

April 21, 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, APRIL 21, 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 9:01 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 Dr. Nick Yphantides, Chief Medical Officer, County of San Diego.
- C. Pledge of Allegiance was led by Supervisor Nathan Fletcher.
- 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 Regular Board of Supervisors meeting of April 7, 2020 and the Special Meeting of April 9, 2020.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of April 7, 2020 and the Special Meeting of April 9, 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

Category	#	Subject
Health and Human Services	1.	AUTHORIZATION TO ACCEPT CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FUNDING FOR COUNTYWIDE CHILDHOOD LEAD POISONING PREVENTION SERVICES, AUTHORIZATION TO PURSUE FUTURE FUNDING OPPORTUNITIES FOR CHILDHOOD LEAD POISONING PREVENTION SERVICES [FUNDING SOURCE: CHILDHOOD LEAD POISONING PREVENTION GRANT FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH]
	2.	RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE COVID-19 PANDEMIC [FUNDING SOURCE: FEDERAL AND STATE STIMULUS REVENUE, PROGRAM REVENUES, GENERAL PURPOSE REVENUES, AND GENERAL FUND FUND BALANCE]
Land Use and Environment	3.	NOTICED PUBLIC HEARING: RAMS HILL DEVELOPMENT AGREEMENT THRESHOLD DECISION, PDS2019-DA-19-001; BORREGO SPRINGS COMMUNITY PLANNING AREA
	4.	NOTICED PUBLIC HEARING: APPLICANT REQUEST TO RESCIND THE NEWLAND SIERRA GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, AND RESOURCE PROTECTION ORDINANCE AMENDMENT, LOCATED IN THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AREA AND THE BONSALE COMMUNITY PLAN AREA
	5.	STREAMLINING RENEWABLE ENERGY PROJECTS IN SAN DIEGO COUNTY [FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE] (4 VOTES)
	6.	SET A HEARING FOR 05/06/2020: VACATION OF BIOLOGICAL OPEN SPACE EASEMENT RELATED TO THE UNDERGROUNDING OF THE SAN PASQUAL CANAL, PDS2019-VAC-19-002; VALLEY CENTER COMMUNITY PLAN AREA (04/21/2020 - SET HEARING; 05/06/2020 - HOLD HEARING)

7. ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR SAN MARINO DRIVE WATER QUALITY IMPROVEMENT PROJECT
[FUNDING SOURCE: AVAILABLE FUND BALANCE BUDGETED IN THE DEPARTMENT OF PUBLIC WORKS GENERAL FUND]
(4 VOTES)
8. COUNTY AIRPORTS - SECURITY CONTRACT FOR MCCLELLAN-PALOMAR, GILLESPIE FIELD, RAMONA, FALLBROOK, AND BORREGO VALLEY AIRPORTS
[FUNDING SOURCE: OPERATIONAL REVENUE FROM RENTS AND CONCESSIONS AS WELL AS AVIATION FEES AND ROYALTIES IN THE AIRPORT ENTERPRISE FUND]
9. ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR GOLDENTOP ROAD 4S RANCH BUSINESS PARK WATER QUALITY PROJECT
[FUNDING SOURCE: AVAILABLE FUND BALANCE BUDGETED IN THE DEPARTMENT OF PUBLIC WORKS GENERAL FUND]
(4 VOTES)
10. ADOPT A RESOLUTION APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SENATE BILL 1 (SB 1) FOR FISCAL YEAR 2020-21
[FUNDING SOURCE: STATE SB 1 GAS TAX REVENUE]
11. COUNTY AIRPORTS - ADOPT A RESOLUTION AUTHORIZING APPLICATIONS AND AGREEMENTS FOR ACCEPTANCE OF FEDERAL AND STATE GRANT FUNDS
12. ADOPT A RESOLUTION TO APPROVE THE COUNTY'S 2020 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2020-21 THROUGH 2024-25
13. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 2)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
14. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 4)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]

Financial and
General
Government

15. ADOPT A RESOLUTION TO DECLARE AN EMERGENCY AND TAKE ACTIONS TO AMEND THE BUDGET AND YEAR-END PROCESSES
(4 VOTES)
- (RELATES TO AIR POLLUTION CONTROL BOARD AGENDA NO. AP1; FLOOD CONTROL DISTRICT AGENDA NO. FL1; IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AGENDA NO. IA1; REDEVELOPMENT SUCCESSOR AGENCY AGENDA NO. SR1; SANITATION DISTRICT AGENDA NO. SA1)
16. REGISTRAR OF VOTERS - DECLARATION OF ELECTION RESULTS - MARCH 3, 2020 PRESIDENTIAL PRIMARY ELECTION
- Communications Received 17. COMMUNICATIONS RECEIVED
- Appointments 18. APPOINTMENTS: VARIOUS
- Financial and General Government 19. COUNTY OF SAN DIEGO TEETER PLAN
(4 VOTES)
20. GENERAL SERVICES, REPORT OF ACTION PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050 FOR EMERGENCY REPAIRS AT THE SOUTH BAY REGIONAL CENTER
[FUNDING SOURCE: CHARGES TO THE CLIENT DEPARTMENT AND POTENTIAL REIMBURSEMENT FROM THE STATE OF CALIFORNIA AS PART OF THE JOINT OCCUPANCY AGREEMENT FOR THE SITE]
(4 VOTES)
21. A PATH TO RECOVERY: BUSINESS LOAN PROGRAM FOR THE UNINCORPORATED AREA
[FUNDING SOURCE: AVAILABLE GENERAL FUND FUND BALANCE]
(4 VOTES)
- Closed Session 22. CLOSED SESSION
- Public Communication 23. PUBLIC COMMUNICATION

1. SUBJECT: AUTHORIZATION TO ACCEPT CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FUNDING FOR COUNTYWIDE CHILDHOOD LEAD POISONING PREVENTION SERVICES, AUTHORIZATION TO PURSUE FUTURE FUNDING OPPORTUNITIES FOR CHILDHOOD LEAD POISONING PREVENTION SERVICES (DISTRICTS: ALL)

OVERVIEW

For the past 26 years, the San Diego County Board of Supervisors (Board) has authorized grant applications and revenue agreements with the California Department of Public Health (CDPH) Childhood Lead Poisoning Prevention Branch. The program provides for case management services, education to health care providers, and lead poisoning prevention activities, with a focus on high-risk areas of the community.

On April 11, 2017 (4), the Board authorized a new revenue agreement with CDPH for Fiscal Years 2017-18 through 2019-20 and authorized the Health and Human Services Agency (HHSA) to apply for additional funding opportunities. Today's action requests the Board to authorize the Clerk of the Board to execute a three-year Childhood Lead Poisoning Prevention Services revenue agreement with CDPH for approximately \$4,500,000 in funding for the anticipated funding period of July 1, 2020 through June 30, 2023.

This item supports the *Live Well San Diego* vision by increasing childhood lead poisoning awareness, thereby reducing the risk of poor health outcomes associated with lead poisoning.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the approval and acceptance of approximately \$4,500,000 in funds from the California Department of Public Health, for the anticipated funding period of July 1, 2020 through June 30, 2023, for childhood lead poisoning prevention services. Authorize the Clerk of the Board, upon receipt, to execute the three-year agreement and all required grant documents, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
2. Authorize the Agency Director, Health and Human Services Agency, to pursue future funding opportunities related to childhood lead poisoning prevention services efforts.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-21 Operational Plan in the Health and Human Services Agency. If approved, today's action will result in estimated costs and revenue of \$1,500,000 for Fiscal Year 2020-21 and on-going costs and revenue of \$1,500,000 per year through Fiscal year 2022-23. The funding source is the Childhood Lead Poisoning Prevention Grant from the California Department of Public Health. 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 Cox, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

2. **SUBJECT: RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE COVID-19 PANDEMIC (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 (County) Director of Emergency Services and as the Coordinator of the Unified San Diego County Emergency Services Organization, issued a Proclamation of Local Emergency regarding COVID-19.

