

**April 25, 2017**

**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 25, 2017, 9:30 A.M.**  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Called to order at 9:35 a.m.

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

Invocation was led by Pastor Manuel Retamoza from St. Andrews Lutheran Church.

Pledge of Allegiance was led by Corinne Davila from Sweetwater Springs Elementary School.

Approval of Statement of Proceedings/Minutes for meeting of April 11, 2017.

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Gaspar, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Meetings of the Board of Supervisors on April 11, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

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

**Board of Supervisors' Agenda Items**

<b>Category</b>	<b>Agenda #</b>	<b>Subject</b>
Public Safety	1.	AMENDMENT TO THE ADMINISTRATIVE CODE TO EXPAND THE AUDITOR AND CONTROLLER'S VICTIM RESTITUTION COLLECTION AUTHORITY (4/25/2017 – FIRST READING; 5/2/2017 – SECOND READING)

Health and  
Human Services

2. SHERIFF – REQUEST TO ISSUE COMPETITIVE SOLICITATIONS FOR THE PROCUREMENTS OF ELECTRONIC MONITORING AND HOME DETENTION SERVICES AND REENTRY PROGRAMMING SERVICES [FUNDING SOURCE: STATE OF CALIFORNIA, LOCAL REVENUE FUND 2011 ALLOCATED TO THE COUNTY LOCAL REVENUE FUND 2011, COMMUNITY CORRECTIONS SUBACCOUNT]
3. SHERIFF – RATIFY THE ACCEPTANCE OF DONATIONS AND OUT-OF-COUNTRY TRAVEL [FUNDING SOURCE: DONATION FROM THE HDSA] (4 VOTES)
4. PROBATION—AUTHORIZATION FOR SINGLE SOURCE PROCUREMENT OF TRAINING AND TECHNICAL ASSISTANCE SERVICES IN THE YOUTH IN CUSTODY PRACTICE MODEL [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
5. MENTAL HEALTH SERVICES ACT – COMPETITIVE SOLICITATIONS AND CONTRACT AUTHORIZATION FOR INNOVATION COMPONENT AND CALMHSA FUND DEVELOPMENT PROJECT [FUNDING SOURCE: MENTAL HEALTH SERVICES ACT]
6. CHILD WELFARE SERVICES AND PROBATION DEPARTMENT FIVE-YEAR SYSTEM IMPROVEMENT PLAN [FUNDING SOURCES: CHILD ABUSE PREVENTION, INTERVENTION AND TREATMENT (CAPIT), COMMUNITY BASED CHILD ABUSE PREVENTION (CBCAP), AND PROMOTING SAFE AND STABLE FAMILIES (PSSF)]
7. PROCUREMENT OF LIST OF QUALIFIED SHORT-TERM RESIDENTIAL THERAPEUTIC PROGRAMS FOR CHILD WELFARE SERVICES [FUNDING SOURCES: AID TO FAMILIES WITH DEPENDENT CHILDREN - FOSTER CARE (AFDC-FC), STATE GENERAL FUND REVENUE, AND REALIGNMENT]
8. INTERGOVERNMENTAL TRANSFER AGREEMENT WITH CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES [FUNDING SOURCE: LOCAL FUNDS, INCLUDING REALIGNMENT]

9. AUTHORIZATION FOR SINGLE SOURCE PROCUREMENT OF PUBLIC HEALTH LABORATORY TEST KITS FROM ABBOTT LABORATORIES  
[FUNDING SOURCE: HEALTH REALIGNMENT]
10. SINGLE SOURCE CONTRACT WITH SOFTWARE PARTNERS, LLC FOR THE SAN DIEGO IMMUNIZATION REGISTRY  
[FUNDING SOURCE: HEALTH REALIGNMENT]
11. AUTHORIZE THE AUDITOR AND CONTROLLER TO REFUND MONEY INADVERTENTLY PAID TO THE COUNTY OF SAN DIEGO BY COMMUNITY HOUSING SOLUTIONS
12. REAPPOINTMENT OF SANDRA MARSH AND FRANCISCO PENALOSA AS HOUSING AUTHORITY OF THE COUNTY OF SAN DIEGO TENANT COMMISSIONERS  
[FUNDING SOURCE: FEDERAL FUNDS PROVIDED FOR THE HOUSING AUTHORITY'S PROGRAM ADMINISTRATION]
13. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE AMENDING ARTICLE XV-B OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES
14. GENERAL SERVICES – AUTHORIZATION TO APPROPRIATE FUNDS FOR THE BORREGO SPRINGS SHERIFF OFFICE AND INCREASE APPROPRIATIONS FOR THE LIBRARY PROJECT  
[FUNDING SOURCES: BORREGO SPRINGS SHERIFF OFFICE: AVAILABLE PRIOR YEAR PUBLIC SAFETY GROUP FUND BALANCE;  
BORREGO SPRINGS COMMUNITY LIBRARY: AVAILABLE PRIOR YEAR COMMUNITY SERVICES GROUP FUND BALANCE AND AVAILABLE PRIOR YEAR LIBRARY FUND FUND BALANCE]  
(4 VOTES)

Community  
Services

15. SET A HEARING FOR 9/26/2017:  
 APPROVAL OF MEMORANDUM OF AGREEMENT WITH THE JUDICIAL COUNCIL OF CALIFORNIA (JCC) FOR TRANSFER TO THE COUNTY OF THE COUNTY COURTHOUSE AND OLD JAIL SITE AND AS A RESPONSIBLE AGENCY, CONSIDER RELATED ENVIRONMENTAL EFFECTS AS SHOWN IN THE FINAL ENVIRONMENTAL IMPACT REPORT DATED DECEMBER 2010, STATE CLEARINGHOUSE #200002105, RELINQUISHMENT BY JCC OF SPACE IN THE JUVENILE PROBATION CENTER - KEARNY MESA AND RAMONA COURT BUILDING, AND TRANSFER OF RESPONSIBILITY TO THE JCC OF SPACE IN THE SOUTH BAY REGIONAL CENTER; AUTHORIZATION FOR THE ISSUANCE OF A REQUEST FOR STATEMENT OF QUALIFICATIONS AND A REQUEST FOR PROPOSALS FOR THE DEVELOPMENT OF THE COUNTY COURTHOUSE AND OLD JAIL SITE AND THE ADJACENT COUNTY-OWNED BLOCK AND SET A HEARING TO RECEIVE PROPOSALS  
 [FUNDING SOURCE: AVAILABLE PRIOR YEAR COMMUNITY SERVICES GROUP FUND BALANCE]  
 (4 VOTES)
16. COUNTY OPERATIONS CENTER -- SHERIFF TECHNOLOGY CENTER PROJECT  
 [FUNDING SOURCES: GENERAL PURPOSE REVENUE, ANTICIPATED TO BE AVAILABLE PRIOR YEAR GENERAL FUND BALANCE, AVAILABLE PRIOR YEAR PUBLIC SAFETY GROUP FUND BALANCE, AND THE POWAY REDEVELOPMENT AGREEMENT TRUST FUND]
17. NOTICED PUBLIC HEARING:  
 ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY FOR THE BENEFIT OF NORTH COUNTY HEALTH PROJECT INC. IN AN AGGREGATE AMOUNT NOT TO EXCEED \$2,000,000
18. NOMINATIONS TO THE CALIFORNIA COASTAL COMMISSION
19. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 5)  
 [FUNDING SOURCE: GENERAL FUND FUND BALANCE]

Financial and  
 General  
 Government

20. PURSUING A LEGISLATIVE AMENDMENT FOR 1988 STATE PARKS BOND FUNDING TO CREATE RECREATIONAL AND CAMPING OPPORTUNITIES IN THE TIJUANA RIVER VALLEY REGIONAL PARK (TRVRP)
21. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT:1)  
[FUNDING SOURCE: GENERAL FUND FUND BALANCE]  
(4 VOTES)
22. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 4)  
[FUNDING SOURCE: GENERAL FUND FUND BALANCE]  
(4 VOTES)
23. BONDS OF THE SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 2016-1 OF THE SOLANA BEACH SCHOOL DISTRICT (GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES A)
24. \* FISCAL YEAR 2016-17 THIRD QUARTER OPERATIONAL PLAN STATUS REPORT AND BUDGET ADJUSTMENT  
[FUNDING SOURCES: OPERATING TRANSFER FROM SHERIFF'S INMATE WELFARE FUND, AVAILABLE PRIOR YEAR PUBLIC SAFETY GENERAL FUND FUND BALANCE, REVENUES FROM VARIOUS CITIES AND LOCAL ORGANIZATIONS, CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION AND ELECTION SERVICES OTHER GOVERNMENT AGENCIES, AVAILABLE PRIOR YEAR JAIL COMMISSARY ENTERPRISE FUND FUND BALANCE, OPERATING TRANSFER FROM JAIL COMMISSARY ENTERPRISE FUND, REGIONAL COMMUNICATION SYSTEM REPLACEMENT TRUST FUND, OPERATING TRANSFER FROM THE SHERIFF'S INMATE WELFARE FUND, OPERATING TRANSFERS FROM HOUSING ASSET FUND, AIRPORT ENTERPRISE FUND, RANCHO DEL CAMPO WATER FUND, AVAILABLE PRIOR YEAR FLEET SHERIFF ACCIDENT REPAIR ISF FUND BALANCE, AVAILABLE PRIOR YEAR FLEET MANAGEMENT ISF FUND BALANCE, PUBLIC LIABILITY ISF CHARGES FOR SERVICES, CAPITAL OUTLAY FUND, AND JUSTICE FACILITY CONSTRUCTION FUND]  
(4 VOTES)

- 25. AMENDMENTS TO THE COMPENSATION ORDINANCE AND ADMINISTRATIVE CODE (4/25/2017 – FIRST READING; 5/2/2017 – SECOND READING)  
[FUNDING SOURCE: COMBINATION OF GENERAL PURPOSE REVENUES, AVAILABLE GENERAL FUND FUND BALANCE, AND VARIOUS PROGRAM REVENUES]
- 26. AN URGENCY ORDINANCE OF THE COUNTY OF SAN DIEGO REAUTHORIZING THE COUNTY’S PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (PEG) ACCESS FEE TO TAKE EFFECT IMMEDIATELY  
(4 VOTES)
- 27. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: AMENDMENTS TO THE COMPENSATION ORDINANCE AND ADMINISTRATIVE CODE (4/11/2017 – FIRST READING; 4/25/2017 – SECOND READING)  
[FUNDING SOURCE: COMBINATION OF GENERAL PURPOSE REVENUES, AVAILABLE GENERAL FUND FUND BALANCE, AND VARIOUS PROGRAM REVENUES]
- Communications Received 28. COMMUNICATIONS RECEIVED
- Land Use and Environment 29. \* APPROVAL OF THE AMENDED COST RECOVERY PROPOSAL OF THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES EFFECTIVE FISCAL YEAR 2017-18 AND ASSOCIATED ORDINANCE  
[FUNDING SOURCE: FEES PAID BY CUSTOMERS]
- 30. \* SET A HEARING FOR 5/03/2017:  
CONSIDERATION AND ADOPTION OF FEE ADJUSTMENTS FOR THE SMALL DRINKING WATER SYSTEM AND COTTAGE FOOD PROGRAMS IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH EFFECTIVE FISCAL YEAR 2017-18 AND ASSOCIATED ORDINANCE REVISIONS  
[FUNDING SOURCE: FEES PAID BY CUSTOMERS]
- Appointments 31. APPOINTMENTS: VARIOUS
- Closed Session 32. CLOSED SESSION
- Presentations/Awards 33. PRESENTATIONS/AWARDS

Public  
Communication

34. PUBLIC COMMUNICATION

**1. SUBJECT: AMENDMENT TO THE ADMINISTRATIVE CODE TO EXPAND THE AUDITOR AND CONTROLLER'S VICTIM RESTITUTION COLLECTION AUTHORITY (4/25/2017 – FIRST READING; 5/2/2017 – SECOND READING) (DISTRICTS: ALL)**

**OVERVIEW:**

In California, victims of crime have a constitutional right to restitution through Article I, Section 28 (b) of the California Constitution, known as the Victims' Bill of Rights (Marsy's Law). Marsy's Law designates that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer. The Law also designates that restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss. The County of San Diego supports the rights of victims established by Marsy's Law, by ensuring that offenders meet their obligation to pay ordered restitution. The San Diego County offices of the District Attorney, Sheriff, Probation, the Auditor and Controller and the California Department of Corrections and Rehabilitation may be involved in collecting restitution on a victim's behalf.

The County's authority and process for collecting victim restitution has been impacted by major changes in criminal law enacted by the California legislature in 2011. Public Safety Realignment (Realignment), in part, shifted responsibility for certain classes of offenders from the State to counties. However, due to an unintended gap in the statutes, counties were provided no legal authority to collect victim restitution from offenders in the populations that are now the responsibility of counties. Subsequent state legislation has authorized counties to collect victim restitution from these populations.

Today's recommended action would introduce an Ordinance to designate the Auditor and Controller, Office of Revenue and Recovery, as the collection agency under Penal Codes 1202.45, 2085.5, 2085.6 and 2085.7, which would authorize the Department to collect restitution orders, restitution fines and revocation restitution fines from additional specified offender populations and would initiate a six month pilot project to determine administrative costs of collection. This is also a request to waive Board Policy B-29, Fees, Grants, and Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery.

**FISCAL IMPACT:**

Current year costs for administration and implementation of the pilot project are included in the Fiscal Year 2016-17 Operational Plan for the Auditor and Controller, Sheriff's Department and Probation Department. Costs for subsequent years will be included in future Operational Plans. The Auditor and Controller, Office of Revenue and Recovery will waive the administrative fees allowable by statute during a six month pilot project, as the Department has no prior experience collecting from an incarcerated population. The Office of Revenue and Recovery will use data collected from the pilot project to conduct an accurate cost study,

determine the appropriate level of administrative fees in coordination with the Sheriff and Probation Departments, and return to the Board to request approval of the fees. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Designate the Auditor and Controller, Office of Revenue and Recovery, pursuant to Penal Code sections 1202.45, 2085.5, 2085.6 and 2085.7, to serve as the collection agency for restitution orders, restitution fines and revocation restitution fines.
2. Approve the introduction of the proposed Ordinance (First Reading), read title and waive further reading of the Ordinance (Attachment A):  
AN ORDINANCE TO AMEND SECTION 92 OF ARTICLE V OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO RESTITUTION COLLECTIONS PURSUANT TO PENAL CODES 1202.45, 2085.5, 2085.6 AND 2085.7

If on, April 25, 2017, the Board takes action and approves Recommendations 1 and 2, then on May 2, 2017 (Second Reading):

Adopt the Ordinance amending section 92 of Article V of the San Diego County Administrative Code relating to restitution collections pursuant to penal codes 1202.45, 2085.5, 2085.6 and 2085.7.

3. Waive Board Policy B-29, Fees, Grants, and Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery.

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on May 2, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

2. **SUBJECT: SHERIFF – REQUEST TO ISSUE COMPETITIVE SOLICITATIONS FOR THE PROCUREMENTS OF ELECTRONIC MONITORING AND HOME DETENTION SERVICES AND REENTRY PROGRAMMING SERVICES (DISTRICTS: ALL)**

**OVERVIEW:**

On December 6, 2011 (1), the Board of Supervisors approved the procurement of an Alternative Custody Electronic Monitoring and Home Detention Service that included a reentry programming component. Reentry programming services consist of classes, such as cognitive behavioral therapy, substance abuse prevention and life skills classes, which assist the successful reintegration of an inmate to society.

Public Safety Realignment 2011, as enacted by the State of California, requires individuals sentenced to certain non-violent, non-serious, non-sex offenses be sentenced to local custody (County jail) instead of prison. In an effort to manage an increasing jail population and prevent overcrowding, the Sheriff created the County Parole and Alternative Custody (CPAC) Unit. CPAC works in consultation with a contractor to monitor offenders who are deemed to be low risk and released into the community under specific terms and conditions of release. The offenders are supervised through CPAC utilizing either a Global Positioning System (GPS) or other form of electronic monitoring.

The Probation Department also uses the Electronic Monitoring Services agreement to remotely supervise probationers in the community. However, Probation already has various fully operational reentry programs designed specifically for probationers, and, therefore, will not be using the reentry programs solicited for the Sheriff's Department.

The current agreement (541044) will expire June 30, 2017 and both the Sheriff's and Probation Departments wish to continue with Electronic Monitoring and Home Detention Services. The Departments seek to incorporate advancements in monitoring technologies, and current evidence-based practices in reentry programs specifically for the Sheriff, into the new contracts.

This is a request to authorize the Director of the Department of Purchasing and Contracting to issue Competitive Solicitations for the procurements of Electronic Monitoring and Home Detention Services and Reentry Programming Services. The request is for the period of July 1, 2017 through June 30, 2018, and four one year option periods through June 30, 2022, with a six-month option, if needed.

**FISCAL IMPACT:**

**SHERIFF'S DEPARTMENT**

Funds for this request will be included in the Fiscal Year 2017-18 Operational Plan for the Sheriff's Department. If approved, this request will result in estimated current year costs and revenue of \$660,000. The funding source is State of California, Local Revenue Fund 2011 allocated to the County Local Revenue Fund 2011, Community Corrections Subaccount. Costs for subsequent years will be included in future years Operational Plans for the Sheriff's Department. There will be no change in net General Fund cost and no additional staff years.

