

**March 24, 2020**

**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 24, 2020, 9:00 AM**  
BOARD OF SUPERVISORS NORTH CHAMBER ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

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

PRESENT: Supervisors Greg Cox, Chairman; Jim Desmond, Vice-Chairman; Dianne Jacob; Kristin Gaspar; Nathan Fletcher; also, Andrew Potter, Clerk of the Board of Supervisors. (Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present.)

- B. Invocation was led by Chairman Greg Cox.

- C. Pledge of Allegiance was led by Vice-Chairman Jim Desmond.

- D. Presentation or Announcement of Proclamations and Awards: None

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

- F. Approval of the Statement of Proceedings/Minutes for the meeting of March 10, 2020 and March 11, 2020.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meetings of March 10, 2020 and March 11, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- G. Formation of Consent Calendar

- H. Discussion Items

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

## Board of Supervisors' Agenda Items

<b>Category</b>	<b>#</b>	<b>Subject</b>
Public Safety	1.	SHERIFF - AUTHORIZATION TO EXERCISE A CONTRACT OPTION TO MOTOROLA SOLUTIONS CONTRACT FOR THE REGIONAL COMMUNICATIONS SYSTEM DEVELOPMENT OF THE LAKE MORENA SITE AND FACILITY
	2.	SHERIFF - ESTABLISH APPROPRIATIONS FOR THE ROCK MOUNTAIN DETENTION FACILITY, RENOVATION AND IMPROVEMENT PROJECT AT EAST OTAY MESA [FUNDING SOURCES: OPERATING TRANSFERS IN FROM THE GENERAL FUND, SHERIFF'S INMATE WELFARE FUND, AND PENALTY ASSESSMENT FUND] (4 VOTES)
	3.	AUTHORITY TO CONTRACT WITH AND ACCEPT FUNDING FROM THE DEPARTMENT OF STATE HOSPITALS FOR A FELONY MENTAL HEALTH DIVERSION PROGRAM [FUNDING SOURCES: A GRANT FROM THE DEPARTMENT OF STATE HOSPITALS, SHORT-DOYLE MEDI-CAL, AND LOCAL REVENUE FUND 2011, COMMUNITY CORRECTIONS SUBACCOUNT]
Health and Human Services	4.	ESTABLISH A BEHAVIORAL HEALTH IMPACT FUND [FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE] (4 VOTES)
Financial and General Government	5.	SUPPORTING VICTIMS OF SEXUALLY VIOLENT PREDATORS
	6.	CAPITAL IMPROVEMENT NEEDS ASSESSMENT FISCAL YEARS 2020/21-2024/25
	7.	SAN DIEGUITO UNION HIGH SCHOOL DISTRICT 2020 GENERAL OBLIGATION REFUNDING BONDS
	8.	GROSSMONT UNION HIGH SCHOOL DISTRICT 2020 GENERAL OBLIGATION REFUNDING BONDS
	9.	GENERAL SERVICES - AUTHORIZATION TO ADVERTISE AND AWARD ARCHITECTURAL AND ENGINEERING DESIGN SERVICES, AND A CONSTRUCTION MANAGER AT RISK CONTRACT, AND APPROVAL IN PRINCIPLE TO LEASE INTERIM FACILITIES FOR A RENOVATION PROJECT AT THE HALL OF JUSTICE [FUNDING SOURCE: GENERAL FUND]

- 10. AMENDMENTS TO THE COMPENSATION ORDINANCE AND ADMINISTRATIVE CODE (3/24/2020 - First Reading; 4/7/2020 - Second Reading)
- Communications Received 11. COMMUNICATIONS RECEIVED
- Appointments 12. APPOINTMENTS: VARIOUS
- Land Use and Environment Group 13. 2019 GENERAL PLAN ANNUAL PROGRESS REPORT
- 14. TRAFFIC ADVISORY COMMITTEE (03/24/2020 - ADOPT RECOMMENDATIONS; 04/08/2020 - SECOND READING OF AN ORDINANCE)
- 15. NOTICED PUBLIC HEARING:  
RESOLUTION OF APPLICATION TO SAN DIEGO LOCAL AGENCY FORMATION COMMISSION TO FORM NEW COUNTY SERVICE AREA  
[FUNDING SOURCE: GENERAL FUND]
- 16. GILLESPIE FIELD - NEW COMMUNICATIONS SITE LEASE AGREEMENT WITH NWCPCS MPL 30-YEAR SITES TOWER HOLDINGS, LLC  
[FUNDING SOURCE: NEW MONTHLY RENTAL PAYMENTS FROM THE LESSEE UNDER THE TERMS OF THE NEW LEASE]  
(4 VOTES)
- 17. KEEPING OUR COUNTY ROADS CLEAN
- 18. STREAMLINING RENEWABLE ENERGY PROJECTS IN SAN DIEGO COUNTY  
[FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE]  
(4 VOTES)
- Financial and General Government 19. PROTECTING TENANTS, HOMEOWNERS AND SMALL BUSINESSES AFFECTED BY THE NOVEL CORONAVIRUS PANDEMIC IN THE UNINCORPORATED AREA
- 20. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 5)  
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]

- |  |     |  |
|--|-----|--|
| Health and<br>Human Services           | 21. | RECEIVE UPDATE ON THE COVID-19 RESPONSE,<br>AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO<br>TAKE ANY ACTION NECESSARY TO RESPOND TO THE<br>COVID-19 PANDEMIC, AND RATIFY ACTIONS TAKEN<br>BY CHIEF ADMINISTRATIVE OFFICER, PUBLIC<br>HEALTH OFFICER, AND DIRECTOR, DEPARTMENT OF<br>PURCHASING AND CONTRACTING<br>[FUNDING SOURCE: A COMBINATION OF PROGRAM<br>REVENUES, GENERAL PURPOSE REVENUES, AND<br>GENERAL FUND FUND BALANCE]<br>(4 VOTES) |
| Financial and<br>General<br>Government | 22. | PROVIDING IMMEDIATE RELIEF TO THE FOOD AND<br>BEVERAGE INDUSTRY AND RELATED SMALL<br>BUSINESSES AFFECTED BY THE NOVEL<br>CORONAVIRUS PANDEMIC  |
| Closed Session                         | 23. | CLOSED SESSION   |
| Public<br>Communication                | 24. | PUBLIC COMMUNICATION   |

1. **SUBJECT: SHERIFF - AUTHORIZATION TO EXERCISE A CONTRACT OPTION TO MOTOROLA SOLUTIONS CONTRACT FOR THE REGIONAL COMMUNICATIONS SYSTEM DEVELOPMENT OF THE LAKE MORENA SITE AND FACILITY (DISTRICT: 2)**

**OVERVIEW**

On June 9, 2015 (1), the Board of Supervisors authorized the Director of the Department of Purchasing and Contracting, to issue a request for proposal and award a contract or contracts for the procurement, implementation, support and optional financing of a Next Generation Regional Communications System (NextGen RCS). On June 27, 2016, the County awarded the contract to Motorola Solutions, Inc.

The NextGen RCS project is divided into three phases: Phase One provides for planning and system design; Phase Two implements contractor recommendations for the equipment, software, and services to upgrade the technology at existing RCS facilities; and Phase Three consists of any necessary development or construction of new RCS sites and facilities or expansion of existing facilities.

Phase Three is divided into subphases for each individual site. Each subphase is representative of a different site. If the development of new sites or the expansion of existing sites is required and the sites have undergone environmental review, staff will return to the Board of Supervisors for approval to proceed with the Phase Three subphases. The Phase Three subphases are optional and may only be exercised by the Director, Department of Purchasing and Contracting.

This is a request to authorize the Director of the Department of Purchasing and Contracting, to exercise a contract option for a Phase Three subphase to construct a new NextGen RCS radio site and facility in Lake Morena. The proposed construction work consists of a concrete pad, generator, automatic transfer switch, surge suppressor and utility connections. The estimated cost of the construction is \$418,100.

**RECOMMENDATION(S)**

**SHERIFF**

Authorize the Director, Department of Purchasing and Contracting, to exercise an option for a Phase Three subphase of the RCS Replacement Contract, No. 553982, with Motorola Solutions, Inc. for the Lake Morena Regional Communications System (RCS) site facility.

