROCESS
5. DISTRICT ATTORNEY – SPECIAL PROSECUTION UNIT FOR LONG-TERM RESIDENTIAL CARE FACILITIES FOR THE ELDERLY AND SKILLED NURSING FACILITIES [FUNDING SOURCE(S): FISCAL YEAR 2013-14 IS REVENUE FROM THE PROPOSITION 172 SPECIAL REVENUE FUND AND FOR FISCAL YEAR 2014-15 IS AVAILABLE PRIOR YEAR FUND BALANCE IN THE PROPOSITION 172 SPECIAL REVENUE FUND]
(4 VOTES)
6. FACING THE SILVER TSUNAMI: IMPROVING OVERSIGHT OF LONG-TERM RESIDENTIAL CARE FACILITIES
7. UPDATE TO TOBACCO USE, PREVENTION AND CESSATION POLICY TO INCLUDE ELECTRONIC SMOKING DEVICES
8. AMENDMENTS TO RESOLUTION AND BY-LAWS OF THE SAN DIEGO COUNTY HIV HEALTH SERVICES PLANNING COUNCIL
9. AMENDMENTS TO RESOLUTION OF THE SAN DIEGO COUNTY HIV PREVENTION GROUP
10. BEHAVIORAL HEALTH SERVICES AUTHORIZATION FOR SOLE SOURCE PROCUREMENTS FOR PREVENTION AND EARLY INTERVENTION SERVICES FOR NATIVE AMERICANS
[FUNDING SOURCE(S): MENTAL HEALTH SERVICES ACT (MHSA), PROMOTING SAFE AND STABLE FAMILIES (PSSF) GRANT AND GENERAL PURPOSE REVENUE (GPR)]

Health and
Human Services

11. CALIFORNIA MENTAL HEALTH SERVICES AUTHORITY – NEGOTIATION OF STATE HOSPITAL BED RATES AND NEW BEHAVIORAL HEALTH BILLING SYSTEM FEASIBILITY STUDY
[FUNDING SOURCE(S): SHORT DOYLE MEDI-CAL FEDERAL FINANCIAL PARTICIPATION AND REALIGNMENT]
12. EXPANDING SERVICE LOCATIONS FOR VETERANS SERVICES BY UTILIZING COUNTY LIBRARIES
13. SCHOOL-BASED MEDI-CAL ADMINISTRATIVE ACTIVITIES REVENUE AGREEMENT
[FUNDING SOURCE(S): FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES WHICH IS PASSED THROUGH THE STATE OF CALIFORNIA, DEPARTMENT OF HEALTH CARE SERVICES]
- Community Services 14. APPROVE AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE TO DELETE ARTICLE XXXIX-B RELATING TO THE MOBILE HOME ISSUES COMMITTEE (FIRST READING OF ORDINANCE – 3/11/14; SECOND READING OF ORDINANCE – 4/15/14)
[FUNDING SOURCE(S): COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS]
15. DEPARTMENT OF ANIMAL SERVICES - ACCEPTANCE OF GIFTS AND DONATIONS
- Financial and General Government 16. ENHANCING PROCUREMENT OPPORTUNITIES FOR LOCAL BUSINESS
17. NEIGHBORHOOD REINVESTMENT PROGRAM (DISTRICT: 1)
18. NOTICED PUBLIC HEARING:
CONFLICT OF INTEREST CODES: VARIOUS AGENCIES
19. RELEASE OF CERTAIN PROPERTY SUBJECT TO LEASES BETWEEN THE COUNTY AND THE SAN DIEGO COUNTY CAPITAL ASSET LEASING CORPORATION RELATED TO THE EDGEMOOR CERTIFICATES OF PARTICIPATION
[FUNDING SOURCE(S): ADMINISTRATIVE EXPENSE FUND ASSOCIATED WITH THE EDGEMOOR COPS]
20. DEHESA SCHOOL DISTRICT GENERAL OBLIGATION BONDS, 2012 ELECTION, SERIES A

- 21. CAJON VALLEY UNION SCHOOL DISTRICT 2014 GENERAL OBLIGATION REFUNDING BONDS
- 22. ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF POINT LOMA NAZARENE UNIVERSITY AND ITS AFFILIATES IN AN AGGREGATE AMOUNT NOT TO EXCEED \$55,000,000
- 23. CHAPTER VIII AGREEMENT NO. 7048 TO PURCHASE TAX-DEFAULTED PROPERTY BY SAN DIEGO AUDUBON SOCIETY
- 24. EMPLOYER AND EMPLOYEE RETIREMENT CONTRIBUTION RATES FOR FISCAL YEAR 2014-15
[FUNDING SOURCE(S): COMBINATION OF PROGRAM SPECIFIC AND GENERAL PURPOSE REVENUE]
- 25. AMENDMENTS TO THE COMPENSATION ORDINANCE (3/11/14 – FIRST READING; 4/15/14 – SECOND READING)
[FUNDING SOURCE(S): COMBINATION OF GENERAL PURPOSE REVENUES AND VARIOUS PROGRAM REVENUES]
- Communications Received 26. COMMUNICATIONS RECEIVED
- Appointments 27. APPOINTMENTS: VARIOUS
- Health and Human Services 28. EXPLORING ADDITIONAL TOOLS TO SERVE THE SEVERELY MENTALLY ILL
- 29. RESOLUTION TO DECLARE MARCH AS PRESCRIPTION DRUG ABUSE AWARENESS MONTH
- Closed Session 30. CLOSED SESSION
- Presentations/Awards 31. PRESENTATIONS/AWARDS
- Public Communication 32. PUBLIC COMMUNICATION

1. **SUBJECT: SHERIFF – REQUEST TO ADD A POSITION FOR THE SAN DIEGO LAW ENFORCEMENT COORDINATION CENTER (DISTRICTS: ALL)**

OVERVIEW:

The San Diego Law Enforcement Coordination Center (SD-LECC) serves as the Law Enforcement Fusion Center for the San Diego and Imperial County region. It is comprised of representatives from federal, State, and local law enforcement agencies, with the Sheriff's Department serving as the fiduciary agent. The SD-LECC has requested that the Sheriff's Department assign an Administrative Analyst to replace the position formerly provided through the State Department of Justice (DOJ). The position will be reimbursed through the Office of National Drug Control Policy, High Intensity Drug Trafficking Area (HIDTA) grant program. This is a request to establish appropriations to add one (1.0) staff year and funding in the Sheriff's Department for the SD-LECC, based on revenue from the HIDTA grant program.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2013-14 Operational Plan for the Sheriff's Department. If approved, this request will result in current year costs and revenue of \$27,919 and Fiscal Year 2014-15 estimated costs and revenue of \$108,208. The funding source is unanticipated grant revenue from the Office of National Drug Control Policy, High Intensity Drug Trafficking Area (HIDTA) program. There will be no change in net General Fund cost and an increase of one (1.0) staff year.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SHERIFF

1. Establish appropriations of \$27,919 in the Sheriff's Department for Salaries and Benefits based on unanticipated grant revenue from the Office of National Drug Control Policy, High Intensity Drug Trafficking Area (HIDTA) program to support the SD-LECC. **(4 VOTES)**
2. Approve the request to add one (1.0) staff year in the Sheriff's Department to support the SD-LECC and direct the Department of Human Resources to classify the position at the appropriate level.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

2. SUBJECT: REQUEST TO APPLY FOR AND ACCEPT THE SMART SUPERVISION PROGRAM GRANT FUNDS (DISTRICTS: ALL)

OVERVIEW:

On February 4, 2014, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance released a Request for Proposals to fund initiatives that improve probation success and reduce admissions to prisons and jails. This is a request to authorize the Probation Department to submit a grant application for the Smart Supervision Program grant and to accept the grant funding if awarded and there are no material changes to the grant terms. The estimated grant award is \$750,000 for a three-year period of October 1, 2014, through September 30, 2017. This is also a request to authorize the Chief Probation Officer to apply for and accept grant funding and review and execute all required grant and grant-related documents from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Smart Supervision Program grant in subsequent years provided there are no material changes to the grant terms and funding levels.

FISCAL IMPACT:

There is no fiscal impact associated with the grant application. If approved and awarded this request will result in total costs of \$220,688 and revenue of \$187,500 in Fiscal Year 2014-15, total costs of \$294,250 and revenue of \$250,000 in Fiscal Year 2015-16, total costs of \$294,250 and revenue of \$250,000 in Fiscal Year 2016-17 and total costs of \$73,562 and revenue of \$62,500 in Fiscal Year 2017-18. Funding for this program is provided by a grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance and General Purpose Revenue. The grant award recovers all of the Probation Department's direct costs but does not reimburse indirect costs estimated at \$132,750 for the three-year period of October 1, 2014, through September 30, 2017. If approved and awarded, the Probation Department will return to the Board to establish appropriations for the Smart Supervision Program. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, which requires full cost recovery for grants and revenue contracts, as this grant program does not recover full cost.
2. Authorize the Chief Probation Officer to sign and submit a grant application for the period October 1, 2014, through September 30, 2017, to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Smart Supervision Program and if awarded, to accept the estimated amount of \$750,000 in grant funds provided there are no material changes to the grant terms and funding levels.