**PROBATION DEPARTMENT**

Funds for this request will be included in the Fiscal Year 2017-18 Operational Plan for the Probation Department. If approved, this request will result in estimated current year costs and revenue of \$460,000. The funding source is State of California, Local Revenue Fund 2011 allocated to the County Local Revenue Fund 2011, Community Corrections Subaccount. Costs for subsequent years will be included in future years Operational Plans for the Probation Department. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SHERIFF**

In accordance with Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting to issue Competitive Solicitations for Electronic Monitoring and Home Detention Services and Re-entry Programming Services, and upon successful negotiations and determination of a fair and reasonable price, award one or more contracts for a term of one year, with four option years and up to an additional six months if needed, and to amend the contracts as needed to reflect changes to services and funding, subject to approval of the Sheriff.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**3. SUBJECT: SHERIFF – RATIFY THE ACCEPTANCE OF DONATIONS AND OUT-OF-COUNTRY TRAVEL (DISTRICTS: ALL)**

**OVERVIEW:**

San Diego Administrative Code Section 66 and Board of Supervisors Policy A-112, Acceptance of Gifts and Donations, permit the acceptance of gifts by the administrative heads of each department in the County, subject to approval by the Board of Supervisors. The Honorary Deputy Sheriff's Association (HDSA), a nonprofit community organization, has donated \$18,000 to cover the purchase of two canines. This is a request to ratify the acceptance of the \$18,000 donation from the HDSA to the Sheriff's Canine Unit.

In accordance with Board of Supervisors Policy D-7, Out-of-County Business and Related Guidelines and Processes, this is a request to ratify the travel for one (1) Sheriff's Commander who attended the 2017 Western States Counter-Terrorism Seminar in Tel Aviv, Israel, from March 19, 2017 to March 28, 2017. In accordance with Administrative Code Section 66 and Board of Supervisors Policy A-112, Acceptance of Gifts and Donations, this is also a request to ratify the acceptance of a donation valued at approximately \$6,000 from the Anti-Defamation League (ADL), to cover the travel costs.

**FISCAL IMPACT:**

**Honorary Deputy Sheriff's Association Donation**

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan for the Sheriff's Department. If approved, this request will ratify the acceptance of a donation from the Honorary Deputy Sheriff's Association (HDSA), and result in current year costs and revenue of \$18,000 for the purchase of two canines. The funding source is a donation from the HDSA. Ongoing costs associated with the new canines, estimated at \$2,000 a year, will be included in future year's Operational Plans for Sheriff's Department. There will be no change in net General Fund cost and no additional staff years.

**Out of Country Travel and Anti-Defamation League Donation**

Funds for this request are partially included in the Fiscal Year 2016-17 Operational Plan for the Sheriff's Department. All travel and accommodation costs, valued at approximately \$6,000 were paid by the Anti-Defamation League. The Sheriff's Commander received regular salary and benefits which are budgeted in the Fiscal Year 2016-17 Operational Plan for the Sheriff's Department. No overtime was incurred as a result of this travel. If approved, this request will ratify the acceptance of a donation of approximately \$6,000 from the Anti-Defamation League. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SHERIFF**

1. In accordance with Administrative Code Section 66 and Board Policy A-112, Acceptance of Gifts and Donations, ratify the acceptance of an \$18,000 donation from the Honorary Deputy Sheriff's Association.
2. Establish appropriations of \$18,000 in the Sheriff's Department, Services and Supplies, based on unanticipated revenue from the Honorary Deputy Sheriff's Association. (4 VOTES)
3. Ratify the travel and per diem for one (1) Sheriff's Commander to attend the 2017 Western States Counter-Terrorism Seminar in Tel Aviv, Israel from March 19, 2017 to March 28, 2017.
4. In accordance with Administrative Code Section 66 and Board Policy A-112, Acceptance of Gifts and Donations, ratify the acceptance of a donation valued approximately at \$6,000 from the Anti-Defamation League for one (1) Sheriff's Commander to cover all of the travel costs in Recommendation 3.
5. 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 Honorary Deputy Sheriff's Association and a letter of appreciation to the Anti-Defamation League.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

4. **SUBJECT: PROBATION—AUTHORIZATION FOR SINGLE SOURCE PROCUREMENT OF TRAINING AND TECHNICAL ASSISTANCE SERVICES IN THE YOUTH IN CUSTODY PRACTICE MODEL (DISTRICTS: ALL)**

**OVERVIEW:**

On March 20, 2017, the Council of Juvenile Correctional Administrators (CJCA) and the Center for Juvenile Justice Reform (CJJR) at Georgetown University announced the second round of their innovative 18-month training and technical assistance opportunity to collaborate with selected agencies to develop a Youth in Custody Practice Model (YICPM) designed to align core research-based principles with everyday practice and achieve more positive outcomes for youth, families, staff, and communities. The application for interested agencies is due by May 19, 2017.

The County of San Diego and its juvenile justice partners have taken an innovative approach to reducing the number of youth entering the juvenile justice system. This collaborative approach has pushed San Diego's juvenile crime, custodial, and supervision numbers to near record lows. Beginning in 2016, the Probation Department, County staff and community partners began discussions to consider future program designs for youth detention and commitment programs. A Countywide YICPM initiative would build on nationally-recognized best practices and assist the Probation Department with developing a customized custodial supervision model that will further improve rehabilitative outcomes.

The CJCA, the creator and sole provider of the YICPM initiative, will select three (3) sites nationally to implement their unique and innovative program, and selected agencies will enter into a contract with the provider for the training and technical assistance services. Selected agencies will be notified on June 9, 2017, and orientations will begin July 24, 2017. This is a request to authorize the County to enter into a contract with the CJCA for technical assistance should the Probation Department be selected to participate in the second round of 18-month YICPM training.

**FISCAL IMPACT:**

Funds for this request will be included in the Chief Administrative Officer Recommended Fiscal Year 2017-18 Operational Plan for the Probation Department. If approved, and if the Probation Department's application is selected, this request will result in estimated costs and revenue of \$196,500. Costs for subsequent years, will be included in future Operational Plans for the Probation Department. The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with the Council of Juvenile Correctional Administrators and subject to successful negotiations and determination of a fair and reasonable price, award a contract for Youth in Custody Practice Model training and technical assistance services for a period of 18 months, and to amend the contract as needed to reflect changes to requirement and funding.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

5. **SUBJECT: MENTAL HEALTH SERVICES ACT – COMPETITIVE SOLICITATIONS AND CONTRACT AUTHORIZATION FOR INNOVATION COMPONENT AND CALMHSa FUND DEVELOPMENT PROJECT (DISTRICTS: ALL)**

**OVERVIEW:**

California's Proposition 63, the Mental Health Services Act (MHSA), was approved by California voters in November 2004 and became effective January 1, 2005, providing funding for expansion of mental health services in California. The MHSA consists of five program components designated by the State: Community Services and Supports, Prevention and Early Intervention, Workforce Education and Training, Capital Facilities and Technological Needs, and Innovation.

**Innovation Component:** The County of San Diego is entering Cycle 4 of the Innovation component of the County's MHSA Plan. The Innovation Program and Expenditure Plan, 2017-18 through 2023-24, includes enhancements and extensions to five of the current Innovation programs (Cycle 3) with an evaluation component previously approved by the Board of Supervisors (Board) on October 28, 2014 (9), and proposals for five new projects to be implemented during Fiscal Years 2017-18 through 2023-24 (Cycle 4), all within the scope of available funding. The proposals have been considered by stakeholders through community engagement forums and the required 30-day public review period. As mandated by the MHSA, the Innovation programs, including changes to previously approved programs, require review and approval by the Board before final approval from the California Mental Health Services Oversight and Accountability Commission (MHSOAC). The MHSOAC is required by statute to review and approve the Innovation projects before a county can begin implementation.

**CalMHSA Fund Development:** The California Mental Health Service Authority (CalMHSA), a joint-powers authority (JPA), was established to expedite implementation and administration of Statewide Prevention and Early Intervention (PEI) projects funded under MHSA. On January 25, 2011 (8), the Board authorized San Diego County's membership in CalMHSA through a Joint Exercise of Powers Agreement (JEPA) in order to jointly develop statewide or regional mental health projects with other counties. To maintain successful PEI projects, CalMHSA is requesting participating counties continue supporting statewide PEI activities through special member fees, including contributing to a three-year effort to secure outside funding to fully implement the next phase of a statewide "Forging California's Culture of Mental Wellness" campaign.

Approval of today's recommended actions authorizes new procurements, and contract amendments to expand and extend MHSA Innovation programs and evaluation for mental health services to children and youth, transition age youth (TAY), adults, and older adults; and authorizes payment to CalMHSA to support fund-development for the statewide Prevention and Early Intervention campaign. Today's actions support the countywide *Live Well San Diego* vision by enhancing 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.

**FISCAL IMPACT:**

Funds for this request will be included in Fiscal Year 2017-19 Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of \$4,616,890 in Fiscal Year 2017-18 and \$11,483,328 in Fiscal Year 2018-19. The funding source is the Mental Health Services Act. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Accept and approve the County of San Diego Mental Health Services Act (MHSA) proposed Innovation Program and Expenditure Plan 2017-18 through 2023-24 (Cycle 3 and Cycle 4); and authorize the Agency Director, Health and Human Services Agency to submit the proposals to the Mental Health Services Oversight and Accountability Commission (MHSOAC) for approval.
2. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for the programs and services listed below, which are required to implement the County of San Diego MHSA Innovation (INN) Program and Expenditure Plan, and upon successful negotiations and determination of a fair and reasonable price, award contracts for a period of one year, with up to three and one-half option years and an additional six months if needed; and to amend the contracts as required to reflect changes to services and funding, subject to the approval of the Agency Director, Health

and Human Services Agency contingent upon approval by the MHSOAC and the availability of funds.

- a) INN-18 Peripartum Services
  - b) INN-19 Telemental Health
  - c) INN-20 ROAM Mobile Services
  - d) INN-21 ReST Recuperative Housing
  - e) INN-22 Medication Clinic
3. Authorize the Director, Department of Purchasing and Contracting to amend the contracts listed below extending the contract term to maximize the option years, and to expand services, subject to the availability of funds; and to amend the contracts as required in order to reflect changes to services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency and contingent upon approval by the MHSOAC.
- a) INN-11 Caregiver Connection - Rady Children's Hospital (#551349)
  - b) INN-12 Family Therapy Participation - North County Lifeline (#45377), Vista Hill Foundation (#44762), Community Research Foundation (#518750, #518752, #518753) and Family Health Centers (#535558)
  - c) INN-15 Peer Assisted Transitions - National Alliance on Mental Illness, San Diego (#553850)
  - d) INN-16 Urban Beats - Pathways Community Services (#552663)
  - e) INN-17 Crest Mobile Hoarding Units - University of California, San Diego (#552936)
4. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting to amend contract #551828 with the University of California, San Diego for the provision of Innovation Evaluation Services in order to extend the contract term up to December 31, 2023, with a six month option if needed; and to amend the contract as required to reflect changes to services and funding allocations, subject to the approval of the Director, Health and Human Services Agency and contingent upon approval by the MHSOAC. Waive the advertising requirement of Board Policy A-87.
5. Authorize payment to CalMHSA, utilizing MHSA funds, for a private fund development special member fee for the Statewide Prevention and Early Intervention (PEI) campaign during Fiscal Years 2017-18 through 2019-20.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

6. **SUBJECT: CHILD WELFARE SERVICES AND PROBATION DEPARTMENT FIVE-YEAR SYSTEM IMPROVEMENT PLAN (DISTRICTS: ALL)**

**OVERVIEW:**

In 2001, the Child Welfare Outcomes and Accountability System was established to improve Child Welfare Services for children and their families in California and to provide a system of accountability for outcome performance. The California-Children and Family Services Review (C-CFSR) is the mechanism used by the State and counties to achieve system objectives. The C-CFSR process begins with the County Self-Assessment (CSA) and Peer Review. What is gleaned from the CSA and Peer Review informs the development of the System Improvement Plan (SIP), which serves as the roadmap of measurable goals and strategies to be implemented in the next five years to improve safety, permanency, and well-being of children. The County of San Diego Child Welfare Services (CWS) and Probation Departments are the lead agencies responsible for ongoing evaluation, revision and continuous improvement.

The 2017-2022 County of San Diego SIP is based on data and stakeholder input from the Peer Review conducted in June 2016 and the CSA conducted March through August 2016, and outlines the County's strategies and action plans to address identified issues. The SIP report was submitted to the California Department of Social Services (CDSS) on October 17, 2016; the State level review process was completed late March 2017. Today's actions seek Board approval of the five-year SIP and approval to administer the Child Abuse Prevention, Intervention and Treatment (CAPIT), Community Based Child Abuse Prevention (CBCAP), and Promoting Safe and Stable Families (PSSF) program funds as outlined in the SIP.

Today's actions support the countywide *Live Well San Diego* vision by building a better service delivery system for children, youth and families in San Diego county, which promote a healthy, safe, and thriving region.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2016-18 Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of approximately \$3,153,861 in Fiscal Year 2016-17 and costs and revenue of approximately \$3,153,861 in Fiscal Year 2017-18. The funding sources are Child Abuse Prevention, Intervention and Treatment (CAPIT), Community Based Child Abuse Prevention (CBCAP), and Promoting Safe and Stable Families (PSSF). There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Approve the 2017-2022 County of San Diego System Improvement Plan in accordance with State regulations.
2. Approve and authorize the Agency Director, Health and Human Services Agency, to execute the California Department of Social Services (CDSS) form titled, "Notice of Intent CAPIT/CBCAP/PSSF Program Contracts for San Diego County," and to submit the form to the CDSS.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

7. **SUBJECT: PROCUREMENT OF LIST OF QUALIFIED SHORT-TERM RESIDENTIAL THERAPEUTIC PROGRAMS FOR CHILD WELFARE SERVICES (DISTRICTS: ALL)**

**OVERVIEW:**

The Board of Supervisors has shown a long-term commitment to programs aimed at improving outcomes for foster youth. Currently, approximately 2,851 San Diego County youth cannot remain in their homes as a result of abuse or neglect and require placement in out of home care. While Health and Human Services Agency Child Welfare Services social workers attempt to place children in care in San Diego County in the least restrictive living option, approximately 239 foster youth demonstrate emotional and behavioral needs that require placement in a Licensed Group Home (LGH). On average there are 180 youth in San Diego County contracted LGHs at any given time throughout the year.

On October 11, 2015, Assembly Bill (AB) 403 was signed into law, which required California to implement the provisions of the Continuum of Care Reform (CCR) beginning January 1, 2017. Permanency is the fundamental principle of CCR and the key to the success of the redesign. As such, AB 403 created a new licensing category referred to as the Short Term Residential Therapeutic Program (STRTP), which will replace the LGH placement option in an effort to reduce the length of stay in a LGH, therefore decreasing the time children are living in an institutional setting. The STRTP is to be a short-term intensive therapeutic intervention to stabilize the child/youth with the intention to return the youth to a permanent and nurturing family home.

Due to the ongoing need for residential therapeutic services, today's action requests authority for the Director, Department of Purchasing and Contracting to issue a Request for Statement of Qualifications (RFSQ) for STRTP providers and to award contracts as needed.

Today's action supports the County's *Live Well San Diego* vision by providing safe, permanent and nurturing homes for youth at risk of abuse or neglect.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2016-18 Operational Plan but will be included in the Fiscal Year 2017-19 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will result in no fiscal impact in Fiscal Year 2016-17 and costs and revenue of approximately \$27,153,216 in Fiscal Year 2017-18. The funding sources are Aid to Families with Dependent Children - Foster Care (AFDC-FC), State General Fund revenue, and Realignment. There will be no change to net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

In accordance with Section 401, Article XXIII of County Administrative Code, Authorize the Director, Department of Purchasing to issue a Request for Statement of Qualifications (RFSQ) for the Short-Term Residential Therapeutic Program within San Diego County and re-release the RFSQ as needed, and upon successful negotiations and determination of fair and reasonable price, consistent with State Foster Care Rates Bureau requirements, award contracts as needed for a term of one year with five option years and up to an additional six months if needed, and to amend the contracts as needed to reflect changes in services and funding, subject to approval of the Agency Director, Health and Human Services Agency.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

8. **SUBJECT: INTERGOVERNMENTAL TRANSFER AGREEMENT WITH CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES (DISTRICTS: ALL)**

**OVERVIEW:**

In order to help increase State payments to Medi-Cal Managed Care Plans, California counties participating in Medi-Cal Managed Care can enter into Intergovernmental Transfer (IGT) agreements and Assessment fee agreements with the California Department of Health Care Services (DHCS). The IGT consists of the transfer of eligible local funding (not derived from impermissible sources such as recycled Medicaid payments, federal money excluded from use as State match, impermissible taxes, and non-bona fide provider-related donations) to DHCS, which the State then uses to increase the rates it pays the participating Medi-Cal Managed Care Plans, within an actuarially sound range. The amount the County transfers for the IGT draws down dollar for dollar federal match. Once the Plans

receive the IGT-funded rate increases from DHCS, they pay those funds to the County to support health care related services. The Board of Supervisors has authorized participation in this program and approved IGT agreements with DHCS on January 6, 2015 (8), January 5, 2016 (4), May 10, 2016 (4), and September 13, 2016 (12).

