

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, APRIL 26, 2022, 9:30 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. REGULAR SESSION: Meeting was called to order at 9:45 a.m.

PRESENT: Supervisors Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson; Terra Lawson-Remer; Jim Desmond; also, Andrew Potter, Clerk of the Board of Supervisors.

- B. Invocation was led by Rabbi Levi Raskin from Chabad Jewish Center of Rancho Santa Fe.

- C. Presentation or Announcement of Proclamations and Awards:

Chair Nathan Fletcher presented a proclamation declaring April 26, 2022, to be Fred Baranowski Day throughout the County of San Diego.

Chair Nathan Fletcher and Vice-Chair Nora Vargas presented a proclamation declaring April 22, 2022, to be Earth Day throughout the County of San Diego.

Vice-Chair Nora Vargas presented a proclamation declaring April 24, 2022 to April 30, 2022, to be National Crime Victim's Rights Week throughout the County of San Diego.

Supervisor Joel Anderson presented a proclamation declaring April 26, 2022, to be Randy Jones Day throughout the County of San Diego.

Supervisor Terra Lawson-Remer and Supervisor Jim Desmond presented a proclamation declaring April 26, 2022, to be Laughing Pony Rescue Day throughout the County of San Diego.

Supervisor Jim Desmond presented a proclamation declaring April 26, 2022, to be Ernie Montano Day throughout the County of San Diego.

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

- E. Approval of the Statement of Proceedings/Minutes for the meeting of April 5, 2022.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of April 5, 2022.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

- F. Consent Calendar
- G. Discussion Items
- H. Board Member Committee Updates. This is an opportunity for Members of the Board to provide informational updates on their committee assignments. No action may be taken.

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

Board of Supervisors' Agenda Items

Category	#	Subject
Public Safety	1.	ENSURING ADEQUATE AERIAL FIRE SUPPRESSION SUPPORT THROUGH THE ACQUISITION OF A TWIN-ENGINE HELICOPTER [FUNDING SOURCES: UNASSIGNED GENERAL FUND FUND BALANCE RESULTING FROM EXPENDITURE SAVINGS AND AVAILABLE PROPOSITION 172 FUND BALANCE]
	2.	EXPANDING CAPACITY FOR TRAUMA RECOVERY SERVICES IN SOUTH COUNTY AND DEVELOPING FUTURE SOUTH COUNTY FAMILY JUSTICE CENTER: IMPROVING SERVICES FOR CRIME PREVENTION, INTERVENTION AND VICTIM-SURVIVOR CARE THROUGH COMPREHENSIVE TRAUMA-FOCUSED SERVICES [FUNDING SOURCE: PROPOSITION 172 SPECIAL REVENUE FUND FUND BALANCE]
	3.	REPEAL OF REGULATORY CODE PROVISIONS RELATED TO AMUSEMENT DEVICES AND ESTABLISHMENTS
	4.	COUNTY FIRE - MEMORANDUM OF UNDERSTANDING WITH SAN DIEGO GAS & ELECTRIC FOR HELICOPTER UTILIZATION FOR FIRE SUPPRESSION [FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE]
	5.	SHERIFF'S DEPARTMENT - REQUEST TO WAIVE BOARD POLICY A-87 AND ENTER A CONTRACT WITH AXON FOR BODY-WORN CAMERA SYSTEM [FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE]

6. SHERIFF - REQUEST TO EXTEND CURRENT CONTRACT FOR FORENSIC TOXICOLOGY SERVICES FROM BIO-TOX LABORATORIES INCORPORATED [FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE]
7. SHERIFF - ADOPT A RESOLUTION IN THIS YEAR AND SUBSEQUENT YEARS FOR THE HOMELAND SECURITY GRANT PROGRAM FOR THE SAN DIEGO LAW ENFORCEMENT COORDINATION CENTER
8. SHERIFF - ACCEPTANCE OF DONATIONS FROM THE SAN DIEGO HONORARY DEPUTY SHERIFF'S ASSOCIATION
9. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
NOTICED PUBLIC HEARING:
SHERIFF - AN ORDINANCE ADDING A NEW SECTION 449 TO ARTICLE XXV OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF SHERIFF'S MILITARY EQUIPMENT USE POLICY
10. PROBATION - AUTHORITY TO EXTEND CONTRACT WITH AXIALLON, INC (FORMERLY CLEAR WAVE SOFTWARE) FOR THE MAINTENANCE AND SUPPORT OF THE PROBATION CASE MANAGEMENT SYSTEM [FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE]
11. ADOPT A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING A JOINT APPLICATION TO THE HOMEKEY PROGRAM [FUNDING SOURCE: FEDERAL AND STATE BEHAVIORAL HEALTH REVENUES, NO PLACE LIKE HOME PROGRAM FUNDS AND GENERAL FUND FUND BALANCE]
12. AUTHORIZE EXTENSION OF CONTRACTS RELATED TO OPERATIONS AT SAN PASQUAL ACADEMY [FUNDING SOURCE: FEDERAL SHORT-DOYLE MEDICAL-CAL, MENTAL HEALTH SERVICES ACT, REALIGNMENT, AND GENERAL-PURPOSE REVENUE]
13. APPROVE ACCEPTANCE OF GIFTS AND DONATIONS RECEIVED BY HEALTH AND HUMAN SERVICES AGENCY IN CALENDAR YEAR 2021 TO A.B. AND JESSIE POLINSKY CHILDREN'S CENTER AND CHILD WELFARE SERVICES AND AUTHORIZE THE CHAIR OF THE BOARD OF SUPERVISORS TO SIGN A LETTER OF APPRECIATION TO THE DONORS

Health and
Human Services

14. APPROVE AND RATIFY THE CHILDREN'S TRUST FUND THREE-YEAR FUNDING PROPOSAL
[FUNDING SOURCE: AB 2994 CHILDREN'S TRUST FUND]
15. AUTHORIZE COMPETITIVE SOLICITATIONS FOR A RELOCATION PLANNING AND SERVICES CONSULTANT
[FUNDING SOURCE: PREVIOUSLY ALLOCATED GENERAL FUND FUND BALANCE]
16. ACCEPT THE GIFT OF A MODULAR LABORATORY FROM THE COUNTY OF PLACER, AUTHORIZE THE CHAIR OF THE BOARD OF SUPERVISORS TO SIGN A LETTER OF APPRECIATION TO THE COUNTY OF PLACER, AUTHORIZE SIGNATURE OF THE TRANSFER AND REMOVAL AGREEMENT, AND AUTHORIZE A COMPETITIVE SOLICITATION RELATED TO THE MODULAR LABORATORY
[FUNDING SOURCE: EPIDEMIOLOGY LABORATORY CAPACITY ENHANCING DETECTION EXPANSION GRANT]
17. NOTICED PUBLIC HEARING:
APPROVAL OF THE CONFLICT-OF-INTEREST CODES FOR THE ALPINE FIRE PROTECTION DISTRICT, COUNTY OF SAN DIEGO SHERIFF'S DEPARTMENT, DUAL LANGUAGE IMMERSION NORTH COUNTY, ELEMENT EDUCATION, LAKESIDE FIRE PROTECTION DISTRICT AND NORTH COUNTY FIRE PROTECTION DISTRICT
18. NEIGHBORHOOD REINVESTMENT PROGRAM & COMMUNITY ENHANCEMENT GRANTS (DISTRICT: 4)
[FUNDING SOURCES: TRANSIENT OCCUPANCY TAX REVENUES, AND GENERAL-PURPOSE REVENUE; AND RETURN OF UNUSED FUNDS FROM PRIOR YEAR NEIGHBORHOOD REINVESTMENT PROGRAM ALLOCATIONS SO THEY CAN BE ALLOCATED TO OTHER PROJECTS]
(4 VOTES)
19. COMMUNITY ENHANCEMENT & NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 5)
[FUNDING SOURCE: TRANSIENT OCCUPANCY TAX REVENUES, AND GENERAL-PURPOSE REVENUE]
20. COMMUNITY ENHANCEMENT AMERICAN RESCUE PLAN AND NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 1)
[FUNDING SOURCES: GENERAL PURPOSE REVENUE AND THE AMERICAN RESCUE PLAN ACT]

