

April 17, 2018

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, APRIL 17, 2018, 9:30 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 9:40 a.m.

PRESENT: Supervisors Kristin Gaspar, Chairwoman; Dianne Jacob, Vice-Chairwoman; Greg Cox; Bill Horn; also David Hall, Clerk of the Board of Supervisors.

ABSENT: Supervisor Ron Roberts

- B. Invocation was led by Lead Pastor Ryan Rosenbaum of Seacoast Community Church in Encinitas, California.
- C. Pledge of Allegiance was led by Melissa Lieberman.
- D. Presentation or Announcement of Proclamations and Awards: No proclamations or awards
- E. Public Communication: No Speakers
- F. Approval of the Statement of Proceedings/Minutes for the meeting of March 27, 2018.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Horn, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of March 27, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

- 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

Category	#	Subject
Public Safety	1.	NOTICED PUBLIC HEARING: MEDICAL EXAMINER - REQUEST TO ADOPT AN ORDINANCE AMENDING THE COUNTY ADMINISTRATIVE CODE, SECTIONS 161.11, 161.12 AND 364.6, RELATING TO MEDICAL EXAMINER FEES AND CHARGES
	2.	SHERIFF - RATIFY ACCEPTANCE OF DONATION FROM THE SAN DIEGO HONORARY DEPUTY SHERIFF'S ASSOCIATION [FUNDING SOURCE: A DONATION FROM THE SAN DIEGO HONORARY DEPUTY SHERIFF'S ASSOCIATION]
	3.	FIRE MITIGATION FEE PROGRAM: RESOLUTIONS AUTHORIZING PARTICIPATION IN THE FIRE MITIGATION FEE PROGRAM, SETTING THE PERCENTAGE OF THE FIRE MITIGATION FEE CEILING, AND ADOPTING THE CAPITAL FACILITIES AND EQUIPMENT PLANS FOR COUNTY SERVICE AREA NUMBERS 115 AND 135
Health and Human Services	4.	NOTICED PUBLIC HEARING: COST RECOVERY PROPOSAL TO AMEND ORDINANCES RELATED TO THE HEALTH AND HUMAN SERVICES AGENCY FEES
	5.	NOTICED PUBLIC HEARING: FISCAL YEAR 2018-19 ANNUAL PLAN; REALLOCATION OF PROGRAM FUNDS; REVISIONS TO THE CITIZEN PARTICIPATION PLAN; A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE 2018-19 ANNUAL PLAN AND A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE FISCAL YEAR 2018 STATE EMERGENCY SOLUTIONS GRANT PROGRAM [FUNDING SOURCE: HUD ENTITLEMENTS GRANT AWARDS FOR CDBG, HOME, ESG, HOPWA, AND PROGRAM INCOME FROM REPAYMENT PROCEEDS FROM LOANS FUNDED WITH CDBG AND HOME FUNDS]

6. BEHAVIORAL HEALTH SERVICES MULTI-YEAR AGREEMENT FOR THE SUBSTANCE ABUSE BLOCK GRANT FOR FISCAL YEAR 2017-18 THROUGH FISCAL YEAR 2019-20
[FUNDING SOURCE: SUBSTANCE ABUSE BLOCK GRANT]
- Community Services
7. REQUEST FOR RATIFICATION OF EMERGENCY REPAIRS AT THE SHERIFF'S REGIONAL CRIME LABORATORY CAUSED BY WATER LEAKS
[FUNDING SOURCES: CHARGES TO CLIENT DEPARTMENTS AND PROCEEDS FROM INSURANCE CLAIMS]
 8. PUBLIC DEFENDER - NEW LEASE AGREEMENT FOR EXPANSION SPACE AT 450 B STREET, SAN DIEGO (TKOS I, LLC)
- Financial and General Government
9. EMPOWERING REFORMED CITIZENS
 10. REGIONAL HUMAN TRAFFICKING UPDATE, STRONGER HELP FOR VICTIMS OF HUMAN TRAFFICKING, AND SUPPORT FOR AB 2105 (MAIENSHEIN) AND SB 970 (ATKINS)
 11. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 2)
[FUNDING SOURCE: GENERAL FUND FUND BALANCE] (4 VOTES)
 12. NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY FOR THE BENEFIT OF JACOBS CENTER FOR NEIGHBORHOOD INNOVATION IN AN AGGREGATE AMOUNT NOT TO EXCEED \$22,000,000
 13. NOTICED PUBLIC HEARING:
FINANCE AND GENERAL GOVERNMENT GROUP FEES AND RATES RELATING TO THE CLERK OF THE BOARD, AUDITOR AND CONTROLLER, AND COUNTY COUNSEL

14. GRANT APPROVAL TO CONTINUE TO UTILIZE FULL SCOPE OF SERVICES OF CALIFORNIA STATE ASSOCIATION OF COUNTIES - EXCESS INSURANCE AUTHORITY (CSAC-EIA) RISK RELATED AND BENEFIT SERVICES AND AMEND RESOLUTION TO APPOINT VOTING MEMBERS TO THE BOARD

Communications Received 15. COMMUNICATIONS RECEIVED

Appointments 16. APPOINTMENTS: VARIOUS

Closed Session 17. CLOSED SESSION

**1. SUBJECT: NOTICED PUBLIC HEARING:
MEDICAL EXAMINER - REQUEST TO ADOPT AN ORDINANCE
AMENDING THE COUNTY ADMINISTRATIVE CODE, SECTIONS
161.11, 161.12 AND 364.6, RELATING TO MEDICAL EXAMINER
FEES AND CHARGES (DISTRICTS: ALL)**

OVERVIEW

This is a request to adopt an Ordinance amending the San Diego County Code of Administrative Ordinances to reduce or eliminate certain fees and charges for Medical Examiner services. The current Medical Examiner fee schedule was approved by your Board on June 14, 2011 (3). The Department of the Medical Examiner (Department) conducted a thorough review of fees and identified efficiencies that have resulted in lower costs to provide services. In addition, the Department proposes to eliminate certain fees, including those related to transportation to reduce the burden on grieving families. Today's request also includes a waiver of Board Policy B-29. Adoption of this Ordinance will establish an updated schedule of fees and charges for Medical Examiner services.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On April 17, 2018:

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for fees.
2. Approve the introduction of the Ordinance, (first reading) read title and waive further reading of the Ordinance (Attachment A):
AN ORDINANCE AMENDING SECTIONS 161.11, 161.12 AND 364.6 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO MEDICAL EXAMINER FEES AND CHARGES.