The County continues to make significant efforts to slow the spread of COVID-19. Today's action requests the Board of Supervisors (Board) receive an update on the local COVID-19 response. It is also recommended that the Board take any other action necessary to address the COVID-19 pandemic emergency response. 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. Ratify all actions taken by the Chief Administrative Officer, Public Health Officer, Director, Department of Purchasing and Contracting and Director, Department of General Services in response to the local health emergency and local emergency.
3. Take any other action necessary to address the COVID-19 pandemic emergency response.

FISCAL IMPACT

Fiscal Year 2019-20 preliminary estimated costs of response efforts associated with the COVID-19 emergency response including temporary housing assistance, sanitation and related costs are estimated at \$14 million per month, or \$50-\$60 million for the remainder of the fiscal year. This number is expected to grow as response efforts expand. 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 federal and State stimulus revenue, program revenues, General Purpose Revenues, and General Fund fund balance.

BUSINESS IMPACT STATEMENT

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

ACTION 2.1:

Noting for the record that agenda items 2 and 19 were heard concurrently; a motion was made by Supervisor Desmond, seconded by Supervisor Gaspar, to approve the staff recommendation and adding the following to Recommendation 3 for agenda item 2:

- 3. Take any other action necessary to address the COVID-19 pandemic emergency response.
 - a. Direct staff to develop criteria to open safe outdoor recreational activity as soon as possible.
 - b. Direct staff to start developing re-opening criteria that could be ready by May 1 for businesses, gyms, salons, restaurants, and large warehouses.
 - c. Direct staff to begin lobbying efforts with the Governor’s office for the phased opening of businesses in San Diego County to begin on May 1, 2020.

AYES: Gaspar, Desmond
NOES: Cox, Jacob, Fletcher
(This motion failed due to lack of a majority vote.)

ACTION 2.2:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- 3. **SUBJECT: NOTICED PUBLIC HEARING:
RAMS HILL DEVELOPMENT AGREEMENT THRESHOLD
DECISION, PDS2019-DA-19-001; BORREGO SPRINGS COMMUNITY
PLANNING AREA (DISTRICT: 5)**

OVERVIEW

T2 Borrego, LLC (Applicant) is requesting to file an application for a development agreement to amend the Rams Hill Specific Plan (Specific Plan) in Borrego Springs. The County of San Diego (County) established development agreement procedures and requirements, consistent with state law, within the County Code of Regulatory Ordinances (Code) (Section 81.1301). The Code states, “development agreements are intended to provide certainty to a developer proposing a long-term development project, to protect against changes in local law during the life of the project while at the same time having the developer provide public benefits in exchange for the certainty granted to the developer.” In order to file an application for a development agreement, they must first complete the development agreement Threshold Decision process. The Threshold Decision process is also outlined in the Code and requires that before an applicant can submit a development agreement application, they must receive a recommendation from the Planning Commission and approval from the Board of Supervisors (Board) to file that application.

Should the Board allow the Applicant to file an application for a development agreement, the Applicant will be requesting to subdivide and develop the project over a minimum of 30 years, with automatic extensions for the filing of a qualified final map, a moratorium event, a litigation-based extension or a legislative extension for vesting tentative maps. Typically, vesting tentative maps to subdivide property are valid for three years from the approval date, with the potential to extend for up to six additional years. In exchange for the ability to develop their project over a longer timeframe than what is allowed by a typical vesting tentative map, the Applicant would offer the following public benefits: a voluntary reduction in groundwater pumping; to retire residential development rights; place additional land into open space; improve fire protection; provide grants for groundwater sustainability lands; and conduct a feasibility study for low-cost renewable energy. Based on their research and knowledge of the Borrego Springs real estate market, the Applicant has indicated that 30 years is a reasonable timeframe to subdivide and develop the project.

Today's request is for the Board to determine whether to allow the Applicant to file an application for the proposed development agreement, or direct staff to terminate proceedings. If the Board authorizes the application to be filed, the Board is not approving a development agreement nor making a commitment in the future to approve a development agreement. A final recommended development agreement and any related discretionary permits will be presented to the Board at a future date for consideration. If the Board does not authorize the filing of an application for a development agreement, the Applicant could still file discretionary permits to build the Specific Plan uses without a development agreement.

If the Board authorizes the Applicant to file an application for a development agreement and a proposal is submitted to the County, PDS, County Counsel and other applicable County departments will initiate negotiations for a development agreement with the Applicant. In addition, the Applicant will file all necessary discretionary permits to implement the development agreement, which will then go through the permit and California Environmental Quality Act review process. PDS and County Counsel will also review the proposal for consistency with groundwater sustainability and other relevant requirements at this time. Finally, a development agreement and related discretionary permits will be presented to the Planning Commission and the Board at a future date for consideration. The Board will be asked to approve, approve with modifications, or deny the negotiated development agreement and the related discretionary permits. If the negotiated development agreement and the related discretionary permits are not approved at that time, the existing entitlements for the Specific Plan will remain in place but without a development agreement.

RECOMMENDATION(S) PLANNING COMMISSION

On February 21, 2020, the County of San Diego Planning Commission (Planning Commission) considered staff's recommendation for the Rams Hill development agreement threshold decision (Threshold Decision) and the Director's Preliminary Report and made the following recommendations to the Board of Supervisors:

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378(b)(5) of the State CEQA Guidelines.

2. Accept the Rams Hill Threshold Decision and authorize T2 Borrego, LLC to file an application for a development agreement.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services concurs with the Planning Commission's recommendations 1 and 2.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2019-20 Operational Plan in Planning & Development Services. If the Board of Supervisors authorizes an application for a development agreement to be filed, all staff time and consultant costs incurred to establish the development agreement will be funded by T2 Borrego, LLC (Applicant). The Applicant is responsible for all County of San Diego and consultant costs incurred in the establishment of a development agreement and will provide additional funds as needed. 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.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

4. **SUBJECT: NOTICED PUBLIC HEARING:
APPLICANT REQUEST TO RESCIND THE NEWLAND SIERRA
GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE
RECLASSIFICATION, TENTATIVE MAP, AND RESOURCE
PROTECTION ORDINANCE AMENDMENT, LOCATED IN THE
NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AREA
AND THE BONSALL COMMUNITY PLAN AREA (DISTRICT: 5)**

OVERVIEW

On September 26, 2018 (1) and October 10, 2018 (3), the Board of Supervisors (Board) approved the Newland Sierra project, consisting of a General Plan Amendment (GPA), Specific Plan, Rezone, Tentative Map, an amendment to the Resource Protection Ordinance and the certification of an Environmental Impact Report. The GPA was adopted by Resolution 18-141.

Subsequent to the approval of the project, on October 17, 2018 a referendum petition against the resolution passed by the Board of Supervisors adopting the GPA was filed with the Registrar of Voters (Registrar). The Registrar examined the petition and found it contained a sufficient number of valid signatures to submit to the Board for action. On December 11, 2018 (22), the Board voted to receive the certification from the Registrar that the referendum petition contained a sufficient number of valid signatures to suspend Resolution 18-141 and to submit Resolution 18-141 to voters on the March 3, 2020 statewide election ballot. Based on the results of the election, a majority of voters voted not to approve the GPA as certified by the Registrar on April 2, 2020.

On March 26, 2020, the Board and Planning & Development Services Director received a request from Newland Sierra, LLC (Applicant) to rescind all approvals for the Newland Sierra project due to the vote not to approve the GPA (Attachment A).