3. Authorize the Chief Probation Officer to review and execute all required grant and grant-related documents for the Smart Supervision Program, including any agreements with other agencies for the distribution of grant funds where necessary to carry out the purposes of the grant, and any annual extensions, amendments and/or revisions thereof that do not materially impact or alter services or funding level.
4. Authorize the Chief Probation Officer to apply for and accept grant funding from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Smart Supervision Program in subsequent years provided there are no material changes to the grant terms and funding levels.
5. Authorize the Chief Probation Officer to review and execute all required grant and grant-related documents for the Smart Supervision Program in subsequent years, including any agreements with other agencies for the distribution of grant funds where necessary to carry out the purposes of the grant, and any annual extensions, amendments, and/or revisions thereof that do not materially impact or alter services or funding level.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

3. **SUBJECT: OFFICE OF EMERGENCY SERVICES - A RESOLUTION AUTHORIZING LONG-TERM TRAVEL IN SUPPORT OF THE SAN DIEGO URBAN AREA ALL HAZARDS INCIDENT MANAGEMENT TEAM (DISTRICTS: ALL)**

OVERVIEW:

Local emergency responders from jurisdictions throughout the county have been organized to form the San Diego Urban Area (SDUA) All Hazards Incident Management Team (AHIMT), a unit whose members receive specialized training and authorization from the Federal Emergency Management Agency (FEMA). The SDUA AHIMT is available to be deployed in response to a major emergency or catastrophic event, either locally or nationally, for as long as it is needed.

The SDUA AHIMT may be deployed for weeks or months outside of San Diego and will, during that extended deployment, incur costs for travel, lodging, meals, transportation and other expenses as part of the deployment. This request is to adopt a resolution authorizing the Office of Emergency Services (OES), as the coordinator and manager of emergency response activities for the Operational Area, to provide the funding of long-term travel for all members of the SDUA AHIMT – both County and non-County personnel - until such costs are reimbursed by the Urban Areas Security Initiative Program or the requesting State through the Emergency Managers Mutual Aid Compact (EMAC), the nation's state-to-state

mutual aid system. In addition, both the Auditor and Controller and the Department of Purchasing and Contracting will be authorized to develop policies and procedures to provide for the advance funding of long-term travel and associated expenditures for all members of the SDUA AHIMT, including non-County personnel.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2013-14 Operational Plan in the Office of Emergency Services. If approved, this request will result in the reimbursement by the Urban Areas Security Initiative Program or the requesting State through the Emergency Managers Mutual Aid Compact of any costs incurred as a result of long-term travel during a San Diego Urban Area All Hazards Incident Management Team deployment. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING LONG-TERM TRAVEL IN SUPPORT OF THE SAN DIEGO URBAN AREA ALL HAZARDS INCIDENT MANAGEMENT TEAM.
2. Authorize the Auditor and Controller and the Department of Purchasing and Contracting to develop policies and procedures to provide for the advance funding of long-term travel and associated expenditures for all members of the San Diego Urban Area (SDUA) All Hazards Incident Management Team (AHIMT), including non-County personnel, as needed for Emergency Managers Mutual Aid Compact (EMAC) requested deployments and Governor's Office of Emergency Services (Cal OES) Urban Areas Security Initiative (UASI) program approved training exercises and to provide for the reimbursement of long-term travel and associated expenditures incurred by members of the SDUA AHIMT for EMAC requested deployments and UASI approved training exercises until such costs are reimbursed by UASI or the requesting State through EMAC.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-023, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING LONG-TERM TRAVEL IN SUPPORT OF THE SAN DIEGO URBAN AREA ALL HAZARDS INCIDENT MANAGEMENT TEAM.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

4. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: REVISIONS TO THE FARMERS' MARKET
LICENSING PROCESS (DISTRICTS: ALL)**

OVERVIEW:

On February 25, 2014 (5), the Board introduced the Ordinance for further consideration and adoption on March 11, 2014.

On October 22, 2013 (10), the Board of Supervisors directed the Chief Administrative Officer (CAO) to streamline the licensing process for certified farmers' market operators/organizers in the unincorporated area of the County by working with the San Diego County Farm Bureau and the Sheriff's Department and return to the Board within 90 days. Currently, the eight (8) certified farmers' markets in the unincorporated area have both certified producers and non-certified vendors present. Farmers/producers obtain certification from the County Agricultural Commissioner. Non-certified farmers' market vendors must obtain solicitor licenses from the Sheriff. This ordinance will simplify the licensing process by exempting non-certified farmers' market vendors from the individual solicitor license requirement if the certified farmers' market operator has obtained a solicitor's license.

If approved, this request will require the farmers' market operators/organizers to obtain the solicitor's license instead of each non-certified vendor applying individually and submit a list of non-certified vendors to the Sheriff's Licensing Division. Such changes will promote economic activity while also providing for public safety in the unincorporated area of San Diego County.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended action. Following the implementation of these recommendations, the Sheriff's Licensing Division will review all associated fees to ensure full cost recovery. If any changes to fees are required, the Sheriff's Department will return to the Board.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinance entitled:

**AN ORDINANCE AMENDING THE SAN DIEGO COUNTY
CODE OF REGULATORY ORDINANCES, RELATING TO
SOLICITOR'S LICENSES FOR FARMERS' MARKETS.**

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Ordinance No. 10330 (N.S.) entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, RELATING TO SOLICITOR'S LICENSES FOR FARMERS' MARKETS.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

5. **SUBJECT: DISTRICT ATTORNEY – SPECIAL PROSECUTION UNIT FOR LONG-TERM RESIDENTIAL CARE FACILITIES FOR THE ELDERLY AND SKILLED NURSING FACILITIES (DISTRICTS: ALL)**

OVERVIEW:

This request is to establish a one-year pilot program in the District Attorney's Office to investigate and prosecute crimes committed against residents of long-term care facilities, and to raise public awareness about preventing and reporting abuse and neglect of our most vulnerable citizens. This specialized prosecution unit would coordinate with state and local administrative agencies, law enforcement, medical experts, and advocacy groups to enhance the enforcement of required standards of care in long term-care facilities, and investigate incident reports and referrals of potential criminal activity at these facilities. This is a request to establish appropriations to fund the one-year pilot based on revenue from the Proposition 172 Special Revenue Fund.

This is also a request to seek additional grant funding to further support investigation and outreach activities. If authorized, the District Attorney's Office will return to the Board of Supervisors to request authorization to accept the award and appropriate the awarded funds as necessary.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2013-14 Operational Plan for the District Attorney's Office. If approved, this request will result in estimated current year costs and revenue of \$190,000 and Fiscal Year 2014-15 estimated costs and revenue of \$1,300,000. The funding source for Fiscal Year 2013-14 is revenue from the Proposition 172 Special Revenue Fund and for Fiscal Year 2014-15 is available prior year fund balance in the Proposition 172 Special Revenue Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHAIRWOMAN DIANNE JACOB, SUPERVISOR GREG COX AND DISTRICT ATTORNEY BONNIE DUMANIS

1. Transfer appropriations of \$190,000 within the Proposition 172 Special Revenue Fund, from Miscellaneous Expense to Operating Transfer Out, for the Long-Term Care Facilities special prosecution unit.
2. Establish appropriations of \$190,000 in the District Attorney's Office for salaries and benefits associated with the one-year pilot based on an Operating Transfer from the Proposition 172 Special Revenue Fund. **(4 VOTES)**
3. Authorize the District Attorney's Office to seek and apply for grants from Federal and State sources to support and enhance investigation and outreach activities related to elder abuse at long-term care facilities.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board took action as recommended.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

6. SUBJECT: FACING THE SILVER TSUNAMI: IMPROVING OVERSIGHT OF LONG-TERM RESIDENTIAL CARE FACILITIES (DISTRICTS: ALL)

OVERVIEW:

By 2030, the number of people who are at least 75 years old is expected to nearly double, rapidly outpacing the growth in the rest of the population. This dramatic change in the region's demographics will test our communities, governmental services, housing, medical services, hospitals and the way we shape public policy. The services and resources available for the protection and care of the elderly is not keeping pace with the need and the drastic rise in the number of residents living long into their 70s, 80s and older, is only going to compound the problem. To make matters worse, a recent series of watchdog stories in the local media have documented deeply troubling gaps in staff training and supervision in long-term care and assisted living facilities, along with a lack of rigorous state oversight and follow-through at many residential care facilities.

There are a number of actions and initiatives that can be carried out at the state and local level to prevent neglect and improve oversight at long-term care and assisted living facilities and make meaningful impacts in the lives of our elderly and their families. Today's actions direct the Chief Administrative Officer to strengthen and expand the Long-Term Care Ombudsman program and work with stakeholders from Residential Care Facilities for the Elderly (RCFEs), Skilled Nursing Facilities (SNFs), other long-term care facilities, consumer advocates and the Better Business Bureau to develop a facility grading system or seal program.

Today's actions would also add to the County's Legislative Program support for legislation that increases transparency, inspections and penalties at RCFEs, SNFs and other long-term care facilities, and support for other reforms that protect the health and safety of the patients residing in these facilities.