Financial and
General
Government

21. COMMUNITY ENHANCEMENT ARPA AUGMENTATION AND COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 3)
[FUNDING SOURCES: GENERAL PURPOSE REVENUE AND THE AMERICAN RESCUE PLAN ACT]
22. GENERAL SERVICES - ESTABLISH JOB ORDER CONTRACT CAPACITY AND AUTHORIZE THE DIRECTOR OF PURCHASING AND CONTRACTING TO ADVERTISE AND AWARD JOB ORDER CONTRACTS
23. GENERAL SERVICES - APPROVAL IN PRINCIPLE TO LEASE SPACE FOR THE PUBLIC DEFENDER IN EAST SAN DIEGO COUNTY
[FUNDING SOURCE: GENERAL FUND]
24. AUTHORIZATION TO ADVERTISE COMPETITIVE SOLICITATION FOR RENEWAL OF COUNTY DIRECT ACCESS CONTRACTS
25. AMENDMENTS TO THE COMPENSATION ORDINANCE (4/26/2022 - First Reading; 5/10/2022 - Second Reading)
26. AUTHORIZE CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS
27. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
NOTICED PUBLIC HEARING:
FINANCE AND GENERAL GOVERNMENT GROUP FEES AND RATES RELATING TO DEBT SERVICES, OFFICE OF COUNTY COUNSEL, AND CLERK OF THE BOARD OF SUPERVISORS
28. COMMUNICATIONS RECEIVED
29. NOTICED PUBLIC HEARING:
DISTRICT ATTORNEY - AN ORDINANCE ADDING ARTICLE LXIV TITLED DISTRICT ATTORNEY AND NEW SECTION 955 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S BUREAU OF INVESTIGATION MILITARY EQUIPMENT USE POLICY

Communications
Received

Public Safety

30. SAN DIEGO COUNTY FIRE - ROADSIDE VEGETATION MANAGEMENT FOR EVACUATION PREPAREDNESS PROGRAM: CONSIDER THE USE OF AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AUTHORIZE SINGLE SOURCE PROCUREMENT

31. SHERIFF - REQUEST TO ADOPT AN ORDINANCE AND RESOLUTION AMENDING FEES ADMINISTERED BY THE SHERIFF'S DEPARTMENT

Health and
Human Services

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

33. RECEIVE AN UPDATE ON AFFORDABLE HOUSING ACCOMPLISHMENTS, AUTHORIZE THE ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS FOR AFFORDABLE HOUSING, AND ADOPT A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS PROVIDING AUTHORIZATION TO PARTICIPATE IN THE FOURTH ROUND NOTICE OF FUNDING AVAILABILITY FOR THE NO PLACE LIKE HOME PROGRAM ALTERNATIVE PROCESS ALLOCATION FUNDS
[FUNDING SOURCE: STATE OF CALIFORNIA, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT NPLH PROGRAM FUNDS; AMERICAN RESCUE PLAN ACT (ARPA)]

Financial and
General
Government

34. AN ORDINANCE TO PROVIDE FOR THE LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

35. CONTINUED ITEM FROM APRIL 5, 2022:
NOTICED PUBLIC HEARING:
AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC PAYMENT

36. NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE OBLIGATIONS BY THE
CALIFORNIA PUBLIC FINANCE AUTHORITY FOR THE
BENEFIT OF CENTRO DE SALUD DE LA COMUNIDAD
DE SAN YSIDRO, INC. (DBA SAN YSIDRO HEALTH) IN
AN AGGREGATE MAXIMUM AMOUNT NOT TO EXCEED
\$28,000,000

Closed Session 37. CLOSED SESSION

Health and
Human Services 38. COUNTY ACTION TO ADDRESS TERMINATION OF
TITLE 42: ADDRESSING THE NEED FOR RESPITE
MIGRANT SHELTER

Public
Communication 39. PUBLIC COMMUNICATION

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1. SUBJECT: ENSURING ADEQUATE AERIAL FIRE SUPPRESSION SUPPORT THROUGH THE ACQUISITION OF A TWIN-ENGINE HELICOPTER (DISTRICTS: ALL)

OVERVIEW

Climate change has led to our region getting hotter and drier and the risk of serious wildfires continues to grow. We have seen historic fires throughout our state and the western United States in recent years and we must continue to do everything we can to adequately prepare for the very real risk of wildfire in San Diego. That includes taking every possible step to make sure that our first responders have the regional assets they need to fight fires on a 24-hour basis.

Aerial fire suppression during a wildfire is a critical component of the region's overall firefighting strategy. The current San Diego County aerial fleet consists of single-engine helicopters that are built out of 1960s and 1970s airframes. Twin-engine helicopters are more efficient at fighting fires as they have the ability to fly at night and carry a larger amount of water. The entire fleet of single-engine helicopters must eventually be replaced. Today's proposal, the acquisition of a twin-engine helicopter to add to the fleet, is the first step in this replacement plan.

The current fleet of helicopters used by San Diego County is manufactured by Bell. Operating a fleet of helicopters and equipment from a single manufacturer is more efficient and provides cost savings by standardizing flight training for pilots and costs for tooling and maintenance training.

This is a request to authorize the Director of the Department of Purchasing and Contracting to issue a competitive solicitation for the first acquisition, a single-source purchase, of one Bell 412 EPX helicopter, including outfitting. This is also a request to award new contracts and amend current contracts for Bell parts, components, repairs, and maintenance services, to award new contracts and amend current contracts for helicopter pilot and mechanic training and certifications, and to award new contracts and amend current contracts for the outfitting, parts, and components, and repair and maintenance of the Bell 412 EPX helicopter.

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER

1. In accordance with Section 401, et. seq., of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting to enter into negotiations with Bell; and subject to successful negotiations and determination of a fair and reasonable price, award a contract for one Bell 412 EPX Helicopter and outfitting with standardized Sheriff equipment, and to amend the contract as needed to reflect changes to services and funding, subject to the approval of the Sheriff.
2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with Bell; and subject to successful negotiations and determination of a fair and reasonable price, award new contracts and amend current contracts for Bell Helicopter parts, components, outfitting and repairs and maintenance services for a five-year period.

3. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter negotiations with Bell; and subject to successful negotiations and determination of a fair and reasonable price, award new contracts and amend current contracts for helicopter pilot and mechanic training and certifications for a five-year period.
4. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with Bell Authorized Distributors and Service Centers, Original Equipment Manufacturers such as FLIR, The Civil Aerospace Division of Rolls Royce, Pratt & Whitney and uniquely Specialized Federal Aviation Administration Repair Facilities, and subject to successful negotiations and determination of a fair and reasonable price, award new contracts and amend current contracts for the outfitting, parts and components, and repair and maintenance of the Sheriff's current and future fleet of helicopters, for a five year period to support the mission of the Sheriff's ASTREA (Aerial Support to Regional Enforcement Areas) Program. Contracts shall be amended as needed to reflect changes in services and funding, subject to the approval of the Sheriff.

EQUITY IMPACT STATEMENT

Much of the unincorporated areas of San Diego County, where San Diego County Fire provides protection, consist of disadvantaged communities. We must ensure that these vulnerable communities are protected from the impacts of wildfires. Today's action to purchase a new twin-engine helicopter will help protect these areas and the entire region.