Today's request is for the Board to rescind the Newland Sierra project approvals.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Rescind and vacate the environmental findings which included the certification of an Environmental Impact Report (EIR) and findings regarding significant effects of the project, the mitigation and monitoring program, and the Statement of Overriding Considerations, which were adopted on September 26, 2018.
2. Rescind and vacate the Resolution titled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT PDS2015-GPA-15-001, adopted on September 26, 2018.
3. Rescind and vacate the Resolution titled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN SP-15-001, adopted on September 26, 2018.
4. Rescind and vacate the Ordinance titled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AND THE BONSALE COMMUNITY PLAN AREA, REF: PDS2015-REZ-001, adopted on September 26, 2018.
5. Rescind and vacate the Statement of Reasons to Permit the Proposed Use and Eliminate Access to Mineral Resources of Regional Significance as required by Sections 2762 and 2763 of the California Surface Mining and Reclamation Act, adopted on September 26, 2018.
6. Rescind and vacate the Ordinance titled: AN ORDINANCE AMENDING THE RESOURCE PROTECTION ORDINANCE TO ADD AN EXEMPTION FOR THE NEWLAND SIERRA SPECIFIC PLAN AND APPROVING A RESOURCE PROTECTION PLAN, adopted on October 10, 2018.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

5. 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 5.1:

A motion was made by Supervisor Cox, seconded by Supervisor Desmond, to approve the recommendation.

(A substitute motion was introduced for consideration.)

ACTION 5.2:

A substitute motion was made by Supervisor Jacob, seconded by Supervisor Fletcher, to approve the recommendation, revising Recommendation 2 to read: 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 in communities where there has not already been a high concentration of projects or proposed projects, and developing a design review checklist exemption process.

AYES: Jacob, Fletcher

NOES: Cox, Gaspar, Desmond

(This motion failed due to lack of majority vote.)

ACTION 5.3:

A motion was made by Supervisor Cox, seconded by Supervisor Desmond, to approve the recommendation.

AYES: Cox, Gaspar, Desmond

NOES: Jacob, Fletcher

(This motion failed due to the lack of affirmative votes.)

ACTION 5.4:

ON MOTION of Supervisor Cox, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended on Recommendations 1, 2 and 3, contingent upon funding.

AYES: Cox, Gaspar, Desmond

NOES: Jacob, Fletcher

**6. SUBJECT: SET A HEARING FOR 05/06/2020:
VACATION OF BIOLOGICAL OPEN SPACE EASEMENT RELATED
TO THE UNDERGROUNDING OF THE SAN PASQUAL CANAL,
PDS2019-VAC-19-002; VALLEY CENTER COMMUNITY PLAN AREA
(04/21/2020 - SET HEARING; 05/06/2020 - HOLD HEARING)
(DISTRICT: 5)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to evaluate and consider a proposed Open Space Vacation (Vacation) and adopt the Environmental Findings for the San Pasqual Canal Undergrounding Open Space Vacation project.

The Vacation is a proposal to abandon 5,750 square feet (0.13 acre) of a Biological Open Space Easement granted to the County of San Diego in 1994 with approval of Tentative Parcel Map (TPM) 20129 to protect oak woodland and the associated drainage course. This Vacation will allow the City of Escondido (City) and the Vista Irrigation District (District) to install an underground pipeline as part of a larger effort to relocate and underground a portion of the San Pasqual Raw Water Canal that currently crosses the San Pasqual Reservation. Based on the City's current plan to complete all construction work underground, impacts to the existing habitat of oak woodland and southern mixed chaparral are not expected. The project site is 4.03 acres and is located at Sunenergy Road in the Valley Center Community Plan area, within unincorporated San Diego county.

Today's request requires two steps: On April 21, 2020, it is requested that the Board set a date for a public hearing on May 6, 2020 and provide public notice of that hearing, which includes signage at the project site. If the Board takes the actions recommended for today, then on May 6, 2020, it is requested that the Board consider and adopt a resolution to vacate the referenced open space easement.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On April 21, 2020, take the following actions:

1. Set a public hearing date on May 6, 2020 at 9:00 a.m. to consider abandoning 5,750 square feet of an open space easement to allow for the installation of an underground pipeline in association with the San Pasqual Raw Water Canal undergrounding project.
2. Direct the Clerk of the Board of Supervisors to provide notice of the hearing by publication and posting as required by law.

If the Board takes the recommended actions on April 21, 2020, take the following actions on May 6, 2020:

1. Find that the Addendum on file with Planning & Development Services as Environmental Review Number PDS2019-ER-19-09-004 was adopted in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein prior to approving the project; and Find that there are no substantial changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously adopted Mitigated Negative Declaration dated October 2016, that there is no substantial increase in the severity of previously identified

significant effects, and that no new information of substantial importance has become available since the Environmental Assessment/Mitigated Negative Declaration was adopted as explained in the Environmental Review Update Checklist dated May 6, 2020.

2. Adopt the Environmental Findings, which includes findings that the proposed project meets the conditions for the application of the California Environmental Quality Act (CEQA) Guidelines Section 15164 (Attachment B, on file with the Clerk of the Board).
3. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING OPEN SPACE EASEMENT PDS2019-VAC-19-002 (Attachment C, on file with the Clerk of the Board).
4. Direct the Clerk of the Board to record the Resolution pursuant to the Streets and Highways Code Section 8325.

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, setting a Hearing for May 6, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

7. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR SAN MARINO DRIVE WATER QUALITY IMPROVEMENT PROJECT (DISTRICT: 5)**

OVERVIEW

Lake San Marcos receives runoff from a 29 square mile watershed that includes portions of unincorporated San Diego county, as well as the cities of San Marcos and Escondido. High nutrient levels from current and past fertilizer use, accidental sewage spills, and former dairy operations in the watershed have all contributed to conditions of poor lake circulation, low dissolved oxygen levels, frequent algal blooms, and occasional fish kills. Beneficial uses of Lake San Marcos such as agricultural water supply, water recreation, and wildlife habitat are all impacted by excessive nutrient inputs. As a result, the State of California added Lake San Marcos to the California 303(d) list of impaired water bodies for ammonia as nitrogen, nutrients, and phosphorus. Through a separate action in 2015, the State Water Resources Control Board also adopted new regulations referred to as the Trash Amendments requiring local agencies to identify actions to control the discharge of trash into surface waters from commercial, industrial, and high-density residential areas.

Under the Regional Municipal Separate Storm Sewer System Permit (MS4 Permit), the San Diego Regional Water Quality Control Board (RWQCB) has established Total Maximum Daily Load (TMDL) limitations for specific pollutants determined to be impacting water bodies in various watersheds. Rather than developing TMDL requirements for the privately-owned Lake San Marcos, the RWQCB allowed watershed stakeholders to proceed with a voluntary, non-TMDL approach to reducing nutrient inputs to the lake. In 2016, the County of San Diego (County), in partnership with the private lake owner (Citizens Development Corporation, or CDC), the City of San Marcos, the City of Escondido, and Vallecitos Water District, submitted to the RWQCB a schedule of proposed actions that identified major milestones for restoring and maintaining water quality and beneficial uses in Lake San Marcos and the upstream watershed. In response, the RWQCB approved Resolution R9-2017-0038, which supports implementation of the proposed actions and reserves the RWQCB's right to take further enforcement action if commitments are not met.

The San Marino Drive Water Quality Improvement Project (Project) is one of many efforts the County has identified to assist in achieving the RWQCB-approved watershed commitments while also improving pedestrian walkability within the community of Lake San Marcos. This multi-benefit project supplements other ongoing County programs, including educating unincorporated community members about the importance of reducing over-irrigation, controlling the use of fertilizers, and transitioning to more drought-tolerant landscapes where possible. The Project will incorporate structural pollutant control Best Management Practices (BMPs) within the County MS4 to remove nutrients and trash found in runoff that would normally discharge into Lake San Marcos. To do this, the Project will install biofiltration basin channels along San Marino Drive as well as a Debris Separating Baffle Box (DSBB) within the underground storm drain. The purpose of the biofiltration basin channels is to capture and reduce sediment-bound nutrients, such as nitrogen and phosphorous, from the roadway and adjacent land uses that include golf courses, residential homes, and landscaped parkways. The purpose of the DSBB is to capture some of the trash from the MS4 that would typically discharge into Lake San Marcos. These water quality enhancements are a high priority for the County and will thereby assist the County in complying with the MS4 permit, Trash Amendments, and RWQCB-approved watershed commitments. In addition to the Project's water quality benefits, Americans with Disabilities Act (ADA)-compliant pedestrian ramps and approximately 620 linear feet of ADA-compliant sidewalks will also be installed to enhance pedestrian safety, accessibility, and walkability along San Marino Drive.