If, on April 17, 2018, the Board takes the actions recommended above, then, on April 24, 2018:

Submit the Ordinance (Attachment A) for further Board consideration and adoption (second reading).

FISCAL IMPACT

The anticipated change in revenues related to this request is included in the Fiscal Year 2018-19 CAO Recommended Operational Plan for the Department of the Medical Examiner. If approved, this request will result in no additional costs and a decrease in Charges for Current Services revenue of approximately \$500,000 annually which will be covered by General Purpose revenue budgeted in the Department of the Medical Examiner. There will be no change in net General Fund costs and no staffing changes.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on April 24, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

2. **SUBJECT: SHERIFF - RATIFY ACCEPTANCE OF DONATION FROM THE SAN DIEGO HONORARY DEPUTY SHERIFF'S ASSOCIATION (DISTRICTS: ALL)**

OVERVIEW

County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, permits the acceptance of gifts by the administrative heads of each department in the County, subject to approval by the Board of Supervisors. This is a request to ratify the acceptance of a \$10,000 donation to the Sheriff's Canine Unit from the San Diego Honorary Deputy Sheriff's Association.

RECOMMENDATION(S)**SHERIFF**

1. In accordance with County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, ratify the acceptance of a \$10,000 donation from the San Diego Honorary Deputy Sheriff's Association.
2. Authorize the Chair of the Board of Supervisors to sign a letter of appreciation on behalf of the Board of Supervisors and the County of San Diego to the San Diego Honorary Deputy Sheriff's Association.

FISCAL IMPACT

Funds for this request will be included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. If approved, this request will ratify the acceptance of a donation, and result in costs and revenue of \$10,000 in Fiscal Year 2018-19 for the Sheriff's Canine Unit. The funding source is a donation from the San Diego Honorary Deputy Sheriff's Association. All future costs associated with the purchase of one canine such as, but not limited to, training, medical expenses and supplies will be funded by the Sheriff's Department operating budget. 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

**3. SUBJECT: FIRE MITIGATION FEE PROGRAM: RESOLUTIONS
AUTHORIZING PARTICIPATION IN THE FIRE MITIGATION FEE
PROGRAM, SETTING THE PERCENTAGE OF THE FIRE
MITIGATION FEE CEILING, AND ADOPTING THE CAPITAL
FACILITIES AND EQUIPMENT PLANS FOR COUNTY SERVICE
AREA NUMBERS 115 AND 135 (DISTRICTS: ALL)**

OVERVIEW

On December 11, 1985 (11), the Board of Supervisors adopted an ordinance establishing a Fire Mitigation Fee (FMF) Program. The purpose of the program is to collect and allocate funds to fire agencies in the unincorporated area of San Diego County to provide capital facilities and equipment to serve new development.

To continue participating in the FMF Program, fire agencies are required to submit both an annual resolution related to the funding and expenditures of the FMF Program and an annual report that includes agency plans for future use of mitigation fees.

This is a request to adopt a resolution for continued participation in the FMF Program for County Service Area (CSA) No. 115 - Pepper Drive and CSA No. 135 - San Diego County Fire Authority. This is also a request to adopt a resolution to approve the Five-Year Capital Facilities and Equipment Plans for CSA Nos. 115 and 135 based on fire mitigation funds available. If approved, these actions will continue to provide funding for CSA Nos. 115 and 135.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the adoption of a resolution for continued participation for CSA No. 115 - Pepper Drive and CSA No. 135 - San Diego County Fire Authority is exempt from the California Environmental Quality Act (CEQA), as specified under Section 15273 of CEQA Guidelines.
2. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CONTINUING THE FIRE MITIGATION FEE PROGRAM AND SETTING PERCENTAGE OF FIRE MITIGATION FEE CEILING FOR COUNTY SERVICE AREAS 115 AND 135.
3. Find that the adoption of a resolution approving the Five-Year Capital Facilities and Equipment Plans for CSA Nos. 115 and 135 is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that adoption of the resolution will have a significant effect on the environment. Each individual project will be separately evaluated for CEQA compliance.
4. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ADOPTING FIVE-YEAR CAPITAL FACILITIES AND EQUIPMENT PLANS FOR COUNTY SERVICE AREAS 115 AND 135.

FISCAL IMPACT

There is no fiscal impact associated with the recommendations. If approved, the CSAs will remain in the County's Fire Mitigation Fee Program. The CSAs will continue to use funds collected and distributed by the County through the Fire Mitigation Fee Program to purchase

equipment and facilities to serve new development. There will be no change in net General Fund cost and no additional staff years will be required.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Resolution 18-038 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CONTINUING THE FIRE MITIGATION FEE PROGRAM AND SETTING PERCENTAGE OF FIRE MITIGATION FEE CEILING FOR COUNTY SERVICE AREAS 115 AND 135; and, Resolution No. 18-039 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ADOPTING FIVE YEAR CAPITAL FACILITIES AND EQUIPMENT PLANS FOR COUNTY SERVICE AREAS 115 AND 135.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

**4. SUBJECT: NOTICED PUBLIC HEARING:
COST RECOVERY PROPOSAL TO AMEND ORDINANCES
RELATED TO THE HEALTH AND HUMAN SERVICES AGENCY
FEES (DISTRICTS: ALL)**

OVERVIEW

Today's recommendations request the Board of Supervisors (Board) review and approve an Ordinance to amend fees charged for services for the following Health and Human Services Agency (HHSA) divisions: Public Health Services (PHS), Behavioral Health Services (BHS), and Child Welfare Services (CWS). On April 24, 2017 (13), Board action was taken to update fees and rates - charged in each of these divisions; today's action provides an adjustment to rates based on updated actual cost information.

A total of 76 HHSA fees and their associated costs were reviewed in consideration of Board Policy B-29 (Fees, Grants, and Revenue Contracts-Department Responsibility for Cost Recovery) and County Administrative Code XV-B, Section 239. To ensure continued compliance with Board Policy B-29 and County Administrative Code XV-B, today's item requests action on 30 of these fees, to either adjust the rate or waive full cost recovery for select fees, and add six new fees. The fee recommendations represent a comprehensive package that seeks to support the cost of providing HHSA services while maintaining fees that are fair and equitable for customers and the public. The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal for Fiscal Year 2018-19.