FISCAL IMPACT:

Costs associated with these actions will be included in the FY 2014-2015 Operational Plan.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHAIRWOMAN DIANNE JACOB AND SUPERVISOR GREG COX

1. Direct the Chief Administrative Officer (CAO) to identify funding in the Fiscal Year 2014-2015 Operation Plan to increase staffing in the Long-Term Care Ombudsman program to fully offset the 2009 cuts, and report back to the Board of Supervisors within 120 days with recommendations to strengthen and expand the Long-Term Care Ombudsman program, including training and the volunteer component.
2. Direct the CAO to work with stakeholders from Residential Care Facilities for the Elderly (RCFE), Skilled Nursing Facilities (SNFs), other long-term care facilities, consumer advocates, and the Better Business Bureau, to develop a grading system or seal program, and report back to the Board of Supervisors before the end of 2014, and identify any necessary funding to implement the program in the Fiscal Year 2014-2015 Operational Plan.
3. Direct the CAO to add to the County's Legislative Program support for legislation that addresses any or all of the following for RCFEs, SNFs and other long-term care facilities: increases transparency in operations and information disclosure; increases the frequency of facility inspections including unannounced visits; implements a program that notifies and protects the patients' and their rights; increases penalties to facilities for non-compliance; and/or reforms to the current program that protect the health and safety of the patients residing in these facilities.

ACTION:

Revising Recommendation No. 3 to read: "Direct the CAO to add to the County's Legislative Program support for legislation that addresses any or all of the following for RCFEs, SNFs and other long-term care facilities: increases transparency in operations and information disclosure; increases the frequency of facility inspections including unannounced visits; implements a program that notifies and protects the patients' and their rights; increases penalties to facilities for non-compliance; and/or reforms to the current program that protect the health and safety of the patients residing in these facilities; and includes the support for those bills that are a part of the Residential Care for the Elderly Reform Act of 2014, and AB1436, AB1454, AB1523 and AB2044, which are all the RCFE Reform measures."; ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board took action as recommended.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

7. **SUBJECT: UPDATE TO TOBACCO USE, PREVENTION AND CESSATION POLICY TO INCLUDE ELECTRONIC SMOKING DEVICES (DISTRICTS: ALL)**

OVERVIEW:

Board Policy A-99, Tobacco Use, Prevention and Cessation, provides guidelines for County programs addressing tobacco use, prevention, and cessation, with an emphasis on reducing access by minors and limiting exposure to secondhand smoke. Electronic cigarettes are currently included in this policy. In recent years there has been a proliferation of devices similar in form and function to electronic cigarettes. Electronic smoking devices include electronic cigarettes, electronic cigars, electronic cigarillos, electronic pipes, and electronic hookah. The intent of this item is to provide clarification on the definition of electronic smoking devices and how they are addressed in County policies.

Electronic smoking device use is rising in popularity including youth. Sales of electronic cigarettes in the U.S. have tripled in recent years. From 2011 to 2012, the Centers for Disease Control and Prevention reported that use of electronic cigarettes by U.S. middle and high school students more than doubled.

The safety of electronic smoking devices has not been demonstrated. The Food and Drug Administration (FDA) has joined other health experts to warn consumers about potential health risks associated with electronic cigarettes. Nicotine, which is contained in many electronic smoking devices, is a highly addictive drug, which has numerous negative health risks. In addition, credible studies have found that the solutions in electronic smoking devices contain other harmful chemicals including carcinogens, small particles, and metals that can lead to lung disease and other health problems. These same chemicals are found in the vapor released when these products are used. Evidence of exposure to nicotine emitted from these devices has been found in both users of these devices and bystanders exposed passively to the vapors.

This item includes a suggested definition of electronic smoking devices that will provide clarity to the products governed by the guidance in Board Policy A-99. The proposed definition of electronic smoking device is an electronic and/or battery-operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances. "Electronic Smoking Device" includes any such electronic smoking device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. "Electronic smoking device" does not include any product specifically approved by the U.S. Food and Drug Administration for use in mitigation, treatment, or prevention of disease. This definition and language to incorporate the definition in Board Policy A-99 are included as proposed changes in the attachment to this item.

The clarification of the definition of electronic smoking devices in Board Policy A-99 supports *Live Well San Diego*, the County's ten-year initiative to support healthy, safe, and thriving communities. Specifically, these suggested changes will support healthy choices through policy changes for a healthy environment.

FISCAL IMPACT:

There is no fiscal impact as a result of these recommendations.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Receive staff language regarding recommendations for addressing electronic smoking devices in Board Policy A-99 and determine whether to adopt the suggested definition of electronic smoking devices in Board Policy A-99.

ACTION 7.1:

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

AYES: Cox, Jacob, D. Roberts

NOES: Horn

ABSENT: R. Roberts

ACTION 7.2:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Cox, the Board directed the Chief Administrative Officer to return to the Board on May 6, 2014 with proposed regulatory language for the Board to review for ordinance and regulatory controls in which County policies for electronic smoking devices follow that of conventional cigarettes in all County facilities, all County workplaces, as well as indoor facilities located in the unincorporated area.

AYES: Cox, Jacob, D. Roberts

NOES: Horn

ABSENT: R. Roberts

8. SUBJECT: AMENDMENTS TO RESOLUTION AND BY-LAWS OF THE SAN DIEGO COUNTY HIV HEALTH SERVICES PLANNING COUNCIL (DISTRICTS: ALL)

OVERVIEW:

The Board of Supervisors adopted a resolution on November 6, 1990 (47), establishing the HIV Health Services Planning Council (Planning Council), a requirement for the County of San Diego to receive federal Ryan White CARE Act (RWCA) emergency relief funds. RWCA was renamed the Ryan White Treatment Modernization Act (RWTMA) when reauthorized in 2006, and subsequently renamed the Ryan White Treatment Extension Act (RWTEA) in 2009. RWTEA funds are used to provide health care and supportive services to San Diego residents living with HIV/AIDS. Several amendments have been made to the Resolution and By-Laws of the Planning Council, most recently on December 9, 2008 (15).

Today's action requests adoption of amendments to the Resolution and By-Laws to change the term of office for the representative of the grantee for Housing Opportunities for Persons with AIDS (HOPWA) program; to permit members whose terms have expired to continue serving at the discretion of the Planning Council chair until a successor has been appointed; to update causes for vacancy; to update the requirements regarding Vice-Chairs; to update the structure of the Planning Council Steering Committee; to update the process in which new members are recommended to the Board for appointment; to add language to the By-Laws about reimbursement to Planning Council members for travel and child care expenses incurred as the result of their attendance in order to be consistent with the Resolution; and to update language to reflect the replacement of the RWTMA by the RWTEA.

These items support County's *Live Well San Diego* initiative by improving access to high-quality and efficient prevention, testing, and medical care that leads to improved physical and behavioral health.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt the amended Resolution entitled: A RESOLUTION REGARDING THE SAN DIEGO COUNTY HIV HEALTH SERVICES PLANNING COUNCIL.
2. Adopt the amended By-Laws entitled: SAN DIEGO COUNTY HIV HEALTH SERVICES PLANNING COUNCIL BY-LAWS.

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Horn, the Board took action as recommended, adopting Resolution No. 14-024, entitled: A RESOLUTION REGARDING THE SAN DIEGO COUNTY HIV HEALTH SERVICES PLANNING COUNCIL.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

9. SUBJECT: AMENDMENTS TO RESOLUTION OF THE SAN DIEGO COUNTY HIV PREVENTION GROUP (DISTRICTS: ALL)

OVERVIEW:

The Board of Supervisors established the San Diego HIV Prevention Community Planning Board by Resolution 95-182 on May 9, 1995. Several amendments have been made to the Resolution and By-Laws, most recently on September 14, 2010 (6). Historically the HIV prevention planning process was mandated as a condition of accepting State of California Department of Public Health, Office of AIDS (CDPH OA) funds for HIV prevention services. While continuing to support local planning groups and efforts, as of 2009, the CDPH OA no longer mandates a planning group. In 2012 and 2013, the HIV Prevention Community Planning Board considered whether it should sunset , but has instead recommended the group continue under a new name: the “San Diego County HIV Prevention Group.”

In 2012, the Centers for Disease Control and Prevention (CDC) released new guidance for HIV prevention planning. Today’s action requests adoption of amendments to the Resolution and By-Laws to align planning in San Diego County with the CDC Guidance as follows: 1) revise the name of the group to the San Diego County HIV Prevention Group and update the purpose of the group; 2) restructure size, membership, composition, number of meetings, reduce the number of community co-chairs from two to one, and modify attendance requirements to better address role of HIV Prevention Group per new guidance; 3) clarify responsibilities of the HIV Prevention Group per new guidance; and 4) clarify the process for formally collaborating with other community planning groups. These items support the Healthy Families initiative in the County of San Diego’s 2014-2019 Strategic Plan, as well as the *Live Well San Diego* initiative by improving access to high-quality and efficient prevention, testing, and medical care that leads to improved physical and behavioral health.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER

Adopt the amended Resolution entitled: A RESOLUTION REGARDING THE SAN DIEGO COUNTY HIV PREVENTION GROUP.