This is a request to transfer appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the San Marino Drive Water Quality Improvement Project. If approved, construction is scheduled to begin in early 2021 and be completed in summer 2021. The construction cost is estimated at \$1,200,000, including contingencies, and the funding source is available fund balance budgeted in the Department of Public Works General Fund.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the San Marino Drive Water Quality Improvement Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15303 of the CEQA Guidelines because it involves the installation of segments of sidewalks, ADA-compliant ramps and small structural pollutant best management practices as part of an existing public roadway and storm drain system.

2. Transfer appropriations of \$1,200,000 with the Department of Public Works General Fund (Org 50915), from Services & Supplies to Operating Transfer Out.
3. Transfer appropriations of \$1,200,000 from the Department of Public Works General Fund (Org 50915), Operating Transfer Out, to the Department of Public Works Road Fund (Org 53405), Services & Supplies based on an Operating Transfer In from the Department of Public Works General Fund. **(4 VOTES)**
4. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and to take any other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for San Marino Drive Water Quality Improvement Project.
5. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan in the Department of Public Works. If approved, construction costs for the San Marino Drive Water Quality Improvement Project are estimated at \$1,200,000 including contingencies. The funding source is available fund balance budgeted in the Department of Public Works General Fund. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

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

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

- 8. SUBJECT: COUNTY AIRPORTS - SECURITY CONTRACT FOR MCCLELLAN-PALOMAR, GILLESPIE FIELD, RAMONA, FALLBROOK, AND BORREGO VALLEY AIRPORTS (DISTRICTS: 2 & 5)**

OVERVIEW

The County of San Diego's (County) Department of Public Works (DPW) has a contract for security guard services at County airport facilities. The current security contract with Allied Universal is in its final year and is scheduled to expire on August 5, 2020.

The security services provide protection for County employees, County-owned assets, and users of its airports. Services to be provided at McClellan-Palomar, Gillespie Field, Ramona, Fallbrook and Borrego Valley Airports will range from security patrols of property, monitor surveillance equipment, observe and report security deficiencies to management; respond to security issues. Some specially trained officers perform limited operations duties such as airfield inspections and supporting response to aircraft emergencies.

Aviation security is vital for County Airports. Airports must remain vigilant in continually assessing security vulnerabilities, identifying threats to aviation, and mitigating risks while ensuring passengers and aircraft can move safely, securely and efficiently through the Nation's transportation system.

This is a request to approve the advertisement and subsequent award of a contract for airport security guard services. The proposed contract cost is estimated at \$750,000, however if commercial service returns to McClellan-Palomar Airport there will be additional security needs and the contract could increase to an estimated \$1,417,000. The agreement will be for the term of one year, with four 1-year options, beginning August 6, 2020 and, if all options are exercised, ending August 5, 2025.

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 the activity is not a project as defined by Section 15378 of the State CEQA Guidelines.
2. Authorize the Director, Department of Purchasing and Contracting, in accordance with Section 401, Article XXIII of the County Administrative Code, to issue the Request for Proposals for airport security guard services and subject to negotiations and determination of a fair and reasonable price, award a one-year contract with four one-year options; and to amend the contract as needed to reflect changes in services and funding.
3. Designate the Director, Department of Public Works, as the County Officer responsible for administering the awarded services contract.

FISCAL IMPACT

Funds for the existing airport security contract are included in the Fiscal Year 2019-20 Operational Plan for the Department of Public Works, Airport Enterprise Fund. If approved, this request will result in projected costs for Fiscal Year 2020-21 of approximately \$750,000 with no commercial service at McClellan-Palomar Airport or \$1,417,000 if commercial service is resumed. The funding source is operational revenue from rents and concessions as well as aviation fees and royalties in the Airport Enterprise Fund. If approved, costs and revenue will be included in the Fiscal Year 2020-21 CAO Recommended Operational Plan for the Department of Public Works, Airport Enterprise Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Expenditures resulting from this action will create private sector jobs and economic opportunities in San Diego County.

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

9. SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR GOLDENTOP ROAD 4S RANCH BUSINESS PARK WATER QUALITY PROJECT (DISTRICT: 3)

OVERVIEW

In 2013, the San Diego Regional Water Quality Control Board (RWQCB) updated a Regional Municipal Separate Storm Sewer System Permit (MS4 Permit) that, among other requirements, established Total Maximum Daily Loads (TMDLs) for specific pollutants determined to be impacting local waterbodies in various watersheds. In addition, the State Water Resources Control Board adopted regulations in 2015 requiring local agencies to control the discharge of trash from the MS4 into surface waters (Trash Amendments). The purpose of the Bacteria TMDL and Trash Amendments is to protect receiving waters such as creeks, rivers, and the ocean that are designated for recreational and other environmental beneficial uses.

The County of San Diego (County) is partnering with other agencies in the San Dieguito River Watershed to reduce pollutant levels through implementation of the RWQCB-approved San Dieguito River Watershed Water Quality Improvement Plan (WQIP). The WQIP is an implementation program that sets out strategies to comply with the Bacteria TMDL, the Trash Amendments, and other MS4 Permit requirements. As part of this effort, the County has identified the Goldentop Road 4S Ranch Business Park as a good location for water quality improvements after close review of local land uses, storm drain system discharge points, and elevated pollutant levels measured in water quality sampling at the Goldentop Road bridge storm drain outfall. This outfall, which is located on the southern side of Goldentop Road bridge, discharges runoff from approximately 120 acres of residential, commercial, industrial, and transportation land uses into Artesian Creek, a tributary to the San Dieguito River.

The Goldentop Road 4S Ranch Business Park Water Quality Project (Project) will retrofit the existing MS4 with pollutant control best management practices (BMPs). The Project consists of installing a subsurface water treatment facility with a debris-separating baffle box (DSBB) and a modular wetland system (MWS). The purpose of the DSBB is to remove some of the trash from the MS4 that would normally discharge into Artesian Creek. The purpose of the MWS is to incorporate a biological treatment system into the existing MS4 to remove bacteria and other pollutants typically found in dry-weather flows. These water quality enhancements will thereby assist the County in complying with the MS4 Permit, the Bacteria TMDL, and the Trash Amendments.

This is a request to transfer appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Goldentop Road 4S Ranch Business Park Water Quality Project. If approved, construction is scheduled to begin late 2020 and to be completed by early 2021. The construction cost is estimated at \$410,000, including contingencies and the funding source is available fund balance budgeted in the Department of Public Works General Fund.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Goldentop Road 4S Ranch Business Park Water Quality Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines because it involves the installation of small structures as part of an existing storm drain system.
2. Transfer appropriations of \$410,000 within the Department of Public Works General Fund (Org 50915), from Services & Supplies to Operating Transfer Out.
3. Transfer appropriations of \$410,000 from the Department of Public Works General Fund (Org 50915), Operating Transfer Out, to the Department of Public Works Road Fund (Org 53405), Services & Supplies based on an Operating Transfer In from the Department of Public Works General Fund. **(4 VOTES)**
4. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and to take any other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for Goldentop Road - 4S Ranch Business Park Water Quality Project.
5. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan in the Department of Public Works, General Fund. If approved, construction costs for the Goldentop Road 4S Ranch Business Park Water Quality Project are estimated at \$410,000 including contingencies. The funding source is available fund balance budgeted in the Department of Public Works General Fund. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

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

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

- 10. SUBJECT: ADOPT A RESOLUTION APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SENATE BILL 1 (SB 1) FOR FISCAL YEAR 2020-21 (DISTRICTS: 1, 2, 3, & 5)**

OVERVIEW

On April 28, 2017, the Governor of California approved Senate Bill 1 (SB 1) to address the statewide funding gap for road maintenance. SB 1 is estimated to generate \$54 billion in revenue statewide over a ten-year period to fund transportation infrastructure needs across California. The California State Association of Counties projected that the County of San

Diego (County) would receive approximately \$538 million of SB 1 revenues during that ten-year period. On May 2, 2017 (11), the Board of Supervisors (Board) approved the use of SB 1 funding to improve the condition of road surfaces within the entire County road network.