Today's request requires two steps. On April 17, 2018, it is requested that the Board introduce an Ordinance amending sections of the San Diego County Administrative Code related to HHSA fees (first reading) so that it can be acted upon at the April 24, 2018 meeting (second reading). If the Board takes the actions recommended for April 17, 2018, then on April 24, 2018, the Board is requested to approve the revised fees and rates for HHSA services.

This action contributes to the *Live Well San Diego* vision by ensuring that the County of San Diego has optimized its health and social services delivery system to ensure efficiency, integration and innovation while maintaining fiscal stability in support of a healthy, safe and thriving region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grant, and Revenue Contracts-Department Responsibility for Cost Recovery, which requires full-cost recovery of fees.
2. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance:
AN ORDINANCE AMENDING ARTICLE XV-B OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE, RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES.

If, on April 17, 2018, the Board takes the actions as recommended then, on April 24, 2018:

Consider and adopt the Ordinance (second reading):

AN ORDINANCE AMENDING ARTICLE XV-B OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE, RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2017-19 Operational Plan in the Health and Human Services Agency but will be incorporated in the Fiscal Year 2018-20 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will have no impact in Fiscal Year 2017-18 and will result in an estimated increase in revenue of \$104,000 in Fiscal Year 2018-19. There is no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on April 24, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

**5. SUBJECT: NOTICED PUBLIC HEARING:
FISCAL YEAR 2018-19 ANNUAL
PLAN; REALLOCATION OF PROGRAM FUNDS; REVISIONS TO
THE CITIZEN PARTICIPATION PLAN; A RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO
APPROVING THE 2018-19 ANNUAL PLAN AND A RESOLUTION OF
THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO
AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF
GRANT FUNDS FROM THE STATE OF CALIFORNIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
FOR THE FISCAL YEAR 2018 STATE EMERGENCY SOLUTIONS
GRANT PROGRAM (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego, as a recipient of U.S. Department of Housing and Urban Development (HUD) entitlement program funding, is required to prepare a Five-Year Consolidated Plan for long-term planning purposes. The Five-Year Consolidated Plan provides a demographic profile, lists housing and community development funding needs and describes a strategy for addressing those needs through the four HUD entitlement programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The Consolidated Plan addresses the unincorporated area, six CDBG Program participating cities, and the HOME Consortium, comprised of six participating cities, which all together are identified as the County of San Diego Consortium. The Five-Year Consolidated Plan for the period of July 1, 2015, through June 30, 2020, was approved by the Board of Supervisors on April 7, 2015 (8).

For each year of the Five-Year Consolidated Plan, the County must develop Annual Plans as a subcomponent of the Five-Year Consolidated Plan. The Annual Plans identify specific projects to be funded through the entitlement programs during the upcoming fiscal year based on that year's program allocations. The Fiscal Year 2018-19 Annual Plan represents the fourth year of the Five-Year 2015-2019 Consolidated Plan. Although the federal budget has been approved, Fiscal Year 2018-19 entitlement funding for the individual jurisdictions has not yet been determined by HUD and therefore recommendations in the Annual Plan are based on previous year funding allocations and anticipated program income for Fiscal Year 2018-19. It is anticipated that HUD will announce Fiscal Year 2018-2019 entitlement amounts in spring 2018. It is also anticipated that approximately \$11,297,388 in entitlement funds, program income, and reallocated prior years' funds will be available in Fiscal Year 2018-19. The recommendations in the Annual Plan represent a wide range of services and projects that will support community revitalization and affordable housing for low-income residents and persons with special needs.

During the preparation of consolidated and annual plans, resident and stakeholder input is sought in conformance with the procedures outlined in the adopted Citizen Participation Plan. The current revisions to the Citizen Participation Plan are necessary due to changes in fair housing regulations and a need to revise public hearing procedures.

Today's requested actions require a public notice, public hearing and a 30-day public comment period allowing the public to view and comment on the draft Annual Plan. The draft Annual Plan includes specific projects and estimated funding amounts and will be submitted to HUD after Board of Supervisors (Board) approval. The public comment period began on

March 16, 2018, and ends on April 17, 2018. The draft Annual Plan will be adjusted to reflect any appropriate revisions as a result of public testimony and final funding amounts announced by HUD. After adjustments, the final Annual Plan will be submitted to HUD.

Approval of the recommendations will authorize Fiscal Year 2018-19 project funding and memorialize the steps taken to engage the public and stakeholders in planning, reporting and program administration. Specifically, today's recommendations request Board authority:

- to reallocate available entitlement grant funding of up to \$59,474 in prior years' CDBG allocations, and up to \$1,000,000 in prior years' HOPWA allocations;
- to authorize an advance of up to \$191,091 combined to the Cities Lemon Grove and Imperial Beach to supplement Fiscal Year 2018-19 projects;
- in accordance with the Citizen Participation Plan to reallocate balances as necessary during the program year from existing, completed, or cancelled CDBG, HOME, ESG and HOPWA projects to supplement other approved CDBG, HOME, ESG and HOPWA projects;
- to apply for and accept Fiscal Year 2018-19 State of California ESG funds; and
- to adjust the amount of funding to projects identified in the Fiscal Year 2018-19 Annual Plan as necessary to reflect the actual entitlement grant amounts when they are released by HUD.

Today's actions support the County's *Live Well San Diego* vision by ensuring low-income residents have access to suitable living environments as well as to enhance the quality of life for residents by encouraging decent and affordable housing.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive public testimony and approve the proposed Fiscal Year 2018-19 Annual Plan outlining the proposed use of CDBG, HOME, ESG, State ESG, and HOPWA Program funds for submittal to HUD.
2. Receive public testimony regarding minor revisions to the Citizen Participation Plan.
3. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE 2018-19 ANNUAL PLAN AND A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE FISCAL YEAR 2018 STATE EMERGENCY SOLUTIONS GRANT PROGRAM certifying compliance with the Housing and Community Development Act of 1974, as amended, to authorize the execution and transmittal of necessary documents and amendments for the Fiscal Year 2018-19 Annual Plan.
4. Authorize the reallocation of up to \$14,836 in prior years' CDBG Housing Development funds from the City of Poway's completed Fiscal Year 2016-17 City of Poway Lake Poway Recreational Park ADA Improvements Project (\$149) and Fiscal Year 2017-18 City of Poway Residential Rehabilitation Program Income (\$14,687), to supplement the Fiscal Year 2018-19 City of Poway Lake Poway Recreational Park ADA Improvements Project.