**FISCAL IMPACT**

Funds in the amount of \$10,631,793 for Phase Three subphases are included in the Fiscal Year 2019-20 Operational Plan in the Justice Facility Construction Fund for Capital Project 1019587, Regional Communication System (RCS) Upgrade. This request is to execute one subphase for an estimated cost of \$418,100, which is representative of one site. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

2. **SUBJECT: SHERIFF - ESTABLISH APPROPRIATIONS FOR THE ROCK MOUNTAIN DETENTION FACILITY, RENOVATION AND IMPROVEMENT PROJECT AT EAST OTAY MESA (DISTRICT: 1)**

**OVERVIEW**

The San Diego County Sheriff's Department operates seven Type II detention facilities. Type II facilities, typically known as "county jails" house persons pending arraignment, during trial and upon a sentence of commitment. Since the passage of Assembly Bill 109 known as "Public Safety Realignment" in 2011, the average sentence length and average population in these facilities has increased. 30.64% of our male population and 38.11% of our female population are realigned inmates. Actual operational bed space capacity for male inmates is 5,280 with occupancy at over 86% but classifications and special populations do not allow full occupancy. Bureau of State and Community Corrections (BSCC) rated capacity is 4,455 male inmates. Additionally, the Sheriff's Department books, classifies, houses, and releases 80,000-100,000 inmates per year.

The average age of these facilities, with the exception of the Las Colinas Detention and Re-entry Facility, opened in 2014, is 32 years. Many of these facilities require extensive major maintenance projects to enhance their operations, remain compliant with BSCC regulations and provide a safe and humane environment to those persons in our custody. The facilities that require the most work are the George Bailey Detention Facility (GBDF), opened in 1989 and the Vista Detention Facility (VDF), opened in 1978. In order to create sufficient bed space and flexibility within our detention system to address the major maintenance needs of these facilities, a major renovation of the Rock Mountain Detention Facility is required.

Rock Mountain Detention Facility (RMDF) is located directly north of GBDF in East Otay Mesa. The facility needs infrastructure and system upgrades to ensure compliance with BSCC Title 15 (Minimum Standards for Local Detention Facilities), the Americans With Disabilities Act (ADA) and the California Building Standards Code (Title 24) and meet operational requirements. This facility was formerly owned and operated by Corrections Corporation of America (CCA) as part of a long-term ground lease with the County and ownership reverted to the County and the Sheriff's Department in January 2016. Previous improvements were completed in 2000.

After the original construction firm was terminated for default, a new contract was awarded to Turner Construction Company and pre-construction services began in September 2019. On January 13, 2020, Turner Construction Company presented an estimate of \$38,000,000 to complete additional required improvements for this project and provide 1,000 new inmate beds.

The increase from the original project appropriation reflects additional scope to bolster security and to ensure compliance as well as the delay and escalation caused by the new advertisement and procurement process and a commensurate increase in fees, material and labor costs.

Access to 1,000 beds, with additional staffing for 600 occupied beds, is a necessity in order to create flexibility within our detention system to address population needs and proceed with future major maintenance projects at other facilities, primarily GBDF and VDF. For this reason, the renovation of RMDF is the Sheriff's number one priority.

This is a request to establish appropriations of \$22,300,000 in the Sheriff's Department, for Major Maintenance Capital Project MP 16719-1022046, CCA Renovation/Rock Mountain Detention. If approved, notice to proceed for construction can be issued with construction expected to begin no later than May 2020 and completed no later than November 2021. The Sheriff's Department provides medical services for the inmates booked and housed within the San Diego Sheriff's facilities through a hybrid model of Sheriff's employees and contracted services.

The Sheriff's Department has been actively working towards obtaining accreditation from the National Commission on Correctional Healthcare (NCCHC). The Sheriff's Department needs to procure quality medical and behavioral health care services that are provided in an efficient and effective manner at a cost that is reasonable to the County of San Diego. The Sheriff's Department intends to explore the means of providing the highest level of inmate medical and behavioral health services through the continued combination of employees and contracted services or through a contractor.

#### **RECOMMENDATION(S) SHERIFF**

1. Establish appropriations of \$1,000,000 in the Sheriff's Inmate Welfare Fund, Operating Transfer Out, to transfer funds to provide funding for Major Maintenance Capital Project, 1022046 CCA Renovation/Rock Mountain Detention based on available prior year Sheriff's Inmate Welfare Fund balance. **(4 VOTES)**
2. Establish appropriations of \$2,000,000 in the Penalty Assessment Fund, Operating Transfer Out, to transfer funds to the Sheriff's Department to provide funding for Major Maintenance Capital Project 1022046, CCA Renovation/Rock Mountain Detention based on available prior year Penalty Assessment Fund balance. **(4 VOTES)**
3. Establish appropriations of \$22,300,000 in the Sheriff's Department, Operating Transfer Out to MMCOF, for Major Maintenance Capital Project MP 16719-1022046, CCA Renovation/Rock Mountain Detention based on an Operating Transfer In from the Sheriff's Inmate Welfare Fund (\$1,000,000), an Operating Transfer In from the Penalty Assessment Fund (\$2,000,000), and available prior year General Fund balance (\$19,300,000). **(4 VOTES)**
4. Establish appropriations of \$22,300,000 in the Major Maintenance Capital Outlay Fund for Capital Project 1022046, CCA Renovations/Rock Mountain Detention to fund refurbishment and modernization of the facility based on an Operating Transfer In from the General Fund. **(4 VOTES)**

## **FISCAL IMPACT**

Funds for this request are partially included in the Fiscal Year 2019-20 Operational Plan for the Sheriff's Department for MP 16719-1022046 CCA Renovation/Rock Mountain Detention Facility refurbishment and modernization project. If approved, this request will result in additional costs and revenue of \$22,300,000. The funding sources are Operating Transfers In from the General Fund (\$19,300,000), Sheriff's Inmate Welfare Fund (\$1,000,000) and Penalty Assessment Fund (\$2,000,000). The additional appropriations of \$22,300,000 will be added to the existing \$15,700,000 for an estimated total project cost of \$38,000,000. Ongoing operations and maintenance costs of \$5,000,000 and staffing costs of \$30,600,000 (\$27,000,000 ongoing and \$3,600,000 one-time) will be included in the Fiscal Year 2021-22 Operational Plan for the Sheriff's Department. The funding sources are General Purpose Revenue (\$30,000,000 of which \$5,000,000 is included in the Sheriff's existing Operational Plan) and Proposition 172 Special Revenue Fund (\$2,300,000 ongoing and \$3,600,000 one-time). There will be an increase of 191 additional staff years and will result in net General Fund cost of \$25,000,000.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

This item was withdrawn.

3. **SUBJECT: AUTHORITY TO CONTRACT WITH AND ACCEPT FUNDING FROM THE DEPARTMENT OF STATE HOSPITALS FOR A FELONY MENTAL HEALTH DIVERSION PROGRAM (DISTRICTS: ALL)**

### **OVERVIEW**

Expanding community-based treatment and reducing the number of individuals who cycle through psychiatric crisis and jail largely due to untreated mental illness are top County of San Diego priorities. Today's request would add a new local option to divert people with serious mental illness from the justice system into treatment by authorizing the County to enter a contract to receive funding from the Department of State Hospitals (DSH). The proposed action would establish the County's first formal pre-trial mental health diversion program.

Mental health diversion, pursuant to Penal Code 1001.36, allows a court to postpone criminal prosecution for up to two years, under certain circumstances, and instead refer individuals to community-based treatment that meets their specialized mental health needs. State funding is allocated through the DSH to support county diversion programs for individuals charged with felonies related to specific serious mental health diagnoses who may potentially be ruled incompetent to stand trial.

Partners in the proposed mental health diversion program include the District Attorney's Office, the Sheriff's Department, the Public Defender, the Health and Human Services Agency, the Probation Department, and the Superior Court. The program design is based on San Diego County's successful Behavioral Health Court, which provides Assertive Community Treatment, housing, wraparound services and regular hearings before a judge and other collaborative court partners to support individuals whose crimes are related to serious mental illness.