In order to be eligible to receive SB 1 revenue for Fiscal Year 2020-21, the California Transportation Commission (CTC) requires submittal of a resolution and project list by May 1, 2020. The County Department of Public Works (DPW) has developed a list of road resurfacing locations totaling 120.8 centerline miles based on priorities identified through field reviews, resident and community input, and data collection from the department's pavement management system. Following submission of the proposed list to the CTC, DPW will perform a thorough review of the roads to confirm initial design assumptions, coordinate with stakeholders, and return to the Board for authorization to advertise and award the final construction list. The proposed projects will improve the overall condition of County-maintained roads and will protect roads from deterioration and costly future repairs.

This is a request to adopt a Resolution Approving a List of Projects Proposed to be funded by SB 1 for Fiscal Year 2020-21. Upon Board approval, the resolution and road list will be submitted to the CTC for their submittal to the State Controller (Attachment A). Attachment A, Exhibit A1 contains the list of proposed maintenance projects that will use SB 1 funding.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) that the proposed project is categorically exempt from CEQA review because it involves the maintenance of existing public roads involving no or negligible expansion of existing use.
2. Adopt a Resolution entitled: "RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SB 1 FOR FISCAL YEAR 2020-21."

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. Funds for these projects will be included in the Fiscal Year 2020-21 CAO Recommended Operational Plan in the Department of Public Works, Detailed Work Program. The construction costs are estimated at \$41,300,000, including contingencies. The funding source is State SB 1 gas tax revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

If approved, expenditures for road maintenance and repair work should create private sector jobs and economic opportunities in the San Diego region.

ACTION:

Amending Attachment A - Exhibit A1 of the Resolution to include Valley Center Road from Lake Wohlford Road to Cole Grade Road in District 5, ON MOTION of Supervisor Desmond, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended, adopting Resolution No. 20-036 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SB 1 FOR FISCAL YEAR 2020-21.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

11. SUBJECT: COUNTY AIRPORTS - ADOPT A RESOLUTION AUTHORIZING APPLICATIONS AND AGREEMENTS FOR ACCEPTANCE OF FEDERAL AND STATE GRANT FUNDS (DISTRICTS: 2 & 5)

OVERVIEW

The Department of Public Works (DPW) operates eight airports: Agua Caliente Springs Airport, Borrego Valley Airport, Fallbrook Community Airpark, Gillespie Field, Jacumba Airport, McClellan-Palomar Airport, Ocotillo Airport, and Ramona Airport. County of San Diego (County) Airports provide valuable services for the aviation industry as well as commercial leasing opportunities that contribute to the region's employment and economic vitality.

Grant funding is a critical component of airport capital improvement and maintenance projects. In order to receive grants, DPW is required to request authorization from the Board of Supervisors (Board) to apply for grant funding from the Federal Aviation Administration (FAA) and the State of California. Periodically, grant funds become available for a short period of time at the end of the federal and state fiscal years. Board approval to delegate authority to the Director of DPW to apply for and accept grants for County Airports streamlines the application process and allows the department to apply for grant funding on short notice.

On May 1, 2019 (11), the Board authorized the annual application for and acceptance of federal and state aviation grants for Fiscal Year 2019-20. This is a request to adopt a resolution authorizing the Director of DPW, or designee, to submit, negotiate, and execute all documents necessary to secure grant funding from the FAA, the State Airport Improvement Program for Matching Grants, and the State Division of Aeronautics Acquisition and Development Grant Program during Fiscal Year 2020-21.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15061 (b)(3) of the California Environmental Quality Act (CEQA) Guidelines that delegating authority to allow application for and acceptance of possible grant funding is exempt from CEQA review because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

2. Adopt a resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING APPLICATIONS AND AGREEMENTS TO ACCEPT FEDERAL AND STATE FUNDING FOR FISCAL YEAR 2020-21 AT AGUA CALIENTE SPRINGS AIRPORT, BORREGO VALLEY AIRPORT, FALLBROOK COMMUNITY AIRPARK, GILLESPIE FIELD, JACUMBA AIRPORT, MCCLELLAN-PALOMAR AIRPORT, OCOTILLO AIRPORT, AND RAMONA AIRPORT.
3. Authorize the Director, Department of Public Works, or designee, to submit, negotiate, and execute all documents necessary to secure and spend federal and state grant funds for County Airport projects during Fiscal Year 2020-21.
4. Waive the full cost recovery requirement of Board Policy B-29, Fees, Grants and Revenue Contracts - Department Responsibility for Cost Recovery, for airport projects funded by grants from the Federal Aviation Administration and/or State of California.

FISCAL IMPACT

There is no fiscal impact associated with the approval of today's resolution authorizing applications and agreements for federal and state grant funding for airport projects. The Department of Public Works will return to the Board to request appropriation of any grant funds received, as they become available.

A waiver of the full cost recovery requirement of Board Policy B-29 is requested for matching funds that may be required by the federal and state grant programs for airport projects. If approved and grant funds are awarded, matching funds would be provided using available funds in the Airport Enterprise Fund. DPW will return to the Board as needed to request appropriation of any required matching funds. 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, adopting Resolution No. 20-037 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING APPLICATIONS AND AGREEMENTS TO ACCEPT FEDERAL AND STATE FUNDING FOR FISCAL YEAR 2020-21 AT AGUA CALIENTE SPRINGS AIRPORT, BORREGO VALLEY AIRPORT, FALLBROOK COMMUNITY AIRPARK, GILLESPIE FIELD, JACUMBA AIRPORT, MCCLELLAN PALOMAR AIRPORT, OCOTILLO AIRPORT, AND RAMONA AIRPORT.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

12. SUBJECT: ADOPT A RESOLUTION TO APPROVE THE COUNTY'S 2020 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2020-21 THROUGH 2024-25 (DISTRICTS: 1, 2, 3 & 5)

OVERVIEW

TransNet is a half-cent local sales tax program that was first approved by San Diego voters in 1988, and extended in 2004, to fund transportation improvements in the San Diego region. The San Diego Association of Governments (SANDAG) is responsible for administering the TransNet program and for consolidating the projects that will be funded with the program into one long-term regional transportation plan. SANDAG is also required by federal and state law to develop and approve a Regional Transportation Improvement Program (RTIP) that includes all transportation projects in the region that will receive federal, state, or local funds over a five-year period, including the biennial program of projects (POP) that are funded with sales tax revenue from TransNet. A percentage of the funds collected by SANDAG are distributed to local agencies through the TransNet Local Streets and Roads Program (LSR Program) based upon population and miles of road maintained within a jurisdiction. The County of San Diego (County) receives funds from the LSR Program on an annual basis and is required to provide SANDAG with a new 5-year County POP every two years. The County POP is then included into a regional POP for approval by SANDAG. Since the POP is a biennial program and because project scopes, schedules, and costs can change overtime as a project is developed and requirements change, amendments to the POP are allowed as needed and are generally performed on a quarterly basis.

On March 14, 2018 (2), the Board of Supervisors adopted the County's biennial five-year 2018 Transnet Local Street Improvement Program of Projects for Fiscal Years 2018-19 through 2022-23 (2018 Program) and on May 22, 2019 (5), the County amended the 2018 Program (2018 Amended Program). The 2018 Amended Program totaled \$103.4 million in County forecasted TransNet funding over the 5-year period for projects that relieve congestion, improve safety, and maintain roads in the unincorporated county. The County is required to submit a new biennial TransNet Local Street Improvement Program of Projects for Fiscal Years 2020-21 through 2024-25 (2020 Program) to SANDAG at this time. The 2020 Program totals \$129.2 million in County forecasted revenue for the five-year period and accommodates changes to project funding and schedules, as well as revenue that is carried forward from the 2018 Amended Program. SANDAG will incorporate the County's 2020 Program into the POP for approval by the SANDAG Board on September 11, 2020.