FISCAL IMPACT

Funds for this request will be included in the Fiscal Year 2022-23 CAO Operational Plan Change Letter in the Sheriff's Department. If approved, this will result in estimated costs and revenue of \$16.0 million. The funding sources are unassigned General Fund fund balance of \$8,000,000 resulting from expenditure savings and available Proposition 172 fund balance of \$8,000,000.

BUSINESS IMPACT STATEMENT

Adequate fire protection protects the residential and business assets of the San Diego region.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

2. **SUBJECT: EXPANDING CAPACITY FOR TRAUMA RECOVERY SERVICES IN SOUTH COUNTY AND DEVELOPING FUTURE SOUTH COUNTY FAMILY JUSTICE CENTER: IMPROVING SERVICES FOR CRIME PREVENTION, INTERVENTION AND VICTIM-SURVIVOR CARE THROUGH COMPREHENSIVE TRAUMA-FOCUSED SERVICES (DISTRICTS: ALL)**

OVERVIEW

According to a January 2020 report from the National Alliance of Trauma Recovery Centers, only about one in ten people who survive a violent crime receive direct assistance from a victim service agency. This number drops even lower when the crime is unreported-more than half of all violent crimes go unreported. Unaddressed trauma can lead to chronic emotional distress, relationship problems, and self-medicating through increased alcohol or drug use. Untreated trauma affects the survivor, their family, and the larger community and often intersects with criminal conduct and victimizations. Children who witness or experience child abuse, domestic violence, sexual exploitation, or human trafficking accumulate a challenging Adverse Childhood Experiences score (ACEs) that contributes to generational cycles of poverty and violence. Our most vulnerable and underserved survivors, especially those with culturally and ethnically diverse backgrounds, face the biggest challenges in seeking and getting support.

On September 29, 2015 (11), the Board of Supervisors (Board) approved the lease agreement for the District Attorney’s Community, Action, Resource, Engagement (CARE) Center, established with the intention of collaborating with residents, community groups and other government agencies in the development of crime prevention problem-solving initiatives. The CARE Center opened in 2016 in partnership with community stakeholders who provided insight into community needs. The CARE Center provides culturally competent services and partners with community organizations that provide services to low income and underserved populations.

This is a request to authorize the Director of the Department of Purchasing and Contracting to issue a Competitive Solicitation to expand access to culturally responsive trauma recovery services at the CARE Center in anticipation of a future South County Family Justice Center to include, but not limited to, case management, therapeutic treatments, triage and referral services, and other ancillary services for at-risk youth and adults and their families. This is also a request to authorize a single source contract with Palomar Health and Rady Children’s Hospital to provide trauma recovery services. The population focus includes crime victims, human trafficking and domestic violence survivors, reentry community members, at-risk youth, and community members who need crime prevention and intervention services. The request is for a period of one initial and four option years, with a six-month option if needed, anticipated to begin October 1, 2022.

RECOMMENDATION(S)

DISTRICT ATTORNEY SUMMER STEPHAN AND VICE-CHAIR NORA VARGAS

1. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director of the Department of Purchasing and Contracting to issue a Competitive Solicitation or Solicitations for culturally responsive and trauma focused immediate stabilization services, and subject to successful negotiations and a

determination of a fair and reasonable price, award one or more contracts for up to five years anticipated to begin October 1, 2022, and an additional six months if needed, and to amend the contract(s) as needed to reflect changes to service needs or funding requirements subject to the approval of the District Attorney.

2. 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 Palomar Health, Inc., and Rady Children's Hospital subject to successful negotiations and a determination of a fair and reasonable price, award contracts for the delivery of trauma recovery services for crime victims and their families at the CARE Center and future South County Family Justice Center, for up to five years anticipated to begin October 1, 2022, and an additional six months if needed, and to amend the contract as needed to reflect changes to service needs or funding requirements subject to the approval of the District Attorney.

EQUITY IMPACT STATEMENT

The CARE Center provides culturally competent services and partners with community organizations that provide services to low income and underserved populations.

Since its opening in 2016, the center has welcomed nearly 20,500 members of underserved surrounding communities. Just in the last year alone, the CARE Center has distributed food to over 5,000 families. The top needs of the adults assessed at the CARE Center include basic needs such as housing, food/nutrition, and clothing/toiletries in addition to employment services, and mental health, the top needs of youth participants are family mediation/functioning and pro-social activities.

Of the 1,000 adults assessed between October 2017 to September 2020, 77% were of diverse ethnic background, 69% of the participants reported having at least some experience with traumatic events, 48% of those reported still being affected by the traumatic events. Providing access to immediate, trauma-focused comprehensive services will provide the most vulnerable communities in South County with an equal opportunity to avoid the negative consequences of untreated trauma.

FISCAL IMPACT

Trauma Recovery Services

If approved, funds for today's request will be included in the Fiscal Years 2022-24 CAO Recommended Operational Plan for the District Attorney's Office. This request will result in estimated annual costs and revenue of \$1,000,000 in Fiscal Year 2022-23. The funding source is Proposition 172 Special Revenue Fund fund balance. Subsequent years costs and revenue will be included in future operational plans. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

3. SUBJECT: REPEAL OF REGULATORY CODE PROVISIONS RELATED TO AMUSEMENT DEVICES AND ESTABLISHMENTS (DISTRICTS: ALL)

OVERVIEW

During the height of the COVID-19 global pandemic, the shutdown of small indoor businesses and restaurants caused many to lose significant revenue or close forever. In response, the Federal government and County of San Diego took action to provide relief to small businesses that were adversely impacted. While these actions made a difference, there is even more that can be done to help our local businesses. Reevaluating, innovating, and diversifying has been key to the success of businesses as they move forward.

The COVID-19 pandemic provided an opportunity to reevaluate ordinances, especially those with unnecessary restrictions. We can provide more opportunities for our entrepreneurs and small business owners in the County’s unincorporated area by repealing the current San Diego County Code of Regulatory Ordinances, TITLE 2 LICENSES, BUSINESS REGULATIONS AND BUSINESS TAXES, DIVISION 1. BUSINESS REGULATIONS, CHAPTER 9 AMUSEMENT DEVICES AND ESTABLISHMENTS. This repeal will allow businesses to expand their customer base and workforce while reducing an unnecessary regulatory burden. Our unincorporated areas deserve to have the same business opportunities that are available to those living in the incorporated areas. This repeal can be done in a safe and responsible way while providing an economic benefit to our communities.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON AND VICE-CHAIR NORA VARGAS

Direct the Chief Administrative Officer (CAO), in consultation with County Counsel, to return to the Board in 90 days with a draft ordinance that would repeal Chapter 9 of Title 2, Division 1 of the San Diego County Code of Regulatory Ordinances and related sections.

EQUITY IMPACT STATEMENT

The COVID-19 pandemic has adversely impacted small businesses. A repeal of these Code sections will enhance the economy and provide equal opportunity for businesses and entrepreneurs in the County’s unincorporated area to thrive. In addition, a repeal will allow businesses to expand their customer base and workforce while reducing an unnecessary regulatory burden.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There may be future impacts associated with any related future recommendations. Any such recommendations would return to the Board for approval.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

4. **SUBJECT: COUNTY FIRE - MEMORANDUM OF UNDERSTANDING WITH SAN DIEGO GAS & ELECTRIC FOR HELICOPTER UTILIZATION FOR FIRE SUPPRESSION (DISTRICTS: ALL)**

OVERVIEW

On October 20, 2009 (11), the Board of Supervisors approved the first agreement with San Diego Gas & Electric (SDG&E) to utilize a Helitanker for the region's aerial fire protection program. Since then, the agreement has been renewed multiple times as the County of San Diego (County) sought to increase aerial assets to strengthen its initial fire suppression attack capabilities. Over the past five years, these helicopters have responded to 144 fires for a total flight time of 333 hours.