Today's request would authorize the Deputy Chief Administrative Officer (DCAO), Public Safety Group, to execute a contract with the Department of State Hospitals (DSH) to accept up to \$3,220,000 in state funding for a Pre-Trial Felony Mental Health Diversion Program and to execute all required contract documents, including any extensions, amendments or revisions thereto, that do not materially impact either the program or funding level.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Authorize the Deputy Chief Administrative Officer (DCAO), Public Safety Group, to execute a contract with the Department of State Hospitals (DSH) to accept funding of up to \$3,220,000 for the term period of March 24, 2020 through March 23, 2023, for a Pre-Trial Felony Mental Health Diversion Program and to execute all required contract documents, including any extensions, amendments or revisions thereto, that do not materially impact either the program or funding level.
2. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for revenue contracts to the extent possible, as this contract requires a local match contribution, and which also requires docketing revenue contracts at least 60 days prior to effective date of the contract.

#### **FISCAL IMPACT**

If approved, today's request will result in costs and revenues of approximately \$380,000 included in the Fiscal Year 2019-20 Operational Plan for the Health and Human Services Agency (HHS). Annual costs and revenue of \$1,521,000 will be included in both years of the Fiscal Year 2020-22 Operational Plan for HHS. Remaining costs and revenue estimated at \$1,142,000 will be budgeted in future operational plans for HHS. This will result in total costs and revenues of \$4,564,000 for a three-year term period of March 24, 2020 through March 23, 2023 which includes the required county match of \$644,000. The funding sources are a grant from the Department of State Hospitals (\$3,220,000), Short-Doyle Medi-Cal (\$700,000), and Local Revenue Fund 2011, Community Corrections Subaccount (\$644,000). There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

This item was withdrawn.

4. **SUBJECT: ESTABLISH A BEHAVIORAL HEALTH IMPACT FUND  
(DISTRICTS: ALL)**

#### **OVERVIEW**

Behavioral Health covers a broad spectrum of mental health, substance use, and alcohol services. In recent years, Behavioral Health has come into full focus as a priority for the Board of Supervisors. Our Board has moved with urgency on this issue to create a comprehensive system made up of regional hubs and person-centered care coordination to address the immediate crises, while also working with providers for other service lines such as long-term residential services. Although service providers may be reimbursed for treatment services, they do not have the ability to use reimbursement dollars for capital needs.

On February 19, 2020, Chairman Greg Cox announced at his *State of the County Address*, that he and his colleague, Supervisor Nathan Fletcher, would be working with Mayor Kevin Faulconer and the City of San Diego on developing a much-needed Behavioral Health Impact Fund (BHIF) that would help community-based organizations grow their capacity to serve more clients, for longer periods of time. These dollars would serve as a catalyst for these organizations to make capital investments that will allow them to expand their capacity for long-term treatment and strengthen our regional continuum of care.

Today's recommendations will approve the Agreement for Behavioral Health Services By and Between the County of San Diego and the City of San Diego, and direct the Chief Administrative Officer to sign the Agreement and make the required budget actions.

### **RECOMMENDATION(S)**

#### **CHAIRMAN GREG COX AND SUPERVISOR NATHAN FLETCHER**

1. Approve the Agreement for Behavioral Health Services By and Between the County of San Diego and the City of San Diego (Agreement) and direct the Chief Administrative Officer to sign the Agreement.
2. Direct the Auditor & Controller to establish a new fund, Behavioral Health Impact Fund and establish \$25,000,000 of appropriations in Countywide General Expenses Services and Supplies based on General Fund fund balance in order to fund the Behavioral Health Impact Trust Fund. **(4 VOTES)**
3. Establish appropriations of \$25,000,000 in Countywide General Expenses Other Charges to record expenses to community-based organizations based on revenues from the Behavioral Health Impact Fund. **(4 VOTES)**

### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2019-21 Operational Plan. If approved, this request will result in costs of \$25,000,000 in Fiscal Year 2019-20. The funding source is available prior year General Fund fund balance. There will be one additional staff year to administer the program which will be funded by the Behavioral Health Impact Fund.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

This item was withdrawn.

5. **SUBJECT: SUPPORTING VICTIMS OF SEXUALLY VIOLENT PREDATORS  
(DISTRICTS: ALL)**

### **OVERVIEW**

Victims of sexually violent predators experience enormous physical, mental, and emotional trauma. We must call on the State to enact laws that put victims first, support their ability to be heard at court hearings, and prevent them from reliving their trauma.

Senate Bill 1023 (Bates) would strengthen Marsy's Law, which grants crime victims the right to attend a defendant's court proceedings and express their views. Although Marsy's Law traditionally applies to criminal proceedings, sexually violent predator (SVP) proceedings do not possess all the qualities of a criminal prosecution. Senate Bill 1023 would require that proceedings for the civil commitment of an SVP and subsequent hearings regarding his/her potential release be in open court and on the record, unless compelling and extraordinary circumstances justify closing the courtroom to the public. This legislation ensures that victims could be present at sexually violent predator court hearings.

Assembly Bill 1983 (Gallagher) would allow documentary evidence of a sexually violent predator's non-qualifying prior sexual offenses to be considered by the trial court at the probable cause hearing, relieving victims from needing to testify at both the jury trial and probable cause hearings.

Today's action will put the County of San Diego on record in support of SB 1023 and will add to the County's Legislative Program support for legislation that would require open court proceedings for the civil commitment of a sexually violent predator. In addition, today's action will put the County of San Diego on record in support of AB 1983 and will add to the County's Legislative Program support for legislation that would allow documentary evidence of a sexually violent predator's non-qualifying sexual convictions to be considered by the trial court at the probable cause hearing.

#### **RECOMMENDATION(S)**

##### **SUPERVISOR DIANNE JACOB AND DISTRICT ATTORNEY SUMMER STEPHAN**

1. Direct the Chief Administrative Officer to draft a letter expressing this Board of Supervisors' support for State Senate Bill 1023 to San Diego County's legislative representatives in Sacramento.
2. Direct the Chief Administrative Officer to add to the County's Legislative Program support for legislation that would require open court proceedings for the civil commitment of a sexually violent predator.
3. Direct the Chief Administrative Officer to draft a letter expressing this Board of Supervisors' support for State Assembly Bill 1983 to San Diego County's legislative representatives in Sacramento.
4. Direct the Chief Administrative Officer to add to the County's Legislative Program support for legislation that would allow documentary evidence of a sexually violent predator's non-qualifying sexual convictions to be considered by the trial court at the probable cause hearing.

#### **FISCAL IMPACT**

N/A

#### **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**6. SUBJECT: CAPITAL IMPROVEMENT NEEDS ASSESSMENT FISCAL YEARS 2020/21-2024/25 (DISTRICTS: ALL)**

**OVERVIEW**

The Facilities Planning Board is responsible for creating a prioritized Capital Improvement Needs Assessment (CINA) Program in conformance with the County of San Diego's General Management System. Today's request would approve the CINA Program and refer it to the Chief Administrative Officer for funding and timelines to implement individual projects.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Approve the Capital Improvement Needs Assessment (CINA) Program prioritizing County of San Diego (County) capital projects for Fiscal Years 2020-2025, as filed with the Clerk of the Board, and refer it to the Chief Administrative Officer for funding and timelines for implementation of individual projects.

**FISCAL IMPACT**

This plan represents approximately \$1.67 billion in active, funded and partially funded projects, and approximately \$42.1 million in recently completed projects as shown in Attachment B, plus an estimated \$1.05 billion in unfunded capital projects as shown in Attachment C, over the five-year timeframe of the CINA. There is no fiscal impact associated with approval of the CINA.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

This item was withdrawn.

**7. SUBJECT: SAN DIEGUITO UNION HIGH SCHOOL DISTRICT 2020 GENERAL OBLIGATION REFUNDING BONDS (DISTRICTS: 3 & 5)**

**OVERVIEW**

A bond election was held in the San Dieguito Union High School District, County of San Diego, State of California ("District") on November 6, 2012. At this election, more than 55% of the qualified electors of the District voted for the issuance and sale of general obligation bonds of the District for various purposes in the maximum principal amount of \$449,000,000 (the "Authorization").

On April 13, 2013, the District issued its San Dieguito Union High School District 2013 General Obligation Bonds (Election of 2012, Series A-2) in the aggregate principal amount of \$157,680,000 ("Series A-2 Bonds").