SANDAG's POP schedule requires agencies submit their proposed 2020 Program to SANDAG and provide a resolution adopting the 2020 Program that has been approved by their governing Boards by April 24, 2020.

The proposed 2020 Program is included in Attachment B. The funding shown for FY 2020-21 includes funding from prior program years that was not spent as well as the current year funds programmed for that fiscal year. On February 28, 2020, SANDAG approved a revised 5-Year TransNet Funding Forecast. Based on increased sales tax revenue for the entire San Diego region, the revised 5-year forecast included an increase of \$2,927,000 for the County of San Diego. The funding programmed for the projects for FY 2021-22 and FY 2022-23 has been adjusted to match the current project schedules.

The 2020 Program includes:

- Increased funding for South Santa Fe Avenue South, Bradley Avenue Overcrossing of SR-67, Bradley Avenue Financing Principal and Interest Repayment, Cole Grade Road, Dye Road Extension, Roadway Maintenance and Overlay Projects, Ashwood Street Corridor, Camino Del Rey Drainage, Camino San Bernardo at Deer Ridge Road Traffic Signal, RAMS, and Estimated 2008/2012 Bond Debt Service Payment.
- Decreased funding for Ramona Street Extension.
- Funding for a new project on Etcheverry Street in Ramona. Etcheverry Street was added to the program as a new project with funding in FY 2022-23 and FY 2023-24.
- Removes completed projects and funding for Stage Coach Lane at Reche Road Intersection, East Vista Way at Gopher Canyon Intersection Improvements and Alpine Boulevard.

Today's request is to adopt a resolution to approve the County's 2020 TransNet Local Street Improvement Program of Projects for Fiscal Years 2020-21 through 2024-25. Upon Board approval, the resolution will be submitted to SANDAG for approval as part of the biennial 2020 POP adoption.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the recommended action to approve the County's 2020 TransNet Local Street Improvement Program is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15276 of the CEQA Guidelines because it relates to the development or adoption of a regional transportation improvement program and involves the identification of potential projects to establish funding without a commitment to a specific project.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING THE COUNTY'S 2020 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2020-21 THROUGH 2024-25.
3. Direct that projects in the 2020 TransNet Local Street Improvement Program of Projects, along with road and bridge projects receiving federal and state funds, be integrated into the County element of the Program of Projects for Fiscal Years 2020-21 through 2024-25 respectively.
4. Authorize the Director, Department of Public Works, to submit the County's TransNet Local Street Improvement Program of Projects Resolution to SANDAG and the TransNet Independent Taxpayer Oversight Committee.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. Any necessary appropriations for individual projects will be brought before the Board of Supervisors for consideration as part of future year Operational Plans. 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, adopting Resolution No. 20-038 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING THE COUNTY'S 2020 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2020-21 THROUGH 2024-25.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**13. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 2)**

OVERVIEW

Funding for the Neighborhood Reinvestment Program (NRP) is included in the Fiscal Year 2019-2020 Operational Plan in order to further public purposes throughout San Diego County.

RECOMMENDATION(S)

SUPERVISOR DIANNE JACOB

1. Allocate \$30,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the East County Transitional Living Center, Inc. (ECTLC) to fund the installation of a security fence around the perimeter of the ECTLC campus in El Cajon, CA.
2. Allocate \$30,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Pacific Southwest Railway Museum Association to fund a Motorized Electric Vehicle.
3. Allocate \$25,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Motor Transport Museum to repair and replace window frames and to purchase historically accurate window sashes for three of the Camp Lockett stable buildings.
4. Allocate \$16,896 from the District Two Neighborhood Reinvestment Program (org 15655) to the Lakeside Polo Youth Foundation, Inc. for improvements to the equestrian facility, including new fencing and a scoreboard.
5. Allocate \$180,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Julian Union High School District for the installation of a new gymnasium floor.
6. Find that the grant awards described above have a public purpose.

7. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment Program 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 grant identified in Recommendation Nos. 1, 3, 4 and 5 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$281,896. Funds for these requests are included in the Fiscal Year 2019-2020 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). The funding source is General Purpose Revenue. These actions will result in the addition of no new staff years and no additional costs.

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: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 4)**

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR NATHAN FLETCHER

1. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to the Black American Political Association of California, San Diego Chapter to fund the purchase of refrigerators, freezers, cabinets, storage containers, and shelving to store food; purchase supplies such as depends, diapers, infant formula, toilet paper, toothpaste, sanitary pads, tissue paper, cleaning supplies, personal protective gear; and to purchase groceries for distribution to individuals and families impacted by COVID-19.
2. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15665) to the Labor’s Training and Community Development Alliance to fund the purchase of refrigerators, freezers, cabinets, storage containers, and shelving to store food; purchase supplies such as depends, diapers, infant formula, toilet paper, toothpaste, sanitary pads, tissue paper, cleaning supplies, personal protective gear; and to purchase groceries for distribution to individuals and families impacted by COVID-19.

3. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Pastors on Point of San Diego to fund the purchase of refrigerators, freezers, cabinets, storage containers, and shelving to store food; purchase supplies such as depends, diapers, infant formula, toilet paper, toothpaste, sanitary pads, diapers, tissue paper, cleaning supplies, personal protective gear; and also to purchase groceries for distribution to individuals and families,- regardless of religious affiliation, impacted by COVID-19.
4. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to San Diego Community Churches Collaborative, Inc. to fund the purchase of refrigerators, freezers, cabinets, storage containers, and shelving to store food; purchase supplies such as depends, diapers, infant formula, toilet paper, toothpaste, sanitary pads, diapers, tissue paper, cleaning supplies, personal protective gear; and also to purchase groceries for distribution to individuals and families, regardless of religious affiliation, impacted by COVID-19.
5. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to The Episcopal Diocese of San Diego to fund the purchase of refrigerators, freezers, cabinets, storage containers, and shelving to store food; purchase supplies such as depends, diapers, infant formula, toilet paper, toothpaste, sanitary pads, diapers, tissue paper, cleaning supplies, personal protective gear; and also to purchase groceries for distribution to individuals and families, - regardless of religious affiliation, impacted by COVID-19.
6. Rescind the December 12, 2019 (22) allocation of \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to the MCRD Museum Foundation for reallocation to other projects.
7. Find that the grant awards described above have a public purpose.
8. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment Program funds establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grant.

FISCAL IMPACT

The fiscal impact of these recommendations is \$55,000. Funds for these requests are included in the Fiscal Year 2019-20 Operational Plan for the Neighborhood Reinvestment Program (Org 15665). The funding source is General Purpose Revenue. These actions will not result in the addition of staff years or other costs.

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

15. SUBJECT: ADOPT A RESOLUTION TO DECLARE AN EMERGENCY AND TAKE ACTIONS TO AMEND THE BUDGET AND YEAR-END PROCESSES (DISTRICTS: ALL)

OVERVIEW

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.