Today's action will authorize the Director, Purchasing and Contracting to enter into a Memorandum of Understanding (MOU) between the County and SDG&E, adding two helicopters to the current MOU, for a total of five firefighting helicopters available to suppress fires. Under this agreement, SDG&E will continue to cover the costs to operate the helicopter during the first two flight hours of any new fire, and the County will continue to cover the second two flight hours up to the County's annual cost limit of \$150,000.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Purchasing and Contracting, to enter into negotiations with San Diego Gas & Electric for firefighting-equipped helicopters for up to three years with up to two additional option years if needed, and to amend the agreement as needed to reflect changes to requirements and funding, and to execute any related agreements or documents.

EQUITY IMPACT STATEMENT

More than 80 percent of the San Diego County Fire Protection District's (SDCFPD) jurisdictional area qualifies as a disadvantaged unincorporated community, based on a San Diego Local Agency Formation Commission (LAFCO) report on the funding, administration, and performance of the former County Service Area No. 135 (now SDCFPD). San Diego County Fire continues to engage communities through the Community Risk Reduction (CRR) Division, established in 2019. The CRR Division strives to build, enhance, and maintain resilient communities within the SDCFPD's jurisdictional area through involvement with the Fire Safe Council of San Diego County, various community outreach opportunities, and by promoting local events aimed at creating safe and livable communities to improve the health and quality of life of residents.

FISCAL IMPACT

Funds for this request will be included in in the Fiscal Year 2022-23 CAO Recommended Operational Plan for County Fire. If approved, this request will result in costs and revenue of \$150,000 in Fiscal Year 2022-23, depending on flight time. The funding source is existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

5. **SUBJECT: SHERIFF'S DEPARTMENT - REQUEST TO WAIVE BOARD POLICY A-87 AND ENTER A CONTRACT WITH AXON FOR BODY-WORN CAMERA SYSTEM (DISTRICTS: ALL)**

OVERVIEW

On March 3, 2015 (2), the Board authorized the Director of the Department of Purchasing and Contracting to issue a Request for Proposals for a body-worn camera system. After an extensive evaluation process, a contract was awarded to Axon Enterprise, Inc. ("Axon") for body-worn cameras and related accessories, software, and services.

Body-worn cameras represent a technological advance in policing and can help provide the high-quality public service expected of the Sheriff's Department and promote the sense of procedural justice that communities expect from their law enforcement agencies.

The current contract with Axon for body-worn cameras expires on July 31, 2022, and the Sheriff is seeking to enter a new agreement with Axon. Currently, a majority of the body-worn cameras are deployed with the Sheriff's Law Enforcement Services Bureau's deputies and a limited number of cameras (about 80) have been deployed with the Sheriff's Detention Services Bureau's deputies as part of a pilot program. This new contract will continue use of Axon body-worn cameras by Law Enforcement Services and additionally expand the deployment completely to all detentions deputies. This will bring the same transparency to the detentions environment as it does to the law enforcement environment.

This request is to waive Board Policy A-87 and authorize a new five-year contract, and six one-month options, with Axon for the body-worn camera system.

RECOMMENDATION(S)

SHERIFF

1. Waive Board Policy A-87, which requires competitive procurement of goods and services.

2. In accordance with Section 401, et. seq., of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of a fair and reasonable price, to award a contract for body-worn camera systems to Axon for up to five years and six one-month option periods, and to amend the contract as needed to reflect changes to requirements, services and/or funding, subject to approval of the Sheriff.

EQUITY IMPACT STATEMENT

The authorization of a new Axon contract, including deployment of body-worn cameras in the detention facilities, will assist with the department's ability to provide accountability and transparency in its operations. Infrastructure and resources needed to deliver and support the provision of public safety services to the residents of San Diego County is critical to the Strategic Initiatives of Equity and Justice. Funding of these resources benefits not only county employees because it supports their ability to do their job in a transparent manner, but also the people served as it provides them with the opportunity to have visibility on the quality of public safety services of the Sheriff's Department. Those incarcerated within our County detention facilities are directly impacted by any policy or program instituted by the department. The Sheriff's Department is conscientious in ensuring that equitable and inclusive policies and programs are in place in the County detention facilities. The department prioritizes the health and safety of those in custody, which requires proactive and consistent evaluation of the inmates and detention facility environment. It will allow the department to ensure that the level of care and attention is provided for the benefit and safety of incarcerated persons as well as detention facility staff and visitors.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan in the Sheriff's Department. If approved, this request will result in estimated current year costs of \$5,000,000. The funding source is existing General Purpose Revenue. Funds for the option years cost 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.

BUSINESS IMPACT STATEMENT

NA

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

6. **SUBJECT: SHERIFF - REQUEST TO EXTEND CURRENT CONTRACT FOR FORENSIC TOXICOLOGY SERVICES FROM BIO-TOX LABORATORIES INCORPORATED (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Sheriff's Regional Crime Laboratory (Crime Lab) receives over 3,700 requests annually from law enforcement agencies throughout San Diego County for forensic toxicology services, or for testing of controlled substances in the blood or urine of criminal suspects. The test results are a crucial tool to criminal investigations and are essential in the prosecution of the suspects.

The Crime Lab is in the process of establishing an in-house toxicology program which will help advance the standardization of toxicology practices and phase out the outsourcing of testing by a third-party laboratory. The completion of the in-house toxicology program is estimated at June 2023. Currently, the Crime Lab contracts these services out to Bio-Tox Laboratories Incorporated. This contract will expire on June 30, 2022.

Today's request is to authorize the Director of Purchasing and Contracting to amend the Sheriff's contract with Bio-Tox Laboratories Incorporated to extend the current contract term for one year with one option year, with a six-month option if needed, subject to the availability of funds; and to amend the contract as required to reflect changes to services and funding allocations, subject to the approval of the Sheriff.

RECOMMENDATION(S)

SHERIFF

Waive Board Policy A-87 and authorize the Director, Department of Purchasing and Contracting to amend Contract 556404, with Bio-Tox Laboratories Incorporated to extend the current contract term for one year with one option year, with a six-month option if needed, subject to the availability of funds; and to amend the contract as required to reflect changes to services and funding allocations, subject to the approval of the Sheriff.

EQUITY IMPACT STATEMENT

Extending the contract for toxicology testing benefits the residents in San Diego County, especially victims of crimes where there is suspected use or presence of drugs. Necessary and timely toxicology testing ensures the accountability of offenders and allows for the deliverance of justice on behalf of the victims. The ability to test for drugs and substances is critical in the prosecution of cases. Successful prosecution is a step in bringing healing for the victims of crimes, many of whom have likely been impacted by inequities and inequalities.

FISCAL IMPACT

Funds for this request will be included in the Fiscal Year 2022-23 CAO Recommended Operational Plan for the Sheriff's Department. If approved, this request will result in estimated annual costs of \$560,000 for the first extension year, and then one optional year, with a six-month option if needed for a total of \$1,400,000. Subsequent year costs will be included in future year Operational Plans for the Sheriff's Department. The funding source is existing General Purpose Revenue. There will be no change in net General Fund cost and no addition of staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

7. **SUBJECT: SHERIFF - ADOPT A RESOLUTION IN THIS YEAR AND SUBSEQUENT YEARS FOR THE HOMELAND SECURITY GRANT PROGRAM FOR THE SAN DIEGO LAW ENFORCEMENT COORDINATION CENTER (DISTRICTS: ALL)**

OVERVIEW

The Sheriff Department's ability to provide the highest quality public safety services is enhanced by the receipt of funding from the United States Department of Homeland Security's Homeland Security Grant Program (HSGP).