5. Authorize the reallocation of up to \$44,638 in prior years' CDBG Housing Development funds from the City of Lemon Grove's completed Fiscal Year 2016-17 Street Rehabilitation and ADA Pedestrian Ramps project to supplement the Fiscal Year 2018-19 City of Lemon Grove Street Rehabilitation and ADA Improvements Project.
6. Authorize an advance of up to \$98,880 in current year CDBG funds to supplement the Fiscal Year 2018-19 City of Imperial Beach ADA Improvements Project.
7. Authorize an advance of up to \$92,211 in current year CDBG funds to supplement the Fiscal Year 2018-19 City of Lemon Grove Street Rehabilitation and ADA Improvements Project.
8. Authorize the reallocation of up to \$1,000,000 in prior years' HOPWA allocations to supplement the Fiscal Year 2018-19 HOPWA Program.
9. Authorize the Agency Director, Health and Human Services Agency or designee, in consultation with the Department of Purchasing and Contracting and County Counsel, to issue Notices of Funding Availability, publish notices, award contracts and execute agreements, amend existing contracts as needed to reflect changes to services and funding, execute certification forms, prepare and execute all necessary documents for the submittal, regulatory processing and implementation, and take any other actions necessary as required by HUD for Recommendations 3 through 8, and the Fiscal Year 2018-19 recommended and/or alternative CDBG, HOME, ESG, State ESG, and HOPWA programs, following the completion of environmental processing and HUD release of funds, as applicable.
10. In accordance with Section 401 et seq. of the County Administrative Code and where determined appropriate, authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for the Fiscal Year 2018-19 State of California ESG grant funds and the programs and services listed in the proposed Fiscal Year 2018-19 Annual Plan, and upon successful negotiations and determination of a fair and reasonable price, award contracts for an initial term of one year, with up to four option years and up to an additional six months, if needed and to amend contracts as required to reflect changes to services and funding or services requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.
11. Authorize the Agency Director, Health and Human Services Agency or designee, to reallocate as necessary in accordance with the Citizen Participation Plan project balances from cancelled/or completed projects, including program income, to existing approved and/or alternative CDBG, HOME, ESG and HOPWA projects.
12. Authorize the Agency Director, Health and Human Services Agency or designee to adjust the amount of funding to projects identified within the Fiscal Year 2018-19 Annual Plan as necessary to reflect the actual entitlement grant amounts when they are determined by HUD.
13. Authorize the Agency Director, Health and Human Services Agency or designee, to apply for Fiscal Year 2018-19 State of California ESG grant funds of up to \$1,716,657.

14. Authorize the Agency Director, Health and Human Services Agency or designee, in consultation with the Department of Purchasing and Contracting and County Counsel, to accept, if awarded, Fiscal Years 2018-19 State of California ESG grant funds, and issue Notices of Funding Availability; publish notices; award contracts; execute agreements; amend existing contracts as needed to reflect changes to services and funding; execute certification forms; prepare and execute all necessary documents for the submittal, regulatory processing and program implementation; and take any other actions necessary as required by the State of California for projects funded with State of California ESG program funds.

FISCAL IMPACT

Funds in the amount of \$11,297,388 for this request will be included in the Fiscal Year 2018-20 CAO Recommended Operational Plan for the Health and Human Services Agency, Department of Parks and Recreation, and Department of Public Works.

The funding sources for these requests are estimated at \$9,612,914 for Fiscal Year 2018-19 HUD entitlements grant awards for CDBG (\$3,731,709), HOME (\$2,295,097), ESG (\$331,823), HOPWA (\$3,254,285), and an estimated \$625,000 in program income from repayment proceeds from loans funded with CDBG (\$325,000) and HOME funds (\$300,000). In addition, this request will result in the reallocation of up to \$59,474 in prior years' CDBG funds and up to \$1,000,000 in prior years' HOPWA funds. Upon award of the FY 2018 State ESG funds, Health and Human Services Agency will return to the Board to establish appropriations, if necessary. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The proposed recommendations will have a positive impact on the business community. Many of the recommended projects include construction that will be implemented by private firms selected through competitive bid processes.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors closed the Hearing and took action as recommended, adopting Resolution No. 18-040 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE 2018-19 ANNUAL PLAN AND A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE FISCAL YEAR 2018 STATE EMERGENCY SOLUTIONS GRANT PROGRAM; and referred the application for the \$17,500 Ramona Town Hall ADA improvements project to the Chief Administrative Officer to locate funding for the project.

AYES: Cox, Jacob, Gaspar, Horn
ABSENT: Roberts

**6. SUBJECT: BEHAVIORAL HEALTH SERVICES MULTI-YEAR AGREEMENT
FOR THE SUBSTANCE ABUSE BLOCK GRANT FOR FISCAL YEAR
2017-18 THROUGH FISCAL YEAR 2019-20 (DISTRICTS: ALL)**

OVERVIEW

The California Department of Health Care Services (DHCS) and the County of San Diego (County) enter into a contract every three years to enable the County to receive Substance Abuse Prevention and Treatment Block Grant (SABG) funding through DHCS. SABG funds are used to provide substance use disorder prevention, treatment and recovery support services that are:

- Not covered by Drug Medi-Cal funding; or
- For uninsured residents of San Diego County, defined as individuals who are not covered by Medi-Cal or other health insurance.

Today's action requests the Board of Supervisors (Board) to authorize the Clerk of the Board to execute the Behavioral Health Services Multi-Year Agreement (Agreement) for the SABG with DHCS and accept funding to support these services for Fiscal Year (FY) 2017-18 through 2019-20. Today's action also requests the Board to authorize the Clerk of the Board to execute any future amendments to the Agreement, subject to the approval of the Agency Director, Health and Human Services Agency.