Today's action requests the Board of Supervisors (Board) sitting as the Board to the County of San Diego, Successor Agency to the County of San Diego Redevelopment Agency, Air Pollution Control District, Flood Control District, Sanitation District and In-Home Supportive Services Public Authority to ratify the actions taken by the Chief Administrative Officer serving as the Director of Emergency Services to suspend certain budget-related portions of the Administrative Code, adopt a resolution to legally declare an emergency due to the impact of COVID-19 on the County of San Diego, and take actions to amend the timeline for the Board's adoption of the Fiscal Years 2020-21 Operational Plan (budget). Additionally, the public hearings on the budget previously set for June 8, 2020 through June 17, 2020 and deliberations previously scheduled for June 23, 2020 at 2:00 pm will be rescheduled to August 10, 2020 through August 19, 2020, with August 25, 2020 at 2:00 pm set as the date and time for the Board's budget deliberations and adoption. Today's action will also authorize the expenditure of funds until the budget can be adopted.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt the resolution titled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO SITTING AS THE BOARD OF THE COUNTY OF SAN DIEGO, SUCCESSOR AGENCY TO THE COUNTY OF SAN DIEGO REDEVELOPMENT AGENCY, SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT, SAN DIEGO COUNTY FLOOD CONTROL DISTRICT, SAN DIEGO COUNTY SANITATION DISTRICT AND IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY MAKING CERTAIN FINDINGS OF EMERGENCY AND ACTIONS RELATED TO THE FISCAL YEAR 2020-21 BUDGET. (4 VOTES)

FISCAL IMPACT

These recommendations authorize the carryover of appropriations and any related revenues from the current Fiscal Year 2019-20 for operations in Fiscal Year 2020-21 until the Operational Plan is adopted by the Board. The Fiscal Year 2019-20 Adopted Operational Plan totaled \$6.25 billion.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO AIR POLLUTION CONTROL BOARD AGENDA NO. AP1; FLOOD CONTROL DISTRICT AGENDA NO. FL1; IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AGENDA NO. IA1; REDEVELOPMENT SUCCESSOR AGENCY AGENDA NO. SR1; SANITATION DISTRICT AGENDA NO. SA1)

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-039 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO SITTING AS THE BOARD OF THE COUNTY OF SAN DIEGO, SUCCESSOR AGENCY TO THE COUNTY OF SAN DIEGO REDEVELOPMENT AGENCY, SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT, SAN DIEGO COUNTY FLOOD CONTROL DISTRICT, SAN DIEGO COUNTY SANITATION DISTRICT AND IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY MAKING CERTAIN FINDINGS OF EMERGENCY AND ACTIONS RELATED TO THE FISCAL YEAR 2020-21 BUDGET.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

16. SUBJECT: REGISTRAR OF VOTERS - DECLARATION OF ELECTION RESULTS - MARCH 3, 2020 PRESIDENTIAL PRIMARY ELECTION (DISTRICTS: ALL)

OVERVIEW

State law (Elections Code Section 15400) requires that the Board of Supervisors declare the election results for those offices and measures under its jurisdiction.

Additionally, State law (Elections Code Secs. 7772.1) requires that the Board of Supervisors declare elected the candidates who have been nominated to County Central Committees when the number of nominees for a position did not exceed the number of candidates to be elected and, therefore, in accordance with the law, the names were not printed on the ballot. Today's action requests the Board to adopt resolutions declaring these election results.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt the Resolution declaring the results of the March 3, 2020 Presidential Primary Election relating to the offices of the Board of Supervisors - Districts 1, 2 and 3, and the results of Measures A and B.
2. Adopt the Resolution declaring the results of the March 3, 2020 Presidential Primary Election relating to County Central Committees.

FISCAL IMPACT

If approved, the declaration of results will have no additional County costs 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, adopting Resolution No. 20-040 entitled: DECLARATION OF ELECTION TO SAN DIEGO COUNTY CENTRAL COMMITTEES RELATING TO THE MARCH 3, 2020 PRESIDENTIAL PRIMARY ELECTION; and,

Resolution No. 20-041 entitled: DECLARATION OF RESULTS FOR THE MARCH 3, 2020 PRESIDENTIAL PRIMARY ELECTION RELATING TO COUNTY OF SAN DIEGO OFFICES AND MEASURES.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

17. 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

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

OVERVIEW

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

**RECOMMENDATION(S)
SUPERVISOR DIANNE JACOB**

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions, and Committees," and re-appoint Barry Bardack to the GILLESPIE FIELD DEVELOPMENT COUNCIL, Seat No. 1, for a term to begin June 26, 2020 and expire June 25, 2024.

Appoint Daniel L. Moody to the LAKESIDE COMMUNITY PLANNING GROUP, Seat No. 4, for a term to expire January 2, 2023.

Appoint Carol Hake to the LAKESIDE COMMUNITY PLANNING GROUP, Seat No. 5, for a term to expire January 4, 2021.

Appoint Kristen Everhart to the LAKESIDE COMMUNITY PLANNING GROUP, Seat No. 14, for a term to expire January 2, 2023.

SUPERVISOR NATHAN FLETCHER

Appoint Jan Spencley to the SOCIAL SERVICES ADVISORY BOARD, Seat No. 7, for a term to expire January 2, 2023.

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

19. SUBJECT: COUNTY OF SAN DIEGO TEETER PLAN (DISTRICTS: ALL)

OVERVIEW

In 1949, an alternative method for distribution of secured property taxes, known as the "Teeter Plan", was enacted in California. The County of San Diego adopted resolutions during Fiscal Year 1993-94 to operate under the Teeter Plan. Under this plan, the County advances funds to participating taxing entities (the "Teeter Agencies") to cover the unpaid (delinquent) taxes (the "Teetered Taxes"). This method provides the total amount of property tax funding for each of the Teeter Agencies during the year for which the taxes are levied, regardless of whether all taxes due were paid by the property owner in that year. The County's General Fund benefits from this plan by being entitled to future collections of penalties and interest that are due once the delinquent taxes are paid; the Teeter Agencies are not entitled to any penalties or interest. As a requirement of the Teeter Plan, the County must also set aside 25% of the delinquent taxes into a Teeter Tax Loss Reserve Fund.

Due to the unprecedented financial impacts of the COVID-19 pandemic, it is anticipated that property tax delinquencies will be much greater than normal and will result in higher Teeter Plan advances that will occur in June 2020. As of April 17, 2020, approximately \$282.9 million remains outstanding for all taxing entities, representing a 4.1% delinquency rate. This reflects \$173.9 million attributable to non-County Teeter Agencies, which will need to be remitted in June 2020.

While it is anticipated that additional collections will be received, the Teeter Plan advance and required Teeter Tax Loss Reserve Fund deposit will be significant. Today's action will set aside both General Fund cash resources necessary to cover the advance for Teetered Taxes of an estimated \$173.9 million and establish appropriations in the General Fund to fund the Teeter Tax Loss Reserve Fund of approximately \$40.4 million.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Establish appropriations in Finance Other, Other Charges for \$40.4 million to meet tax loss reserve requirement of the Teeter Tax Loss Reserve Fund based on prior year available unassigned General Fund fund balance. **(4 VOTES)**
2. Authorize the Auditor and Controller to establish a Commitment in the General Fund for the Teeter Plan advance in the amount of \$173.9 million based on available prior year General Fund balance *and* direct the Auditor and Controller that upon processing of the Teeter advance to release the Commitment and revert any excess to unassigned General Fund balance.

FISCAL IMPACT

Funds associated with today's recommendations are not included in the Fiscal Year 2019-20 Adopted Operational Plan. If approved, the recommendations are anticipated to result in costs of \$40.4 million. In addition, it is also anticipated that the increased delinquency rates will result in lower than anticipated property tax revenues in the General Fund of \$30 million and \$10.7 million in lower interest and penalties for a total impact of \$81.1 million to the General Fund in the current fiscal year. Impacts in Fiscal Year 2020-21 are also anticipated although the delinquency rate is anticipated to improve marginally as economic activity resumes. There will be no additional staffing impacts.

BUSINESS IMPACT STATEMENT

N/A

ACTION 19.1:

Noting for the record that agenda items 2 and 19 were heard concurrently and that an Errata sheet was submitted for item 19; a motion was made by Supervisor Desmond, seconded by Supervisor Gaspar, to approve the staff recommendation and adding the following to Recommendation 3 for agenda item 2:

3. Take any other action necessary to address the COVID-19 pandemic emergency response.
 - a. Direct staff to develop criteria to open safe outdoor recreational activity as soon as possible.

- b. Direct staff to start developing re-opening criteria that could be ready by May 1 for businesses, gyms, salons, restaurants, and large warehouses.
- c. Direct staff to begin lobbying efforts with the Governor's office for the phased opening of businesses in San Diego County to begin on May 1, 2020.

AYES: Gaspar, Desmond

NOES: Cox, Jacob, Fletcher

(This motion failed due to lack of a majority vote.)