On August 7, 2012 (4), the Board of Supervisors (Board) authorized the Sheriff to apply for and accept HSGP funds on behalf of the San Diego Law Enforcement Coordination Center (SD-LECC) in subsequent years if there are no material changes to the grant terms and funding levels. On February 14, 2017 (1), the Board authorized the Sheriff, or designee, to apply for and accept HSGP grant funds in subsequent years, and to review and execute all required HSGP grant and grant-related documents that do not materially impact or alter the services or funding level.

The Sheriff applied for the Fiscal Year (FY) 2021 HSGP grant and was awarded \$2,047,500 from the DHS passed through the California Office of Emergency Services for the SDLECC. The total grant includes FY2021 State Homeland Security Program (SHSP) (\$365,450) and Urban Areas Security Initiative (UASI) (\$1,682,050) for the SD-LECC for the project period September 1, 2021 through May 31, 2024. This is a request to the Board to adopt a governing body resolution authorizing in this and subsequent years, the Sheriff and designated Sheriff's Department personnel to execute any actions necessary for the purposes of the Homeland Security Grant Program comprised of the SHSP and UASI grant programs for the SD-LECC.

RECOMMENDATION(S)

SHERIFF

Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE HOMELAND SECURITY GRANT PROGRAM STATE HOMELAND SECURITY PROGRAM (SHSP) AND URBAN AREA SECURITY INITIATIVE (UASI).

EQUITY IMPACT STATEMENT

The San Diego Law Enforcement Coordination Center's (SD-LECC's) mission is to protect the people and infrastructure of San Diego and Imperial Counties from criminal activity, terrorism, and potential hazards by effective information sharing and timely/relevant analysis and dissemination of intelligence to local, state, tribal, and federal partners. The SD-LECC is staffed by grant funded positions as well as law enforcement agency members who are assigned to task forces at the SD-LECC. The grants received from the United States Department of Homeland Security are necessary for the provision of the SD-LECC's services which enhance overall public safety in both San Diego and Imperial Counties. Public safety includes engagement, involvement, and connection to the communities.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-045, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE HOMELAND SECURITY GRANT PROGRAM STATE HOMELAND SECURITY PROGRAM (SHSP) AND THE URBAN AREA SECURITY INITIATIVE (UASI).

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

8. SUBJECT: SHERIFF - ACCEPTANCE OF DONATIONS FROM THE SAN DIEGO HONORARY DEPUTY SHERIFF'S ASSOCIATION (DISTRICTS: ALL)

OVERVIEW

County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, permit the acceptance of gifts and donations by the administrative heads of each department in the County, subject to approval by the Board of Supervisors.

The San Diego Honorary Deputy Sheriff's Association (HDSA) is a group of local business and community leaders with a long history of providing support to the San Diego Sheriff's Department. This is a request to approve the acceptance of donations valued at \$26,737 for various fitness, craft, game, and recreation equipment for the Responsibility Empathy Service Perseverance Education Courage Trustworthiness (RESPECT) Project.

RECOMMENDATION(S)

SHERIFF

1. In accordance with County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, accept equipment valued at \$26,737 from the San Diego Honorary Deputy Sheriff's Association.
2. Authorize the Chair of the Board of Supervisors to sign a letter of appreciation on behalf of the Board of Supervisors and the County of San Diego to the San Diego Honorary Deputy Sheriff's Association.

EQUITY IMPACT STATEMENT

The Sheriff's Responsibility Empathy Service Perseverance Education Courage Trustworthiness (RESPECT) Program was created in 2014 by four San Marcos COPPS Deputies. In accordance with the County of San Diego "Live Well San Diego" initiative, the RESPECT Program encourages collaboration between organizations and government agencies to suppress juvenile delinquency and gang violence. It offers recreation, education, mentoring, and family services to at-risk teenage youth in San Diego County. Mentors strive to build strong relationships with students, providing them with the necessary skills to make good decisions and improve their quality of life for their families and communities. The RESPECT Program opened its new dedicated facility in San Marcos to participants in 2021. The donation of supplies and equipment by the San Diego Honorary Deputy Sheriff's Association will be used to enhance the services provided to the students and their families who participate in the program, as well as to ensure the future success of combatting gang participation and juvenile delinquency in the Sheriff's jurisdiction. Providing quality educational and diversion opportunities to keep these students out of the criminal justice system assures that the most vulnerable populations - youth from socio-economically challenged backgrounds - have a higher likelihood of becoming successful adults and creating positive outcomes.

FISCAL IMPACT

There is no direct fiscal impact associated with today's request to accept donations valued at \$26,737 from the San Diego Honorary Deputy Sheriff's Association. Future ongoing costs associated with these donations such as, but not limited to, annual maintenance, 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.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

**9. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
NOTICED PUBLIC HEARING:
SHERIFF - AN ORDINANCE ADDING A NEW SECTION 449 TO
ARTICLE XXV OF THE SAN DIEGO COUNTY CODE OF
ADMINISTRATIVE ORDINANCES FOR APPROVAL OF SHERIFF'S
MILITARY EQUIPMENT USE POLICY (DISTRICTS: ALL)**

OVERVIEW

On April 5, 2022 (14), the Board of Supervisors took action to further consider and adopt the Ordinance on April 26, 2022.

On September 30, 2021, Governor Newsom signed into law Assembly Bill 481 (AB 481). Assembly Bill 481 is intended to increase transparency, accountability, and oversight surrounding the acquisition and use by state and local law enforcement agencies of equipment the state has identified as "military equipment." For law enforcement agencies such as the San Diego County Sheriff's Department that currently utilize equipment identified in the new law, AB 481 requires approval by the governing body for the continued use of the specific equipment no later than May 1, 2022.

Governing body approval under AB 481 must take the form of an ordinance adopting a publicly released, written military equipment use policy, which must address a number of specific topics, including the type, quantity, capabilities, purposes, and authorized uses of each type of equipment, the fiscal impact of their acquisition and use, the legal and procedural rules that govern their use, the training required by any officer allowed to use them, the mechanisms in place to ensure policy compliance, and the procedures by which the public may register complaints.

The department currently owns equipment that falls under the identified types as defined in AB 481. The listed equipment is used to respond to critical events and assist in de-escalation. The equipment increases the safety of law enforcement personnel and citizens. It allows access into difficult terrain and provides a variety of options for a safe and timely resolution of critical incidents county wide.

Today's request is for the Board of Supervisors to approve an ordinance relating to the military equipment use policy as required by California Assembly Bill 481. Note that per AB 481, the Sheriff's military use policy has been posted on the Sheriff's public website for 30 days.

RECOMMENDATION(S)

SHERIFF

Consider and adopt (second reading):

AN ORDINANCE ADDING A NEW SECTION 449 TO ARTICLE XXV OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF SHERIFF'S MILITARY EQUIPMENT USE POLICY.

EQUITY IMPACT STATEMENT

Public safety encompasses more than just the enforcement of the laws. The Sheriff's Department provides law enforcement services that aim to protect human rights, liberty, and security of person. It is the policy of the San Diego Sheriff's Department to be transparent in the purchase and use of equipment the state has defined as military equipment. Decisions regarding the use, procurement and funding of this equipment will take into consideration the public's welfare, safety, civil rights, and allow for public input. The department also strives for equitable outcomes in our communities, which means that the law enforcement services afford our communities a chance to lower crime and improve quality of life throughout the entire jurisdiction. Ensuring that everyone is provided public safety is essential for thriving communities. The department is committed to keeping our communities safe and as crime free as possible.