On February 27, 2020, the District Board adopted a resolution to authorize the issuance and sale of a series of San Dieguito Union High School District 2020 General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$150,000,000 to refund all or a portion of the Series A-2 Bonds.

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 San Dieguito Union High School District 2020 General Obligation Refunding Bonds.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE COUNTY TREASURER-TAX COLLECTOR TO EXECUTE A PAYING AGENT AGREEMENT AND FORMALLY DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL FOR THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT 2020 GENERAL OBLIGATION REFUNDING BONDS.

**FISCAL IMPACT**

The San Dieguito Union High School District 2020 General Obligation Refunding Bonds will be general obligations of the District to be paid from ad valorem property taxes levied within the boundaries of the San Dieguito Union High School District, and do not constitute an obligation of the County.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-024 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE COUNTY TREASURER TAX COLLECTOR TO EXECUTE A PAYING AGENT AGREEMENT AND FORMALLY DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL FOR THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT 2020 GENERAL OBLIGATION REFUNDING BONDS.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**8. SUBJECT: GROSSMONT UNION HIGH SCHOOL DISTRICT 2020 GENERAL OBLIGATION REFUNDING BONDS (DISTRICT: 2)**

**OVERVIEW**

A bond election was held in the Grossmont Union High School District, County of San Diego, State of California (“District”) on November 4, 2008. At this election, more than 55% of the qualified electors of the District voted for the issuance and sale of general obligation bonds of the District for various purposes in the maximum principal amount of \$417,000,000 (the “Authorization”).

On October 10, 2013, the District issued its Grossmont Union High School District 2013 General Obligation Bonds (Election of 2008, Series E) in the aggregate principal amount of \$40,000,000 (“Series E Bonds”).

On March 10, 2020, the District Board adopted a resolution to authorize the issuance and sale of a series of General Obligations Refunding Bonds (“Grossmont Union High School District 2020 General Obligation Refunding Bonds”) in an aggregate principal amount not to exceed \$45,700,000 to refund all or a portion of the Series E Bonds.

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 Grossmont Union High School District 2020 General Obligation Refunding Bonds.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt a resolution entitled:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE COUNTY TREASURER-TAX COLLECTOR TO EXECUTE A PAYING AGENT AGREEMENT AND FORMALLY DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL FOR THE GROSSMONT UNION HIGH SCHOOL DISTRICT 2020 GENERAL OBLIGATION REFUNDING BONDS.**

**FISCAL IMPACT**

The Grossmont Union High School District 2020 General Obligation Refunding Bonds will be general obligations of the District to be paid from ad valorem property taxes levied within the boundaries of the Grossmont Union High School District, and do not constitute an obligation of the County.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-025 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE COUNTY TREASURER TAX COLLECTOR TO EXECUTE A PAYING AGENT AGREEMENT AND FORMALLY DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL FOR THE GROSSMONT UNION HIGH SCHOOL DISTRICT 2020 GENERAL OBLIGATION REFUNDING BONDS.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

9. **SUBJECT: GENERAL SERVICES - AUTHORIZATION TO ADVERTISE AND AWARD ARCHITECTURAL AND ENGINEERING DESIGN SERVICES, AND A CONSTRUCTION MANAGER AT RISK CONTRACT, AND APPROVAL IN PRINCIPLE TO LEASE INTERIM FACILITIES FOR A RENOVATION PROJECT AT THE HALL OF JUSTICE (DISTRICT: 4)**

**OVERVIEW**

The Hall of Justice located at 330 W Broadway, San Diego, CA 92101, was constructed in March of 1996. The facility is occupied by several County of San Diego (County) departments including the Sheriff, Health and Human Services Agency, Child Support Services, Auditor & Controller, Probation, and the District Attorney, as well as the San Diego Superior Court. The building is south facing with fourteen above grade levels, three underground parking levels and is approximately 525,400 square feet. The buildings' major systems infrastructure is primarily original to the building construction and has been in operation for nearly 25 years without any major renovations, and with only basic maintenance and repairs occurring as required.

The proposed project is to renovate the entire Hall of Justice for life safety and major mechanical, electrical and plumbing systems, vertical transportation, and architectural items with an estimated total cost of \$65 million.

Today's request is for the Board of Supervisors (Board) to authorize the Director, Department of Purchasing and Contracting to advertise and award an Architectural and Engineering (A/E) contract for design and engineering, as well as a request to advertise and award a Construction Manager at Risk (CMAR) contract for a renovation project at the Hall of Justice. If approved, design is expected to begin in August 2020 with estimated completion in August 2021 with construction planned to begin late 2021.

Today's request also includes approval in principle for the lease of property to serve as interim facilities during the Hall of Justice renovation work. Upon completion of successful negotiations for leased space, staff would return to the Board for approval of the lease(s).

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project for the Hall of Justice renovation is categorically exempt from the California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15301.
2. Authorize the Director, Purchasing and Contracting to advertise and award an Architectural and Engineering Design contract and to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code, with respect to contracting for the Hall of Justice renovation project.
3. Authorize the Director, Purchasing and Contracting to advertise and award a Construction Manager at Risk contract and to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code, with respect to contracting for the Hall of Justice renovation project.
4. Designate the Director, Department of General Services as the County of San Diego Officer responsible for administering the awarded Architectural and Engineering Design contract, and Construction Manager at Risk contract for the Hall of Justice Renovation project.
5. Approve in principle, the lease of a site or sites to serve as interim facilities for the services and programs temporarily displaced during the renovation of the Hall of Justice.
6. Authorize the Director, Department of General Services, to conduct a site search, negotiate leases for the required space, and upon completion of successful negotiations, return to the Board for consideration and approval of the lease(s).

### **FISCAL IMPACT**

Funds for this request are partially included in the Fiscal Year 2019-20 Operational Plan for the Major Maintenance Capital Outlay Fund (MMCOF). Current funding in MMCOF project 1022959, Hall of Justice Air Handling HVAC is \$2,335,000. The funding source is General Fund. There will be no change in net General Fund cost and no additional staff years.

The preliminary estimate for Capital costs associated with the Hall of Justice Renovation project is estimated to be approximately \$65,000,000, depending on final design. Additional funding will be included in future years Operational Plans in the Capital Outlay Fund based on General Funds available.

### **BUSINESS IMPACT STATEMENT**

County construction contracts are competitively bid and help stimulate the local economy.

### **ACTION:**

This item was withdrawn.

**10. SUBJECT: AMENDMENTS TO THE COMPENSATION ORDINANCE AND ADMINISTRATIVE CODE (3/24/2020 - FIRST READING; 4/7/2020 – 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) amends the Compensation Ordinance by amending the salary range for one (1) job code/classification in the unclassified service; 2) deletes three (3) job codes/classifications in the classified service; and 3) amends a section pertaining to Pandemic Advanced Credit Leave.

Today's recommendations also amends Section 362.1 of the Administrative Code.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

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

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.

AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE, SECTION 362.1.

2. If, on March 24, 2020, the Board takes action as recommended in item 1 then, on April 7, 2020 (second reading):

Submit ordinance for further Board consideration and adoption on April 7, 2020 (second reading).

**FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

In accordance with Government Code Section 54953, it was noted for the record that this item introduces an amendment to the Compensation Ordinance to adjust the salary grade of the Director, Behavioral Services.

ON MOTION of Supervisor Jacob, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, introducing the Ordinances for further Board consideration and adoption on April 7, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**11. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)**

**OVERVIEW**

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

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Note and file.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**12. 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."

**RECOMMENDATION(S)**

**SUPERVISOR DIANNE JACOB**

Re-appoint Carol Fowler to the RAMONA DESIGN REVIEW BOARD, Seat No. 4, for a term to expire March 11, 2023.

**CHIEF ADMINISTRATIVE OFFICER**

Re-appoint Cassandra Schaeg as a primary member to the COMMUNITY ACTION PARTNERSHIP ADMINISTERING BOARD, Seat No. 11, for a term to expire June 30, 2022.