Today's actions will authorize the Agency Director, Health and Human Services Agency (HHS), or designee to pursue and execute Intergovernmental Transfer (IGT) and Assessment fee agreements between HHS and the DHCS for the Medi-Cal only population for the next available two IGT service periods. Today's actions will also authorize the Agency Director, HHS, or designee to amend the agreements with four Medi-Cal Managed Care Health Plans; Molina Healthcare of California, Community Health Group, Care1st Health Plan and Health Net of California, to enable HHS to draw down approximately \$12.1 million in new funding to recover enhanced reimbursement for Medi-Cal services provided (and/or financed) by the County to Health Plan members for the period of July 1, 2015 to June 30, 2016 and for the period of July 1, 2016 to June 30, 2017. This item supports the County's *Live Well San Diego* vision by providing resources for community partners to help clients build better health.

**FISCAL IMPACT:**

Funds for this request will be included in the Fiscal Year 2017-19 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will result in total costs of approximately \$19.4 million, including \$16.1 million to fund the Intergovernmental Transfer and \$3.3 million for the State administrative fee, for the two periods combined. In return the County will receive revenue of approximately \$31.5 million in Fiscal Year 2017-18 covering the FY 2015-16 and FY 2016-17 periods, resulting in a net increase of \$12.1 million in new funds. The funding sources for the Intergovernmental Transfer and State administrative fee are local funds, including Realignment. There will be no change in net General fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Authorize the Agency Director, Health and Human Services Agency, or designee, to pursue an Intergovernmental Transfer agreement with the California Department of Health Care Services.
2. Authorize the Agency Director, Health and Human Services Agency, or designee, upon receipt, to execute the Intergovernmental Agreement Regarding Transfer of Public Funds with the California Department of Health Care Services for the transfer of approximately \$7.8 million for the FY 2015-16 period and approximately \$8.3 million for the FY 2016-17 period, in local funds from the Health and Human Services Agency to the California Department of Health Care Services.

3. Authorize the Agency Director, Health and Human Services Agency, or designee to execute an Intergovernmental Transfer Assessment Fee Agreement with the California Department of Health Care Services for the transfer of approximately \$1.6 million for the FY 2015-16 period and approximately \$1.7 million for the FY 2016-17 period, from the Health and Human Services Agency to the California Department of Health Care Services, and related documents.
4. Authorize the Agency Director, Health and Human Services Agency, or designee, to amend the Healthy San Diego agreements with Molina Healthcare of California, Community Health Group, Care1st Health Plan and Health Net of California to disburse approximately \$15.3 million for the FY 2015-16 period and approximately \$16.2 million for the FY 2016-17 period, of increased Medi-Cal reimbursement to the Health and Human Services Agency to support health services for Medi-Cal beneficiaries and other underserved populations, net of a two to three percent (2-3%) administrative fee calculated on the gross IGT amount retained by the Health Plans.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**9. SUBJECT: AUTHORIZATION FOR SINGLE SOURCE PROCUREMENT OF PUBLIC HEALTH LABORATORY TEST KITS FROM ABBOTT LABORATORIES (DISTRICTS: ALL)**

**OVERVIEW:**

The County of San Diego Public Health Laboratory (PHL) uses equipment from numerous companies to perform automated laboratory testing for multiple diseases that affect the public's health, including, but not limited to, tuberculosis, HIV, Hepatitis, and other sexually transmitted diseases (STDs). Proprietary equipment used by the PHL requires the use of specific supplies to ensure accurate, reliable, and valid test results.

This action requests the Board of Supervisors to authorize the Director of the Department of Purchasing and Contracting to negotiate a single source contract with Abbott Laboratories for procurement of test kits for HIV, Hepatitis, and other STDs. These test kits provide the benefit of increased efficiency, as well as avoidance of repetitive motion injuries and human error. Abbott Laboratories provides the proprietary equipment necessary to perform these tests at no additional cost to the County, saving time and staff resources.

Today's action supports the *Building Better Health* component of the countywide *Live Well San Diego* vision by providing timely test results which enable treatment of infected individuals and prevent further spread of communicable diseases, which promotes a healthy, safe, and thriving region.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2016-18 Operational Plan in the Health and Human Services Agency. If approved, this request will have no fiscal impact in Fiscal Year 2016-17 and will result in costs and revenue of \$200,000 annually in Fiscal Year 2017-18 and all subsequent years for total costs and revenue of \$1,000,000. The funding source is Health Realignment. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with Abbott Laboratories, and subject to successful negotiations and determination of fair and reasonable pricing, award a single source contract to Abbott Laboratories to purchase test kits and related supplies required for simultaneous laboratory testing of HIV, Hepatitis, and other STDs for the initial term of July 1, 2017 through June 30, 2018, with up to four option years through June 30, 2022, and up to an additional six months, if necessary, amend the contract as needed to reflect changes to requirements and funding. Waive the advertising requirement of Board Policy A-87.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

10. **SUBJECT: SINGLE SOURCE CONTRACT WITH SOFTWARE PARTNERS, LLC FOR THE SAN DIEGO IMMUNIZATION REGISTRY (DISTRICTS: ALL)**

**OVERVIEW:**

The San Diego Regional Immunization Registry (SDIR) is a collaborative effort of the County of San Diego (County) Health and Human Services Agency (HHS) and other public and private health care providers, schools, childcare, and other County programs. SDIR provides an electronic record of all immunizations given to an individual by participating providers in both the public and private sectors. It is a web-based tool that helps doctors with their immunization practice management and increases patient satisfaction by decreasing unnecessary immunizations and decreases vaccine preventable diseases by identifying shots that are needed.

On February 12, 2002 (2), the Board of Supervisors authorized the Department of Purchasing and Contracting to negotiate a contract with Software Partners, LLC for the design, development, maintenance, and user support of SDIR. The Board

authorized two additional extensions to the contract on July 18, 2006 (7) and October 25, 2011 (4), extending the contract through June 30, 2017.

Today's action requests the Board to authorize single source procurements to extend the contract with Software Partners, LLC for the San Diego Regional Immunization Registry (SDIR).

This item supports the *Live Well San Diego* vision by facilitating collection, management, and reporting of public health information for disease control and prevention activities.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2016-18 Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of approximately \$450,000 in Fiscal Year 2017-18 and costs and revenue of \$450,000 in Fiscal Year 2018-19. The funding source is Health Realignment. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director of the Department of Purchasing and Contracting to enter into negotiations with Software Partners, LLC and subject to successful negotiations and a determination of a fair and reasonable price, award a contract for San Diego Regional Immunization Registry for up to one year with four option years through June 30, 2022 and up to an additional six months if needed, and to amend the contract as needed to reflect changes to requirements and funding. Waive the advertising requirement of Board Policy A-87.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

11. **SUBJECT: AUTHORIZE THE AUDITOR AND CONTROLLER TO REFUND MONEY INADVERTENTLY PAID TO THE COUNTY OF SAN DIEGO BY COMMUNITY HOUSING SOLUTIONS (DISTRICTS: ALL)**

**OVERVIEW:**

In 2004, Community Housing Solutions (CHS) entered into an agreement with the County of San Diego, Department of Housing and Community Development, to receive loan funding for the acquisition and rehabilitation of Pine View Apartments, a low-income, affordable housing development. The loan was conditioned upon CHS submitting a portion of any residual receipts (net monthly cash income) annually to the County commencing on April 1, 2016.

In 2014, the County consented to a request by CHS to change the terms of its letter of credit with a private bank. The extension of the Letter of Credit expires September 1, 2018, at which point any net monthly cash income generated by the development would be available for residual receipt payments to the County.

In March 2017, CHS inadvertently made a residual receipt payment to the County in the amount of \$194,966.50. The funds were deposited into the General Fund upon receipt. Board of Supervisors Resolution No. 03-214 requires the Board to approve refunds of money, other than taxes, erroneously paid to the County that exceed \$25,000.

Today's requested actions will authorize the Auditor and Controller to refund the \$194,966.50 erroneously paid to the County by CHS.

**FISCAL IMPACT:**

There is no fiscal impact associated with returning monies previously accepted by the County in error. If approved, today's action will result in the issuance of a warrant for \$194,966.50 to be paid from the General Fund. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Authorize the Auditor and Controller to refund \$194,966.50 to Community Housing Solutions for an erroneous payment.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

12. **SUBJECT: REAPPOINTMENT OF SANDRA MARSH AND FRANCISCO PENALOSA AS HOUSING AUTHORITY OF THE COUNTY OF SAN DIEGO TENANT COMMISSIONERS (DISTRICTS: ALL)**

**OVERVIEW:**

The Housing Authority Board of Commissioners consists of the five members of the Board of Supervisors and two tenant commissioners. The tenant commissioners, as a part of the Housing Authority Board of Commissioners, provide a formal mechanism for participant involvement in the interpretation and enforcement of policies and procedures of housing programs administered by the Housing Authority of the County of San Diego (Housing Authority). The term of the current tenant commissioners of the Housing Authority Board of Commissioners expires on May 31, 2017.

Today's action requests that the Board of Supervisors approve the reappointment of two tenant commissioners to serve two-year terms commencing on June 1, 2017. This action is in accordance with the California Health and Safety Code Section 34290 (b). Today's action supports the County's *Live Well San Diego* vision by enabling the Housing Authority to administer programs that provide safe and affordable housing opportunities.

**FISCAL IMPACT:**

Funds for this request will be included in the Fiscal Year 2017-18 proposed Housing Authority budget. The tenant commissioners each receive a \$50 per diem for each Housing Authority Board of Commissioners meeting they attend. The tenant commissioners' per diem compensation will result in annual costs of approximately \$700. The funding source is federal funds provided for the Housing Authority's program administration. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Reappoint Sandra Marsh and Francisco Penalosa to serve as Housing Authority of the County of San Diego tenant commissioners for a two-year term commencing on June 1, 2017.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

13. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF  
ORDINANCE: AN ORDINANCE AMENDING ARTICLE  
XV-B OF THE SAN DIEGO COUNTY ADMINISTRATIVE  
CODE, RELATING TO HEALTH AND HUMAN SERVICES  
CHARGES AND FEES (DISTRICTS: ALL)**

**OVERVIEW:**

On March 21, 2017 (3), the Board introduced the Ordinance for further consideration and adoption on April 25, 2017.

Today's action request that the Board of Supervisors review and approve amendments to Article XV-B of the County of San Diego Administrative Code related to fees charged for services for the following Health and Human Services Agency divisions: Public Health Services (PHS), Behavioral Health Services (BHS), and Child Welfare Services (CWS). Between 1990 and 2009, the Health and Human Services Agency has updated fees and rates for each division in separate Board actions.

Today's recommended ordinance represents a comprehensive package that seeks to support Health and Human Service Agency 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 Health and Human Services Agency reviewed a total of 76 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 for Fiscal Year (FY) 2017-18.

Today's action includes introducing an Ordinance amending Article XV-B of the San Diego County Administrative Code, Relating To Health And Human Services Charges And Fees (first reading) so that it can be acted upon at the April 25, 2017 meeting (second reading).

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

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2016-18 Operational Plan in the Health and Human Services Agency but will be incorporated in the Fiscal Year 2017-19 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will have no impact in Fiscal Year 2016-17 and will result in an estimated increase in revenue of \$5,035,055 in Fiscal Year 2017-18. \$4,867,410 of the fee increase will be attributable to BHS programs,

and \$167,645 will be related to PHS programs. Of the total additional BHS revenue, \$4,826,530 is a result of increased federal revenue draw down capacity due to the linkage of BHS fees to the Medi-Cal rate schedule, with no impact to Medi-Cal customers' share of fees. There is no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

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.

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Ordinance No. 10477 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE XV-B OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE, RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

14. **SUBJECT: GENERAL SERVICES – AUTHORIZATION TO APPROPRIATE FUNDS FOR THE BORREGO SPRINGS SHERIFF OFFICE AND INCREASE APPROPRIATIONS FOR THE LIBRARY PROJECT (DISTRICT: 5)**

**OVERVIEW:**

On May 10, 2016 (7), the Board authorized advertisement and award of a design-build contract for the Borrego Springs Community Library and, Park, with an option for a Sheriff Office. The new Sheriff Office would replace a 1,836 square foot leased facility located at 571 Palm Canyon Drive and would join a new Borrego Springs Community Library and a new Borrego Springs Park to form a County complex at the corner of Country Club Rd. and Sunset Rd.

An option would be made available to complete the full buildout of the Park as shown on the Final Concept Plan (Attachment A). Funding for this portion of the Park has not yet been identified.

Today's proposed action is to increase appropriations by \$800,000 for Capital Project 1020955, Borrego Springs Sheriff Office and an additional \$1,770,000 for Capital Project 1018705, Borrego Springs Community Library and to authorize the Director, Department of Purchasing and Contracting to exercise the option to include a 1,600 square foot Sheriff Office in the design-build contract.

**FISCAL IMPACT:**

**Borrego Springs Sheriff Office**

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan in the Capital Outlay Fund for Capital Project 1020955, Borrego Springs Sheriff Office. If approved, this request will result in total project costs of \$800,000. The funding source is available prior year Public Safety Group fund balance. The Sheriff will realize an annual lease savings of approximately \$27,900 when construction of the office is complete. There will be no change in net General Fund cost and no additional staff years.

**Borrego Springs Community Library**

Funds for this request are partially included in the Fiscal Year 2016-17 Operational Plan in the Capital Outlay Fund for Capital Project 1018705, Borrego Springs Community Library. If approved, this request will result in additional costs of \$1,770,000. The estimated total project cost is \$11,720,000. The funding source is available prior year Community Services Group fund balance (\$950,000) and available prior year Library Fund fund balance (\$820,000). There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

County public works contracts are competitively procured and help stimulate the local economy.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find, on the basis of the whole record, that none of the conditions found in CEQA Section 15162 calling for the preparation of a subsequent MND have occurred and consider the Addendum along with the Final Mitigated Negative Declaration (MND) in accordance with CEQA Section 15164 and find that it reflects the independent judgment and analysis of the Board of Supervisors.
2. Establish appropriations of \$800,000 in the Contributions to Capital Outlay Fund, Operating Transfer Out, for Capital Project 1020955, Borrego Springs Sheriff Office, based on available prior year Public Safety Group fund balance. **(4 VOTES)**
3. Establish appropriations of \$800,000 in the Justice Facility Construction Fund for Capital Project 1020955, Borrego Springs Sheriff Office, based on an Operating Transfer In from the General Fund. **(4 VOTES)**
4. Transfer appropriations of \$250,000 from the Community Services Group Executive Office, Services and Supplies, to the Contributions to Capital Outlay Fund, Operating Transfer Out, to provide funding for the Borrego Springs Community Library photovoltaic system.
5. Establish appropriations of \$820,000 in the County Library Fund, Operating Transfer Out, for Capital Project 1018705, Borrego Springs Community Library, based on available prior year Library Fund fund balance. **(4 VOTES)**

6. Establish appropriations of \$700,000 in the Contributions to Capital Outlay Fund, Operating Transfer Out, for Capital Project 1018705, Borrego Springs Community Library, based on available prior year Community Services Group fund balance. (4 VOTES)
7. Establish appropriations of \$1,770,000 in the Library Projects Fund for Capital Project 1018705, Borrego Springs Community Library, based on an Operating Transfer In from the General Fund and County Library Fund. (4 VOTES)
8. Authorize the Director, Department of Purchasing and Contracting, to exercise the option to include a Sheriff Office in the subject public works project.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

15. **SUBJECT: SET A HEARING FOR 9/26/2017:**  
**APPROVAL OF MEMORANDUM OF AGREEMENT WITH THE JUDICIAL COUNCIL OF CALIFORNIA (JCC) FOR TRANSFER TO THE COUNTY OF THE COUNTY COURTHOUSE AND OLD JAIL SITE AND AS A RESPONSIBLE AGENCY, CONSIDER RELATED ENVIRONMENTAL EFFECTS AS SHOWN IN THE FINAL ENVIRONMENTAL IMPACT REPORT DATED DECEMBER 2010, STATE CLEARINGHOUSE #200002105, RELINQUISHMENT BY JCC OF SPACE IN THE JUVENILE PROBATION CENTER - KEARNY MESA AND RAMONA COURT BUILDING, AND TRANSFER OF RESPONSIBILITY TO THE JCC OF SPACE IN THE SOUTH BAY REGIONAL CENTER; AUTHORIZATION FOR THE ISSUANCE OF A REQUEST FOR STATEMENT OF QUALIFICATIONS AND A REQUEST FOR PROPOSALS FOR THE DEVELOPMENT OF THE COUNTY COURTHOUSE AND OLD JAIL SITE AND THE ADJACENT COUNTY-OWNED BLOCK AND SET A HEARING TO RECEIVE PROPOSALS (DISTRICTS: 1, 2 AND 4)**

**OVERVIEW:**

The County acquired three city blocks in downtown San Diego beginning in 1956 as a site to build the downtown County Courthouse ("County Courthouse") and a jail ("Old Jail"). In 2009, two of the three city blocks, including a portion of the County Courthouse and the Old Jail, were transferred to the State of California ("State"), via the Judicial Council of California ("JCC"), as part of the statewide transfer of court facilities from local to state jurisdiction by the Trial Court Facilities Act of 2002 (SB 1732) and Government Code Sections 70301, et seq.