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Horn, the Board took action as recommended, adopting Resolution No. 14-025, entitled: A RESOLUTION REGARDING THE SAN DIEGO COUNTY HIV PREVENTION GROUP.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

10. **SUBJECT: BEHAVIORAL HEALTH SERVICES AUTHORIZATION FOR SOLE SOURCE PROCUREMENTS FOR PREVENTION AND EARLY INTERVENTION SERVICES FOR NATIVE AMERICANS (DISTRICTS: ALL)**

OVERVIEW:

On November 18, 2008 (9), the Board of Supervisors authorized the Health and Human Services Agency (HHS) to procure Prevention and Early Intervention (PEI) services for Native Americans. As a result of this Board action, negotiations were completed and a sole source contract was executed on April 13, 2009 with Indian Health Council, Inc. to implement health and wellness services for San Diego County's Native American community. Four agencies formed the Dream Weaver Consortium, consisting of Indian Health Council, Inc. (IHC), San Diego American Indian Health Center (SDAIHC), Southern Indian Health Council (SIHC) and Sycuan Medical Dental Center (SMDC). IHC served as the fiscal and administrative agent and primary point of contact for the Consortium, and the other three agent Consortium member agencies served as subcontractors.

To align with *Live Well, San Diego*, programs provide behavioral health Prevention and Early Intervention services to all age groups through intergenerational activities. The Elder Services/Navigator program focuses on health and engagement in various activities; alcohol and drug treatment and recovery services focuses on outpatient prevention and early intervention through substance abuse services; Outreach and Prevention Education promotes awareness of PEI services and maintaining community, family and individual wellness, and the Child Abuse Prevention component focuses on child abuse prevention and youth mentoring services.

Today's recommended action will authorize the Purchasing and Contracting Director to enter into negotiations to replace the existing sole source contract with the Dream Weaver consortium through IHC with four new sole source contracts with IHC, SDAIHC, SIHC and SMDC. These actions support the County's adopted Live Well San Diego initiative by providing necessary resources and services for individuals with behavioral health needs to lead healthy and productive lives.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2013-15 Operational Plan in the Health and Human Services Agency. If approved, this request will result in current year cost and revenue of \$2,090,000. The funding sources are Mental Health Services Act (MHSA), Promoting Safe and Stable Families (PSSF) Grant and General Purpose Revenue (GPR). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with Indian Health Council, Inc. (IHC), San Diego American Indian Health Center (SDAIHC), Southern Indian Health Council (SIHC) and Sycuan Medical Dental Center (SMDC), and subject to successful negotiations and determination of a fair and reasonable price, to award contracts for a period of one year, with up to six additional option years and up to an additional six months if needed, subject to the availability of funds and subject to approval of the Director, Health and Human Services Agency. Waive the advertising requirement of Board Policy A-87.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

11. **SUBJECT: CALIFORNIA MENTAL HEALTH SERVICES AUTHORITY – NEGOTIATION OF STATE HOSPITAL BED RATES AND NEW BEHAVIORAL HEALTH BILLING SYSTEM FEASIBILITY STUDY (DISTRICTS: ALL)**

OVERVIEW:

On September 10, 2013 (5), the Board of Supervisors authorized the Director, Health and Human Services Agency, to execute the Second Amended and Restated Joint Exercise of Powers Agreement, California Mental Health Services Authority

(CalMHSA), extending the purposes of CalMHSA beyond its original mandate to launch statewide Prevention and Intervention projects funded by the Mental Health Services Act. The Board also authorized payment to CalMHSA not exceeding \$3,000 to study the benefits of CalMHSA acting on behalf of member counties for state hospital bed negotiations and management. This study was completed in December 2013, and based upon the projected benefits to counties demonstrated by the study's conclusions, CalMHSA and the California Department of State Hospitals have developed a Memorandum of Understanding (MOU) whereby CalMHSA will act on behalf of participating counties for negotiation of state hospital bed rates. Approval of today's recommended actions will authorize the Director, Health and Human Services Agency, to sign the MOU on behalf of the County of San Diego, and will also authorize the annual payment to CalMHSA (for Fiscal Years 2013-2014 through 2016-2017) of approximately \$23,000 for operational costs.

Short-Doyle Medi-Cal (SD/MC) is a group of related local assistance programs and activities associated with Medi-Cal behavioral health claims. The SD/MC system processes health care claims submitted from counties and direct providers to the State Department of Health Care Services, which maintains the SD/MC mainframe-based system, performing application maintenance, daily system operation, batch program execution, and key data entry. As of November 2007, the SD/MC Phase II design, development, and implementation system (SD-2) has been in place. However, as a result of fiscal changes to the Medi-Cal Specialty Mental Health system, SD-2 does not adjudicate claims as effectively and efficiently as needed to provide consistent interim federal payments to counties for cash flow purposes. The California Mental Health Directors Association, in conjunction with CalMHSA, have proposed a new behavioral health billing system feasibility study (SD-3) to ensure the short and long term viability of the data exchange and business process associated with the billing system. Approval of today's recommended actions will authorize payment to CalMHSA of a sum not to exceed \$29,000 for this feasibility study.

This item supports the *Live Well San Diego* initiative by helping to build a better behavioral health service delivery system throughout the San Diego region.

FISCAL IMPACT:

Funds for the request to pay California Mental Health Services Authority (CalMHSA) are included in Fiscal Year 2013-14 Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of approximately \$52,000 in Fiscal Year 2013-14. Funding sources are Short Doyle Medi-Cal Federal Financial Participation and Realignment. There is no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

1. Approve and authorize the Director, Health and Human Services Agency, to sign the Memorandum of Understanding between the California Department of State Hospitals and the California Mental Health Services Authority and participating counties, for the negotiation and purchase of state hospital beds.
2. Authorize payment to the California Mental Health Services Authority in the amount of approximately \$23,000 annually for Fiscal Year 2013-2014 through Fiscal Year 2016-2017, for operational costs developed under the Memorandum of Understanding for the negotiation and purchase of state hospital beds.
3. Authorize payment to the California Mental Health Services Authority in an amount not exceeding \$29,000 for a new behavioral health billing system feasibility study for transition from the current Short-Doyle Medi-Cal Billing System-2 to a proposed Short-Doyle Medi-Cal Billing System-3, to ensure the provision of consistent interim federal payments to counties.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

12. SUBJECT: EXPANDING SERVICE LOCATIONS FOR VETERANS SERVICES BY UTILIZING COUNTY LIBRARIES (DISTRICTS: ALL)

OVERVIEW:

On October 22, 2013, Supervisor Dianne Jacob brought forward a board letter directing the Chief Administrative Officer to explore the feasibility of utilizing County libraries to expand services to the County's veteran population and to report back to the Board in 120 days with recommendations for actions to support the veteran community. The Board of Supervisors unanimously supported this agenda item.

In the San Diego region, there are more than 244,000 veterans, the second largest veteran population in the state. Many of these veterans and their families reside in rural areas of the county and are not able to easily access the needed benefits counseling, information and referral services provided by the County Veterans Service Office.

Building upon the leadership of the Board of Supervisors, the Health and Human Services Agency, Aging & Independence Services, which includes the County Veterans Service Office (CVSO), and the San Diego County Library joined together to identify County Library locations where CVSO staff could provide

benefits counseling, claims assistance and other services to veterans residing in the rural areas of the county. Their combined efforts resulted in the initiation of services for veterans at the El Cajon County library beginning in January 2014, with the potential to expand to three additional County libraries in rural east county. In support of the County's *Live Well San Diego* initiative, today's item provides information about expanding service locations to veterans and other actions taken to date.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Direct the Chief Administrative Officer to continue support for expanding service locations to veterans utilizing County libraries.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took the following action, on Consent:

- Directed the Chief Administrative Officer to continue support for expanding service locations to veterans utilizing County libraries.
- Directed the Chief Administrative Officer to identify veterans that are current and potential volunteers residing in the rural communities of the County that might be eligible to participate in the expanding service locations to veterans in County libraries and other County facilities that are close to where they reside.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

**13. SUBJECT: SCHOOL-BASED MEDI-CAL ADMINISTRATIVE
ACTIVITIES REVENUE AGREEMENT (DISTRICTS: ALL)**

OVERVIEW:

The Health and Human Services Agency participates in Medi-Cal Administrative Activities (MAA) and Targeted Case Management (TCM). These are revenue recovery programs which provide federal reimbursement for various Medi-Cal related activities performed by County programs, school districts and community-based providers. The Health and Human Services Agency's Division of Public Health Services is the designated pass-through entity for these funds and is reimbursed for administrative costs incurred. The Board of Supervisors last authorized the School-Based MAA (SMAA) Revenue Agreement on September 13, 2011 (9).

Today's item requests authority to execute a Revenue Agreement with the State of California, Department of Health Care Services for School-Based MAA activities performed by participating school districts located within San Diego County for the period of July 1, 2014 through June 30, 2017.

Today's item supports the County's *Live Well San Diego* initiative by assisting County programs, school districts and community-based providers in recovering the administrative costs used to enroll and refer eligible children and their families in Medi-Cal and Medi-Cal covered services.