Appoint De De Henry as an alternate member to the COMMUNITY ACTION PARTNERSHIP ADMINISTERING BOARD, Seat No. 24, for a term to expire September 11, 2021.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**13. SUBJECT: 2019 GENERAL PLAN ANNUAL PROGRESS REPORT  
(DISTRICTS: ALL)**

**OVERVIEW**

This is a request for the County of San Diego (County) Board of Supervisors (Board) to accept the 2019 General Plan Annual Progress Report (Report). The purpose of the Report is to provide the Board, the Governor’s Office of Planning and Research, and the California Department of Housing and Community Development with information on planning efforts undertaken in the 2019 calendar year and to report efforts towards meeting regional housing needs and implementation of the County’s General Plan Housing Element. Information within the Report is used to complete the Annual Housing Element Progress Report, which must be submitted to the State of California by April 1 of each year.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is not subject to the California Environmental Quality Act (CEQA) because it is not a project as defined in Section 15378(b)(5) of CEQA Guidelines.
2. Accept the 2019 General Plan Annual Progress Report, including the 2019 Annual Housing Element Progress Report (Attachment A, on file with the Clerk of the Board).

**FISCAL IMPACT**

There is no fiscal impact associated with acceptance of the 2019 General Plan Annual Progress Report. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**14. SUBJECT: TRAFFIC ADVISORY COMMITTEE (03/24/2020 - ADOPT RECOMMENDATIONS; 04/08/2020 - SECOND READING OF AN ORDINANCE) (DISTRICTS: 2 & 5)**

**OVERVIEW**

As part of the Department of Public Works (DPW) traffic engineering program, the Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) as an aid in providing uniform traffic regulations throughout the unincorporated areas of the county. The goal of the TAC is to make recommendations to the Board on traffic matters to provide the communities in the unincorporated region with a safe and efficient road system. To accomplish this, it is necessary that traffic policies be established and used to provide persons using the road system with consistent and uniform regulations that are effective and can be legally enforced. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County-maintained roads. Upon receipt of a request or recommendation for a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item including engineering studies and studies of traffic conditions.

The TAC recommends the Board act on twenty-five items from the December 13, 2019, meeting agenda:

<b>District</b>	<b>Item</b>	<b>Location</b>	<b>Action</b>
2	2-A	Willows Road, Alpine	Recertify the 45 MPH speed limit
2	2-B	Bancroft Drive/Troy Street, Spring Valley	Recertify the 35 MPH speed limit
2	2-C	Jamul Drive, Jamul	Recertify the 45 MPH speed limit
2	2-D	Steele Canyon Road, Jamul	Recertify the 45 MPH speed limit
2	2-E	Quail Canyon Road, Blossom Valley	Recertify the 40 MPH speed limit
2	2-F	Woodside Avenue, Lakeside	Recertify the 40 MPH speed limit
2	2-G	Woodside Avenue, Lakeside	Recertify the 35 MPH speed limit
2	2-H	Second Street/Winter Gardens Boulevard, Lakeside	Recertify the 45 MPH speed limit
2	2-I	Lake Jennings Park Road & El Monte Road/ Julian Avenue, Lakeside	Place intersection on the Traffic Signal List
2	2-J	Lakeview Road, Lakeside	Reduce the 40 MPH speed limit to 35 MPH
2	2-K	Palm Row Drive/Oak Creek Drive, Eucalyptus Hills	Recertify the 40 MPH speed limit.
2	2-L	Valle Vista Road, Eucalyptus Hills	Combine with 35 MPH speed limit (Item 2-M)
2	2-M	Valle Vista Road, Eucalyptus Hills	Certify the 35 MPH speed limit
2	2-N	Jackson Hill Drive, Lakeside	Reduce the 40 MPH speed limit to 35 MPH
2	2-O	Willow Glen Drive, Rancho San Diego	Recertify the 45 MPH speed limit
2	2-P	Lemon Avenue, Mount Helix	Recertify the 35 MPH speed limit
2	2-Q	Jamacha Road, La Presa	Recertify the 40 MPH speed limit
2	2-R	Apple Street, La Presa	Combine with 30 MPH speed limit (Item 2-S)
2	2-S	Apple Street, La Presa	Reduce the 35 MPH speed limit to 30 MPH
5	5-A	Mission Road, Fallbrook	Recertify the 35 MPH speed limit

District	Item	Location	Action
5	5-B	Mission Road, Fallbrook	Recertify the 45 MPH speed limit
5	5-C	Mission Road, Fallbrook	Recertify the 45 MPH speed limit
5	5-D	Winter Haven Road, Fallbrook	Recertify the 45 MPH speed limit
5	5-E	Sun Valley Road, San Dieguito	Reduce the 40 MPH speed limit to 35 MPH
5	5-F	Via de la Valle, Rancho Santa Fe	Recertify the 45 MPH speed limit

Approval of Items 2-A through 2-S, excluding 2-I, and 5-A through 5-F would support speed enforcement, which increases roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Item 2-I would provide safety enhancement measures for pedestrians, bicyclists, and all other roadway users by assigning right of way to the various traffic movements at the intersection. Properly posted traffic control signals at intersections reduce the number and severity of collisions by assuring providing for the orderly movement of traffic and interrupting heavy traffic at intervals to permit other traffic to cross.

The Board's action on Items 2-A through 2-I, 2-K, 2-O, 2-P, 5-A through 5-D, and 5-F do not require a second hearing and Board direction on April 8, 2020, would allow implementation by DPW. The Board's action on Items 2-J, 2-L through 2-N, 2-Q through 2-S, & 5-E would decrease speed limits and/or revise speed limit zone locations, would revise the San Diego County Code of Regulatory Ordinances (County Code), and would require two steps. On March 25, 2020, the Board would consider the TAC items. If the Board takes action on March 25, 2020, then on April 8, 2020, a second reading of an ordinance amending County Code would be necessary to implement the Board's direction.

**RECOMMENDATION(S)**  
**TRAFFIC ADVISORY COMMITTEE**

**District 2:**

Item 2-A. Willows Road from West Willows Overcrossing to Viejas Grade Road in Alpine - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 2-B. Bancroft Drive / Troy Street from Sweetwater Road to La Mesa City Limits (350' north of Campo Road) in Spring Valley - Recertify the existing 35 MPH speed limit for radar enforcement.

Item 2-C. Jamul Drive from Steele Canyon Road to Lyons Valley Road in Jamul - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 2-D. Steele Canyon Road from Sr-94 to Willow Glen Drive in Jamul - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 2-E. Quail Canyon Road from Blossom Valley Road to Espinoza Road in Blossom Valley - Recertify the existing 40 MPH speed limit for radar enforcement.

Item 2-F. Woodside Avenue from the Santee City Limit (near Woodside Terrace) to Riverview Avenue in Lakeside - Recertify the existing 40 MPH speed limit for radar enforcement.

Item 2-G. Woodside Avenue from Riverside Avenue to Maine Avenue in Lakeside - Recertify the existing 35 MPH speed limit for radar enforcement.

Item 2-H. Second Street / Winter Gardens Boulevard from the El Cajon City Limits (180' south of Cresthill Road) to Woodside Avenue in Lakeside - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 2-I. Lake Jennings Park Road & El Monte Road / Julian Avenue in Lakeside - Place intersection on the County's Traffic Signal List for design and construction.

Item 2-J. Lakeview Road from Los Coches Road to Julian Avenue in Lakeside - Reduce the 40 MPH speed limit to 35 MPH and certify the 35 MPH speed limit for radar enforcement.

Item 2-K. Palm Row Drive / Oak Creek Drive from Riverside Drive to the end of County maintenance (near Ohana Way) in Eucalyptus Hills - Recertify the 40 MPH speed limit for radar enforcement.

Item 2-L. Valle Vista Road from Lakeside Avenue to Vista Camino in Eucalyptus Hills – Delete this speed limit segment. This portion of Valle Vista Road from Lakeside Avenue to Vista Camino will be combined with the adjacent northern segment of Valle Vista Road with a 35 MPH speed limit (Item 2-M).

Item 2-M. Valle Vista Road from Lakeside Avenue to Rocosco Road in Eucalyptus Hills – Establish a 35 MPH speed limit and certify the speed limit for radar enforcement.

Item 2-N. Jackson Hill Drive from Pepper Drive to the end (north of Jackson Hill Lane) in Lakeside - Reduce the 40 MPH speed limit to 35 MPH and certify the 35 MPH speed limit for radar enforcement.