FISCAL IMPACT

There is no fiscal impact associated with today's requests to receive a presentation related to Assembly Bill 481 and consider and adopt an ordinance approving the San Diego County Sheriff's Department's Military Equipment Use Policy. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 10777 (N.S.), entitled: AN ORDINANCE ADDING A NEW SECTION 449 TO ARTICLE XXV OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF SHERIFF'S MILITARY EQUIPMENT USE POLICY.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

- 10. SUBJECT: PROBATION - AUTHORITY TO EXTEND CONTRACT WITH AXIALLON, INC (FORMERLY CLEAR WAVE SOFTWARE) FOR THE MAINTENANCE AND SUPPORT OF THE PROBATION CASE MANAGEMENT SYSTEM (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Probation Department (Probation) manages electronic criminal justice case files using the Probation Case Management System (PCMS). Probation officers use PCMS to monitor client case plan progress, initiate and review referrals to services, and to make operational decisions regarding the supervision of adults and youth supervised by Probation.

On June 20, 2000 (16), the Board of Supervisors approved a negotiated procurement of the Probation Case Management System (PCMS), and in June 2003, Probation contracted with Clear Wave Software (now Axiallon, Inc) for the development and implementation of, and system support for, PCMS. On May 21, 2019 (4), the Board approved the extension of Probation's contract with Axiallon through June 30, 2022. Probation is seeking approval to continue the contract with Axiallon for an additional term of two (2) years and a one (1) option year to facilitate continued system availability without disruption. During the first renewal year, Probation will perform a market scan to determine if there are more cost effective and modern case management systems which could assist Probation in transforming its juvenile justice approach and adult supervision model to foster positive outcomes for Probation clients.

This request is to authorize the Director, Department of Purchasing and Contracting, to amend and extend the contract with Axiallon for two (2) additional years with one (1) option year, through June 30, 2025. This amendment will allow for continued enhancements and support of PCMS.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Authorize the Director, Department of Purchasing and Contracting to amend and extend the contract with Axiallon, Inc for two (2) years with one (1) option year and up to an additional six (6) months if needed, subject to the availability of funds and a need for the services, and to amend the contract as needed to reflect changes to services and funding, subject to the approval of the Chief Probation Officer.

EQUITY IMPACT STATEMENT

Probation Case Management System (PCMS) is a software program used by authorized Probation staff and stakeholders to access youth and adult client data. The software is instrumental in tracking client needs and services, with the goal of reducing recidivism and rehabilitating clients. PCMS is used to analyze client data on an individual and aggregate basis. PCMS provides data to allow for more thorough case management choices and referral services for clients. Participation and outcome data is collected and analyzed by sub-populations to continually inform Probation operations to ensure equitable case management and outcomes for all individuals regardless of race, gender, ethnicity, or geography.

FISCAL IMPACT

If approved, this request will result in total costs and revenue of \$1.27 million. First year costs, estimated at \$1,274,334 will be included in the Fiscal Year 2022-23 CAO Recommended Operational Plan for the Probation Department. The funding source is existing General Purpose Revenue. Subsequent year costs and revenues will be included in future year 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

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

11. SUBJECT: ADOPT A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING A JOINT APPLICATION TO THE HOMEKEY PROGRAM (DISTRICTS: ALL)

OVERVIEW

On September 9, 2021, the California Department of Housing and Community Development announced the availability of the second round of Homekey program funds to sustain and rapidly expand the inventory of housing for people experiencing homelessness or at risk of homelessness. Homekey is a statewide effort to rapidly sustain and expand housing opportunities for persons experiencing or at risk of homelessness and impacted by COVID-19.

The Homekey program provides an opportunity for regional, and local public entities to develop permanent supportive housing using various housing types, including but not limited to hotels, motels, hostels, single-family homes and multifamily apartments, adult residential facilities, and manufactured housing. Eligible applicants are cities, counties, or other Local Public Agencies who may apply independently or jointly with a for-profit or non-profit developer.

In partnership with the San Diego Housing Commission (SDHC) and PATH Ventures (PATH), the County of San Diego (County) Health and Human Services Agency, will seek to apply for approximately \$12 million of State of California Homekey funding to develop 40 permanent supportive housing units in the City of San Diego, to be located in the El Cerrito community. Today's action requests the San Diego County Board of Supervisors (Board) to determine the proposed action is not subject to the California Environmental Quality Act; waive Board Policy B-29, which requires a fifteen-day advance notice for grant application requests; adopt a resolution authorizing a joint application with the SDHC and PATH; and authorize the Agency Director, Health and Human Services Agency, or designee, to enter into an agreement with the SDHC and PATH and to take all actions as required by State of California, Department of Housing and Community Development for the Homekey program.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by ensuring homeless residents have access to suitable living environments.

In addition, this item supports the County's Framework for Ending Homelessness five strategic domains including upstream prevention strategies, diversion and mitigation services, treatment and outreach, emergency shelter, and permanent housing. This will be accomplished by ensuring low-income persons experiencing or at-risk of homelessness have access to suitable living environments, as well as enhancing their quality of life by creating decent and safe affordable housing, coupled with supportive services.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15060(c)(3) of the California Environmental Quality Act (CEQA) Guidelines that the actions described herein, including approval to adopt a resolution authorizing the joint application and partnership agreement with PATH Ventures and the San Diego Housing Commission, to administer the Homekey Program funds is administrative in nature and is not a project as defined by the state CEQA Guidelines Section 15378.
2. Waive Board Policy B-29, that requires a fifteen-day advance notice for grant application requests.
3. Adopt a Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING JOINT APPLICATION TO AND PARTICIPATION IN THE HOMEKEY PROGRAM.
4. Authorize the Agency Director, Health and Human Services Agency, or designee, to, if awarded funds, accept funds and enter, upon successful negotiations, into a partnership agreement with the San Diego Housing Commission and PATH Ventures or an affiliate thereof, and into a Standard Agreement with the State for the administration of Homekey funds.
5. Authorize the Agency Director, Health and Human Services Agency, or designee, to: execute agreements, amend agreements as needed to reflect changes to services and funding, execute certification forms, prepare and execute all necessary documents for the submittal, regulatory processing and implementation, and take any other actions necessary as required by State of California, Department of Housing and Community Development for Recommendation 3, as applicable.

EQUITY IMPACT STATEMENT

In the 2020 Point-in-Time Count, 7,638 individuals were identified as living on the streets or in shelters throughout the county. Of those who were unsheltered, 58% reported having a disability and 27% were 55 years or older. The County of San Diego (County) is committed to finding equitable solutions to prevent and end homelessness by providing preventative and supportive services and permanent supportive housing. The Homekey program allows the County to expeditiously embark on a key funding resource that was established to meet the needs of historically underserved populations, specifically persons experiencing homelessness or at risk of homelessness. The County Health and Human Services Agency conducted various community engagement sessions throughout the region, including community meetings with

homeless advocacy groups, city representatives serving underserved areas of the County and multiple stakeholder groups related to housing, homelessness, and environmental justice, including stakeholder groups that count persons with lived experience among their membership.

The Homekey program is funded through the State of California and continues a statewide effort to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness, and who are, thereby, inherently impacted by COVID-19 and other communicable diseases. If awarded Homekey funding, it is anticipated that the recommended actions will provide needed housing and supports to residents who are disproportionately represented in the homeless system including justice involved individuals, individuals with a range of health and social needs, as well as Black, Indigenous and People of Color (BIPOC). Homekey is an opportunity for the County to increase permanent supportive housing options for the most vulnerable population providing not just housing, but ensuring that resources for supportive service are made available to the residents.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2021-23 Operational Plan for the Health and Human Services Agency. The total project cost is estimated at \$28.1 million, including \$23.6 million for the capital expenses to develop the permanent supportive housing units and \$4.5 million for project operating expenses. The estimated costs will be shared between the County of San Diego, the City of San Diego and PATH ventures. If awarded and approved, this request will result in no change in costs and revenue in FY 2021-22 and costs of \$11.0 million to fund the County's share of the project in FY 2022-23. The funding source is federal and State Behavioral Health revenues, No Place Like Home program funds and General Fund fund balance. Upon award of the Homekey grant in the amount of approximately \$12 million, appropriations and funding for FY 2022-23 will be requested as part of the FY 2022-23 CAO Recommended Operational Plan Change Letter. There will be no additional staff years with the approval of the recommended actions.