The County retained ownership of one of the blocks in downtown San Diego that is currently used as a portion of the County Courthouse, as a County Fleet Management Division facility and for parking ("County-owned Block"). As part of the court transfers, the JCC also acquired or occupied space in County-owned court facilities in Ramona, Kearny Mesa and Chula Vista.

In order to facilitate the construction of a tunnel to transport inmates ("Inmate Tunnel") between the new downtown San Diego Central Courthouse ("New Courthouse") and the County's San Diego Central Jail ("Central Jail"), County staff has negotiated a Memorandum of Agreement ("MOA") with the JCC to transfer back to the County all of the State's equity interest in and title to the downtown County Courthouse building and Old Jail building and the land on which those buildings sit ("Downtown Court Property") in exchange for the County's release of the JCC and State from an existing obligation to demolish and remove the County Courthouse and Old Jail and to construct the Inmate Tunnel. The MOA negotiations have also included the State's transfer back to the County of all of the state's equity interest in the Ramona Court Building and the Juvenile Probation Center building in Kearny Mesa and the County's transfer to the State of a portion of the County's equity interest in the South Bay Regional Center ("SBRC") in Chula Vista.

Today's action is a request for the Board to: 1) approve and authorize the Chief Administrative Officer to execute a MOA between the County and JCC for the transfer of the Downtown Court Property to the County, the relinquishment of JCC space in the Ramona County Building and Juvenile Probation Center in the Kearny Mesa, the transfer of a portion of the County's equity interest in the SBRC to the JCC, and associated releases related to the transfers; 2) authorize the Director, Department of General Services, to begin a competitive solicitation process by issuing a Request for Statement of Qualifications and a subsequent Request for Proposals for development of the Downtown Court Property and County-owned Block under a disposition and development agreement; 3) authorize the Director, Department of General Services, to review responses to the Request for Statement of Qualifications to determine which respondents qualify to submit proposals; 4) amend the Fiscal Year 2016-17 Department of General Services Facilities Management Internal Service Fund Spending Plan by \$600,000 based on revenue from the Community Services Group Executive Office; and 5) set a Board hearing date of September 26, 2017 for the Board to receive proposals.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan in the Department of General Services Facilities Management Internal Service Fund. If approved, this request will result in estimated costs and revenue of \$600,000. The funding source is available prior year Community Services Group fund balance. If a proposer is selected as a result of the Request for Proposals process, these costs will be reimbursed by the initial rent payments received from the selected proposer. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

The potential development of the parcels could have a positive impact for the San Diego region as it could support the creation of construction-related and permanent local employment opportunities.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with State CEQA Guidelines section 15096, find that the County of San Diego as responsible agency under the California Environmental Quality Act (“CEQA”) has considered the environmental effects of the County’s acquisition of the Downtown Court Property, demolition and removal of the County Courthouse and Old Jail, and construction of an Inmate Tunnel (“Downtown Court Property Project”) as shown in the Final Environmental Impact Report (FEIR) dated December 2010, State Clearinghouse #200002105 prepared by the lead agency, the Judicial Council of California, before reaching its own conclusion on whether and how to approve the project; and

Find that there are no changes in the project contemplated in that EIR as implemented under the Memorandum of Agreement as it relates to the Downtown Court Property Project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted FEIR dated December 2010, 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 FEIR was certified as explained in the Environmental Review Update Checklist dated April 17, 2017.

2. Find that the proposed transfer of responsibility to the Judicial Council of California for space within the South Bay Regional Center is exempt from CEQA pursuant to State CEQA Guidelines Section 15301.
3. Find that the proposed relinquishment by the Judicial Council of California of space in the County-owned Ramona Court Building and County-owned Juvenile Probation Center - Kearny Mesa are exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 and 15303.
4. Approve and authorize the Chief Administrative Officer to execute the Memorandum of Agreement and take all necessary actions to administer the Memorandum of Agreement.
5. Direct the Office of Strategy and Intergovernmental Affairs to engage and advocate in any state legislative effort necessary to support the project outlined in the Memorandum of Agreement.
6. Authorize the Chief Administrative Officer to negotiate the necessary transfer agreements and return to the Board of Supervisors for authority to execute these documents.

7. Authorize the Director, Department of General Services, to issue a Request for Statement of Qualifications and a Request for Proposals for the potential development and disposition of the Downtown Court Property and County-owned Block, contingent upon conveyance of the Downtown Court Property to the County.
8. Authorize the Director, Department of General Services, to review responses to the Request for Statement of Qualifications to determine qualified proposers.
9. Amend the Fiscal Year 2016-17 Department of General Services Facilities Management Internal Service Fund Spending Plan by \$600,000, Services and Supplies based on revenue from the Community Services Group Executive Office. (4 VOTES)
10. Adopt a Resolution entitled: RESOLUTION OF INTENTION BY THE COUNTY OF SAN DIEGO TO CONSIDER PROPOSALS FOR THE DISPOSITION AND DEVELOPMENT OF ASSESSOR PARCEL 533-414-07 AND ASSESSOR PARCEL 533-517-01, pursuant to Government Code Sections 25515-25515.5.
11. Set a hearing for September 26, 2017 to receive proposals from prequalified proposers at the regularly scheduled meeting of the Board of Supervisors.
12. Pursuant to Government Code Section 25515.2, direct the Clerk of the Board of Supervisors to publish the required Notice of Adoption of the Resolution.

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Resolution No.: 17-050, entitled: RESOLUTION OF INTENTION BY THE COUNTY OF SAN DIEGO TO CONSIDER PROPOSALS FOR THE DISPOSITION AND DEVELOPMENT OF ASSESSOR PARCEL 533-414-07 AND ASSESSOR PARCEL 533-517-01, pursuant to Government Code Sections 25515-25515.5. and set a Hearing for September 26, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**16. SUBJECT: COUNTY OPERATIONS CENTER – SHERIFF TECHNOLOGY CENTER PROJECT (DISTRICT: 4)**

**OVERVIEW:**

On March 21, 2017 (06), the Board of Supervisors approved the Fiscal Year 2017/18 – 2021/22 Capital Improvement Needs Assessment Program and referred it to the Chief Administrative Officer for timing and funding mechanisms to implement individual projects. The Sheriff Technology Center (STC) Project was recommended as a high priority major project.

Initial programming for STC was developed in early 2016. Further evaluation of the site constraints and refinement of the programming and operational requirements are the next steps in the planning process.

Today's requested actions would authorize an amendment to the Disposition and Development Agreement (DDA) between the County and Lowe Enterprises Real Estate Group (Lowe) and amendment to the contract for program management support with Project Management Advisors, Inc for the COC and Annex Redevelopment to initiate further planning and programming for Phase 3B of the COC Redevelopment.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan for the Sheriff's Department. If approved, this request will result in estimated costs and revenue of \$300,000 for the update of program requirements and preliminary site planning for the Sheriff Technology Center (STC). The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

The total project cost of the STC is currently estimated to be \$49 million. Funding of \$49 million for project completion will be included in the Fiscal Year 2017-19 CAO Recommended Operational Plan. Capital expenditures will not be incurred for the STC until the adoption of the FY 2017-18 Operational Plan. The funding sources are anticipated to be available prior year General Fund balance (\$30 million), available prior year Public Safety Group fund balance (\$16.1 million), and the Poway Redevelopment Agreement Trust Fund (\$2.9 million).

**BUSINESS IMPACT STATEMENT:**

Programming and planning for the Sheriff Technology Center Project will support local private sector professional services consultants. Future positive business impact in the Kearny Mesa community could occur through increased business activity generated by the construction of a large, master-planned development on the County properties.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Final Environmental Impact Report (FEIR) for the County Operations Center and Annex Redevelopment Project (CSH. No. 2007071142) dated January 7, 2008, on file with the Clerk of the Board, has been completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein, on file with the Department of General Services, before approving the project; and
2. Find that there are no substantial changes in the project or in the circumstances under which the project will be undertaken that involve significant new environmental impacts which were not considered in the previously certified FEIR dated January 7, 2008, and that there is no substantial increase in the severity of previously identified significant effects. Also, no "new information

of substantial importance” as that term is used in CEQA Guidelines Section 15162(a)(3) has become available since the FEIR was certified.

3. Approve and authorize the Director, Department of General Services to execute the Third Amendment to Disposition and Development Agreement for the County Operations Center and Annex Redevelopment project, subject to approval and execution of the amendment by the San Diego Regional Building Authority in substantially the same form presented to this Board.
4. In accordance with Section 401 of the County of San Diego Code of Administrative ordinances, authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with Project Management Advisors, Inc. and, subject to negotiations and determination of a fair and reasonable price, execute an amendment to Contract No. 528523 with Project Management Advisors, Inc. in an amount not to exceed \$1 million for professional project management services for the Sheriff Technology Center, subject to approval by the Director of General Services.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

17. **SUBJECT: NOTICED PUBLIC HEARING:  
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA  
ENTERPRISE DEVELOPMENT AUTHORITY FOR THE  
BENEFIT OF NORTH COUNTY HEALTH PROJECT INC.  
IN AN AGGREGATE AMOUNT NOT TO EXCEED  
\$2,000,000 (DISTRICT: 2)**

**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 bonds in an aggregate principal amount not to exceed \$2,000,000 (the “Bonds”), for the benefit of North County Health Project Inc. (“Borrower”), a nonprofit public benefit corporation and 501(c)(3) organization duly organized and existing under the laws of the State of California. The Borrower has applied for the financial assistance of the Authority to: finance the acquisition of real property and improvements located at 220 Rotanzi Street, Ramona California 92065, for the future construction of a new healthcare clinic and a portion of the proceeds of the Bonds will be used to pay capitalized interest and costs of issuance in connection with the financing and other related costs.

The Authority is authorized to assist in financing for nonprofit public benefit organizations or for-profit corporations with a public benefit project 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 Bonds. Although the Authority will be the issuer of the Bonds 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 Bonds on behalf of the Borrower for the project.

**FISCAL IMPACT:**

If approved, the proposal will result in approximately \$1,000 of unanticipated revenue to cover one-time costs associated with this non-County financing.

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

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

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

2. Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000 FOR THE PURPOSE OF FINANCING THE COST OF THE ACQUISITION, CONSTRUCTION, INSTALLATION, EQUIPPING AND FURNISHING OF CERTAIN PROPERTY, PROVIDING THE TERMS AND CONDITIONS FOR SUCH OBLIGATIONS AND OTHER MATTERS RELATING THERETO FOR THE BENEFIT OF NORTH COUNTY HEALTH PROJECT INCORPORATED.

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 17-051, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000 FOR THE PURPOSE OF FINANCING THE COST OF THE ACQUISITION, CONSTRUCTION, INSTALLATION, EQUIPPING AND FURNISHING OF CERTAIN PROPERTY, PROVIDING THE TERMS AND CONDITIONS FOR SUCH OBLIGATIONS AND OTHER MATTERS RELATING THERETO FOR THE BENEFIT OF NORTH COUNTY HEALTH PROJECT INCORPORATED.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**18. SUBJECT: NOMINATIONS TO THE CALIFORNIA COASTAL COMMISSION (DISTRICTS: ALL)**

**OVERVIEW:**

Approve the following nominations to the California Coastal Commission:

**Board of Supervisors Nominations**

Vice-Chairwoman Kristin Gaspar  
County of San Diego  
1600 Pacific Highway  
San Diego, CA 92101

Supervisor Ron Roberts  
County of San Diego  
1600 Pacific Highway  
San Diego, CA 92101

Supervisor Bill Horn  
County of San Diego  
1600 Pacific Highway  
San Diego, CA 92101

**FISCAL IMPACT:**

There is no fiscal impact associated with these nominations.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHAIRWOMAN DIANNE JACOB**

1. Approve nominations for appointment to the California Coastal Commission.
2. Direct the Chief Administrative Officer to submit these nominations to the Honorable Anthony Rendon, Speaker of the California Assembly.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

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

**OVERVIEW:**

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

**FISCAL IMPACT:**

The fiscal impact of these recommendations is \$170,500. Funds for this request are included in the Fiscal Year 2016-2017 Operational Plan for the Neighborhood Reinvestment Program (15670). The funding source is General Fund fund balance. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SUPERVISOR BILL HORN**

1. Allocate \$5,000 from Neighborhood Reinvestment budget (Org 15670) to the American Academy of Pediatrics, California, Chapter 3 to purchase books for their "Reach Out and Read San Diego" program.
2. Allocate \$5,000 from Neighborhood Reinvestment budget (Org 15670) to the Anza-Borrego Foundation to develop a mobile application to support visitors' experience with more information and visual aid.
3. Allocate \$30,000 from Neighborhood Reinvestment budget (Org 15670) to the Boys' and Girls' Club of Fallbrook Foundation dba Boys and Girls Clubs of North County to purchase a school bus.
4. Allocate \$5,000 from Neighborhood Reinvestment budget (Org 15670) to Coastal Roots Farm to purchase a produce cooler.
5. Allocate \$7,000 from Neighborhood Reinvestment budget (Org 15670) to The Carlsbad Fire Department Foundation to purchase a chemical detox chamber.
6. Allocate \$10,000 from Neighborhood Reinvestment budget (Org 15670) to Fallbrook Baseball Club to help with costs associated in purchasing uniforms, baseball bubba, baseballs, coaches' equipment and field materials such as dirt mixes, safety gates, and paint.

7. Allocate \$35,000 from Neighborhood Reinvestment budget (Org 15670) to Fallbrook Center for the Arts, Inc. dba Fallbrook Arts, Inc. for purchase of the Fallbrook Art Center building located at 103 S. Main Avenue, Fallbrook, CA 92028.
8. Allocate \$15,000 from Neighborhood Reinvestment budget (Org 15670) to the Fallbrook Historical Society to cover costs associated with the restoration of the interior and exterior of the Reche School House including modifications to the restroom facilities to achieve ADA compliance at 1319 South Live Oak Park Road, Fallbrook, CA 92028.
9. Allocate \$2,500 from Neighborhood Reinvestment budget (Org 15670) to the Kiwanis Club of San Marcos Foundation to purchase books for the “Captain Book” literacy program.
10. Allocate \$5,000 from Neighborhood Reinvestment budget (Org 15670) to the Oceanside Museum of Art to purchase and install point of sale terminals, card readers, network switch, air conditioning, battery backup, computers, software, monitors, server and hardware upgrades, multimedia projector and contract labor associated with these items located at 704 Pier View Way, Oceanside, CA 92054.
11. Allocate \$10,000 from Neighborhood Reinvestment budget (Org 15670) to Riding Emphasizing Individual Needs and Strengths (REINS) to purchase and install a solar energy system located at 4461 S. Mission Road, Fallbrook, CA 92028.
12. Allocate \$8,000 from Neighborhood Reinvestment budget (Org 15670) to Valley Center Community Emergency Response Team, Inc. to purchase cabinets, hardware and communications equipment such as analog/digital repeaters, duplexers and battery backup/charge systems as well as the purchase of two shelters including supplies and equipment for the shelters such as mobile storage cabinets and a mobile rack.
13. Allocate \$15,000 from Neighborhood Reinvestment budget (Org 15670) to the Vista Community Clinic to help with the purchase of an ultrasound.
14. Allocate \$3,000 from Neighborhood Reinvestment budget (Org 15670) to Vista Skatepark Coalition dba The North County Celtic Queen Pageant and Scholarship Fund to help purchase supplies for the North County Celtic Queen Pageant such as crowns, sashes, pins and decorations as well as advertising materials such as posters, flyers and mailers.

15. Allocate \$15,000 from Neighborhood Reinvestment budget (Org 15670) to The Vista Village Business Association to help with the purchase and expansion of holiday lights and decor, the installation of wireless service to the Vista Village Shopping Center as well as the Vista Transit Center, the addition of an artistic mural to a building off of Citrus/Broadway pet waste bags for Doggie-Wastebags dispensers and equipment purchases for future events such as walkie talkies, tables, chairs and linens.
16. Amend the purpose of the 3/14/2017 (2) allocation of \$48,843 to Boys & Girls Clubs of Carlsbad to also include the purchase of a reception desk. Authorize the Deputy Chief Administrative Office/Auditor and Controller to amend the grant agreement accordingly.
17. Amend the purpose of the 3/14/2017 (4) allocation of \$25,000 to North County Education Foundation, Inc. dba The Classical Academies to include facility rental fees, bags, chairs, a sound technician and parking for the Super STEM Saturday and the Jumpstart Parent Education Conference events. Authorize the Deputy Chief Administrative Office/Auditor and Controller to amend the grant agreement accordingly.
18. Find that these grants have a public purpose.
19. Authorize the Deputy Chief Administrative Officer/Auditor and Controller to execute grant agreements with these organizations establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
20. Find that allocations identified in Recommendation Nos. 6, 8, 11 and 12 are exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**20. SUBJECT: PURSUING A LEGISLATIVE AMENDMENT FOR 1988 STATE PARKS BOND FUNDING TO CREATE RECREATIONAL AND CAMPING OPPORTUNITIES IN THE TIJUANA RIVER VALLEY REGIONAL PARK (TRVRP) (DISTRICT: 1)**

**OVERVIEW:**

In 1988 voters passed the California Wildlife, Coastal, and Park Land Conservation Fund of 1988 to provide funding for the purchase of land to be conserved for wildlife, coastal and park preservation uses and to provide opportunities for the people of California to enjoy, appreciate, and visit natural environmental and recreational areas. (1988 Bond Act; "Act") Pub. Resources Code § 5905. This acquisition funding was specifically designated for lands within the Tijuana River Valley.