FISCAL IMPACT:

Funds to cover the County's cost of approximately \$210,000 to administer this program are included in the Fiscal Year 2013-15 Operational Plan for the Health and Human Services Agency. The \$33 million to be received for this program will be deposited in a trust fund and disbursed from the trust fund to other jurisdictions (school districts) within the County of San Diego. The funding source is the federal Centers for Medicare and Medicaid Services which is passed through the State of California, Department of Health Care Services. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Approve and authorize the Clerk of the Board, to execute, upon receipt, the School-Based Medi-Cal Administrative Activities Revenue Agreement in the amount of \$33 million from the California, Department of Health Care Services for the period of July 1, 2014 through June 30, 2017, in connection with administering the Medi-Cal Administrative Activities and Targeted Case Management claiming processes, subject to the approval of the Director, Health and Human Services Agency; and to sign further amendments, renewals and subsequent agreements that do not materially impact the program or the funding level.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

14. **SUBJECT: APPROVE AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE TO DELETE ARTICLE XXXIX-B RELATING TO THE MOBILE HOME ISSUES COMMITTEE (FIRST READING OF ORDINANCE – 3/11/14; SECOND READING OF ORDINANCE – 4/15/14) (DISTRICTS: ALL)**

OVERVIEW:

County Administrative Code Article XXXIX-B – Mobile Home Issues Committee was enacted on September 22, 1998 to provide a forum for discussion and resolution of mobilehome-related matters. The Article established a standing committee to advise on unresolved disputes and make non-binding recommendations, as well as to address mobile home park issues in general; established a mediation process for the resolution of disputes between mobile home park owners and mobile home park residents; and provided on-site conflict resolution training for mobile home park owners, managers and residents. This Article is no longer necessary due to lack of Committee activity, availability of alternative community-based mediation services and ongoing funding reductions.

Today's request requires two steps. On March 11, 2014, it is requested that the Board of Supervisors approve introduction of the Ordinance to delete Administrative Code Article XXXIX-B. If the Board takes the action recommended for March 11, 2014, then on April 15, 2014, the Board is requested to adopt the Ordinance deleting Article XXXIX-B relating to the Mobile Home Issues Committee.

FISCAL IMPACT:

Funds of \$10,000 for the Mobile Home Issues Committee (MHIC) are included in the Fiscal Year 2013-14 Operational Plan for the Department of Housing and Community Development. The funding source is Community Development Block Grant (CDBG) funds (\$10,000). If approved, discontinuance of the MHIC will allow for the CDBG funds annually allotted to this committee to be used for other eligible CDBG program activities. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On March 11, 2014:

1. Approve the introduction of the Ordinance, (first reading), read title and waive further reading of the Ordinance:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE TO DELETE ARTICLE XXXIX-B RELATING TO THE MOBILE HOME ISSUES COMMITTEE.

If on March 11, 2014, the Board takes the action in the recommendation above, then on April 15, 2014 (second reading):

1. Find that the proposed adoption of the Ordinance deleting Administrative Code Article XXXIX-B is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15060(c)(3) because the activity is not a project as defined in CEQA Guidelines Section 15378.
2. Consider and adopt the Ordinance.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on April 15, 2014.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

15. SUBJECT: DEPARTMENT OF ANIMAL SERVICES - ACCEPTANCE OF GIFTS AND DONATIONS (DISTRICTS: ALL)

OVERVIEW:

The Department of Animal Services has received numerous gifts from individuals and groups that are interested in promoting the health and well-being of animals in our communities. County of San Diego Administrative Code, Section 66, Acceptance of Gifts, permits the acceptance of gifts by the administrative head of each department of the County, some of which are subject to ratification by the Board of Supervisors. A report of all individual gifts not exceeding \$5,000, and Board of Supervisors' ratification of individual gifts over \$5,000 is required. This action will accept the report on gifts of less than \$5,000 received by the Department of Animal Services during the period of January 1, 2013, through December 31, 2013. These gifts total \$68,602. In addition to this amount, the Department received two gifts totaling \$171,963 from the Thomas E. Westerman Trust that the Board is asked to ratify at this time. These generous donations, which total \$240,565, will go to the "Spirit Veterinary Medical Trust Fund" to be used to help animals with serious injuries that the Department would not otherwise be able to treat.

In addition to accepting gifts and donations received between January 1 and December 31, 2013, the Board of Supervisors is requested to authorize the Director, Department of Animal Services to apply for and accept grants that support animal health and welfare programs through June 30, 2015. These programs support the County of San Diego's Strategic Plan and the Department of Animal Services' mission.

FISCAL IMPACT:

The Department of Animal Services received donations totaling \$240,565 between January 1, 2013, and December 31, 2013. All donations received are applied to the "Spirit Veterinary Medical Trust Fund" and go directly to the treatment of

medically needy animals. There will be no change in net General Funds cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Administrative Code, Section 66, *Acceptance of Gifts*, accept the Department of Animal Services Report of Gifts totaling \$68,602 received during the period of January 1, 2013, through December 31, 2013, and ratify the acceptance of The Thomas E. Westerman Trust donation of \$139,667 received on March 22, 2013 and \$32,296 received on November 7, 2013.
2. Authorize the Chairman of the Board of Supervisors to sign a letter of appreciation on behalf of the County of San Diego to The Thomas E. Westerman Trust.
3. Pursuant to Board Policy B-29, authorize the Director, Department of Animal Services to submit grant applications and accept grants that support animal health and welfare programs through June 30, 2015.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

16. SUBJECT: ENHANCING PROCUREMENT OPPORTUNITIES FOR LOCAL BUSINESS (DISTRICTS: ALL)

OVERVIEW:

The County of San Diego contracts with public, private, and non-profit vendors that provide vital goods and services to residents throughout the region. Through the County's BuyNet procurement website, the Department of Purchasing & Contracting executes a competitive solicitation process that received a 2013 Achievement in Excellence in Procurement Award from the National Procurement Institute. The County is proud to contribute to the regional economy through streamlined procurement practices, innovative partnerships and award-winning programs.

Under current policy, the Department of Purchasing & Contracting allows a 1% preference for companies that are headquartered and/or have employees within the San Diego region. It is in the best interest of the San Diego County region to optimize the local preference to a level that will maximize contracting opportunities for local businesses and ensure that the County taxpayer receives the best quality and value for products and services. Businesses owned or operated by

disabled veterans should also be considered for opportunities similar to those afforded to local businesses.

The County can take a leadership role in promoting best practices in purchasing by hosting a conference for other public agencies that are interested in collaborating on future procurement opportunities. Leveraging resources and making the County's BuyNet advantages known to other government entities would expand local contracting efforts and assist partnering jurisdictions in achieving economies of scale.

FISCAL IMPACT:

There is no fiscal impact as a result of this action.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR DAVE ROBERTS AND SUPERVISOR GREG COX

1. Direct the Chief Administrative Officer to research the impact of increasing the local business preferences from the current 1% to a rate that is most beneficial to County taxpayers and to the economy of the region, and to review relevant policies, certifications, and applicable legal requirements; and to assess the impact of adding a disabled veterans preference; and report to the Board within 120 days.
2. Direct the Chief Administrative Officer to host a regional conference before December 31, 2014 that introduces our BuyNet best practices and facilitates opportunities for government agencies to leverage procurement actions among each other to achieve economies of scale.

ACTION:

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

AYES: Cox, Jacob, D. Roberts

NOES: Horn

ABSENT: R. Roberts

**17. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM
(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.

FISCAL IMPACT:

The fiscal impact of these recommendations is **\$130,777**. These actions will result in the addition of no staff years and no future costs.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR GREG COX

1. Allocate \$5,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the Technology Training Foundation of America to assist with the costs associated with purchasing 153 desktop computers for four schools located in District One including Hilltop Elementary, Sunnyside Elementary, Silver Wing Elementary, and Tiffany Elementary.
2. Allocate \$6,250 from the Neighborhood Reinvestment Program budget (Org 15650) to Rolling Readers to assist with the purchase of new books for approximately 1,250 elementary school students in District One.
3. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the San Diego Natural History Museum to assist with the costs associated with the one-time purchase and installation of a digital touch-screen kiosk and related materials to be installed in each habitat area of the Coast to Cactus exhibit.
4. Allocate \$4,527 from the Neighborhood Reinvestment Program budget (Org 15650) to The Friends of Scott Foundation to assist with the purchase of a computer for the staff and volunteers at Rady Children's Hospital, electronic games for the children and medical equipment that will allow children with cancer to go on fieldtrips.
5. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650) to The City of National City-George H. Waters Nutrition Center to assist with costs associated with an improvement project to replace the roof, HVAC equipment, and walk-in refrigerator at the George H. Waters Nutrition Center located at 1415 D Avenue in National City.
6. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the San Diego Electric Railway Association to assist with the relocation, restoration and preservation of the historic electric railcar "54," to be housed permanently at the Electric Railway Museum at 922 West 23rd Street in National City.
7. Authorize the Chief Financial Officer to execute grant agreements with these organizations 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 grant but do not increase the grant.

8. Find that the grant awards described above have a public purpose.
9. Find that the allocation to The City of National City-George H. Waters Nutrition Center is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

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

OVERVIEW:

The Board of Supervisors serves as the Code Reviewing Body for any local government, other than cities, with jurisdiction wholly within the County, per Government Code Section 82011. The recommended action would approve the adopted Conflict of Interest Code submitted by Altus-Laurel, Inc., Auditor and Controller, Chief Administrative Office, Elevate School, Epiphany Prep Charter School of San Diego, Inc., Finance and General Government Group, Helix Water District, Island Charter Schools, Oxford Preparatory Academy and the Tri-City Medical Center.