Today's actions support the countywide *Live Well San Diego* vision by ensuring individuals with substance use disorders continue to have access to services, promoting health and well-being in children, adults and families, and encouraging self-sufficiency, which promotes a healthy, safe and thriving region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve and authorize the Clerk of the Board to execute the Behavioral Health Services Multi-Year Agreement for the Substance Abuse Block Grant (SABG) with the California Department of Health Care Services (DHCS) and accept estimated federal funding in the amount of \$54,013,542 from the State of California for Fiscal Years 2017-18 through 2019-20.
2. Approve and authorize the Clerk of the Board to execute amendments to the Behavioral Health Services Multi-Year Agreement for the SABG with DHCS, as required, and to reflect revised revenue amounts allocated by the State, subject to the approval of the Agency Director, Health and Human Services Agency.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2017-19 Operational Plan for the Health and Human Services Agency. If approved, this request will result in estimated annual costs and revenue of \$18,004,514 for FY 2017-18 through FY 2019-20, for a total of \$54,013,542. The funding source is Substance Abuse Block Grant. There will be no change in net County General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

8. SUBJECT: PUBLIC DEFENDER - NEW LEASE AGREEMENT FOR EXPANSION SPACE AT 450 B STREET, SAN DIEGO (TKOS I, LLC) (DISTRICT: 4)

OVERVIEW

The Department of Public Defender which includes the divisions of Primary Public Defender, Office of Assigned Counsel, Alternate Public Defender and Multiple Conflicts Office currently occupy a total of 76,668 square feet of office space, under multiple leases, on the 12th, 9th and 8th floors respectively, along with 579 square feet of storage space, in the building at 450 B Street in downtown San Diego. The current leases expire on June 30, 2022. The Public Defender has a need to lease expansion space to house eight (8) recently hired investigative staff and provide for the site's meeting, file storage and operational needs. The Department of General Services prepared a space validation supporting 4,362 square feet of space to meet this need.

Today, the Board of Supervisors is requested to approve a new lease agreement for 4,529 square feet of space on the 4th floor at 450 B Street with TKOS I, LLC, the lessor. The new lease will be coterminous with the Public Defender's existing leases in the building. The starting rent for the expansion space is \$9,964 (\$2.20/SF) per month which includes utilities, custodial service and maintenance costs, plus \$1,200 per month for five (5) parking spaces in the building's garage. The lessor is providing a tenant improvement allowance of \$135,870 (\$30/square foot) at no additional cost to County. The proposed lease terms are consistent with comparable transactions for similar Class B office space in the downtown San Diego rental market.

RECOMMENDATION(S)**CHIEF ADMINISTRATIVE OFFICER**

1. Find the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15301.
2. Approve and authorize the Director, Department of General Services, to execute the lease agreement with TKOS I, LLC, for 4,529 square feet of space in Suite 450, at 450 B Street, San Diego.
3. Authorize the Director, Department of General Services, to take any future actions necessary to administer the lease.

FISCAL IMPACT

Funds for this request are included in the CAO Recommended Fiscal Year 2018-19 Operational Plan for the Public Defender. If approved, this request will result in estimated costs of \$324,748, including \$203,805 (\$45/SF) for tenant improvements which exceed the landlord-provided tenant improvement allowance of \$135,870 (\$30/square foot) plus \$120,943 for rent and parking fees, based on a lease commencement date of September 1, 2018. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

7. **SUBJECT: REQUEST FOR RATIFICATION OF EMERGENCY REPAIRS AT THE SHERIFF'S REGIONAL CRIME LABORATORY CAUSED BY WATER LEAKS (DISTRICT: 4)**

OVERVIEW

The Department of General Services exercised authority granted under Section 402 of the County Code of Administrative Ordinances and Section 3.A.4) of Board of Supervisors Policy A-87, Competitive Procurement, to contain damage caused by a high-pressure water leak at the Sheriff's Regional Crime Laboratory and to prevent further damage from mold growth.

The Department of General Services responded to a water leak caused by the failure of a drain valve in the HVAC chiller unit. A remediation contract was established to perform initial water cleanup, dry out spaces, pack up, removal and storage of equipment and office material, and to isolate and contain mold in the impacted areas. All post-emergency construction activities to abate mold and fully restore the spaces were accomplished directly by the insurance company contractor, without further costs to the County.

The initial estimate of \$80,000 to secure the space and stem potential mold issues was exceeded, as the impacted area was larger than initially anticipated. These unforeseen conditions could not be detected until containment and remediation was initiated. The final cost for this effort was \$113,572. The work was accomplished by J&M Keystone.

Today's request is for the Board to ratify the emergency repairs of the Sheriff's Regional Crime Laboratory.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Ratify the emergency repairs of the Sheriff's Regional Crime Laboratory caused by water leaks on the basis that public interest and necessity demanded immediate expenditure of funds on an emergency basis without competitive bidding.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan for the Department of General Services. If approved, this request will result in costs and revenue of \$113,572. The funding sources are charges to client departments (\$50,000) and proceeds from insurance claims (\$63,572). 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

9. SUBJECT: EMPOWERING REFORMED CITIZENS (DISTRICTS: ALL)

OVERVIEW

The Other Side Academy (TOSA) is a 501(c)(3) public non-profit organization where criminals, homeless, and substance abusers can change their lives, free of charge. Their comprehensive two-year residential program - modeled after Delancey Street Foundation - offers vocational training, education, peer counseling, mentoring, leadership training, and transitional services. Over the past 45 years, Delancey Street Foundation has helped over 20,000 people transform their lives. These are people who would otherwise be in jail or prison. Their program has helped the state of California avoid the taxpayer expense of over 100,000 years of incarceration.

Like Delancey Street Foundation, The Other Side Academy is an educational model that is solving complex social problems. Courses are taught as experiential instruction with minimal classroom work. TOSA believes that students learn in two main ways - by doing and by teaching. A core principle is called the "Each One Teach One" process. Helping others is an important way to earn self-reliance. Person A helps person B and person A gets better.

Participants in the program are called "students" and they represent our society's most serious social problems. Most have been in and out of jail or prison over and over again and ultimately left without any apparent hope for a decent life. All that is required of the students is a strong desire to change and a willingness to do whatever is asked of them to bring about that change, including working hard every day. It is a physically and mentally demanding environment; everyone works together and learns by doing. By participating in the training schools, the students in the program receive an education, acquire marketable vocational and social skills, and earn the self-respect necessary to let go of their past. For most, this is the hardest thing they have ever done.