Through this State funding, the Tijuana River Valley Regional Park (TRVRP), which is a regional park and open space preserve at the far southwest corner of San Diego County, grew to more than 1,800 acres of diverse habitats that enhance visitors' experiences--from dense riparian forests along the Tijuana River to coastal maritime sage scrub on top of Spooner's Mesa. TRVRP amenities include a 22-mile multi-use trail system with boardwalks, observation decks, staging areas, sports fields and various gardens. There are no additional lands necessary for inclusion to the TRVRP, therefore, we are seeking legislation to designate the funds for development of park and open space amenities.

The County of San Diego, in partnership with the California Coastal Conservancy, recently completed a Public Use Feasibility Study for the TRVRP. The study identifies potential sites for future recreational and camping projects to be implemented as funds become available.

This request is to pursue a legislative amendment to designate the remaining \$2.1 million 1988 Bond Act funds to be used for development of future recreational facilities in the TRVRP.

**FISCAL IMPACT:**

There is no fiscal impact with this action.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SUPERVISOR GREG COX**

Direct the Chief Administrative Officer to sponsor state legislation to allow existing unspent 1988 State Parks Bond funding designated for the Tijuana River Valley to be used to develop recreational and camping opportunities in the Tijuana River Valley.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**21. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS  
(DISTRICT: 1)**

**OVERVIEW:**

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

**FISCAL IMPACT:**

The fiscal impact of these recommendations is \$196,701. Funds for this request are included in the Fiscal Year 2016-2017 Operational Plan for the Neighborhood Reinvestment Program (Org 15650). The funding source is General Fund fund balance. These actions will result in the addition of no staff years and no additional costs.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SUPERVISOR GREG COX**

1. Allocate \$16,845 from the Neighborhood Reinvestment Program budget (Org 15650) to the Cesar Chavez Service Clubs, Inc. for the purchase of materials, supplies, and software including laptops, laptop cases, zipper sleeves, VGA adapters, Microsoft software, camera, color printer, desktop computers, scanner, photo editing software, paper shredder, printed materials for outreach, purchase and initial set up of website donor database.
2. Allocate \$10,000 from the Neighborhood Reinvestment Program Budget (Org 15650) to Accion San Diego for the costs associated with office expansion including office furniture, desks, cabinets and tack board, workstations and chairs for their office located at 404 Euclid Avenue in San Diego.
3. Allocate \$25,000 from the Neighborhood Reinvestment Program Budget (Org 15650) to National City Chamber of Commerce for the costs associated with capital improvements and efficiency upgrades at the Visitor Center including printer, security cameras, HVAC installation and energy efficient window

coverings, costs associated with resealing the brick chamber building, energy efficient water conservation fixtures, and office equipment including computers, laptops, phone system, tablets and office chairs.

4. Allocate \$16,459 from the Neighborhood Reinvestment Program Budget (Org 15650) to the Point Loma Assembly for costs associated with installation of a ductless air conditioning system for the community building located at 3035 Talbot Street in San Diego.
5. Allocate \$20,000 from the Neighborhood Reinvestment Program Budget (Org 15650) to the Southwestern College Foundation for the purchase of IT equipment including laptops, desktop computers and monitors for the training center and business counseling offices located at 880 National City Blvd. in National City.
6. Allocate \$23,998 from the Neighborhood Reinvestment Program Budget (Org 15650) to Promises2Kids Foundation for costs associated with flooring improvements at Polinsky Children's Center and installation of television and computers, workstations, filing cabinets, cubicles, tables and chairs, storage cabinets and hardware.
7. Allocate \$5,000 from the Neighborhood Reinvestment Program Budget (Org 15650) to GenerateHope, Inc. for costs associated with tree trimming and removal at their shelter and recovery center in Bonita.
8. Allocate \$41,800 from the Neighborhood Reinvestment Program Budget (Org 15650) to the San Diego Second Chance Program for costs associated with capital improvements to the sober living facility located at 4570 Hartley St. in San Diego including sliding doors, windows, purchase and installation of HVAC, and solar panels.
9. Allocate \$8,867 from the Neighborhood Reinvestment Program Budget (Org 15650) to the Monarch School Project for the purchase and installation of an LED scoreboard located at 1625 Newton Avenue in San Diego.
10. Allocate \$14,582 from the Neighborhood Reinvestment Program Budget (Org 15650) to Groundwork San Diego-Chollas Creek for the purchase of IT Equipment including televisions, marker board, laptops and desktops, computer monitors, wireless routers, camcorders, tripod stands, external hard drives, cameras, projectors, cables and wiring.
11. Allocate \$6,650 from the Neighborhood Reinvestment Program Budget (Org 15650) to Mandate Project Impact, Inc. for the purchase of studio educational equipment and software including instrument cables, headphone amps, shockmounts, omnisphere, machine studio and audio neve.
12. Allocate \$7,500 from the Neighborhood Reinvestment Program Budget (Org 15650) to the Special Olympics Southern California, Inc. for the purchase of a 12-passenger van.

13. Establish appropriations of \$13,280 in the Neighborhood Reinvestment Program budget (org 15650) based on the return of unused portions of prior year allocations so the funds can be allocated to other projects. (4 VOTES)
14. Find that the grant awards described above have a public purpose.
15. Authorize the Deputy Chief Administrative Officer/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.
16. Find that the grants identified in Recommendation Nos. 2, 3, 4, 6, 7, 8 and 9 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**22. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS  
(DISTRICT: 4)**

**OVERVIEW:**

The County's fiscal condition has enabled it to reinvest taxpayer money in our communities for the benefit of the public. These recommended actions propose allocations to new projects from the County of San Diego's Neighborhood Reinvestment Project Funds.

**FISCAL IMPACT:**

The fiscal impact of these recommendations is \$464,546. Funds for this request are included in the Fiscal Year 2016-2017 Operational Plan for the Neighborhood Reinvestment Program (15665). The funding source is General Fund fund balance. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SUPERVISOR RON ROBERTS**

1. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (org 15665) to the Accion San Diego to assist in the costs associated with its office expansion including office furniture, desks cabinets, tack board, workstations and chairs for office located at 404 Euclid Avenue in San Diego.

2. Allocate \$35,940 from the Neighborhood Reinvestment Program Budget (org 15665) to the Alpha Project for the Homeless to assist in the purchase of a van for its Homeless Outreach Team that provides service countywide.
3. Allocate \$10,000 from the Neighborhood Reinvestment Program Budget (org 15665) to the San Diego Blood Bank to assist in the cost of medical supplies and equipment for its blood drives, "Health and Wellness" zones and outreach events.
4. Allocate \$16,845 from the Neighborhood Reinvestment Program Budget (org 15665) to the Cesar Chavez Service Clubs, Inc. to assist in the purchase of materials, supplies and software, including laptops, laptop cases, zipper sleeves, VGA Adapters, Microsoft software, camera, color printer, desktop computers, scanner, photo editing software, paper shredder, printed materials for outreach, purchase and initial set up of a website donor database.
5. Allocate \$50,000 from the Neighborhood Reinvestment Program Budget (org 15665) to the Children's Law Center of California for the purchase of new scanners, a server, phone system, computer network infrastructure such as cabling, router, switch, firewall, computers, cellphones, children's play/interview room furniture, client reception furniture, shelving, office furniture, secure storage cabinets, secure entry, key code system, facility alarm, wall mount projector and screen, TV/training laptop with external web cam, microphone and speakers, breakroom tables, chairs, appliances, new website, printing of brochures, business cards and signs.
6. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (org 15665) to The Committee of One Hundred for Preservation of Spanish Colonial Architecture in Balboa Park to assist with the printing and installation of full-size, temporary panels on the 1935 California State Building in Balboa Park.
7. Allocate \$15,310 from the Neighborhood Reinvestment Program budget (org 15665) to the Fern Street Community Arts, Inc. to purchase new lighting and portable sound equipment with speakers, mixer, microphones, stands, cables and transportation cases.
8. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (org 15665) to the Rueben H. Fleet Science Center for new carpeting, heating and air conditioning, fire suppression system, lighting, electrical work and painting.
9. Allocate \$21,924 from the Neighborhood Reinvestment Program budget (org 15665) to the Friends of Balboa Park for new and restored historical signage to be placed throughout Balboa Park.
10. Allocate \$35,000 from the Neighborhood Reinvestment Program budget (org 15665) to the Girl Scouts, San Diego-Imperial Council, Inc. to assist in Phase 3 of its Balboa Headquarters Energy Efficiency Projects which is to purchase, replace, and install two sets of double entry doors with locks and tinting; install

Low-E window tint and sun shades on front entry windows; replace 31 1950s original windows with modern double pane, Low-E vinyl frame windows, and replace ply and baton siding and wall insulation; update and install new low-flow plumbing fixtures, toilets, countertops and sinks in three bathrooms; and purchase and install new motor for gate opener at main security gate on Balboa campus along with new entry card reader, security lighting and driveway sensor.

11. Allocate \$20,000 from the Neighborhood Reinvestment Program Budget (Org 15665) to San Diego Habitat for Humanity, Inc. to purchase roof truss anchors, roofer kits, reusable roof anchors self-retracting lanyards, a portable generator, a rigged threading machine and a core drill with bits for its veteran repair program.
12. Allocate \$16,000 from the Neighborhood Reinvestment Program Budget (Org 15665) to Make-A-Wish Foundation of San Diego, Inc. to assist in the purchase of computers, hardware, software and auxiliary computer equipment for its staff and volunteers.
13. Allocate \$30,000 from the Neighborhood Reinvestment Program Budget (Org 15665) to Meals-on-Wheels Greater San Diego, Inc. for the replacement of 40 desktop computers, monitors, keyboards and mouse sets, as well as the replacement of 12 laptop computers.
14. Allocate \$6,500 from the Neighborhood Reinvestment Program Budget (Org 15665) to the Point Loma Association for the purchase, printing, design and installation of new banners for its banner district.
15. Allocate \$23,998 from the Neighborhood Reinvestment Program Budget (Org 15665) to Promises2Kids Foundation to assist in the cost to renovate and reconfigure its offices that includes construction costs, flooring, cabling, presentation televisions, computers with hardware, software and auxiliary equipment, office furniture, workstations, and cabinetry with installation space to accommodate its expanded team at the Polinsky Children's Center.
16. Allocate \$25,000 from the Neighborhood Reinvestment Program Budget (Org 15665) to the San Diego Museum of Man to assist in the purchase of computers with hardware, software and auxiliary computer equipment, iPads, lobby reception desks, cabinetry, movable compact collections storage carriage, shelving and round event tables.
17. Allocate \$25,000 from the Neighborhood Reinvestment Program Budget (Org 15665) to San Diego Society of Natural History to assist in the cost to replace the fire sprinkler system at the Natural History Museum in Balboa Park.
18. Allocate \$5,231 from the Neighborhood Reinvestment Program Budget (Org 15665) to the Serra Mesa Community Council to assist in the purchase of supplies such as coffee pots, microwave, paint baskets, a kiln, clay, glazes, kiln supplies, shelving, rugs, lamps, a mini refrigerator and chair cushions.

19. Allocate \$33,598 from the Neighborhood Reinvestment Program Budget (Org 15665) to the United Way of San Diego County to assist in the cost of construction and purchase of appliances and furnishings associated with its Emergency Assistance program located at its headquarter space.
20. Allocate \$14,200 from the Neighborhood Reinvestment Program Budget (Org 15665) to Friends of We Chinese in America to assist in the cost of designing and producing promotional and program material such as brochures, event banners, awards and other printed materials, website upgrade and the printing of a special publication of We Chinese in America magazine for its Youth Arts Festival.
21. Allocate \$35,000 from the Neighborhood Reinvestment Program Budget (Org 15665) to the San Diego Association of Governments to conduct a feasibility study of establishing a quiet zone along the rail corridor in the Middle Town to Old Town segment in the City of San Diego.
22. Establish appropriations of \$47,500 in the Neighborhood Reinvestment Program budget (15665) based on the return of unused portions of prior year allocations so the funds can be allocated to other projects. **(4 VOTES)**
23. Find that the proposed allocations serve a public purpose.
24. Authorize the Deputy Chief Administrative Officer/Auditor and Controller to execute grant agreements with these organizations establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grant but do not increase the grant.
25. Find that the grants identified in Recommendation Nos. 1, 5, 6, 8, 9, 10, 14, 15, 17, and 19 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

23.

**SUBJECT: BONDS OF THE SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 2016-1 OF THE SOLANA BEACH SCHOOL DISTRICT (GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES A) (DISTRICT: 3 )**

**OVERVIEW:**

A bond election was duly called and held in the School Facilities Improvement District No. 2016-1 ("Improvement District No. 2016-1") of the Solana Beach School District, County of San Diego, California ("District") on November 8, 2016, pursuant to Section 15100 and following of the Education Code of the State of California. Approximately 65.75% of voters casting ballots, which is above the 55% voter approval level required, authorized the issuance of general obligation bonds of the Improvement District No. 2016-1 in the maximum aggregate principal amount of \$105,000,000 ("Authorization").

On April 4, 2017, the District Board adopted a resolution ("District Resolution") authorizing the issuance of a first series of bonds under the Authorization in an aggregate principal amount not-to-exceed \$50,000,000 and to be designated "Bonds of the School Facilities Improvement District No. 2016-1 of the Solana Beach School District (General Obligation Bonds, 2016 Election, Series A) ("Series A Bonds"). Proceeds from the Series A Bonds will be used to finance the construction of new facilities and renovation and improvement of existing schools and costs related thereto, as approved by the voters, for schools in Improvement District No. 2016-1. Subsequent to the issuance of the Series A Bonds, it is anticipated that \$55,000,000 of the Authorization will remain for future issuances of general obligation bonds.

Today's recommendation will request adoption of a resolution for issuance of the Series A Bonds. The resolution includes: authorizing the District to issue and sell Series A bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent, executing a Paying Agent and Investment Management Agreement and directing the Auditor and Controller to maintain the tax roll for the Series A Bonds.

**FISCAL IMPACT:**

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

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE SOLANA BEACH SCHOOL DISTRICT, ACTING ON BEHALF OF SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 2016-1 OF THE SOLANA

BEACH SCHOOL DISTRICT, TO ISSUE AND SELL BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Resolution No. 17-052, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE SOLANA BEACH SCHOOL DISTRICT, ACTING ON BEHALF OF SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 2016-1 OF THE SOLANA BEACH SCHOOL DISTRICT, TO ISSUE AND SELL BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

24. **SUBJECT: FISCAL YEAR 2016-17 THIRD QUARTER OPERATIONAL PLAN STATUS REPORT AND BUDGET ADJUSTMENT (DISTRICTS: ALL)**

**OVERVIEW:**

This report summarizes the status of executing the County's Fiscal Year 2016-17 Adopted Operational Plan as measured by projected year-end fund balance from current year operations. The projected balance for the General Fund is \$248.7 million and for all budgetary funds combined is \$294.3 million. In the General Fund, positive balances are projected for all five business groups. The projected fund balance reflects the preservation of management and contingency reserves, amounts to be rebudgeted in the Fiscal Year 2017-18 CAO Recommended Operational Plan and projects that General Purpose Revenue will perform better than estimated in the Fiscal Year 2016-17 Adopted Operational Plan. This letter recommends budget adjustments to make resource reallocations to fund one-time projects and to make various adjustments to align the budget with anticipated actuals.

In the Public Safety Group (PSG), recommendations include appropriations adjustments in the Sheriff's Department for law enforcement activities, inmate welfare programs, the purchase of vehicles, and site assessments for the Countywide Security Initiative; in the San Diego County Fire Authority for the

purchase of apparatuses to support fire and emergency medical services, to mitigate shortfalls in revenue used to support Trial Court statutory payments; and adjustments related to certain public safety major maintenance and capital projects, including the Regional Communications System Update and the Sheriff's Crime Lab.

In the Health and Human Services Agency (HHS), recommendations to adjust appropriations on the North Inland Crisis Residential Facility to reflect available grant funding and establish appropriations in the Low to Moderate Income Housing Asset Funds to align the budget with anticipated actuals.

In the Land Use and Environment Group (LUEG), recommendations include appropriation adjustments in the Department of Public Works Road Fund to pay for the design of road projects, amending the Airport Enterprise Fund Spending Plan in order to properly record County assets, and establishing appropriations in the Rancho del Campo Water Fund for repairs that will ensure a continued supply of safe and drinkable water.

In the Community Services Group (CSG), there is a recommendation for an appropriation adjustment in the County Successor Agency Gillespie Field Turbo Redemption Fund in order to align the budget with anticipated actuals, to establish appropriations in the Registrar of Voters for services and supplies, amend the Department of General Services Fleet Internal Service Fund to account for updated estimates of vehicle repairs and vehicle acquisition.

In Finance Other, there is a recommendation to amend the Public Liability Internal Service Fund to fund greater than anticipated liability costs.

In the Capital Program, recommendations include appropriations adjustments for the Regional Communications System Upgrade and to cancel remaining appropriations projects that have or will be completed at the end of the fiscal year.

There are no appropriation adjustments the Finance and General Government Group (FGG).