Item 2-O. Willow Glen Drive from State Route 54 (Jamacha Road) to Hillsdale Road in Rancho San Diego - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 2-P. Lemon Avenue from the La Mesa City Limits (west of Marguerita Lane) to Fuerte Drive in Mount Helix - Recertify the existing 35 MPH speed limit for radar enforcement.

Item 2-Q. Jamacha Road from Sweetwater Road to Grand Avenue in La Presa - Recertify the existing 40 MPH speed limit for radar enforcement.

Item 2-R. Apple Street from Grand Avenue to Galopago Street in La Presa - Relocate this speed limit segment to merge with Item 2-S.

Item 2-S. Apple Street from Grand Avenue to Jaeger Road in La Presa - Establish a 30 MPH speed limit and certify the speed limit for radar enforcement.

**District 5:**

Item 5-A. Mission Road from Iowa Street to Industrial Way in Fallbrook - Recertify the existing 35 MPH speed limit for radar enforcement.

Item 5-B. Mission Road from Industrial Way to 450' east of Stage Coach Lane in Fallbrook - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 5-C. Mission Road from 450' east of Stage Coach Lane to Old Highway 395 in Fallbrook - Recertify the existing 45 MPH speed limit for radar enforcement.

Item 5-D. Winter Haven Road from Brooke Road to Winterwarm Road in Fallbrook – Recertify the existing 45 MPH speed limit for radar enforcement.

Item 5-E. Sun Valley Road from Loma Santa Fe Drive to El Camino Real in San Dieguito – Reduce the 40 MPH speed limit to 35 MPH and certify the 35 MPH speed limit for radar enforcement.

Item 5-F. County maintained portions of Via de la Valle from the San Diego City Limits (near Arroya Rosita) to Paseo Delicias in Rancho Santa Fe - Recertify the existing 45 MPH speed limit for radar enforcement.

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control issues on County maintained roadways, resulting in negligible or no expansion of existing or former use.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Approve the introduction, read title, and waive further reading of the following Ordinance:  
ORDINANCE AMENDING SECTIONS 72.161.17., 72.161.83., 72.163.53., 72.163.72., 72.169.48., AND 72.169.77.4. AND DELETING SECTION 72.161.17.4. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-J, 2-L, 2-M, 2-N, 2-Q, 2-R, 2-S, & 5-E).

If, on March 24, 2020, the Board takes action as recommended, then, on April 8, 2020: Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.161.17., 72.161.83., 72.163.53., 72.163.72., 72.169.48., AND 72.169.77.4., AND DELETING SECTION 72.161.17.4. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-J, 2-L, 2-M, 2-N, 2-Q, 2-R, 2-S, & 5-E).

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for the Department of Public Works Road Fund. If approved, there will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on April 8, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**15. SUBJECT: NOTICED PUBLIC HEARING:  
RESOLUTION OF APPLICATION TO SAN DIEGO LOCAL AGENCY  
FORMATION COMMISSION TO FORM NEW COUNTY SERVICE  
AREA (DISTRICT: 2)**

**OVERVIEW**

The Live Oak Springs Water Company (Water Company) is a small privately-owned water system serving approximately 300 people in the community of Boulevard, located southeast of San Diego County (Attachment A). The water system serves 92 residential connections and 2 commercial connections. The system consists of approximately two miles of buried water mains, one groundwater well and pump, three 20,000-gallon water storage tanks, and various pumps.

The Water Company's owner filed for bankruptcy in 2013 and the bankruptcy trustee attempted for several years to locate a buyer. With no buyers available and the system in disrepair, the County entered into an agreement with the trustee to take over as the water system's operator on September 19, 2019, with the intention of purchasing the water system by mid-2020 and assuming water service responsibilities for the affected landowners and/or residents.

On December 10, 2019 (23), the Board of Supervisors established appropriations of \$2,700,000 in the DPW General Fund, to provide funding for necessary repairs and improvements to the degraded water system infrastructure. On February 11, 2020 (06), the Board of Supervisors authorized a \$200,000 reallocation of unspent Fiscal Year 2019-20 Community Development Block Grant (CDBG) program funds to Fiscal Year 2019-20 Department of Public Works program funds for the acquisition of Live Oak Springs Water System. The acquisition will be funded after a local income survey is conducted and the project is determined to be eligible for CDBG funds.

Today's request is for the Board to adopt a resolution of application to initiate proceedings with the San Diego Local Agency Formation Commission (LAFCO) to form a County Service Area (CSA) under Government Code sections 25210.1- 25217.4 (Attachment B). This will enable the County of San Diego Department of Public Works to provide water service within the affected territory. Upon formation of the CSA, the County of San Diego Department of Public Works will return to the Board of Supervisors to establish a new water service rate and adopt a fee ordinance.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15060(c)(3) because adopting a resolution to submit an application to LAFCO in accordance with Government Code 25211.3 is an organizational or administrative activity that is not a project as defined by Section 15378 of the State CEQA Guidelines.
2. Adopt a resolution entitled Resolution of Application of the Board of Supervisors of the County of San Diego to Initiate Proceedings with the San Diego Local Agency Formation Commission to Form a County Service Area and Authorization Therein to Provide Water Service Within the Affected Territory as Specified.
3. Direct the Clerk of the Board to file a certified copy of the resolution of application to the Local Agency Formation Commission.

### **FISCAL IMPACT**

Funds for the formation of a County Service Area (CSA) with the San Diego Local Agency Formation Commission (LAFCO) are included in the Fiscal Year 2019-20 Operational Plan in the Department of Public Works General Fund. Costs are approximately \$15,000. The funding source is General Fund. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 20-026 entitled: RESOLUTION OF APPLICATION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO INITIATE PROCEEDINGS WITH THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION TO FORM A COUNTY SERVICE AREA AND AUTHORIZATION THEREIN TO PROVIDE WATER SERVICE WITHIN THE AFFECTED TERRITORY AS SPECIFIED.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

16. **SUBJECT: GILLESPIE FIELD - NEW COMMUNICATIONS SITE LEASE AGREEMENT WITH NWCPCS MPL 30-YEAR SITES TOWER HOLDINGS, LLC (DISTRICT: 2)**

### **OVERVIEW**

Gillespie Field is a general aviation airport owned and operated by the County of San Diego's (County) Department of Public Works (DPW) within the municipal limits of the City of El Cajon. The airport includes 19 aviation leases and is a gateway to and from San Diego's east county; providing infrastructure, facilities, and services to corporate and general aviation communities. Leasing of airport property generates lease revenue within the Airport Enterprise Fund, which is used by DPW to ensure that all County airports are properly maintained and safe for airport users.

On March 24, 2010 (8), the Board of Supervisors approved a 10-year lease of 550 square feet for a telecommunications site at Gillespie Field with NWCPCS MPL 30-year Sites Tower Holdings, LLC (Tower Holdings), a property holding company for AT&T Wireless. This lease, which commenced on April 1, 2010 and is scheduled to terminate on March 31, 2020, houses a cell tower facility that is not currently equipped for 5G technology. Tower Holdings has requested a new 5-year lease, with three additional 5-year options, to commence immediately following their existing lease term. DPW and Tower Holdings have negotiated a new lease as summarized below.

This is a request to approve a new communications site lease agreement with Tower Holdings, beginning on April 1, 2020 and, if all options are implemented, ending on March 31, 2040, for a maximum 20-year term. Approval of this action will allow the current tenant to continue its occupancy and use of its telecommunications antenna site, located at Gillespie Field.

Additionally, it would provide County with updated lease language including environmental sustainability provisions and increased rental revenue. If the proposed action is approved, current fiscal year revenue would increase by \$9,300 over the budgeted amount due to new monthly rent of \$3,100 beginning April 1, 2020. The monthly rent will be subject to periodic adjustment.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that the proposed lease is categorically exempt from CEQA review as it consists of leasing of existing facilities involving negligible or no expansion of existing or former use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the new Communications Site Lease Agreement with NWCPCS MPL 30-year Sites Tower Holdings, LLC. (4 VOTES)

#### **FISCAL IMPACT**

Funds resulting from this request are not included in the Fiscal Year 2019-20 Operational Plan for the Airport Enterprise Fund. If approved, this request would result in additional revenue of \$9,300 in Fiscal Year 2019-20, over the amount budgeted. The funding source for the additional revenue is new monthly rental payments, of \$3,100 per month, from the lessee under the terms of the new lease. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**17. SUBJECT: KEEPING OUR COUNTY ROADS CLEAN (DISTRICTS: ALL)**

**OVERVIEW**

The County of San Diego (County) Department of Public Works (DPW) is responsible for maintaining nearly 2,000 miles of roads. In addition to resurfacing and repairing County roads, DPW is also responsible for trash/debris pick-up, illegal signage removal, and graffiti abatement within County-maintained road rights of ways.