TOSA is not a "re-hab" in the traditional sense nor is it a residential treatment facility. The emphasis is not on drugs or alcohol. Rather, they focus on behavior and on learning how to live a life of honesty, empathy, and accountability. It is a peer community for learning life skills. The County's 2018-2023 Strategic Plan clearly defines our County's vision, mission and values. Within the Living Safely initiative, we address the need for the regional criminal justice system to achieve a balance between accountability and rehabilitation. Today's action strongly supports our goal to fully implement a balanced-approach model that reduces crime by holding offenders accountable while providing them access to rehabilitation.

Today's proposed action would direct the Chief Administrative Officer to identify County facilities or sites that meet the distinct needs of an innovative program like The Other Side Academy and return to the Board within 90 days with a report identifying possible sites and the actions needed to make a site available for this program.

RECOMMENDATION(S)

CHAIRWOMAN KRISTIN GASPAR AND SHERIFF BILL GORE

Direct the Chief Administrative Officer to identify County facilities or sites that meet the distinct needs of an innovative program like The Other Side Academy and return to the Board within 90 days with a report identifying possible sites and the actions needed to make a site available for this program.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

- 10. SUBJECT: REGIONAL HUMAN TRAFFICKING UPDATE, STRONGER HELP FOR VICTIMS OF HUMAN TRAFFICKING, AND SUPPORT FOR AB 2105 (MAIENSHEIN) AND SB 970 (ATKINS) (DISTRICTS: ALL)**

OVERVIEW

On October 21, 2014, and January 26, 2016, the San Diego Regional Human Trafficking (HT) and Commercial Sexual Exploitation of Children (CSEC) Advisory Council reported to the Board of Supervisors (Board) on the status of human trafficking in the San Diego region. The HT and CSEC Advisory Council continue to coordinate and implement recommendations to attack the ever-changing problem of human trafficking in our region.

Human trafficking and child sexual exploitation continues to be a large problem in our region. The most recent local study shows that the underground sex economy represents approximately \$810 million in annual revenue, and involves an estimated 3,147-8,108 victims/survivors per year.

However, we as a County continue to advocate for additional ways to protect and support human trafficking victims. One way that we can support victims is to provide them a way to take civil action against their traffickers. Recovering civil penalties from traffickers will help cripple their operations, and also provide a means to assist in victim recovery. Assembly Bill 2105 (Maienshein) aims to give the District Attorney the ability to increase the monetary judgements for victims in successful civil cases.

This board has previously approved an action aimed to raise awareness of human trafficking among those in the lodging industry. Senate Bill 970 (Atkins) would require lodging industry employers to provide human trafficking training and education to employees who are likely to interact or come into contact with victims of human trafficking.

Today's request includes an update to the board by the HT and CSEC Advisory Council, including an update on implementation of AB 1227 which mandates that schools provide prevention education on human trafficking. Today's request also directs the Chief Administrative Officer to add to the legislative program support for State legislation that allows victims of human trafficking to take civil action against their traffickers, and support AB 2105 and SB 970.

RECOMMENDATION(S)

VICE-CHAIRWOMAN DIANNE JACOB

1. Receive a report by the San Diego Regional HT and CSEC Advisory Council, including an update on AB 1227 implementation.
2. Direct the Chief Administrative Officer to draft a letter expressing this Board of Supervisors' support for State Assembly Bill 2105 to San Diego County's legislative representatives in Sacramento.
3. Direct the Chief Administrative Officer to draft a letter expressing this Board of Supervisors' support for State Senate Bill 970 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 provides for victims of human trafficking the ability to take civil actions against their traffickers.

FISCAL IMPACT

There is no fiscal impact related these recommendations.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn
ABSENT: Roberts

11. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 2)

OVERVIEW

Funding for the Neighborhood Reinvestment Program (NRP) is included in the Fiscal Year 2017-2018 Operational Plan in order to further public purposes throughout San Diego County.

RECOMMENDATION(S)

VICE-CHAIRWOMAN DIANNE JACOB

1. Allocate \$15,000 from the District Two Neighborhood Reinvestment Program (Org 15655) to CYT San Diego, Inc. to partially fund a truck, with a lift gate, to be housed in El Cajon, CA.
2. Allocate \$40,000 from the District Two Neighborhood Reinvestment Program (Org 15655) to the Department of Parks and Recreation to fund repairs at the Lakeside Baseball Park in Lakeside, CA.
3. Transfer appropriations of \$40,000 from the Neighborhood Reinvestment Program budget (Org 15655), Other Charges, to the Department of Parks and Recreation (Org 52806), Services and Supplies, to fund repairs at the Lakeside Baseball Park in Lakeside, CA.
4. Allocate \$100,000 from the District Two Neighborhood Reinvestment Program (Org 15655) to the YMCA of San Diego County to partially fund an expansion and renovation of a dining hall at YMCA Camp Marston in Julian, CA.
5. Establish appropriations of \$50,809 in the Neighborhood Reinvestment Program Budget (Org 15655) based on the return of unused portions of prior year allocations so the funds can be allocation to other projects. **(4 VOTES)**
6. Find that the grant awards described above have a public purpose.
7. Authorize the Deputy Chief Administrative Office/Auditor and Controller to execute grant agreements with the organizations awarded Neighborhood Reinvestment funds establishing terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
8. Find that the proposed allocation identified in Recommendation No. 2 is exempt from CEQA review pursuant to section of 15301 of the CEQA Guidelines and the allocation identified in Recommendation No. 4 is exempt from CEQA review pursuant to section 15303 of the CEQA Guidelines.

FISCAL IMPACT

The County contribution to these projects is \$155,000. Funds for this request are included in the Fiscal Year 2017-2018 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). The funding source is General Fund fund balance. This action will result in the addition of no new staff years and no future costs.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn
ABSENT: Roberts

**12. SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA
ENTERPRISE DEVELOPMENT AUTHORITY FOR THE BENEFIT OF
JACOBS CENTER FOR NEIGHBORHOOD INNOVATION IN AN
AGGREGATE AMOUNT NOT TO EXCEED \$22,000,000
(DISTRICTS: 1 AND 4)**

OVERVIEW

The County has received a request from the California Enterprise Development Authority ("CEDA" 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 revenue obligations in an aggregate principal amount not to exceed \$22,000,000 (the "Obligations"), for the benefit of the Jacobs Center for Neighborhood Innovation (the "Borrower"), a nonprofit public benefit corporation and Section 501(c)(3) organization duly organized and existing under State and Federal law. The Borrower has applied for the financial assistance of the Authority to finance and refinance the cost of the acquisition, construction, renovation, equipping and furnishing of various locations in San Diego County. A portion of the proceeds of the Obligations will be used to pay the costs of issuance and other related costs in connection with the financing.