FISCAL IMPACT:

The funding source for administration of this task is included in the Fiscal Year 2013/2014 Adopted Budget. These reviews require minor costs, which may be recoverable from the State of California.

BUSINESS IMPACT STATEMENT:

None.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

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

- Altus-Laurel, Inc.
- Auditor and Controller, San Diego County
- Chief Administrative Office, San Diego County
- Elevate School
- Epiphany Prep Charter School of San Diego, Inc.
- Finance and General Government Group, San Diego County
- Helix Water District
- Island Charter Schools
- Oxford Preparatory Academy
- Tri-City Medical Center

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

19. **SUBJECT: RELEASE OF CERTAIN PROPERTY SUBJECT TO LEASES BETWEEN THE COUNTY AND THE SAN DIEGO COUNTY CAPITAL ASSET LEASING CORPORATION RELATED TO THE EDGEMOOR CERTIFICATES OF PARTICIPATION (DISTRICTS: ALL)**

OVERVIEW:

On January 12, 2005 (13), the Board authorized the execution and delivery of certificates of participation to help fund the Edgemoor Skilled Nursing Facility (“2005 COPs”) and on November 14, 2006 (19), the Board authorized the execution and delivery of additional certificates of participation to help fund the completion of the Edgemoor Skilled Nursing Facility (“2006 COPs” and with the 2005 COPs, the “Edgemoor COPs”). In the course of delivering the Edgemoor COPs, the County leased to the San Diego County Capital Asset Leasing Corporation (“SANCAL”) certain facilities pursuant to a Project Lease dated as of February 1, 2005 and subsequently amended as of December 1, 2006 (“Lease”) and then leased back these facilities from SANCAL pursuant to a Project Sublease dated as of February 1, 2005 and amended as of December 1, 2006 (“Sublease”). Additionally, the County and SANCAL entered into an Assignment Agreement and a Trust Agreement, which together secure the repayment of the Edgemoor COPs with payments made by the County to SANCAL under the Sublease. The facilities related to this lease arrangement can generally be described as the Edgemoor Skilled Nursing Facility and certain of the surrounding property (“Leased Property”).

On December 3, 2013 (18), your Board approved a resolution to sell two County-owned parcels located to the south of the Leased Property. The proposed sale is the result of plans that have been discussed since 2000. Also on December 3, 2013, County staff provided background information, noting that an additional 0.58-acre parcel of County-owned land (“Additional Parcel”) may be deeded to the successful bidder of the parcel adjacent to the Leased Property through a separate transaction. The 0.58-acre parcel is part of the Leased Property, but is an undeveloped area south of the developed and in-use portion of the Edgemoor Skilled Nursing Facility property.

Today’s recommendation will approve amendments to certain financing documents related to the Edgemoor COPs in order to release this Additional Parcel from the underlying lease arrangement that secures the Edgemoor COPs.

This item will also be presented to the Board of Directors of the San Diego County Capital Asset Leasing Corporation for their consideration. The amendment of the

Edgemoor COP financing documents will require the approval by both your Board and the San Diego County Capital Asset Leasing Corporation Board.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2013-14 Operational Plan for the Lease Payments Bonds org. If approved, this request will result in current year estimated cost of \$15,000, which includes the fee for obtaining consent from Ambac and other consultant fees. The funding source is the Administrative Expense Fund associated with the Edgemoor COPs. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE EXECUTION AND DELIVERY BY THE COUNTY OF AMENDMENTS TO THE PROJECT LEASE, PROJECT SUBLEASE, TRUST AGREEMENT AND ASSIGNMENT AGREEMENT IN CONNECTION WITH THE RELEASE OF PROPERTY PREVIOUSLY LEASED WITH RESPECT TO THE COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION (2005 EDGEMOOR PROJECT AND 1996 REGIONAL COMMUNICATIONS SYSTEM REFUNDING) AND AUTHORIZING EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-026, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE EXECUTION AND DELIVERY BY THE COUNTY OF AMENDMENTS TO THE PROJECT LEASE, PROJECT SUBLEASE, TRUST AGREEMENT AND ASSIGNMENT AGREEMENT IN CONNECTION WITH THE RELEASE OF PROPERTY PREVIOUSLY LEASED WITH RESPECT TO THE COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION (2005 EDGEMOOR PROJECT AND 1996 REGIONAL COMMUNICATIONS SYSTEM REFUNDING) AND AUTHORIZING EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

20.

SUBJECT: DEHESA SCHOOL DISTRICT GENERAL OBLIGATION BONDS, 2012 ELECTION, SERIES A (DISTRICT: 2)

OVERVIEW:

A bond election was held in the Dehesa School District, County of San Diego, State of California (“District”) on November 6, 2012 in accordance with the California Constitution where approximately 55.9% of those voters casting ballots, which is above the 55% voter approval level required, reauthorized the issuance of general obligation bonds of the District under Proposition D in the maximum aggregate principal amount of \$3,000,000, which was previously authorized under Proposition M at an election held on November 2, 2010 (“Proposition D Reauthorization”). Pursuant to the resolution adopted by the Governing Board of the District (“District Board”) calling for this election, upon the issuance of any bonds under the Proposition D Reauthorization, the District is then required to initiate proceedings for the cancellation of a like principal amount of remaining general obligation bonds which were authorized, but not issued, under Proposition M at the 2010 election, where approximately 58.4% of voters casting ballots authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$5,500,000 (“Proposition M Authorization”).

On February 20, 2014, the District Board adopted a resolution (“District Resolution”) authorizing the issuance of general obligation bonds under the Proposition D Reauthorization in an aggregate not-to-exceed principal amount of \$3,000,000 and to be designated “Dehesa School District (San Diego County, California) General Obligation Bonds 2012 Election, Series A” (“Series A Bonds”). Proceeds from the Series A Bonds will be used for construction, reconstruction, rehabilitation or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities.

Today’s recommendation will authorize the Treasurer-Tax Collector to accept the District’s appointment to act as Paying Agent and to formally direct the Auditor and Controller to maintain the tax roll for the Series A Bonds.

FISCAL IMPACT:

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

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, RELATING TO THE DEHESA SCHOOL DISTRICT'S ISSUANCE AND SALE OF BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT, DIRECTING HE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-027, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, RELATING TO THE DEHESA SCHOOL DISTRICT'S ISSUANCE AND SALE OF BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT, DIRECTING HE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

21. **SUBJECT: CAJON VALLEY UNION SCHOOL DISTRICT 2014
GENERAL OBLIGATION REFUNDING BONDS
(DISTRICT: 2)**

OVERVIEW:

A bond election was duly held in the Cajon Valley Union School District ("District") on November 7, 2000 pursuant to Section 15100 and following of the Education Code of the State of California. Approximately 69% of those voters casting ballots, which is above the two-thirds voter approval level required, authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$75,000,000 ("Authorization"). To date, the full amount of \$75,000,000 of the bonds provided under the Authorization has been issued via five series of bonds.

On February 25, 2014 the District Board approved the issuance of not to exceed \$27,000,000 of general obligation refunding bonds under the Authorization, to be designated the "Cajon Valley Union School District General Obligation Refunding Bonds (Election of 2000), Series 2014," with appropriate series and taxability designations to be appended ("Refunding Bonds"). The Refunding Bonds are

anticipated to refund, in part, the outstanding Cajon Valley Union School District General Obligation Bonds, Election of 2000, Series D, which had an original par amount of \$15,000,000 and the outstanding Cajon Valley Union School District General Obligation Bonds, Election of 2000, Series E, which had an original par amount of \$15,000,000 ("Prior Bonds"). The Refunding Bonds would replace already existing general obligations at a lower cost.

Today's recommendation will authorize the Treasurer-Tax Collector to enter into a Paying Agent Agreement with the District and to formally direct the Auditor and Controller to maintain the tax roll for the Refunding Bonds.

FISCAL IMPACT:

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

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE CAJON VALLEY UNION SCHOOL DISTRICT TO ISSUE AND SELL 2014 GENERAL OBLIGATION REFUNDING BONDS ON ITS OWN BEHALF, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-028, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE CAJON VALLEY UNION SCHOOL DISTRICT TO ISSUE AND SELL 2014 GENERAL OBLIGATION REFUNDING BONDS ON ITS OWN BEHALF, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

22. **SUBJECT: ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF POINT LOMA NAZARENE UNIVERSITY AND ITS AFFILIATES IN AN AGGREGATE AMOUNT NOT TO EXCEED \$55,000,000 (DISTRICT: 1)**

OVERVIEW:

The County has received a request from the California Municipal Finance Authority (“CMFA” or “Authority”) to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority’s issuance of one or more series of tax-exempt loans, pursuant to a plan of finance, in an aggregate principal amount not to exceed \$55,000,000 (“Obligations”), for the benefit of Point Loma Nazarene University, a California nonprofit religion corporation and an entity described in Section 501(c)(3) of the Code (“Borrower”). The Borrower will use the Bonds to: (i) redeem the outstanding amount of the ABAG Finance Authority for Nonprofit Corporations Variable Rate Refunding Revenue Bonds (Point Loma Nazarene University) Series 2008 (“Prior Bonds”); (ii) finance costs of constructing, improving, renovating, furnishing and/or equipping the University’s educational facilities located at 3900 Lomaland Drive, San Diego, California 92106, in the approximate amount of \$22,000,000, including, without limitation, the construction of a new science complex; and (iii) pay costs of issuance with respect to the Obligations (collectively, “Project”).