Today's action directs the Chief Administrative Officer to analyze the feasibility of increasing proactive trash/debris pick-up, illegal signage removal, and graffiti abatement along County-maintained rights of way. County staff will evaluate expanding the Community Involved Vocational Inmate Crew Service (CIVICS) program, Department of Probation work crews, and in-house roadside clean-up resources in DPW.

**RECOMMENDATION(S)**

**VICE-CHAIRMAN JIM DESMOND AND SUPERVISOR DIANNE JACOB**

Direct the Chief Administrative Officer to analyze the feasibility of expanding the Community Involved Vocational Inmate Crew Service (CIVICS) program and/or use of a Probation crew to add a dedicated road clean-up crew to the Department of Public Works and return to the Board of Supervisors within 60 days.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

This item was withdrawn at the request of Vice-Chairman Jim Desmond and Supervisor Dianne Jacob.

**18. SUBJECT: STREAMLINING RENEWABLE ENERGY PROJECTS IN SAN DIEGO COUNTY (DISTRICTS: ALL)**

**OVERVIEW**

On October 15, 2019 (10), and October 29, 2019 (27), the San Diego County Board of Supervisors (Board) adopted an ordinance that memorialized the Board's election to implement a Community Choice Aggregation (CCA) program, or Community Choice Energy (CCE) program, within the County of San Diego (County). These CCEs mark the beginning of a change to the traditional energy sourcing, production and distribution model that has been used for more than 100 years.

An important part of the conversation surrounding CCEs has been a simple one: supply and demand. An increase in CCEs around the state will lead to an ostensible increase in demand for renewable energy. As the County steadily marches down a path toward entering a commodities market, it becomes increasingly important that the County does its part to increase the renewable energy supply in our region to ensure adequate supply. If we are willing to implement a CCE, we should also be willing to increase our renewable energy supply.

Today's action will assist in increasing the permitting process efficiency by directing the Chief Administrative Officer to return to the Board prior to October 1, 2020, with options to streamline the environmental review process for renewable energy projects, including the options of preparing a Programmatic Environmental Impact Report (EIR), identifying ideal locations for renewable energy projects, and developing a design review checklist exemption process. Acknowledging that there are resource-rich neighboring jurisdictions, today's action will also direct the Chief Administrative Officer to explore renewable energy project opportunities with neighboring jurisdictions and return to the Board prior to October 1, 2020.

**RECOMMENDATION(S)**

**CHAIRMAN GREG COX AND VICE-CHAIRMAN JIM DESMOND**

1. Find in accordance with Sections 15061(b)(3) and 15378(b)(5) of the California Environmental Quality Act (CEQA) Guidelines that today's actions are exempt from CEQA.
2. Direct the Chief Administrative Officer to return to the Board by October 1, 2020, with options to streamline the environmental review process for renewable energy projects, including the options of preparing a Programmatic Environmental Impact Report (EIR), identifying ideal locations for renewable energy projects, and developing a design review checklist exemption process.
3. Direct the Chief Administrative Officer to explore renewable energy project opportunities with neighboring jurisdictions and return to the Board by October 1, 2020, with its findings.
4. Establish appropriations of \$100,000 in the Planning & Development Services, Services & Supplies account to prepare options to streamline the environmental review process for renewable energy projects based on available prior year General Fund fund balance.  
**(4 VOTES)**

**FISCAL IMPACT**

The total cost for consultants and staff time to complete today's recommended actions is estimated to be up to \$100,000. The funding source is available prior year General Fund fund balance. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

This item was withdrawn.

**19. SUBJECT: PROTECTING TENANTS, HOMEOWNERS AND SMALL BUSINESSES AFFECTED BY THE NOVEL CORONAVIRUS PANDEMIC IN THE UNINCORPORATED AREA (DISTRICTS: ALL)**

**OVERVIEW**

The World Health Organization has declared a worldwide pandemic of the COVID-19 disease, also known as “novel coronavirus.” As of March 19, 2020, there are eighty positive cases in San Diego County. The Centers for Disease Control and Prevention recommends that people who are mildly ill, with COVID-19 or other illnesses, self-isolate at home and avoid interacting in public.

As we implement social distancing requirements and the restrictions on public dining and entertainment establishments, service workers, especially those who rely on tips as their main source of income, will see their incomes completely diminished. Small businesses are starting to struggle due to lost income. As schools remain closed and more individuals get sick, more members of our workforce will require time off to care for family members and protect their own health. Many San Diego County residents work paycheck to paycheck and may be unable to pay rent or their commercial lease due to reduced income.

This action will place a moratorium in the unincorporated area on evictions for renters and small businesses unable to pay rent or a commercial lease due to COVID-19. Additional policies proposed include a moratorium on foreclosures and foreclosure-related evictions and a request for the Housing Authority to extend deadlines for program eligibility.

**RECOMMENDATION(S)**

**SUPERVISOR NATHAN FLETCHER AND SUPERVISOR KRISTIN GASPAR**

1. Adopt the Resolution:  
**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO EXERCISING THE COUNTY’S POLICE POWER TO IMPOSE SUBSTANTIVE LIMITATIONS ON RESIDENTIAL AND COMMERCIAL EVICTIONS IN THE UNINCORPORATED AREA OF SAN DIEGO COUNTY.**
2. Direct the Chief Administrative Officer to work with financial institutions holding home or commercial mortgages, including banks, credit unions, government sponsored enterprises, and institutional investors to implement an immediate moratorium on foreclosures and related evictions when the foreclosure or foreclosure-related eviction arises out of a substantial decrease in household or business income, or substantial out-of-pocket medical expenses, where caused by the COVID-19 pandemic, or by any local, state or federal government response to COVID-19.
3. Request that the Housing Authority of the County of San Diego (“Housing Authority”) extend deadlines for housing assistance recipients or applicants to deliver records or documents related to their eligibility for programs, to the extent that those deadlines are within the discretion of the Housing Authority.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

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

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, amending section 3(a) of the proposed resolution as follows: "It shall be unlawful and prohibited for a landlord to evict or otherwise recover possession of a residential or commercial tenant for nonpayment of rent due on or after March 4, 2020, if the tenant has provided notice to the landlord within 7 days after the date rent was due, or within 7 days after the effective date of this resolution, whichever is later, that the tenant is unable to pay rent due to financial impacts related to COVID -19;" adopting the amended Resolution No. 20-027 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO EXERCISING THE COUNTY'S POLICE POWER TO IMPOSE SUBSTANTIVE LIMITATIONS ON RESIDENTIAL AND COMMERCIAL EVICTIONS IN THE UNINCORPORATED AREA OF SAN DIEGO COUNTY.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**20. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 5)**

**OVERVIEW**

Neighborhood Reinvestment Program funding assists nonprofit organizations in providing essential services to citizens of San Diego County. Reinvesting taxpayer money in worthwhile organizations is a benefit to the citizens and communities of North County.

**RECOMMENDATION(S)**

**VICE-CHAIRMAN JIM DESMOND**

1. Allocate \$40,000 from Neighborhood Reinvestment Program budget (Org 15670) to Operation Hope-North County, Incorporated for emergency operational funding for salaries and health benefits for employees to continue to provide the essential services to operate the Steps to Independence emergency shelter and meal program.
2. Find that this grant has a public purpose.
3. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute a grant agreement with this organization establishing terms for receipt of the funds described above and to make minor amendments to the agreement that are consistent with the general purpose of the grant but do not increase the grant.
4. Waive Board Policy B-72 to allow for the allocation of Neighborhood Reinvestment Program funds to Operation Hope-North County, Incorporated, to allow for the payment of operation expenses so the organization can continue to deliver services to the public.