BUSINESS IMPACT STATEMENT

This proposal will have a positive impact on the business community since the recommended actions will result in construction work to be performed at properties that are awarded funding. Contracts resulting from these recommendations may be executed with private sector firms and will involve a competitive bid process. Developments with funding awards are estimated to be completed within the next two to five years.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-046, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING JOINT APPLICATION TO AND PARTICIPATION IN THE HOMEKEY PROGRAM.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

12. SUBJECT: AUTHORIZE EXTENSION OF CONTRACTS RELATED TO OPERATIONS AT SAN PASQUAL ACADEMY (DISTRICTS: ALL)

OVERVIEW

San Pasqual Academy (the Academy) opened in 2001 and is a first-in-the-nation residential education campus designed to meet the unique needs of adolescent youth in the foster care system and to prepare them for self-sufficiency upon exiting care. Over the last five years, federal and State legislation has significantly shifted the statutory requirements for keeping children safely with families, resulting in sweeping legislative changes that identify home-based settings with resource families as the best placement option for youth and reduce the reliance on and use of congregate care. Given these changes, the San Diego County Board of Supervisors (Board) has undertaken significant consideration of the future of the Academy in the last year. In response to actions taken by the Superior Court of California and the California Department of Social Services, on January 25, 2022 (19), the Board approved continued operations at the Academy, as needed, to support the transition to a continuum of care multipurpose campus to serve youth in foster care and directed the CAO to continue to explore options for a mixed-use campus for a combination of youth populations including youth in foster care, youth at risk of entering foster care, unaccompanied minors, and youth interacting with the juvenile justice system.

The contract extension to operate the Academy authorized by the Board on July 13, 2021 (6) is set to expire on June 30, 2022. Today's action requests the Board to authorize an amendment to the County of San Diego (County), Health and Human Services (HHSA) Child Welfare Services contract with New Alternatives, Inc., to increase the contract amount and extend the contract term for 11 months from May 1, 2022 through March 31, 2023 for residential/education services, Independent Living Skills, and the Intergenerational Program. Additionally, today's action requests the Board to authorize an amendment to the HHSA Behavioral Health Services (BHS) contract with New Alternatives, Inc., to extend the contract term for nine months from July 1, 2022 through March 31, 2023 for the continued provision of specialty mental health services to youth at the Academy. The BHS contract with New Alternatives, Inc. for specialty mental health services is set to expire on June 30, 2022. Both of these contract extensions are necessary to ensure the County provides placement stability and the continuity of specialty mental health services to youth currently placed at the Academy while procuring new services in support of a reimagined campus that extends the successful outcomes of the Academy to a wider population of youth. Additionally, the amendments will allow for new referrals for eligible youth that can immediately benefit from the current programming at the Academy and successfully transition to an appropriate placement type provided at the planned multipurpose campus.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by providing a safe and thriving placement option, comprehensive services and supports, and a focus on improving equitable outcomes for children and youth interacting with the child welfare system.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, subject to successful negotiations and a determination of a fair and reasonable price, to amend the following contracts to increase contract amount and extend the contract term through March 31, 2023 and up to an additional six months, if needed, subject to the availability of funds; and to amend the contracts to reflect changes to services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency:
 - a. County of San Diego, Health and Human Services, Child Welfare Services contract with New Alternatives for residential/education services, Independent Living Skills, and the Intergenerational Program (Contract #45216)
 - b. County of San Diego, Health and Human Services, Behavioral Health Services contract with New Alternatives for specialty mental health services (Contract #45369)

EQUITY IMPACT STATEMENT

The County of San Diego (County) Health and Human Services Agency, Child Welfare Services (CWS), partners with public and private agencies such as New Alternatives, Inc., San Diego County Office of Education, and Access Inc. (through the support of the San Diego Workforce Partnership) to maximize racially equitable community outcomes by ensuring all youth at the San Pasqual Academy (the Academy) have increased access to health and wellness opportunities, develop life-long connections, and broaden educational horizons.

Over the last five years, federal and State legislation has significantly shifted the statutory requirements for keeping children safely with families, resulting in sweeping legislative changes that identify home-based settings with resource families as the best placement option for youth and reduce the reliance on and use of congregate care. As a result of these statutory changes focused on keeping children with their families and preventing child maltreatment, CWS has experienced a 39 percent reduction in the number of youth in foster care and a 69 percent reduction in the use of congregate care over the past 10 years. The population of youth placed at the Academy as of April 12, 2022 is 41. The ethnic distribution includes 20 percent White, 46 percent Latino, and 34 percent Black.

As CWS continues to deepen prevention and family strengthening efforts in communities countywide and align with the trajectory of child welfare services nationally, fewer youth are entering the child welfare system. The youth who cannot be safely maintained in their homes with their biological families and enter foster care have often been exposed to severe complex trauma and present with significant mental and behavioral health needs that require more acute and intensive care and interventions. CWS has engaged the community in strategic planning to determine how best to utilize the Academy campus to address the changing needs of our community, as well as the changing statutory framework while building upon the Academy's success.

The Academy reimagined is a cumulative community effort among seven key stakeholder focus groups including former foster youth, partners of the Academy, community partners and the Child and Family Strengthening Advisory Board of San Diego County, the Foster Alumni and Youth Community Empowerment Subcommittee (FAYCES), relative caregivers and resource families, Foster Family Agencies, Short-Term Residential Therapeutic Program (STRTP) providers, Transitional Housing providers, CWS staff, and legal and county partners. The vision of the Academy reimagined is to extend the successful outcomes of the Academy to a wider and diverse population of youth with unique needs by providing increased access to comprehensive services and supports focused on improving equitable outcomes for children and youth interacting with the child welfare system.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2021-23 Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of approximately \$2,225,000 in FY 2021-22 and costs and revenue of approximately \$11,887,500 in FY 2022-23. The funding sources are federal Short-Doyle Medi-Cal, Mental Health Services Act, Realignment, and General Purpose Revenue. There will be no net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

13. **SUBJECT: APPROVE ACCEPTANCE OF GIFTS AND DONATIONS RECEIVED BY HEALTH AND HUMAN SERVICES AGENCY IN CALENDAR YEAR 2021 TO A.B. AND JESSIE POLINSKY CHILDREN'S CENTER AND CHILD WELFARE SERVICES AND AUTHORIZE THE CHAIR OF THE BOARD OF SUPERVISORS TO SIGN A LETTER OF APPRECIATION TO THE DONORS (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Board of Supervisors (Board) Policy A-112 and the San Diego County Administrative Code Section 66 require Board approval to accept gifts and donations over \$5,000. The County of San Diego (County) Health and Human Services Agency, Child Welfare Services (CWS) periodically receives monetary gifts and in-kind donations of over \$5,000 to benefit children temporarily residing at the A.B. and Jessie Polinsky Children's Center (PCC) and children involved with CWS. PCC is a County operated Temporary Shelter Care Facility administered by CWS and provides 24-hour non-medical care for up to 10 calendar days for children and youth under 18 years of age who can no longer safely remain with their family of origin due to abuse, neglect, and/or abandonment.