The Authority is authorized to assist in financing for nonprofit public benefit organizations wishing to issue revenue obligations, including the Borrower. In order to initiate such a financing, the Borrower is asking the County of San Diego, a member jurisdiction in which the Project resides to: (1) conduct a public hearing to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code; and (2) approve the Authority's issuance of the Obligations. Although the Authority will be the issuer of the Obligations for the Borrower, the financing cannot proceed without the approval of an applicable legislative body.

Today's recommendations will provide the Authority with the required authorization to pursue its determination to issue the Obligations on behalf of the Borrower for the project.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF REVENUE OBLIGATIONS FOR THE PURPOSE OF FINANCING AND REFINANCING THE COST OF THE ACQUISITION, CONSTRUCTION, RENOVATION, EQUIPPING AND FURNISHING OF CERTAIN PROPERTY, PROVIDING THE TERMS AND CONDITIONS FOR SUCH OBLIGATIONS AND OTHER MATTERS RELATING THERETO FOR THE BENEFIT OF JACOBS CENTER FOR NEIGHBORHOOD INNOVATION.

FISCAL IMPACT

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

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 18-041 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF REVENUE OBLIGATIONS FOR THE PURPOSE OF FINANCING AND REFINANCING THE COST OF THE ACQUISITION, CONSTRUCTION, RENOVATION, EQUIPPING AND FURNISHING OF CERTAIN PROPERTY, PROVIDING THE TERMS AND CONDITIONS FOR SUCH OBLIGATIONS AND OTHER MATTERS RELATING THERETO FOR THE BENEFIT OF JACOBS CENTER FOR NEIGHBORHOOD INNOVATION.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

13. **SUBJECT: NOTICED PUBLIC HEARING:
FINANCE AND GENERAL GOVERNMENT GROUP FEES AND
RATES RELATING TO THE CLERK OF THE BOARD, AUDITOR
AND CONTROLLER, AND COUNTY COUNSEL (DISTRICTS: ALL)**

OVERVIEW

Today's actions request that the Board of Supervisors review and approve amendments to Article V, section 94 and Article X-A of the County of San Diego Administrative Code; Rule 8(a) of the County of San Diego Assessment Appeals Boards and Assessment Hearing Officers Rules of Procedure; and several resolutions related to fees charged for services for the Auditor and Controller, the Clerk of the Board of Supervisors, and County Counsel.

Today's recommended ordinances and resolutions represent a comprehensive package that seeks to support the Finance and General Government Group services and will result in fees and rates that are fair and equitable for customers and the public. The proposed changes are the result of an analysis of services provided to the public, processing times, and corresponding costs to provide those services. Over the past several months, the Finance and General Government Group reviewed a total of eight fees, resulting in various proposed adjustments, deletions, and determinations to maintain existing fees.

The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal.

Today's actions include introducing an Ordinance amending Article V, section 94 and Article X-A of the San Diego County Administrative Code, and Rule 8(a) of the County of San Diego Assessment Appeals Boards and Assessment Hearing Officers Rules of Procedure (first reading) so that it can be acted upon at the April 24, 2018 meeting (second reading).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On April 17, 2018 (First Reading):

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

AN ORDINANCE AMENDING ARTICLE X-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES CHARGED BY THE CLERK OF THE BOARD OF SUPERVISORS FOR COPIES OF AUDIO RECORDINGS;

AN ORDINANCE AMENDING RULE 8(a) OF THE SAN DIEGO COUNTY ASSESSMENT APPEALS BOARDS AND ASSESSMENT HEARING OFFICERS RULES OF PROCEDURE RELATING TO FEES CHARGED BY THE CLERK OF THE BOARD OF SUPERVISORS FOR WRITTEN ASSESSMENT APPEALS BOARD FINDINGS AND CONCLUSIONS; and

AN ORDINANCE AMENDING ARTICLE V, SECTION 94 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES CHARGED BY THE AUDITOR AND CONTROLLER.

2. Adopt a Resolution rescinding Resolution 6-4-85 (20) entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, RESCINDING RESOLUTION 6-4-85 (20), "A RESOLUTION REQUIRING THE CLERK OF THE BOARD OF SUPERVISORS TO COLLECT FEES IN THE SUBDIVISION PROCESS"
3. Pursuant to Article IX, section 143 of the San Diego County Administrative Code, adopt a Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO COUNTY COUNSEL HOURLY BILLING RATES FOR ATTORNEY AND PARALEGAL SERVICES

If, on April 17, 2018, the Board takes action as recommended in item 1 then, on April 24, 2018 (second reading):

Submit the Ordinances for further Board consideration and adoption on April 24, 2018 (second reading).

FISCAL IMPACT

Funds for this proposal will be included in the Fiscal Year 2018-20 Recommended Operational Plan for the Clerk of the Board, Auditor and Controller and Office of County Counsel. If approved, the proposed fees will ensure full cost recovery for services provided, and amounts are anticipated to be minimal for the Clerk of the Board and Auditor and Controller. If approved, the proposed hourly rate for the Office of County Counsel's attorneys and paralegals will ensure full cost recovery for services provided and is projected that \$3,063,000 of County Counsel's funding will come from revenue generated from the hourly billable services provided to clients. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The proposed fee changes are considered reasonable and too small to have a measurable impact on the local business community.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 18-042 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, RESCINDING RESOLUTION 6-4-85 (20), "A RESOLUTION REQUIRING THE CLERK OF THE BOARD OF SUPERVISORS TO COLLECT FEES IN THE SUBDIVISION PROCESS; and, Resolution No. 18-043 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO COUNTY COUNSEL HOURLY BILLING RATES FOR ATTORNEY AND PARALEGAL SERVICES; and, introduced the Ordinances for further Board consideration and adoption on April 24, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

14. **SUBJECT: GRANT APPROVAL TO CONTINUE TO UTILIZE FULL SCOPE OF SERVICES OF CALIFORNIA STATE ASSOCIATION OF COUNTIES - EXCESS INSURANCE AUTHORITY (CSAC-EIA) RISK RELATED AND BENEFIT SERVICES AND AMEND RESOLUTION TO APPOINT VOTING MEMBERS TO THE BOARD (DISTRICTS: ALL)**

OVERVIEW

Since 1993, the County of San Diego has been a member of the California State Association of Counties - Excess Insurance Authority (CSAC-EIA), which is a member-directed sharing pool of public agencies committed to providing risk coverage programs and risk management services. The County utilizes CSAC-EIA's services to purchase insurance related products, such as All Risk Property Insurance, Government Crime Insurance, Excess Workers' Compensation Insurance, Cyber Liability, Aviation insurance products, various risk and ancillary employee benefits related services.