**FISCAL IMPACT**

The fiscal impact of these recommendations is \$40,000. Funds for this request are included in the Fiscal Year 2019-2020 Operational Plan for the Neighborhood Reinvestment Program (Org 15670). The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- 21. **SUBJECT: RECEIVE UPDATE ON THE COVID-19 RESPONSE, AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO APPLY FOR, ACCEPT, AND EXECUTE ANY GRANT, GIFT OR REVENUE AGREEMENT IN RESPONSE TO THE COVID-19 PANDEMIC, AND RATIFY ACTIONS TAKEN BY CHIEF ADMINISTRATIVE OFFICER, PUBLIC HEALTH OFFICER, AND DIRECTOR, DEPARTMENT OF PURCHASING AND CONTRACTING (DISTRICTS: ALL)**

**OVERVIEW**

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

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

The County of San Diego (County) continues to make significant efforts to slow the spread of COVID-19. Today’s action requests the Board of Supervisors receive an update on the local COVID-19 response. Additionally, authorization is sought to allow the Chief Administrative Officer to take any action necessary to respond to the COVID-19 pandemic. Finally, today’s action requests the Board of Supervisors to ratify all actions taken by Chief Administrative Officer, Public Health Officer, and Director, Department of Purchasing and Contracting in response to local health emergency and local emergency. Today’s proposed actions support the County’s *Live Well San Diego* vision by protecting the health of residents against the COVID-19 pandemic.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

- 1. Receive update on the COVID-19 response.

2. Establish appropriations of \$10,000,000 in the Health and Human Services Agency, Management Reserves, to provide funding for the San Diego COVID-19 response activities. **(4 VOTES)**
3. Authorize the Chief Administrative Officer to apply for, accept, and execute any grant, gift or revenue agreement of any amount from public or private entities.
4. Ratify all actions taken by Chief Administrative Officer, Public Health Officer, and Director, Department of Purchasing and Contracting in response to local health emergency and local emergency.
5. Take any other action necessary to address the COVID-19 pandemic emergency response.

### **FISCAL IMPACT**

Fiscal Year 2019-20 preliminary estimated costs of recovery efforts associated with the COVID-19 emergency response including temporary housing assistance, sanitation and related costs are \$7 million per month or \$31.2 million for the remainder of the fiscal year. This number is expected to grow. For the current budget, based on these estimates funding is included in the Health and Human Services Agency. The funding source is anticipated to be a combination of program revenues, General Purpose Revenues, and General Fund fund balance. If recovery efforts continue at current service levels, preliminary Fiscal Year 2020-21 costs are estimated to reach \$86.4 million. This estimate will be revised upwards as response efforts continue.

Funds for today's request are not included in the Fiscal Year 2019-2020 Operational Plan. If approved, this request will result in one time costs of \$10,000,000 in addition to preliminary estimates described above in Fiscal Year 2019-2020 to provide capacity for unanticipated needs. The funding source is General Fund fund balance. There will be no additional staff years as a result of this action.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

1. Received update on the COVID-19 response.
2. Established appropriations of \$10,000,000 in the Health and Human Services Agency, Management Reserves, to provide funding for the San Diego COVID-19 response activities. **(4 VOTES)**
3. Authorized the Chief Administrative Officer to apply for, accept, and execute any grant, gift or revenue agreement of any amount from public or private entities.
4. Ratified all actions taken by Chief Administrative Officer, Public Health Officer, and Director, Department of Purchasing and Contracting in response to local health emergency and local emergency.

5. Authorize the Chief Administrative Officer to promulgate regulations extending eligibility timeframes and modifying participant submission requirements for the County's general relief program due to the COVID-19 emergency.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**22. SUBJECT: PROVIDING IMMEDIATE RELIEF TO THE FOOD AND BEVERAGE INDUSTRY AND RELATED SMALL BUSINESSES AFFECTED BY THE NOVEL CORONAVIRUS PANDEMIC (DISTRICTS: ALL)**

**OVERVIEW**

Coronavirus Disease 2019 (COVID-19) has caused unprecedented uncertainty across the nation and the San Diego region. The restaurant and service industries are among the hardest hit sectors. They have been immediately impacted by forced closures or limited services. Hundreds of layoffs and furloughs have already gone into effect for hourly employees and small businesses are left to plan how they will survive while the future of their business remains uncertain.

On March 12, 2020, an Order (Order) of the Health Officer was issued by the Public Health Officer of the County of San Diego and on March 16, 2020 an Amended Order of the Health Officer and Emergency Regulations was issued. This Order included closures and social distancing requirements and limited all food service to delivery, pick-up, or drive thru. This Order, intended to limit the spread of COVID-19, had an immediate and possibly catastrophic impact on our bar and restaurant industry.

The County of San Diego's Department of Environmental Health (DEH) is responsible for protecting the public from foodborne illness, health threats, safety hazards, and nuisances as they relate to food facilities. DEH oversees the health permitting for over 15,000 permanent retail food facilities including over 8,100 restaurants across the region. All food facilities are required by law to obtain a valid health permit which ranges from \$200 to \$1,930.

While some food operations such as grocery stores and markets are allowed to continue operating under the Order, other food and beverage industry operations such as restaurants, bars, breweries, caterers, mobile food facilities, and schools need support to recover after this time of unprecedented closures, limited services, and financial loss. Today's action would defer payment of fees collected by the Department of Environmental Health from March 1, 2020 through August 30, 2020, for these restaurant and bar businesses impacted by the Order. Annual food facility health permit fees, late fees, and plan check correction fees associated with plans submitted prior to March 1, 2020, would be deferred for six months. In order to implement this relief, today's action requests that the Chief Administrative Officer take action necessary to address any DEH budget shortfall caused by these deferrals.

Today's actions are an initial step toward helping to rebuild an industry that has been impacted by this illness. As the COVID-19 situation changes, further actions may be implemented to further support businesses that have been impacted. It is important that County requirements that may inhibit businesses from swiftly reopening once the Health Order is lifted be further assessed. In order to implement a comprehensive approach, barriers to reopening should be reduced and removed when safely and legally feasible.

**RECOMMENDATION(S)**

**SUPERVISOR KRISTIN GASPAR AND SUPERVISOR JIM DESMOND**

1. Direct the Chief Administrative Officer to defer the date on which food facility annual health permit fees, plan check fees and late fees must be paid until September 1, 2020 for food facilities negatively impacted by the March 16, 2020 Amended Order of the Health Officer and Emergency Regulations and Addenda.
2. Direct the Chief Administrative Officer to take necessary actions, including returning to the Board as necessary, to use general purpose revenue to address any operating budget shortfall to the Department of Environmental Health caused by the fee deferral.
3. Direct the Chief Administrative Officer to seek State of California and federal funding to assist the hospitality and food and beverage industry recover from the impacts of COVID-19.
4. Direct the Chief Administrative Officer to analyze County requirements that may inhibit businesses from swiftly reopening once the health order is lifted and report back to the Board on possible solutions within 30 days.

**FISCAL IMPACT**

To be determined.

**BUSINESS IMPACT STATEMENT**

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

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**23. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)**

**OVERVIEW**

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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

Cynthia Kendrick v. County of San Diego, et al.; United States District Court, Southern District No. 15-cv-02615-GPC-AGS

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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

Sky Oliver v. County of San Diego; United States District Court, Southern District No. 19-cv-1286-BAS-AGS

**ACTION:**

County Counsel reported that for Closed Session on March 24, 2020, the Board of Supervisors took the following action:

Item 23A: Cynthia Kendrick v. County of San Diego, et al., with all five Board members voting "AYE", authorized County Counsel to settle this case alleging excessive use of force and improper detention for \$160,000.

**24. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)**

**OVERVIEW**

Due to the COVID-19 emergency, public comments on non-agenda items were received electronically and included in the record.

David Boucher submitted a comment regarding periodic renewals for benefits.

Daniel Beeman submitted a comment regarding overnight safe zones.

Julie Lowen submitted a comment regarding unlicensed childcare.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 12:11 p.m. in memory of Ronald Lawson and John Masson.

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

Consent: Caro

Discussion: Zurita

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

Approved by the Board of Supervisors, on Tuesday, April 7, 2020.



---

GREG COX  
Chairman

Attest:



---

ANDREW POTTER  
Clerk of the Board

03/24/2020