ACTION 19.2:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

20. SUBJECT: GENERAL SERVICES, REPORT OF ACTION PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050 FOR EMERGENCY REPAIRS AT THE SOUTH BAY REGIONAL CENTER (DISTRICT: 1)

OVERVIEW

On April 14, 2020, a malfunction of a fire suppression sprinkler head on the second floor of the South Bay Regional Center (SBRC) was discovered. This malfunction occurred at approximately 2:00 am causing the sprinkler head to flow until the fire department responded to the alarm and secured the water. The release flooded the second floor as well as much of the first floor of the building. The flooding caused immediate closure of all impacted areas. Some court staff have been relocated to the Law Library area of the SBRC to continue providing essential public services. In order to mitigate the risk of further damage and ensure that regular operations can quickly resume, it was necessary to declare an emergency and forgo competitive solicitation of the repair, remediation, and restoration work. In accordance with County Administrative Code Section 402, "Emergency Purchases," a notice to proceed for emergency repairs was issued to Belfor Property Restoration USA, a contractor with previous County facility and restoration experience.

The County will be responsible to pay up to \$50,000 as its insurance deductible, but the remainder of the work is expected to be covered by insurance proceeds. A portion of these costs may also be reimbursable by the State of California because the SBRC is under a joint occupancy agreement with the Judicial Council of California under which certain costs are shared proportionately.

In accordance with Public Contract Code Section 22050, staff requests the Board of Supervisors (Board) to receive the report set forth in this Board letter that emergency repair, remediation, and restoration work at the SBRC did not permit a delay resulting from competitive solicitations for bids and that the immediate award of a contract was necessary to respond to the emergency. The Board is also requested to find that there is a need to continue the emergency repair, remediation, and restoration of all drywall, flooring, roofing, and asbestos monitoring.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed project is statutorily exempt from California Environmental Quality Act (CEQA) review pursuant to Sections 15269(b) and 15301 of the CEQA Guidelines because the proposed project is for emergency repairs to a publicly owned service facility necessary to maintain service essential to the public health, safety or welfare, and because it consists of the minor alteration of existing public facilities involving negligible or no expansion of existing use.
2. Pursuant to Public Contract Code Section 22050(b)(3)(a), receive the report set forth in this Board letter that the emergency repair, remediation, and restoration of the South Bay Regional Center did not permit a delay resulting from competitive solicitations for bids and that the immediate award of a contract was necessary to respond to the emergency.
3. Pursuant to Public Contract Code Section 22050(c)(2)(a), find that there is a need to continue the emergency repair, remediation, and restoration of the South Bay Regional Center without giving notice for bids to let a contract. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for the Department of General Services Facilities Management Internal Service Fund. If approved, this request will result in costs and revenue of approximately \$50,000. The funding source is charges to the client department and potential reimbursement from the State of California as part of the Joint Occupancy Agreement for the 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

- 21. SUBJECT: A PATH TO RECOVERY: BUSINESS LOAN PROGRAM FOR THE UNINCORPORATED AREA (DISTRICTS: ALL)**

OVERVIEW

The novel COVID-19 virus has and will continue to cause significant negative impacts to local business within the unincorporated area. The State of California stay at home health order has required many local businesses to cease operation due to them being deemed non-essential. With a significant loss of revenue, employers can no longer pay their employees, many of which have needed to file for unemployment. Businesses have shuttered their doors, some of which cannot bear the loss of revenue long-term without the help of local assistance.

The ripple effect of the COVID-19 emergency will have budgetary impacts on local government; however, the County's strong reserves are in place for emergencies such as this. It is imperative to keep our businesses afloat during this crisis to ensure a swift path to economic recovery when the health order is lifted.

Today's action will direct the Chief Administrative Officer to negotiate and execute an agreement with the San Diego Foundation to implement a business recovery loan program for the unincorporated area to assist in the recovery effort of local businesses and contribute \$5,000,000 to the program to fund loans. The purpose of the business recovery loan program is to assist the business community by providing no-to-low interest loans to endure the financial impact caused by the COVID-19 crisis.

RECOMMENDATION(S)

VICE-CHAIRMAN JIM DESMOND AND SUPERVISOR DIANNE JACOB

1. Direct the Chief Administrative Officer to negotiate and, upon successful negotiation, execute an agreement with the San Diego Foundation, to contribute \$5,000,000 to be used to implement a recovery loan program for businesses located within the unincorporated area that have suffered financial losses as a result of the COVID-19 crisis. Any agreement would, at a minimum, require:
 - A. San Diego Foundation to use the County contribution to fund loans to unincorporated businesses with 50 or fewer employees, an amount not to exceed \$50,000, interest rate not to exceed 2%, and a term not to exceed two years.
 - B. San Diego Foundation will ensure all loans funded are covered by the State of California Small Business Loan Guarantee Program or comparable program.
 - C. San Diego Foundation will return at least 95% on defaulted loans and 100% on loans that are paid off no later than 60 months after the County contribution is distributed, minus any agreed upon administrative costs and fees.
 - D. Priority will be given to applications that provide job retention and creation.
 - E. Any administrative costs should be minimized to lessen the impact on the fund and the applicants.
2. Establish appropriations of \$5,000,000 in Finance Other Countywide General Expenses Other Charges based on available General Fund fund balance to provide funding for the loan program. **(4 VOTES)**

FISCAL IMPACT

Funds associated with this request are not included in the Fiscal Year 2019-20 Operational Plan. If approved, this request will result in costs of \$5,000,000. The funding source is available General Fund fund balance. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

The business recovery loan program will have a direct positive impact to businesses by providing no-to-low interest loans to help with the local economic recovery effort during the COVID-19 crisis.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, amending recommendations 1.A. and 1.C. to read:

1.A. San Diego Foundation to use the County contribution to fund loans to unincorporated businesses with 50 or fewer employees, an amount not to exceed \$50,000, interest rate not to exceed 2%, and a term not to exceed 60 months.

1.C. San Diego Foundation will return at least 95% on defaulted loans and 100% on loans that are paid off no later than 60 months after the County contribution is distributed, minus any agreed upon administrative costs and fees.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

22. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Jane Doe v. Richard Fischer, et al.; United States District Court, Southern District, No. 19-cv-1633-AJB-NLS
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Elfin Forest Harmony Grove Town Council, et al. v. County of San Diego;
San Diego County Superior Court No. 37-2018-00042927-CU-TT-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Elfin Forest Harmony Grove Town Council, et al. v. County of San Diego;
San Diego County Superior Court No. 37-2018-00043049-CU-TT-CTL
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Lourdes Higuera v. County of San Diego; San Diego County Superior
Court No. 37-2019-00043655-CU-PO-CTL
- E. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to (Paragraph (2) of subdivision
(d) of Section 54956.9): (Number of Potential Cases - 1)
- F. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.6)
Designated Representatives: Clint Obrigewich
Employee Organizations and Unrepresented Employees: All

ACTION:

County Counsel reported that for Closed Session on Tuesday, April 21, 2020, the Board of Supervisors took the following actions:

Item 22A: Jane Doe v. County of San Diego, et al., with all five Board members voting “AYE,” authorized County Counsel to settle this case alleging constitutional violations during the detention of suspect for \$225,000.

Items 22B and C: Elfin Forest Harmony Grove Town Council v. County of San Diego, with four Board Voting “AYE” and Supervisor Jacob abstaining, authorized County Counsel to appeal the Superior Court’s decisions ordering the County to set aside its approval of two housing projects and its certifications of the Environmental Impact Reports for those projects.

23. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Due to the COVID-19 emergency, public comments on non-agenda items were received electronically and read into the record. The following individuals submitted comments:

Louis Russo spoke to the Board regarding reduction in rates for electricity.

Michael Andelson spoke to the Board regarding trash pickup in Spring Valley.

ACTION:

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 1:41 p.m.

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

Consent: Santiago

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 5, 2020.



GREG COX
Chairman

Attest:



ANDREW POTTER
Clerk of the Board

04/21/2020