The Authority is authorized to assist in financing for nonprofit public benefit organizations wishing to issue tax-exempt Bonds, including the Borrower. In order to initiate such a financing, a member jurisdiction in which the Project resides, such as the County must: (1) conduct a public hearing to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code; and (2) approve the Authority’s issuance of the Bonds. Although the Authority will be the issuer of the Bonds for the Borrower, the financing cannot proceed without the approval of a governmental unit having jurisdiction over the area. Today’s recommendations will provide the Authority with the required authorization to pursue its determination to issue the Bonds on behalf of the Borrower for the Project.

FISCAL IMPACT:

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

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

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING AND APPROVING A FINANCING TO BE UNDERTAKEN BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF POINT LOMA NAZARENE UNIVERSITY AND ITS AFFILIATES IN AN AGGREGATE AMOUNT NOT TO EXCEED \$55,000,000 FOR THE PURPOSE OF REFUNDING CERTAIN BONDS AND FINANCING AND REFINANCING CERTAIN FACILITIES AND OTHER MATTERS RELATING THERETO.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-029, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING AND APPROVING A FINANCING TO BE UNDERTAKEN BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF POINT LOMA NAZARENE UNIVERSITY AND ITS AFFILIATES IN AN AGGREGATE AMOUNT NOT TO EXCEED \$55,000,000 FOR THE PURPOSE OF REFUNDING CERTAIN BONDS AND FINANCING AND REFINANCING CERTAIN FACILITIES AND OTHER MATTERS RELATING THERETO.

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

23. **SUBJECT: CHAPTER VIII AGREEMENT NO. 7048 TO PURCHASE TAX-DEFAULTED PROPERTY BY SAN DIEGO AUDUBON SOCIETY (DISTRICT: 2)**

OVERVIEW:

When a property owner fails to pay property taxes by the end of the fiscal year, the property becomes tax defaulted. If the property remains tax defaulted for five years, the property then becomes subject to the Treasurer-Tax Collector's Power to Sell. Statutory requirements are met pursuant to Revenue and Taxation Code Section 3691, et seq. prior to the property being offered at sale. Prior to sale, taxing agencies and eligible non-profit organizations are notified of the scheduled sale and provided an opportunity to object to the sale of individual property scheduled for public auction and acquire that property for public purpose, in accordance with Section 3695 and Chapter VIII of the California Revenue and Taxation Code.

The San Diego Audubon Society has offered to purchase one (1) 28.09 acre parcel of tax-defaulted property adjacent to its existing Silverwood Wildlife Sanctuary. The Silverwood Wildlife Sanctuary is adjacent to the El Capitan Open Space Preserve which is maintained by the County of San Diego. The acquisition of this parcel will add a valuable piece of habitat for the public purpose of preserving open space. In accordance with Chapter VIII of the California Revenue and Taxation Code, we have prepared the proposed agreement for your approval.

FISCAL IMPACT:

If approved, this request will result in no current year or annual cost. Proceeds of \$37,400.00 from the sale of one (1) 28.09 acre parcel to the San Diego Audubon Society will be used to redeem the delinquent prior year and current year taxes, costs and fees. Any funds remaining after satisfaction of all taxes, fees and costs of sale will be retained in the delinquent tax sale trust fund for a period of one year following the recordation of the tax deed to the purchaser of the property. During that period, any party of interest in the property at the time of the sale may apply for the proceeds by submitting a claim.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

TREASURER-TAX COLLECTOR

1. Adopt the Resolution entitled:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CONCERNING THE PROPOSED CHAPTER VIII AGREEMENT SALE NO. 7048 OF TAX-DEFAULTED PROPERTY TO SAN DIEGO AUDUBON SOCIETY.

2. Adopt the Agreement approving the sale by Chapter VIII Agreement No. 7048 of one (1) 28.09 acre parcel of land, subject to the Treasurer-Tax Collector's Power to Sell for Defaulted Taxes to the San Diego Audubon Society and authorize execution of said Agreements (2 copies) by the Chairperson, attested by the Clerk of the Board of Supervisors (2 copies).

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-030, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CONCERNING THE PROPOSED CHAPTER VIII AGREEMENT SALE NO. 7048 OF TAX-DEFAULTED PROPERTY TO SAN DIEGO AUDUBON SOCIETY.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

24. SUBJECT: EMPLOYER AND EMPLOYEE RETIREMENT CONTRIBUTION RATES FOR FISCAL YEAR 2014-15 (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 2014-15 on December 5, 2013. 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 Fiscal Year 2014-15 is 35.79% for all Tiers.

In Fiscal Year 2013-14, the Board of Supervisors adopted the same contribution rates approved by the Retirement Board which was 34.26% (general and safety combined other than Tier C, 25.14% for general Tier C and 37.73% safety Tier C). For Fiscal Year 2014-15, the Chief Administrative Officer recommends the actual employer contribution rates be the rates recommended by the actuary.

The increase in employer contribution rates are primarily due to changes in actuarial assumptions and the actuarial cost methods, the effect of greater than expected number of retirements during the year and lower than expected returns on the valuation value of assets after “smoothing”. The increase in the employer contribution rate was offset to some degree by lower than expected salary increases and a lower than expected cost-of-living increase in benefits for retirees and beneficiaries.

The average member rate increased from 10.47% of payroll to 11.69% of payroll. This increase is primarily due to changes in actuarial assumptions and the actuarial cost methods.

FISCAL IMPACT:

If the recommendation to adopt the rates recommended by the actuary in the employer retirement contributions is approved, the estimated annual employer retirement contribution costs for all plan sponsors will be approximately \$382.2 million for Fiscal Year 2014-15, an increase of approximately \$21.7 million from the Fiscal Year 2013-14 estimated contribution determined by the actuary.

The County is obligated to fund approximately 92% of the estimated annual employer retirement contributions or \$351.6 million, an increase of \$17.2 million while other participating employers are obligated to make the remaining 8% contribution. Other participating employers include the San Diego Superior Court, the Local Agency Formation Commission, and the San Dieguito River Valley Joint Powers Authority. The actual cost of retirement will differ due to the application of the contribution rates to the actual biweekly payroll as opposed to the actuary’s

assumed payroll. The funding source is a combination of program specific and general purpose revenue.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SAN DIEGO COUNTY BOARD OF RETIREMENT AND CHIEF ADMINISTRATIVE OFFICER

Adopt the San Diego County employer and employee retirement contribution rates for Fiscal Year 2014-15 as recommended by the SDCERA actuary and approved by the Retirement Board on December 5, 2013.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

25. **SUBJECT: AMENDMENTS TO THE COMPENSATION ORDINANCE (3/11/14 – FIRST READING; 4/15/14 – SECOND READING) (DISTRICTS: ALL)**

OVERVIEW:

The proposed amendments to the San Diego County Compensation Ordinance are part of the ongoing efforts to manage and maintain a skilled, adaptable and diverse workforce dedicated to sustaining operational excellence and serving the public. This action 1) increases salaries to address inequities within eligible non-represented classifications by 1% in June 2014; 2) adds increases to base pay by 2% in June 2015, and by 2% in June 2016; 3) removes the remaining retirement offset in exchange for a salary adjustment that is cost neutral to the County; 4) increases flex credits for employees in eligible non-represented classifications in January 2016 and January 2017; 5) amends the Compensation Ordinance by establishing four (4) new job codes/classifications in the classified service to reflect organizational changes; 6) retitles two (2) job codes/classifications in the classified service; 7) deletes two (2) job codes/classifications in the classified service; and 8) amends sections of the Compensation Ordinance to reflect prior Board actions and additional negotiated agreements.

FISCAL IMPACT:

In Fiscal Year 2014-2015, the costs associated with today's recommendations are estimated to result in costs of \$2.3 million. The estimate includes ongoing base pay increases of \$2.3 million.

In Fiscal Year 2015-2016, the costs associated with today's recommendations are estimated to result in additional costs of \$3.7 million. The estimates include further ongoing base pay increases of \$3.3 million and flex credit increases of \$0.43 million.

In Fiscal Year 2016-2017, the costs associated with today's recommendations are estimated to result in additional costs of \$4.1 million. The estimates include further ongoing base pay increases of \$3.3 million and additional flex credit increases of \$0.88 million. In Fiscal Year 2017-2018, flex credits are estimated to increase by an additional \$0.45 million.

Funding to support today's recommendations will be reflected in the Fiscal Year 2014-2016 Recommended Operational Plan. The funding source is a combination of General Purpose revenues and various program revenues.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance:

AN ORDINANCE AMENDING THE COMPENSATION
ORDINANCE AND ESTABLISHING COMPENSATION.

If, on March 11, 2014, the Board takes action as recommended in item 1 then, on April 15, 2015 (second reading):

Submit ordinance for further Board consideration and adoption on April 15, 2014 (second reading).