**FISCAL IMPACT:**

Funds for a portion of these requests are not included in the Fiscal Year 2016–17 Operational Plan. If approved, this action will result in a net increase in appropriations of \$3,256,286 in the General Fund. The funding sources include Operating Transfer from Sheriff's Inmate Welfare Fund, available prior year Public Safety General Fund fund balance, revenues from various cities and local organizations, California Department of Forestry and Fire Protection and Election Services Other Government Agencies.

In all other funds combined, these actions will result in a net decrease in appropriations of \$3,231,618. The funding sources are available prior year Jail Commissary Enterprise Fund fund balance, Operating Transfer from Jail Commissary Enterprise Fund, Regional Communication System Replacement Trust Fund, Operating Transfer from the Sheriff's Inmate Welfare Fund, Operating

Transfers from Housing Asset Fund, Airport Enterprise Fund, Rancho del Campo Water Fund, available prior year Fleet Sheriff Accident Repair ISF fund balance, available prior year Fleet Management ISF fund balance, Public Liability ISF Charges for Services, Capital Outlay Fund, and Justice Facility Construction Fund.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Accept the Fiscal Year 2016–17 third quarter report on projected year-end results.
2. Cancel appropriations of \$279,310 in the Sheriff's Department, Salaries and Benefits and related revenue, from the Board of State and Community Corrections Police Grants passed through the City of San Diego (\$204,310) and Operating Transfer In from the Sheriff's Asset Forfeiture Fund (\$75,000) to align the budget with actuals.
3. Establish appropriations of \$279,310 in the Sheriff's Department, Salaries and Benefits, for Inmate Welfare Fund reimbursements based on an Operating Transfer In from the Sheriff's Inmate Welfare Fund. **(4 VOTES)**
4. Establish appropriations of \$1,968,500 in the Jail Commissary Enterprise Fund, Services and Supplies (\$975,300), for telephone debit cards and commissary items for resale, and Operating Transfers Out (\$993,200) based on Recovered Expenditures (\$620,000), Miscellaneous Revenue Other (\$355,300), estimated current year commissary sales profits (\$419,000) and available prior year Jail Commissary Enterprise Fund fund balance (\$574,200). **(4 VOTES)**
5. Establish appropriations of \$993,200 in the Sheriff's Inmate Welfare Fund, Services and Supplies, to be used for the benefit, education, and welfare of the inmates confined within detention facilities based on an Operating Transfer In from the Jail Commissary Enterprise Fund. **(4 VOTES)**
6. Transfer appropriations of \$40,000 from the Sheriff's Department, Services and Supplies, to the General Fund Contributions to Fleet Internal Service Fund (ISF), Operating Transfers Out, for the purchase of two vehicles. **(4 VOTES)**
7. Establish appropriations of \$276,861 in the Sheriff's Department, Salaries and Benefits, for temporary staff conducting security assessments of County facilities based on available prior year Public Safety General Fund fund balance. **(4 VOTES)**
8. Establish appropriations of \$446,000 in the Sheriff's Department, Salaries and Benefits, for overtime law enforcement services provided at special local events based on unanticipated revenue from contract cities and various local organizations. **(4 VOTES)**

9. Establish appropriations of \$1,037,425 in the San Diego County Fire Authority, Capital Assets Equipment, for equipment purchase for the Assistance-By-Hire program based on unanticipated revenue from the California Department of Forestry and Fire Protection. **(4 VOTES)**
10. Establish appropriations of \$1,000,000 in the San Diego County Fire Authority, Services and Supplies (\$820,000) and Capital Assets Equipment (\$180,000), to fund increased fire and emergency medical services, based on available prior year Public Safety General Fund fund balance. **(4 VOTES)**
11. Transfer appropriations of \$5,000,000 from the District Attorney's Office, Services and Supplies, to the Public Safety Group Executive Office, Services and Supplies, for major maintenance projects (\$2,500,000) and Other Charges, to support statutory payment from Contributions for Trial Courts (\$2,500,000).
12. Cancel appropriations and related revenue of \$19,085,908 in the Justice Facility Construction Fund for Capital Project 1019587, Regional Communications System Upgrade, to realign the appropriations with the estimated costs and funding sources of the financing plan.
13. Establish appropriations of \$6,891,054 in the Justice Facility Construction Fund for Capital Project 1019587, Regional Communications System Upgrade, for partner agencies shared cost of the project, based on revenue from the Regional Communication System Replacement Trust Fund. **(4 VOTES)**
14. Cancel appropriations of \$2,159,143.85 in the Capital Outlay Fund and related Operating Transfer In from the General Fund for Capital Project 1015131, HHS PSG CSG Office Relocation, to provide funding for the Sheriff's Crime Lab.
15. Cancel appropriations of \$550,856.15 in the Capital Outlay Fund and related Operating Transfer In from the General Fund for Capital Project 1014125, County Operations Center and Annex Phase 1B, to provide funding for the Sheriff's Crime Lab.
16. Establish appropriations of \$2,710,000 in the Justice Facility Construction Fund for Capital Project 1018895, Sheriff's Crime Lab, based on an Operating Transfer In from the General Fund. **(4 VOTES)**
17. Transfer appropriations of \$311,734.56 and related revenue in the Contributions to Capital Outlay Fund to the Health and Human Services Agency, Services and Supplies to correct the funding source for Capital Project 1019395, North Inland Crisis Residential Facility.
18. Cancel appropriations of \$311,734.56 and related Operating Transfer In from the General Fund in the County Health Complex Fund for Capital Project 1019395, North Inland Crisis Residential Facility, to correct the funding source.

19. Establish appropriations of \$311,734.56 in the County Health Complex Fund for Capital Project 1019395, North Inland Crisis Residential Facility, to fund abatement and demolition of the former Regional Administrative Office and Family Resource Center, based on revenue from a California Health Facilities Financing Authority (CHFFA) grant. **(4 VOTES)**
20. Establish appropriations of \$90,000 in the County of San Diego Low to Moderate Income Housing Asset Fund (Upper San Diego River Improvement Project), Operating Transfer Out, to accurately record expenditures and prepaid expense balances, based on available County of San Diego Low to Moderate Income Housing Asset Fund (Upper San Diego River Improvement Project) fund balance. **(4 VOTES)**
21. Establish appropriations of \$90,000 in the County of San Diego Low to Moderate Income Housing Asset Fund (Gillespie Field), Other Charges, to record a transfer of prepaid expenses between funds, based on an Operating Transfer In from the County of San Diego Low to Moderate Income Housing Asset Fund (Upper San Diego River Improvement Project). **(4 VOTES)**
22. Transfer appropriations of \$500,000 from the Department of Public Works Road Fund, Salaries and Benefits, to the Department of Public Works Road Fund Detailed Work Program, Services and Supplies, for the Lemon Crest drainage improvement project.
23. Amend the Fiscal Year 2016-17 Airport Enterprise Fund Spending Plan by \$1,700,000 to provide funds for purchase of a remaining leasehold interest at McClellan-Palomar Airport based on available prior year Airport Enterprise Fund fund balance. **(4 VOTES)**
24. Establish appropriations of \$200,000 in the Rancho del Campo Water Fund, Services and Supplies, for the demolition and replacement of the main electrical panel at the Rancho del Campo water wells #1, #3, and at the Uranium Removal Treatment System based on available prior year Rancho del Campo Water Fund fund balance. **(4 VOTES)**
25. Transfer appropriations of \$266.55 within the County Successor Agency Gillespie Field Turbo Redemption Fund, from Other Charges to Operating Transfers Out, for the purpose of recording the amount in excess of the required turbo principal payment under the Gillespie Field Series 2005 bonds. **(4 VOTES)**
26. Establish appropriations of \$266.55 in the County Successor Agency Gillespie Field Debt Service Reserve Fund, Operating Transfers Out, based on an Operating Transfer In from the County Successor Agency Gillespie Field Turbo Redemption Fund. **(4 VOTES)**
27. Establish appropriations of \$375,000 in the Registrar of Voters, Services and Supplies, based on over-realized Election Services Other Government Agencies revenue. **(4 VOTES)**

28. Amend the Fiscal Year 2016-17 Department of General Services Fleet ISF Accident Repair Spending Plan by \$100,000, Services and Supplies, due to an increase in costs related to vehicle repairs based on unanticipated revenue from third party recoveries (\$75,000) and available prior year Fleet ISF Accident Repair fund balance (\$25,000). **(4 VOTES)**
29. Amend the Fiscal Year 2016-17 Department of General Services Fleet ISF Sheriff Accident Repair Spending Plan by \$200,000, Services and Supplies, due to an increase in costs related to vehicle repairs based on unanticipated revenue from third party recoveries (\$100,000) and available prior year Fleet ISF Accident Sheriff fund balance (\$100,000). **(4 VOTES)**
30. Amend the Fiscal Year 2016-17 Fleet Management ISF Spending Plan by \$1,840,000, Capital Assets Equipment to provide funding for the purchase of two vehicles for the Sheriff's Department and the acquisition of vehicle replacements based on an Operating Transfer In from the General Fund (\$40,000) and on available prior year Fleet Management ISF fund balance (\$1,800,000). **(4 VOTES)**
31. Establish appropriations of \$121,000 in the Contributions to Capital Outlay Fund, Operating Transfer Out to provide funding for Capital Project 1020106, Lakeside Library Land Acquisition, to fund closing costs, California Environmental Quality Act (CEQA) task order costs, and soils survey due diligence based on Community Services Group General Fund fund balance. **(4 VOTES)**
32. Establish appropriations of \$121,000 in the Library Projects Fund for Capital Project 1020106, Lakeside Library Land Acquisition, to fund closing costs, California Environmental Quality Act (CEQA) task order costs, and soils survey due diligence based on an Operating Transfer In from Contributions to Capital Outlay Fund. **(4 VOTES)**
33. Amend the Fiscal Year 2016-17 Public Liability Internal Service Fund by \$5,000,000, Other Charges, for the purpose of funding liability costs, based on Charges For Current Services. **(4 VOTES)**
34. Cancel appropriations and related revenue of up to \$1,063,982 in the Capital Outlay Fund and \$8,908,646 in the Justice Facility Construction Fund for projects completed during Fiscal Year 2016-17.
35. Establish appropriations of up to \$2,515,107 in the Capital Outlay Fund, \$222,678 in the County Health Complex, \$3,876,690 in the Justice Facility Construction Fund and \$18,422 in the Library Projects Capital Outlay Fund, in Operating Transfer Out, based on fund balances available, and establish a corresponding Operating Transfer In in the Contributions to Capital Outlay Fund for projects completed or cancelled. **(4 VOTES)**

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

25. **SUBJECT: AMENDMENTS TO THE COMPENSATION ORDINANCE AND ADMINISTRATIVE CODE (4/25/2017 – FIRST READING; 5/2/2017 – SECOND READING) (DISTRICTS: ALL)**

**OVERVIEW:**

These proposed amendments to the San Diego County Compensation Ordinance are part of the ongoing efforts to manage and maintain a skilled, adaptable and diverse workforce dedicated to sustaining operational excellence and serving the public. These actions affect employees in eligible job codes/classifications within the classified and unclassified service by: 1) increasing the salary ranges for unclassified job codes/classifications by 3% in June 2017 (except job code 000240 by 5%), June 2018, and June 2019; 2) increasing the salary ranges for unclassified job codes/classifications by 2% in June 2020 and June 2021; 3) adjusting the salary for job code/classification 002109 in exchange for the removal of the remaining retirement offset, which will be cost neutral to the County; 4) retitling two (2) job codes/classifications in the classified service; 5) deleting two (2) job codes/classifications in the unclassified service; 6) providing four (4) one-time monetary payments for employees in unclassified job codes/classifications of \$750 to be paid out in May 2017, 1% of employee's annual salary to be paid out in July 2017, July 2018, and July 2019; 7) providing two (2) one-time monetary payments for employees in unclassified job codes/classifications of 2% of employee's annual salary to be paid out in July 2020 and July 2021; 8) increasing flex credits for unclassified job codes/classifications in January 2018, January 2019, January 2020, January 2021, and January 2022; 9) amending the provision for a new retirement Tier D in July 2018; and 10) amending various sections of the Compensation Ordinance; and the Administrative Code by increasing parking reimbursement.

**FISCAL IMPACT:**

Today's recommendations are estimated to result in ongoing costs and one-time costs. The estimated fiscal impact is comprised of ongoing base and supplemental pay net increases, ongoing flex credit increases, and one-time monetary payments. The related adjustments to the salary ranges for non-represented job codes/classifications will not automatically result in pay increases; adjustments to pay in these classes are based on performance. The action before your Board today is anticipated to also result in a long-term cost reduction to the County's share of the retirement costs through the implementation of a new retirement tier, Tier D. The actual fiscal impact will not be immediate but will instead be determined based on the number of new members entering the system over time. The Tier D member contribution rates will be provided by SDCERA's actuary following future action by the Board of Supervisors to adopt a resolution establishing the new retirement tier.

The annual estimated fiscal impact is as follows:

<i>in millions</i>	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
A Ongoing Base Salary and Benefit Increases	0.0	2.4	2.4	2.4	1.6	1.6
B Ongoing Flex Credit Increases	0.0	0.2	0.3	0.3	0.3	0.3
C Ongoing Parking Increase	0.0	0.0	0.0	0.0	0.0	0.0
<b>D (A+B+C) Total Annual Ongoing Cost (incremental)</b>	<b>0.0</b>	<b>2.6</b>	<b>2.7</b>	<b>2.7</b>	<b>1.9</b>	<b>1.9</b>
<b>E Total Annual Onetime Cost</b>	<b>0.5</b>	<b>0.8</b>	<b>0.8</b>	<b>0.8</b>	<b>1.6</b>	<b>1.6</b>
<b>F (D+E) Total Annual Cost</b>	<b>0.5</b>	<b>3.4</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>

If approved, funding to support today's recommendations is included in the Fiscal Year 2016-17 Operational Plan. Subsequent year costs will be included in future Operational Plans. The funding source is a combination of General Purpose revenues, available General Fund fund balance, and various program revenues.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

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

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.

AN ORDINANCE AMENDING SECTIONS 494 AND 495 OF THE ADMINISTRATIVE CODE.

2. If, on April 25, 2017, the Board takes action as recommended in item 1 then, on May 2, 2017 (second reading):

Submit ordinance for further Board consideration and adoption on May 2, 2017 (second reading).

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, introducing the Ordinances for further Board consideration and adoption on May 2, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

26. **SUBJECT: AN URGENCY ORDINANCE OF THE COUNTY OF SAN DIEGO REAUTHORIZING THE COUNTY'S PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (PEG) ACCESS FEE TO TAKE EFFECT IMMEDIATELY (DISTRICTS: ALL)**

**OVERVIEW:**

Currently, video and cable providers pay a public, educational and government (PEG) fee of 1% of their gross receipts to the County to support PEG television channel facilities, such as those used to operate the County government access station. In accordance with the Digital Infrastructure and Video Competition Act of 2006, Public Utilities Code § 5800 et seq. (DIVCA), the PEG fee must be established by ordinance. PEG fees are imposed by the County on State video service franchisees by Section 21.1632 of the San Diego County Code of Regulatory Ordinances (County Code). In accordance with Public Utilities Code § 5087(n), this ordinance must be reenacted when the State franchise is renewed in order for the County to continue collecting PEG fees from video service providers.

By letter dated March 1, 2017 and received by the County on March 3, 2017, Cox Communications (Cox) notified the County that the video service franchise issued by the State would be renewed on April 27, 2017. This was the first notice of renewal of a State franchise received by the County. Cox subsequently informed the County on March 22, 2017 of the requirement to renew the PEG fee ordinance. In the absence of an effective PEG fee ordinance on April 27, 2017, the County would no longer be able to collect fees from Cox and other video service franchisees operating in the unincorporated County to support PEG facilities.

PEG facilities serve as a platform for channels such as the County government access station that provide essential government services like emergency alerts and governmental news to County residents. Today's action is an urgency measure to reenact Section 21.1632 of the County Code. Reenacting Section 21.1632 on an urgency basis will allow the PEG fee ordinance to become effective immediately upon its adoption so that there is no gap in PEG funding when Cox's franchise is renewed. The uninterrupted collection of PEG fees is of critical importance to the County because the fees support PEG access channel facilities and capital costs essential to providing County residents with important civic programming.

**FISCAL IMPACT:**

If approved, the ordinance will require a video provider operating under a State franchise to support facilities for PEG channels. State and federal law require the County to use the revenue from this fee to support PEG channel facilities. Total annual estimated revenues available to reimburse eligible expenses is estimated at \$1.1 million.

**BUSINESS IMPACT STATEMENT:**

Adoption of the proposed Ordinance will allow the County to support current and/or new PEG stations and allow the County to upgrade the PEG channel facilities it provides for County residents. Only video providers who obtain State franchises will be required to pay the +1% fee.

**RECOMMENDATION:  
CHIEF ADMINISTRATIVE OFFICER**

1. Find pursuant to section 15060(c)(3) of the California Environmental Quality Act (CEQA) Guidelines that the adoption of an urgency ordinance to provide continued funding for PEG access facilities is not a project subject to CEQA review because it involves the creation of a governmental funding mechanism without a commitment to a specific project.
2. Read title, waive further reading, and adopt the following Urgency Ordinance (4 VOTES):  
AN URGENCY ORDINANCE OF THE COUNTY OF SAN DIEGO REAUTHORIZING THE COUNTY'S PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (PEG) ACCESS FEE TO TAKE EFFECT IMMEDIATELY.