The County of San Diego maintains representation on the CSAC-EIA Board of Directors through one appointed Board member with one appointed Alternate Board member. The County Board of Supervisors adopted a resolution of these appointments on June 29, 1993 (89). Today's request is to adopt an amendment to the Resolution Appointing Members to the CSAC - Excess Insurance Authority Property Insurance Program Board of Directors, which will appoint the Deputy Director - Risk Management as the primary voting Board member and the Senior Risk and Insurance Analyst as the alternate voting member to the CSAC-EIA Board of Directors. This request also includes authorizing the Department of Human Resources to continue utilizing the full scope of the services offered by CSAC-EIA, to include purchasing insurance related products.

RECOMMENDATION(S)**CHIEF ADMINISTRATIVE OFFICER**

1. Authorize the Department of Human Resources to continue to utilize the full scope of services offered by the California State Association of Counties - Excess Insurance Authority (CSAC-EIA), to include purchase of risk related insurance products, All Risk Property Insurance, Government Crime Insurance, Excess Workers' Compensation Insurance, Cyber Liability, and ancillary employee benefits related services.

2. Adopt the Amended Resolution entitled: "A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO APPOINTING MEMBERS TO THE CSAC-EXCESS INSURANCE AUTHORITY PROPERTY INSURANCE PROGRAM BOARD OF DIRECTORS (Amended April 17, 2018)" that appoints the Deputy Director - Risk Management as the primary voting Board member and the Senior Risk and Insurance Analyst as the alternate voting Board member to the CSAC-EIA Board of Directors.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in the Department of Human Resources, Airport Enterprise Fund, and the Employee Benefits Internal Service Fund (ISF). The funding for the property, casualty, crime and miscellaneous programs, aviation insurance, and related services as necessary, are included in the Department of Human Resources and the Airport Enterprise Fund budgets. The funding for the excess workers' compensation insurance and risk related services are recovered through a charge to departments and collected through the Employee Benefits Internal Service Fund (ISF). The ancillary benefit programs will be funded by employees' contributions. 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 18-044 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO APPOINTING MEMBERS TO THE CSAC – EXCESS INSURANCE AUTHORITY PROPERTY INSURANCE PROGRAM BOARD OF DIRECTORS.

AYES: Cox, Jacob, Gaspar, Horn
ABSENT: Roberts

15. 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

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

OVERVIEW

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

RECOMMENDATION(S)

CHAIRWOMAN KRISTIN GASPAR

Appoint Virginia Duncan to the FISH AND WILDLIFE ADVISORY COMMISSION, SAN DIEGO COUNTY, Seat No. 5, for a term to expire January 4, 2021.

VICE-CHAIRWOMAN DIANNE JACOB

Appoint Bob Shea to the CAMPO - LAKE MORENA COMMUNITY PLANNING GROUP, Seat No. 7, for a term to expire January 4, 2021.

Appoint Darren Greenhalgh to the JAMUL / DULZURA COMMUNITY PLANNING GROUP, Seat No. 5, for a term to expire January 4, 2021.

Appoint Mark Manis to the JAMUL / DULZURA COMMUNITY PLANNING GROUP, Seat No. 11, for a term to expire January 4, 2021.

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Steven Stockwell to the LAKESIDE DESIGN REVIEW BOARD, Seat No. 6, for a term to begin May 7, 2018 and to expire May 7, 2020.

CHIEF ADMINISTRATIVE OFFICER

Re-appoint Daryn Drum to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 20, for a term to expire January 27, 2021.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

17. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Daryl Bever v. County of San Diego, San Diego County Superior Court, Small Claims Division, No. 37-2017-00349238-SC-SC-CTL

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph 4 of subdivision (d) of Government Code section 54956.9: (Number of Cases - 1)

C. 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-2615-GPC

D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph 4 of subdivision (d) of Government Code section 54956.9: (Number of Cases - 1)

E. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph 4 of subdivision (d) of Government Code section 54956.9: (Number of Cases - 1)

F. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph 4 of subdivision (d) of Government Code section 54956.9: (Number of Cases - 1)

G. CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)

Designated Representatives: Susan Brazeau, Brad Rankin

Employee Organizations and Unrepresented Employees: All

ACTION:

County Counsel reported that for Closed Session on Tuesday, April 17, 2018, the Board of Supervisors took the following action:

Item 17A: Daryl Bever v. County of San Diego, by a vote of four board members voting "Aye", with Supervisor Roberts absent, authorize County Counsel to appeal a decision of the Small Claims Court finding Mr. Bever not liable for penalties for paying his property taxes late.

Item 17B: By a vote of four Board members voting “Aye”, with Supervisor Roberts absent, direction to initiate litigation has been given and the action, defendants, and other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the County’s ability to effectuate service of process on one or more unserved parties.

Item 17C: Cynthia Kendrick v. County of San Diego, by a vote of four Board members voting “Aye”, with Supervisor Roberts absent, authorize County Counsel to appeal the district court’s ruling that a sheriff’s deputy was not entitled to qualified immunity in a case alleging excessive use of force.

Item 17D: By vote of four Board members voting “Aye”, with Supervisor Roberts absent, direction to initiate litigation has been given and the action, defendants, and other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the County’s ability to effectuate service of process on one or more unserved parties.

Item 17E: The United States of America v. The State of California, a case alleging that a state law that limits cooperation with federal immigration officials is preempted by federal law, by a vote of 3-1, with Supervisors Jacob, Gaspar and Horn voting “Aye” and Supervisor Cox voting “Nay” and Supervisor Roberts absent, authorize County Counsel to file an amicus brief supporting the position of the United States at the first available opportunity, which is likely to be on appeal.

The Board adjourned the Tuesday session at 12:50 p.m.

DAVID HALL
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Miller
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, May 8, 2018.


KRISTIN GASPAR
Chairwoman

Attest:


DAVID HALL
Clerk of the Board

04/17/18