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on April 15, 2014.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

26. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW:

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

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Note and file.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

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

OVERVIEW:

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

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHAIRWOMAN DIANNE JACOB

Appoint Alberto R. Cortes to the HIV HEALTH SERVICES PLANNING COUNCIL, SD COUNTY, Seat No. 11, for a term to expire March 11, 2018.

SUPERVISOR GREG COX

Appoint Daryl Christine Hern to the SWEETWATER COMMUNITY PLANNING GROUP, Seat No. 4 for a term to expire January 5, 2015.

Appoint Michael R. Seiler to the PLANNING COMMISSION, Seat No. 1, for a term to expire January 2, 2017.

SUPERVISOR DAVE ROBERTS

Re-appoint Cliff Hanna to the ENVIRONMENTAL HEALTH ADVISORY BOARD, SAN DIEGO, Seat No. 3, for a term to expire January 25, 2017.

Re-appoint Scott L. Hasson to the ENVIRONMENTAL HEALTH ADVISORY BOARD, SAN DIEGO, Seat No. 6, for a term to expire February 11, 2017.

CHIEF ADMINISTRATIVE OFFICER

Appoint Tara M. Beeston to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 3, for an indefinite term.

Appoint Shelly Tregembo to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 4, for an indefinite term.

Appoint Lucia Franco to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 7, for an indefinite term.

Appoint Marissa Smith to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 9, for a term to expire March 11, 2017.

Appoint Lauren Tullis to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 10, for a term to expire March 11, 2017.

Appoint Jae Egan to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 13, for a term to expire March 11, 2017.

Appoint Carl F. Wolter to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 14, for a term to expire March 11, 2017.

Appoint Joseph Mora to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 15, for a term to expire March 11, 2017.

Appoint Craig Reed to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 16, for a term to expire March 11, 2017.

Appoint Larry N. Lyle to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 17, for a term to expire March 11, 2017.

Appoint Arin McNeese to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 18, for a term to expire March 11, 2017.

Appoint Russ Mortenson Boyd to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 19, for a term to expire March 11, 2017.

Appoint Rachel Miller to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 20, for a term to expire March 11, 2017.

Appoint Letty Reyes to the HIV PREVENTION COMMUNITY PLANNING GROUP, SD COUNTY, Seat No. 21, for a term to expire March 11, 2017.

Appoint Juanita Villalvazo to the HIV HEALTH SERVICES PLANNING COUNCIL, SD COUNTY, Seat No. 23, for a term to expire March 11, 2018.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

28. SUBJECT: EXPLORING ADDITIONAL TOOLS TO SERVE THE SEVERELY MENTALLY ILL (DISTRICTS: ALL)

OVERVIEW:

San Diego County is committed to enhancing services provided to mentally ill clients. As the County expands and enhances the In-Home Outreach Team program, it has continued to look for additional tools to assist in serving those who are severely mentally ill, but resist treatment.

The California State Lanterman-Petris-Short Act mandates that the mentally disabled be treated in the least restrictive setting. This includes the right to a court hearing when involuntarily detained. Individuals deemed to be in serious need of mental health treatment may be involuntarily admitted for evaluation and treatment on a 72-hour hold (W&I Code 5150), and if necessary for an additional 14-days (W&I Code 5250).

For a small subset of people with severe mental health problems, 17-days is not enough time to advance to stabilization. As of now, the only way to provide further intensive treatment, the County requires that a petition for a 30-day Temporary-Conservatorship (T-Con) be filed by the Public Guardian's office.

Filing a petition is a serious legal event for the affected individuals. This requires significant County staff time from several departments. In Fiscal Year 2012-2013, of 728 established conservatorships in the County, 59% were T-Cons. Many T-Cons are subsequently cancelled before the 30-day period ends. Patients only needed a few more days of care and have no other need for Conservatorship.

An alternative to filing a T-Con petition is W&I Code 5270.10 et seq. which will provide an additional 30-day hold for persons who already were gravely disabled during the 17-day hold and remain gravely disabled due to a mental illness. In addition to serving as an alternative to placing clients under the extensive powers and authority of a T-Con, 5270 will afford additional safeguards to individual rights. There are no court records, which increases privacy and a Certification Hearing is mandatory. In the County's 2010 review of 5270, the County anticipated that the cost of implementing 5270 would be less than the costs currently incurred with T-Con petitions. This is due to less County staff time to process fewer petitions.

Today's action would ask the Chief Administrative Officer to review W&I Code 5270 and report back to the Board with a review and a recommendation within 60 days.

FISCAL IMPACT:

There is no fiscal impact with the recommended action.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR DAVE ROBERTS

Direct the Chief Administrative Officer to provide a complete review and analysis of Article 4.7 of Chapter 2 of the Lanterman-Petris-Short Act, i.e. Welfare and Institutions Code 5270.10 et seq. and report back to the Board within 60 days.

ACTION:

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

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

29. SUBJECT: RESOLUTION TO DECLARE MARCH AS PRESCRIPTION DRUG ABUSE AWARENESS MONTH (DISTRICTS: ALL)

OVERVIEW:

The Centers for Disease Control and Prevention report prescription drug abuse as the fastest-growing drug problem in the United States and has been declared a national epidemic. Pharmaceuticals are now involved in the majority of drug overdose deaths.

The Prescription Drug Abuse Task Force (PDATF), originally the Oxy Task Force, was convened by now retired San Diego County Supervisor Pam Slater-Price, the Sheriff's Department, District Attorney, Health and Human Services Agency (HHS) and the Drug Enforcement Administration (DEA) in 2008, and is now led by Supervisor Dave Roberts. Since its inception, all partners have agreed that participation from law enforcement, prevention, treatment, education, health, and community advocates is essential to address this growing problem.

Realizing the necessity to raise awareness of this growing epidemic, California Governor Jerry Brown formally adopted March as Prescription Drug Abuse Awareness month after California State Senator Mark DeSaulnier introduced the resolution in January of 2013.

This Board Letter asks the Board to adopt a resolution to declare March as Prescription Drug Abuse Awareness Month.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR DAVE ROBERTS

Adopt the attached "Resolution of the Board of Supervisors of the County of San Diego Declaring March as Prescription Drug Abuse Awareness Month."

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Cox, the Board took action as recommended, adopting Resolution No. 14-031, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING MARCH AS PRESCRIPTION DRUG ABUSE AWARENESS MONTH.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

30. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Shannon Doe, et al. v. County of San Diego, et al.; San Diego County Superior Court No. 37-2011-00087566-CU-PO-CTL
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Kara Laxson, et al. v. County of San Diego, et al.; San Diego County Superior Court No. 37-2013-00036469-CU-PA-CTL
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Stephen Valdez v. County of San Diego, et al.; San Diego County Superior Court No. 37-2013-00028688-CU-PA-CTL
- D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Michelle Cameron v. County of San Diego, et al.; United States District Court, Southern District, No. 09-CV-2498-AJB
- E. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Bill Southwell v. County of San Diego, et al.; Workers' Compensation Appeals Board Case No. ADJ6675259

F. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Dennis Runyen v. County of San Diego, et al.; Workers’ Compensation
Appeals Board Case No. ADJ4653132

G. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code section 54956.8)
Property: Portion of Parcel 1 and 3 of Parcel Map 20177 located west of
Riverview Parkway and north of Transit Way, Santee, CA

Negotiating Parties:

County: April Heinze

Other: Ryan Companies US, Inc.

Under Negotiation: Price and Terms

ACTION:

County Counsel reported that there were no reportable matters.

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

OVERVIEW:

Chairwoman Dianne Jacob presented a proclamation declaring March 11, 2014,
Dr. David Huntley Day throughout the County of San Diego.

Chairwoman Dianne Jacob presented a proclamation honoring Volunteer of the
Month – Felicia Roberto.

Vice-Chairman Bill Horn presented a proclamation declaring March 11, 2014,
HNTB Corporation Day throughout the County of San Diego.

Supervisor Dave Roberts presented a proclamation declaring March 2014,
American Red Cross Month throughout the County of San Diego.

Supervisor Greg Cox presented a proclamation declaring March 11, 2014,
Thomas Holt Day throughout the County of San Diego.

California Park and Recreation Society presented an award honoring San Diego
County Parks and Recreation with a “Creating Community Award of Excellence”.

32. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW:

Reginald Tisdale spoke to the Board regarding HIV Planning Council.

Kevin Swanson spoke to the Board regarding the 2015 San Diego Region Road Race.

ACTION:

Heard, referred to the Chief Administrative Officer.

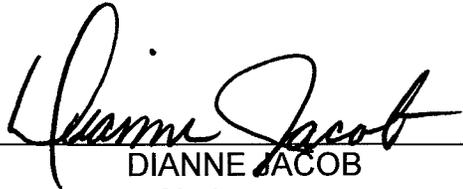
There being no further business, the Board adjourned at 2:53 p.m. in memory of David Voight, Launa Seymour and Gregg Sallee.

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

Consent: Gomez
Discussion: Panfil

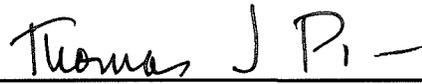
NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Tuesday, April 15, 2014.



DIANNE JACOB
Chairwoman

Attest:



THOMAS J. PASTUSZKA
Clerk of the Board

03/11/2014