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Ordinance No. 10478 (N.S.), entitled: AN URGENCY ORDINANCE OF THE COUNTY OF SAN DIEGO REAUTHORIZING THE COUNTY'S PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (PEG) ACCESS FEE TO TAKE EFFECT IMMEDIATELY.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

27. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF  
ORDINANCES: AMENDMENTS TO THE COMPENSATION  
ORDINANCE AND ADMINISTRATIVE CODE (4/11/2017 –  
FIRST READING; 4/25/2017 – SECOND READING)  
(DISTRICTS: ALL)**

**OVERVIEW:**

On April 11, 2017 (15), the Board introduced the Ordinances for further consideration and adoption on April 25, 2017.

These proposed amendments to the San Diego County Compensation Ordinance are part of the ongoing efforts to manage and maintain a skilled, adaptable and diverse workforce dedicated to sustaining operational excellence and serving the public. This action affects eligible employees in non-represented classifications by: 1) providing four one-time \$750 monetary payments to be paid out in May 2017, July 2017, July 2018, and July 2019; 2) providing two one-time \$1,500 monetary payments to be paid out in July 2020 and July 2021; 3) increasing flex credits in January 2018, January 2019, January 2020, January 2021, and January 2022; 4) increasing salary by 3% in June 2017, June 2018, and June 2019; 5) increasing salary by 2% in June 2020 and June 2021; 6) adding a provision for a new retirement Tier D in July 2018; and 7) amending Administrative Code by increasing parking reimbursement.

**FISCAL IMPACT:**

Today’s recommendations are estimated to result in ongoing costs and one-time costs. The estimated fiscal impact is comprised of ongoing base and supplemental pay net increases, ongoing flex credit increases, and one-time monetary payments. The action before your Board today is anticipated to also result in a long-term cost reduction to the County’s share of the retirement costs through the implementation of a new retirement tier, Tier D. The actual fiscal impact will not be immediate but will instead be determined based on the number of new members entering the system over time. The Tier D member contribution rates will be provided by SDCERA’s actuary following future action by the Board of Supervisors to adopt a resolution establishing the new retirement tier.

The annual estimated fiscal impact is as follows:

<i>in millions</i>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>FY 18/19</b>	<b>FY 19/20</b>	<b>FY 20/21</b>	<b>FY 21/22</b>
A Ongoing Base Salary and Benefit Increases	0.0	6.0	6.0	6.0	4.0	4.0
B Ongoing Flex Credit Increases	0.0	0.6	1.1	1.1	1.1	1.1
C Ongoing Parking Increase	0.0	0.04	0.0	0.0	0.0	0.0
<b>D (A+B+C) Total Annual Ongoing Cost (incremental)</b>	<b>0.0</b>	<b>6.6</b>	<b>7.1</b>	<b>7.1</b>	<b>5.1</b>	<b>5.1</b>
<b>E Total Annual Onetime Cost</b>	<b>1.9</b>	<b>1.9</b>	<b>1.9</b>	<b>1.9</b>	<b>3.8</b>	<b>3.8</b>
<b>F (D+E) Total Annual Cost</b>	<b>1.9</b>	<b>8.5</b>	<b>9.0</b>	<b>9.0</b>	<b>8.9</b>	<b>8.9</b>

If approved, funding to support today’s recommendations is included in the Fiscal Year 2016-17 Operational Plan. Subsequent year costs will be included in future Operational Plans. The funding source is a combination of General Purpose revenues, available General Fund fund balance, and various program revenues.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Consider and Adopt the following Ordinances:

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.

AN ORDINANCE AMENDING SECTION 495 OF THE ADMINISTRATIVE CODE.

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Ordinance No. 10479 (N.S.), entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION, and Ordinance No. 10480 (N.S.), entitled: AN ORDINANCE AMENDING SECTION 495 OF THE ADMINISTRATIVE CODE.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

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

**OVERVIEW:**

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

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Note and file.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**29. SUBJECT: APPROVAL OF THE AMENDED COST RECOVERY PROPOSAL OF THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES EFFECTIVE FISCAL YEAR 2017-18 AND ASSOCIATED ORDINANCE (DISTRICTS: ALL)**

**OVERVIEW:**

This is a request for the Board of Supervisors (Board) to consider the amended Cost Recovery Proposal relating to Pest Exclusion and Direct Marketing Programs in the Department of Agriculture, Weights and Measures' (AWM). On March 22, 2017 (1), the Board directed staff to reexamine and identify the necessity of services related to the proposed fee and rate increases, to reevaluate the costs for services, and to return with additional options for further consideration and adoption.

The amended fee and hourly rates to be considered are: (1) proposed adjustments to the Pest Exclusion Specialized Field and After Hours Inspections hourly rates, Direct Marketing's Certified Producer and Farmers' Market Inspections hourly rates, and Agricultural Hazardous Materials Inventory Program fees; and (2) proposed adjustments to the Pest Exclusion's International Counter Service Certification fee.

Since it has been from 8 to 14 years since the last cost recovery proposal, staff conducted a comprehensive analysis and used a standardized fiscal methodology that complied with existing cost policies and procedures across the County of San Diego (County) enterprise. Staff have also implemented process improvement and cost containment measures to streamline operations and improve customer service. However, these measures can no longer keep up with the cost increases. For the next fiscal year, it will be necessary to adjust fees to address these increases and to ensure compliance with recent statutory changes and with Board Policy B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery (Board Policy B-29).

For amended fee and hourly rates, items 1 and 2 above, State laws delegate all work activities to AWM except Hazardous Material inspections. All activities are mandatory, except for one discretionary service and one inspection: the Pest Exclusion's International Counter Service Certification and the Direct Marketing's existing Certified Producers' growing site visits.

Options are provided for each of the fee and hourly rates amendments and discretionary activities for the Board's consideration.

Pursuant to the Board's direction on March 22, 2017 (1), AWM retains the Agricultural Hazardous Materials Inventory Program. Pursuant to the Board's discussion and intent in the same hearing, AWM proposes this Program's fees at full cost recovery.

This is a request to select one of the options for fee implementation presented and adopt the corresponding ordinance to amend Section 364.3 of the County Administrative Code relating to fees effective Fiscal Year 2017-18; and to waive Board Policy B-29. In addition, this is a request to select one of the options for the Pest Exclusion International Counter Service Certification and one of the options relating to discretionary Direct Marketing's discretionary inspections.

**FISCAL IMPACT:**

The proposed adjustments to the standard hourly rates and fees are not included in the budget in Agriculture, Weights and Measures. If approved, funds for this request will be included in the Fiscal Year (FY) 2017-18 CAO Recommended Operational Plan and future CAO Recommended Operational Plans.

Option 1 will result in additional costs of \$272,676 and projected additional revenue of \$272,676 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost and no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 2 will result in projected additional costs of \$272,676 and projected additional revenue of \$232,151 in FY 2017-18. The funding source is fees paid by customers. A waiver of Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29) would be required under Option 2 since the proposed fees do not cover all the operating

costs. The total unrecovered cost per Board Policy B-29 is approximately \$40,525 for FY 2017-18 and would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. There will be no additional staff years. Unrecovered cost in FY 18-19 would be funded with General Purpose Revenue and cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 3 will result in projected additional costs of \$272,676 and projected additional revenue of \$217,545 in FY 2017-18. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 3 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$55,131 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 are projected to be a minimum of \$27,987 and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 4 will result in projected additional costs of \$272,676 and projected additional revenue of \$210,665 in FY 2017-18. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 4 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$62,011 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 and FY 19-20 are projected to be a minimum of \$41,749 and \$21,486, respectively, and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 5 will result in projected additional costs of \$272,676 and projected additional revenue of \$190,402 in FY 2017-18. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 5 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$82,274 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 is projected to be a minimum of \$82,274 and would be funded with General Purpose Revenue. This unrecovered cost projection does not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 6 will result in projected additional costs of \$7,900 and projected additional revenue of \$1,100. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 6 since the proposed fee does

not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$6,800 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs would be funded with General Purpose Revenue and cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 7 will result in projected additional costs of \$7,900 and projected additional revenue of \$600. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 7 since the proposed fee does not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$7,300 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs would be funded with General Purpose Revenue and cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 8 will result in projected additional costs of \$7,900 and projected additional revenue of \$400. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 8 since the proposed fee does not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$7,500 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 is projected to be a minimum of \$7,100 and would be funded with General Purpose Revenue. FY 18-19 unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 9 will result in projected additional costs of \$7,900 and projected additional revenue of \$300. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 9 since the proposed fee does not cover all the operating costs. The total unrecovered costs per Board Policy B-29 is approximately \$7,600 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 and FY 19-20 are projected to be a minimum of \$7,300 and \$7,000 respectively, and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 10 will result in projected additional costs of \$7,900 and no projected additional revenue. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 10 since the proposed fee does not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$7,900 for FY 2017-18 and would be funded with LUEG

General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 is projected to be a minimum of \$7,900 and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 11 will result in projected additional costs of \$5,200 and projected additional revenue of \$3,000. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 11 since the proposed fee does not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$2,200 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 is projected to be a minimum of \$2,200 and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 12 would result in no additional fiscal impact since it will be based on the Board's selection of one of the options 1-5. There will be no change in net General Fund cost and no additional staff years as a result of Option 12. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 13 will result in a projected decrease in revenue of \$12,075. The total additional unrecovered cost is approximately \$12,075 for FY 2017-18 and would be funded with LUEG General Fund fund balance. Any unrecovered costs would be funded by General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15273(a) of the California Environmental Quality Act (CEQA) Guidelines that the proposed changes to existing fees are exempt from CEQA. Find that the fees are based on Department of Agriculture, Weights and Measures' (AWM) calculations for the purpose of meeting the operating expenses and the fees do not exceed the reasonable costs of providing the respective services and programs.
2. Waive Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29), for fee and hourly rates relating to the Pest Exclusion, Direct Marketing Programs, and for Pest Exclusion International Counter Service Certification depending on the option the Board selects.

3. Adopt one of the following options and direct AWM to implement the selected option.

Option 1:

Implement the fee structure for Pest Exclusion and Direct Marketing as initially proposed on March 22, 2017 (1) and the full cost recovery fee structure for Agricultural Hazardous Materials Inventory Program (HazMat) fees. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 2:

Implement a two-year phase-in fee structure for Pest Exclusion and Direct Marketing and the full cost recovery fee structure for HazMat fees. Waiver of Board Policy B-29 would be required under Option 2 since the proposed fees do not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 3:

Implement a three-year phase-in fee structure for Pest Exclusion and Direct Marketing and the full cost recovery fee structure for HazMat fees. Waiver of Board Policy B-29 would be required under Option 3 since the proposed fees do not cover all the operating costs. For the FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 and FY 19-20, do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 4:

Implement a four-year phase-in fee structure for Pest Exclusion and Direct Marketing and the full cost recovery fee structure for HazMat fees. Waiver of Board Policy B-29 would be required under Option 4 since the proposed fees do not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19, FY 19-20 and FY 21-22 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 5:

No increases for Pest Exclusion and Direct Marketing and the full cost recovery fee structure for HazMat fees. Waiver of Board Policy B-29 would be required under Option 5 since the Pest Exclusion and Direct Marketing proposed fees do not cover all the operating costs. If there are no fee adjustments for the two programs in FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. HazMat fees are proposed at full cost recovery. There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

4. Adopt one of the following options relating to discretionary counter service for International Export Certification and direct AWM to implement the selected option.

Option 6:

Direct staff to continue providing the counter service for International Export Certifications and implement the fee structure as initially proposed on March 22, 2017 (1). Waiver of Board Policy B-29 would be required under Option 6 since the proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 7:

Direct staff to continue providing the counter service for International Export Certifications and implement a two-year phase-in fee structure. Waiver of Board Policy B-29 would be required under Option 7 since the proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 8:

Direct staff to continue providing the counter service for International Export Certifications and implement a three-year phase-in fee structure. Waiver of Board Policy B-29 would be required under Option 8 since the proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 and FY 19-20 do not include increases

for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 9:

Direct staff to continue providing the counter service for International Export Certifications and implement a four-year phase-in fee structure. Waiver of Board Policy B-29 would be required under Option 9 since the proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19, FY 19-20 and FY 20-21 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 10:

Direct staff to continue providing the counter service for International Export Certifications with no fee increase. Waiver of Board Policy B-29 would be required under Option 10 since the counter service for International Export Certifications proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 11:

Direct staff to discontinue providing the counter service for International Export Certifications.

5. Adopt one of the following options relating to discretionary Direct Marketing existing Certified Producer site inspections and direct AWM to implement the selected option.

Option 12:

Direct staff to continue the discretionary Direct Marketing existing Certified Producer site inspections at the current variable inspection frequency.

Option 13:

Direct staff to continue the discretionary Direct Marketing existing Certified Producer site inspections at the state minimum level.

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

AN ORDINANCE AMENDING SECTION 364.3 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO PEST EXCLUSION AND DIRECT MARKETING HOURLY RATES AND HAZARDOUS MATERIALS INVENTORY PROGRAM FEES CHARGED BY THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES (OPTION 1, 2, 3, 4 or 5).

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

AN ORDINANCE AMENDING SECTION 364.3 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE INTERNATIONAL COUNTER SERVICE CERTIFICATION FEE CHARGED BY THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES (OPTION 6, 7, 8, 9, 10 or 11).

If on April 25, 2017, the Board takes action as requested in Recommendations 1 through 7 above, then on May 3, 2017:

1. Consider and adopt the Ordinance amending Section 364.3 of the San Diego County Administrative Code, relating to Pest Exclusion and Direct Marketing hourly rates and Hazardous Materials Inventory Program fees charged by AWM (second reading).
2. Consider and adopt the Ordinance amending Section 364.3 of the San Diego County Administrative Code, relating to the International Counter Service fee charged by AWM (second reading).

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended adopting the following:

1. Found in accordance with Section 15273(a) of the California Environmental Quality Act (CEQA) Guidelines that the proposed changes to existing fees are exempt from CEQA. Find that the fees are based on Department of Agriculture, Weights and Measures' (AWM) calculations for the purpose of meeting the operating expenses and the fees do not exceed the reasonable costs of providing the respective services and programs.
2. Waived Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29), for fee and hourly rates relating to the Pest Exclusion, Direct Marketing Programs, and for Pest Exclusion International Counter Service Certification depending on the option the Board selects.

3. Option 3: Directed the Chief Administrative Officer to implement a three-year phase-in fee structure for Pest Exclusion and Direct Marketing and the full cost recovery fee structure for HazMat fees. Waiver of Board Policy B-29 would be required under Option 3 since the proposed fees do not cover all the operating costs. For the FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 and FY 19-20, do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.
4. Option 8: Directed the Chief Administrative Officer to continue providing the counter service for International Export Certifications and implement a three-year phase-in fee structure. Waiver of Board Policy B-29 would be required under Option 8 since the proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 and FY 19-20 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.
5. Option 12: Directed the Chief Administrative Officer to continue the discretionary Direct Marketing existing Certified Producer site inspections at the current variable inspection frequency.
6. Introduced the Ordinance entitled: AN ORDINANCE AMENDING SECTION 364.3 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO PEST EXCLUSION, DIRECT MARKETING HOURLY RATES, HAZARDOUS MATERIALS INVENTORY PROGRAM, AND INTERNATIONAL COUNTER SERVICE CERTIFICATION FEES CHARGED BY THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES, for further Board consideration and adoption on May 3, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**30. SUBJECT: SET A HEARING FOR 5/03/2017:  
CONSIDERATION AND ADOPTION OF FEE  
ADJUSTMENTS FOR THE SMALL DRINKING WATER  
SYSTEM AND COTTAGE FOOD PROGRAMS IN THE  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
EFFECTIVE FISCAL YEAR 2017-18 AND ASSOCIATED  
ORDINANCE REVISIONS (DISTRICTS: ALL)**

**OVERVIEW:**

On March 15, 2017 (1) and March 22, 2017 (5), the Board of Supervisors (Board) approved fee and ordinance adjustments in DEH effective Fiscal Year (FY) 2017-18, with the exception of proposed fees and charges related to small drinking water systems and cottage food operators (16 fees in total). For those two programs, the Board directed the Chief Administrative Officer to return to the Board with proposed fee adjustments after further consideration of alternatives.

Since the Board last approved a small drinking water system program fee adjustment for DEH seven years ago (July 14, 2010 (7)), DEH's small drinking water system program has experienced increased state mandates, reporting requirements, and additional regulatory requirements. Despite leveraging operational improvements and one-time California Department of Public Health Funding Agreement No. SRFLPA67 (CDPH) grant funds, beginning in FY 2017-18, DEH cannot continue to provide its current level of service, and achieve full cost recovery, unless fees are increased. There are two program and thirteen fee options presented today for policy consideration for small drinking water systems. The small drinking water system program is not required to be implemented at the local level.

Effective January 1, 2013, State law allowed for individuals to prepare and/or package certain non-potentially hazardous foods in private-home kitchens referred to as "cottage food operations" (CFOs). DEH established a cottage food program based on State law and incorporated industry best management and protection of public health practices. Since the implementation of the CFO program, refinements were made to the program reducing operational time by 50%. After three years of program implementation, the initial fees do not cover the full costs of operating the program. Therefore, either fee increases or a reduction in service levels is required. There are four program and fee options presented for policy consideration today for cottage food operators. In accordance with State law, DEH is the local agency required to implement the California Retail Food Code and regulate the cottage food program.

With one exception, the fee increases or service level reductions proposed today are consistent with and necessary to comply with Board Policy B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery. If the Board elects to base the County small drinking water system fees on State fee rates, DEH will not achieve full cost recovery and a waiver of Board Policy B-29 will be needed, and supplemental non-fee revenues will need to be identified to fund that program.

This is a request to select one of the program and fee options for small drinking water systems and cottage food operators, and to adopt the corresponding ordinances to amend Section 65.107 of the County Administrative Code relating to fees effective FY 2017-18; and, if relevant to the option the Board selects, a waiver of Board Policy B-29 and supplemental non-fee revenues will need to be identified to fund that program.

**FISCAL IMPACT:**

The staff recommended increase to the standard hourly rate and fees are not included in the budget in the Department of Environmental Health. Depending on which option is approved by the Board, funds for that option will be included in a future Quarterly Operational Plan Status Report and Budget Adjustment Board letter in FY 2017-18 and/or future CAO Recommended Operational Plans as needed, in the Department of Environmental Health (DEH).

Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve full cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

**Small Drinking Water Systems**

For all proposed options that include a grant offset from approximately \$188,000 in CDPH grant funds, rates are based on FY 2017-18 costs and do not account for future cost increases such as salaries and benefits, facilities and utilities, retirement, medical, and overhead. There will be no additional staff years.

If the Board selects Option 12 which is not full cost recovery in FY 2017-18, a waiver of Board Policy B-29 is requested. Unrecovered cost in all future years under Option 12 would be funded with General Purpose Revenue.

*March 15, 2017 (1) FY 2017-18 Full Cost Recovery Proposal*

Option 1 would result in additional estimated costs and revenue of \$56,696 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 2 would result in additional estimated costs of \$56,696 and no additional estimated revenue in FY 2017-18. Customers initially would pay 2010 permit rates, with a 100% offset of the variance between 2010 and 2017 permit rates funded by a one-time grant from the California Department of Public Health, Funding Agreement No. SRFLPA67 (CDPH grant funds). The CDPH grant funds would be used in FY 2017-18 and future years until expended, at which point the fee will revert to Option 1. A waiver of Board Policy B-29 would be required under Option 2 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$56,696 for FY 2017-18 and would be funded with CDPH grant funds until expended. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 3 would result in additional estimated costs of \$56,696 and additional estimated revenue of \$49,130 in FY 2017-18. The funding source is fees paid by customers. Customers would pay 2017 permit rates less 2% of the total permit rates, which would be funded by a one-time CDPH grant. The grant would be used in FY 2017-18 and future years until expended, at which point the fee will revert to Option 1. A waiver of Board Policy B-29 would be required under Option 3 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$7,566 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 4 would result in additional estimated costs of \$56,696 and additional estimated revenue of \$37,780 in FY 2017-18. The funding source is fees paid by customers. Customers would pay 2017 permit rates less 5% of the total permit rates, which would be funded by a one-time CDPH grant. The CDPH grant funds would be used in FY 2017-18 and future years until expended, at which point the fee will revert to Option 1. A waiver of Board Policy B-29 would be required under Option 4 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$18,916 in FY 2017-18 and would be funded with CDPH grant funds.

There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 5 would result in additional estimated costs of \$56,696 and additional estimated revenue of \$8,055 in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2010 permit rates, with an incremental 2.5% annual increase until each fee category is at the 2017 permit rates, using one-time CDPH grant funds to cover the variance. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 1. A waiver of Board Policy B-29 would be required under Option 5 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$48,641 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

*State-Mandated Minimum Program*

Option 6 is full cost recovery in FY 2017-18 would result in additional estimated costs and revenue of \$27,110. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 7 would result in additional estimated costs of \$27,110 and no additional estimated revenue in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2010 permit rates, with a 100% of the variance between 2010 and 2017 permit rates funded by a one-time CDPH grant. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 6. A waiver of Board Policy B-29 would be required under Option 7 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$27,110 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 8 would result in additional estimated costs of \$27,110 and additional estimated revenue of \$20,135 in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2017 permit rates, with 2% of the 2017 permit rates funded by a one-time CDPH grant. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 6. A waiver of Board Policy B-29 would be required under Option 8 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$6,975 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 9 would result in additional estimated costs of \$27,110 and additional estimated revenue of \$9,673 in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2017 permit rates, with 5% of the 2017 permit rates funded by a one-time CDPH grant. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 6. A waiver of Board Policy B-29 would be required under Option 9 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$17,437 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 10 would result in additional estimated costs of \$27,110 and additional estimated revenue of \$7,328 in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2010 permit rates, with an incremental 2.5% annual increase until each fee category is at the 2017 permit rates, using one-time CDPH grant funds to cover the variance. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 6. A waiver of Board Policy B-29 would be required under Option 10 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$19,782 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

### *Alternative Fee Models*

Option 11 is a per connection fee model and is full cost recovery and would result in additional estimated costs and revenue of \$56,696 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost. Customer fees under Option 11 would not correlate with the staff time associated with each individual permit, which is inconsistent with how fees are calculated in the County enterprise. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 12 would result in estimated costs of \$378,314 and additional estimated revenue of \$114,800 in FY 2017-18. The funding source is fees paid by customers. Customers would pay fees as determined by the State. A waiver of Board Policy B-29 would be required under Option 12, since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$263,514 in FY 2017-18 and would be funded with CDPH grant funds (\$188,000) and Land Use and Environment Group General Fund fund balance (\$75,514). Unrecovered costs in FY 2018-19 and future years are projected to be a minimum of \$263,514 and would be funded with General Purpose Revenue. FY 2018-19 projected costs do not include increases for expenditures such as salaries, retirement, health insurance, or overhead. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

### *Return to State*

Option 13 would result in a decrease in estimated costs and revenue of \$378,314 in FY 2017-18. Under Option 13, the program would be returned to the State. Additionally, under Option 13, the County would return the remaining one-time CDPH grant funds of approximately \$188,000 to the State Water Resources Control Board. There will be no change in net General Fund cost.

### **Cottage Food Operations**

#### *March 15, 2017 (1) Proposal with 20 labels*

Option 14 would result in additional estimated costs and revenue of \$2,869 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

#### *March 15, 2017 (1) Proposal with 10 labels*

Option 15 would result in additional estimated costs and revenue of \$79 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

#### *March 15, 2017 (1) Proposal with 5 labels*

Option 16 would result in decreased estimated costs and revenue of \$1,346 in FY 2017-18 due to reduced levels of service. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

*State-Mandated Minimum Program with one label*

Option 17 would result in decreased estimated costs and revenue of \$21,471 in FY 2017-18 due to reduced levels of service. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

On April 25, 2017:

1. Set a hearing for May 3, 2017 for consideration and adoption of an Ordinance amending Title 6 of the San Diego County Code of Regulatory Ordinances.
2. Waive Board Policy B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, for rates relating to Small Drinking Water Systems, depending on the option the Board selects.
3. Adopt one the following options and direct the Department of Environmental Health to implement the selected option for Small Drinking Water Systems:

*March 15, 2017 (1) FY 2017-18 Full Cost Recovery Proposal*

Option 1:

Implement the fee structure for Small Drinking Water Systems as proposed on March 15, 2017 (1) Full Cost Recovery Proposal for FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

Option 2:

Implement the fee structure for Small Drinking Water Systems as proposed on March 15, 2017 (1) FY 2017-18 Full Cost Recovery Proposal with a 100% offset of the variance between 2010 and 2017 fee rates using approximately \$188,000 in CDPH grant funds until expended, at which time the fee will revert to Option 1, which would be full cost recovery in FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

Option 3:

Implement the fee structure for Small Drinking Water Systems as proposed on March 15, 2017 (1) FY 2017-18 Full Cost Recovery Proposal with a 2% offset of total fees using approximately \$188,000 in CDPH grant funds until expended, offset, at which time the fee will revert to Option 1, which would be full cost recovery in FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve full cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29, will return to the Board when adopted fees no longer achieve full cost recovery.

Option 4:

Implement the fee structure for Small Drinking Water Systems as proposed on March 15, 2017 (1) Full Cost Recovery Proposal with a 5% offset of total fees using approximately \$188,000 in CDPH grant funds until grant funds are expended, at which time the fee will revert to Option 1, which would be full cost recovery in FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29, will return to the Board when adopted fees no longer achieve full cost recovery.

Option 5:

Implement the fee structure for Small Drinking Water Systems as proposed on March 15, 2017 (1) Full Cost Recovery Proposal with an incremental 2.5% annual increase in invoiced fees from 2010 fee rate levels, until each fee category is at the FY 2017-18 full cost recovery permit fee, using approximately \$188,000 in CDPH grant funds until grant funds are expended, at which time the fee will revert to Option 1, which would be full cost recovery in FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve full cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

*State-Mandated Minimum Program*

Option 6:

Implement the fee structure for Small Drinking Water Systems at the State-Mandated Minimum Program level. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

Option 7:

Implement the fee structure for Small Drinking Water Systems at the State-Mandated Minimum Program level with a 100% offset of the variance between 2010 and 2017 fee rates using approximately \$188,000 in CDPH grant funds until expended, at which time the fee will revert to Option 6, which would be full cost recovery in FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve full cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

Option 8:

Implement the fee structure for Small Drinking Water Systems at the State-Mandated Minimum Program level with a 2% offset of total fees using approximately \$188,000 in CDPH grant funds until expended, at which time the fee will revert to Option 6, which would be full cost recovery in FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve full cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

Option 9:

Implement the fee structure for Small Drinking Water Systems at the State-Mandated Minimum Program level with a 5% offset of total fees using approximately \$188,000 in CDPH grant funds until expended, at which time the fee will revert to Option 6, which would be full cost recovery in FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve full cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

Option 10:

Implement the fee structure for Small Drinking Water Systems at the State-Mandated Minimum Program level with an incremental 2.5% annual increase in invoiced fees from 2010 fee rate levels, until each fee category is at the full cost recovery permit fee, using \$188,000 in CDPH grant funds until expended, at which time the fee will revert to Option 6, which would be full cost recovery in FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve full cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

*Alternative Fee Models*

Option 11:

Implement a fee structure for Small Drinking Water Systems at a per connection basis.

Option 12:

Implement a fee structure for Small Drinking Water Systems at the State fee level with a one-time grant offset of approximately \$188,000 in FY 2017-18. This option does not achieve full cost recovery in FY 2017-18 and unrecovered cost in that year would be funded with available Land Use and Environment Group (LUEG) General Fund fund balance. Unrecovered costs in FY 2018-19 and future years would be funded with General Purpose Revenue.

*Return to State*

Option 13:

Return the Program to the California State Water Resources Control Board.

4. Adopt one the following options and direct the Department of Environmental Health to implement the selected option for Cottage Food Operations.

Option 14:

Implement the fee structure for Cottage Food Operations as proposed on March 15, 2017 (1), which includes an annual permit with a review of up to 20 labels and new renewal permit options.

Option 15:

Implement the fee structure for Cottage Food Operations as proposed on March 15, 2017 (1) which includes an annual permit with a review of up to 10 labels and new renewal permit options.

Option 16:

Implement the fee structure for Cottage Food Operations as Proposed on March 15, 2017 (1) which includes an annual permit with a review of up to 5 labels and new renewal permit options.

Option 17:

Implement the fee structure for Cottage Food Operations at the State Mandate Minimum Program level with a review of 1 label.

5. Approve the introduction of the selected Ordinance, (first reading), read title and waive further reading of an Ordinance entitled:

AN ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEES FOR THE SMALL DRINKING WATER SYSTEM PROGRAM IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18 (OPTION 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 or 13)

6. If Option 2, 3, 4, 5, 7, 8, 9, 10, or 12 is selected, select the corresponding attached Resolution (Attachments A-6 through A-9) authorizing DEH to provide offsets against fees otherwise due from small drinking water system operators, using the remaining funds of approximately \$188,000 from the State's 2013 grant for the small drinking water systems program, so long as those offsets are consistent with grant conditions, until CDPH grant funds are expended. Adopt a Resolution entitled:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL HEALTH TO PROVIDE OFFSETS AGAINST SMALL DRINKING WATER SYSTEMS FEES OTHERWISE DUE, USING DESIGNATED STATE CDPH GRANT FUNDS.

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

AN ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEES FOR THE COTTAGE FOOD PROGRAM IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18 (OPTION 14, 15, 16 or 17).

8. Find based on the cost studies undertaken by the County that the adjustments in fees and charges contained in the selected proposed ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEES FOR THE SMALL DRINKING WATER SYSTEM PROGRAM IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18 and in the selected proposed ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEES FOR THE COTTAGE FOOD PROGRAM IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18 are necessary to meet operating expenses, and find in accordance with Sections 21080(b)(8) of the California Environmental Quality Act (CEQA) and 15273(a) of the CEQA Guidelines that these modifications to fees and charges are therefore not subject to CEQA.

If on April 25, 2017, the Board takes the actions recommended in items 1 through 8 above then, on May 3, 2017:

9. Consider and adopt the Ordinance amending Title 6 of the County Code of Regulatory Ordinances (second reading) setting fees for small drinking water systems.
10. Consider and adopt the ordinance amending title 6 of the county code of regulatory ordinances (second reading) setting fees for cottage food operations.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board took action as recommended adopting the following:

1. Waived Board Policy B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, for rates relating to Small Drinking Water Systems, depending on the option the Board selects.
2. Option 5: Directed the Chief Administrative Officer to implement the fee structure for Small Drinking Water Systems as proposed on March 15, 2017 (1) Full Cost Recovery Proposal with an incremental 2.5% annual increase in invoiced fees from 2010 fee rate levels, until each fee category is at the FY 2017-18 full cost recovery permit fee, using approximately \$188,000 in CDPH grant funds until grant funds are expended, at which time the fee will revert to Option 1, which would be full cost recovery in FY 2017-18. Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve full cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.
3. Option 15: Directed the Chief Administrative Officer to implement the fee structure for Cottage Food Operations as proposed on March 15, 2017 (1) which includes an annual permit with a review of up to 10 labels and new renewal permit options.
4. Resolution No. 17-053, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL HEALTH TO PROVIDE OFFSETS AGAINST SMALL DRINKING WATER SYSTEMS FEES OTHERWISE DUE, USING DESIGNATED STATE CDPH GRANT FUNDS.
5. Introduced the Ordinances for further Board consideration and adoption; and set a Hearing for May 3, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**31. SUBJECT: APPOINTMENTS: VARIOUS (DISTRICTS: ALL)**

**OVERVIEW:**

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

**FISCAL IMPACT:**

There is no fiscal impact associated with these recommendations.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHAIRWOMAN DIANNE JACOB**

Appoint Allen Trial to the CREST / DEHESA / GRANITE HILLS / HARBISON CANYON COMMUNITY PLANNING GROUP, Seat No. 5, for a term to expire January 4, 2021.

Re-appoint Robert Granger to the PINE VALLEY COMMUNITY PLANNING GROUP, Seat No. 5, for a term to expire January 4, 2021.

Re-appoint Nica Katherine Knite to the PINE VALLEY COMMUNITY PLANNING GROUP, Seat No. 13, for a term to expire January 4, 2021.

**SUPERVISOR GREG COX**

Re-appoint Cara Bandera to the AIR POLLUTION CONTROL DISTRICT ADVISORY COMMITTEE, Seat No. 1, for a term to expire January 4, 2021.

**CHIEF ADMINISTRATIVE OFFICER**

Appoint Jordan Gascon to the CITIZENS' LAW ENFORCEMENT REVIEW BOARD (CLERB), Seat No. 4, to a partial term that expires June 30, 2017, and for a subsequent term to begin July 1, 2017 and to expire June 30, 2020.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

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

**OVERVIEW:**

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

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

Timothy Strem v. County of San Diego, et al.; United States District Court, Southern District, Division One No. 15-CV-2120

**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 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 25, 2017, the Board took no reportable actions.

**33. SUBJECT: PRESENTATIONS/AWARDS (DISTRICTS: ALL)**

**OVERVIEW:**

Chairwoman Dianne Jacob presented a proclamation declaring April 25, 2017, EDCO Disposal Corporation Day throughout the County of San Diego.

Chairwoman Dianne Jacob and Vice-Chairwoman Kristen Gaspar presented a proclamation declaring April 26 2017, Denim Day and April 2017 Sexual Assault Awareness Month throughout the County of San Diego.

Supervisor Greg Cox presented a proclamation declaring April 25 2017, Christine Moore Day throughout the County of San Diego.

Supervisor Greg Cox gave a presentation on County Government Month.

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

**OVERVIEW:**

Martha Welch spoke to the Board regarding sales tax.

Omar Passons spoke to the Board regarding public health and homelessness increase.

**ACTION:**

Heard, referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 11:55 a.m. in memory of Albert Thomas McMain Jr., Dr. Thomas Bucknell, and Jim Ellis.

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

Consent: Lopez  
Discussion: Zurita

Approved by the Board of Supervisors, on Tuesday, June 20, 2017.

A handwritten signature in blue ink, appearing to read "Dianne Jacob", written over a horizontal line.

DIANNE JACOB  
Chairwoman

Attest:

A handwritten signature in blue ink, appearing to read "D. Hall", written over a horizontal line.

DAVID HALL  
Clerk of the Board

04/25/17