On June 8, 2021 (8), the Board approved accepting gifts and donations valued at \$59,703 for Calendar Year (CY) 2020. Today's action requests the Board to accept gifts and donations valuing \$38,045 for CY 2021: \$17,807 for the benefit of children at PCC and \$20,238 for the benefit of children involved with CWS. This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by furthering collective efforts to maximize resources through community partnerships and providing equitable access to these resources.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. In accordance with County Administrative Code Section 66 and Board Policy A-112, accept gifts and donations totaling \$17,807 to the A.B. and Jessie Polinsky Children's Center from Promises2Kids, Robert Duggan, and Paul and Barbara Peterson; and accept gifts and donations valuing \$20,238 to Child Welfare Services from Promises2Kids.
2. Authorize the Chair of the Board of Supervisors to sign letters of appreciation, upon receipt, on behalf of the County of San Diego to the donors.

EQUITY IMPACT STATEMENT

The County of San Diego (County) Health and Human Services Agency (HHSA), Child Welfare Services (CWS) periodically receives monetary gifts and in-kind donations of over \$5,000 to benefit children temporarily residing at the A.B. and Jessie Polinsky Children's Center (PCC) and children involved with CWS. PCC is a County-operated licensed Temporary Shelter Care Facility administered by CWS and provides 24-hour non-medical care for up to 10 calendar days for children and youth under 18 years of age who can no longer safely remain with their family of origin due to abuse, neglect, and/or abandonment. Examples of services provided at PCC include physical and mental health services, medication support, and crisis services to all youth entering the facility and throughout their length of stay. In Calendar Year (CY) 2021, PCC served 1,004 unduplicated children. Of the 1,004 unduplicated children served in CY 2021, 40% of the children were White, 26% of the children were Black, 26% were Hispanic, 2% of the children were Filipino, and 2% of the children were Native American. Other ethnic groups comprising less than 1% of the population at PCC include Asia Indian, Cambodian, Pacific Islander, Hawaiian, Laotian, Cuban-Haitian, Romanian, Vietnamese, and other Asian and Eastern.

PCC represents a unique public-private community partnership that continues to generate periodic gifts and donations from individuals and private corporations for the children residing in this temporary shelter. The partnership maximizes resources available and ensures children at PCC and involved in CWS have equitable access to gifts and donations that aid youth in maintaining connections to their race and identity and fosters their continued sense of belonging despite the barrier of being unable to safely live with their biological families or in their communities.

Expenditures from gifts and donations received provide all children and subgroups within increased access to recreational and special events, celebrations, and other items or activities that support identity and connections that cannot be funded by other funding sources. Additional expenditures made in CY 2021 in support of advancing just and equitable access to donated resources include on-site and off-site hair and braiding appointments for youth at PCC, and necessities to support transgender youth. Monetary and in-kind donations received are monitored and publicly disclosed through the A.B. and Jessie Polinsky Children’s Center Advisory Board and the Child and Family Strengthening Advisory Board meetings and annual reporting to the San Diego County Board of Supervisors. Expenditures are internally tracked by HHS and CWS to ensure transparency and accountability of donations and gifts received and provide for the advancement and equitable distribution of resources.

FISCAL IMPACT

The County of San Diego Health and Human Services Agency, Child Welfare Services (CWS) received donations valued at \$38,045 between January 2021 and December 2021 to support activities of children at the A.B. and Jessie Polinsky Children’s Center and to support children involved with CWS. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

14. SUBJECT: APPROVE AND RATIFY THE CHILDREN’S TRUST FUND THREE-YEAR FUNDING PROPOSAL (DISTRICTS: ALL)

OVERVIEW

The San Diego County Board of Supervisors (Board) has taken a strong leadership role in supporting efforts to prevent and respond to child abuse and neglect. The efforts focus on strengthening families by identifying and addressing the needs of children and youth who are in the public charge as well as those whose safety and welfare may be at risk. On March 26, 2019 (11), the Board adopted Ordinance No. 10598 (N.S.) repealing and replacing provisions in the San Diego County Administrative Code to establish the Child and Family Strengthening Advisory Board of San Diego County (Advisory Board).

The Advisory Board is charged with recommending funding proposals for the Children’s Trust Fund (CTF) to ensure the safety and well-being of children and families. The CTF consists of funding from birth certificate receipts, license plate fees, child maltreatment court restitution fines, Community-Based Child Abuse Prevention funds and grants, and gifts or bequests from private sources. California Welfare and Institutions Code Section 18966 directs the CTF to be

used for child maltreatment prevention and intervention programs operated by private nonprofit organizations or public institutions of higher education with recognized expertise in fields related to child welfare.

On June 23, 2020 (6) the Board approved the CTF Funding Proposal for Fiscal Year 2019-20. The COVID-19 pandemic impacted the Child and Family Strengthening Advisory Board of San Diego County (Advisory Board) CTF Funding Proposal process and delayed the development of a three-year funding proposal. However, the delay did not disrupt the service delivery of existing priorities funded by the CTF since the services are provided through current contracts with the exception of activities in support of carrying out the Advisory Board's duties and responsibilities. To ensure a plan for utilizing the CTF funding was created without further delay, an ad-hoc subcommittee of the Advisory Board was formed and tasked to develop recommendations for the CTF Three-Year Funding Proposal.

Today's action requests the Board to approve and ratify the Children's Trust Fund Three-Year Funding Proposal (CTF Funding Proposal) for Fiscal Years 2020-21 through 2022-23 and authorize the Agency Director, Health and Human Services Agency, to approve expenditures in accordance with the CTF Funding Proposal.

This item supports the County of San Diego's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by upholding sustainable practices to provide just and equitable access to prevention, intervention, and family strengthening services and opportunities for participation to ensure all children, families, and communities in the region flourish and thrive.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve and ratify the Child and Family Strengthening Advisory Board of San Diego County Children's Trust Fund Three-Year Funding Proposal for Fiscal Years 2020-21 through 2022-23.
2. Authorize the Agency Director, Health and Human Services Agency, to approve expenditures in accordance with the Funding Proposal approved in Recommendation 1.

EQUITY IMPACT STATEMENT

In Fiscal Year (FY) 2020-21 CWS received 36,042 reports of abuse and neglect to the Child Abuse Hotline, representing 62,600 children. FY 2020-21 saw an 18% decrease in reports compared to FY 2018-19 and FY 2019-20 saw a 12% decrease in reports compared to FY 2018-19. The population distribution by ethnicity of children for referrals in FY 2020-21 includes 45% Hispanic, 26% White, 10% Black, 4% Asian, 1% Native American, and 11% Other. In the last five years, as a result of sweeping statutory changes focused on keeping children safely with their families and preventing child maltreatment, the County of San Diego (County), Health and Human Services Agency, Child Welfare Services (CWS) experienced a 39% reduction in the number of youths in foster care.

The Child and Family Strengthening Advisory Board of San Diego County (Advisory Board) was established on March 26, 2019 (11), to enhance the ability of the County to prevent and respond to child abuse and neglect. The Advisory Board absorbed the duties of the Child Abuse Prevention Coordinating Council and consists of twenty-five voting members. The Advisory Board represents a broad cross-section of community and stakeholders including individuals with lived experience, resource parents, public and private child and family-serving systems, judicial, health, and education systems, and representation from Supervisorial districts and the San Diego County Board of Supervisors (Board).

The Advisory Board serves as a platform for cross-sector collaboration and transparent monitoring and accountability of the San Diego County child welfare system to ensure the safety and well-being of children and families. Monitoring activities include, but are not limited to, the review and evaluation of San Diego County's child welfare system such as needs, trends, programs, services, facilities, activities, outcomes, and other areas including priorities, to identify gaps, support the implementation of system-wide changes, advocate on behalf of children, youth and families, and encourage active participation by child welfare system partners. Some of the duties and responsibilities of the Advisory Board include:

- Recommend improvements in services to families and victims who are in the public charge, as well as children, youth, and families whose safety and welfare may be at risk;
- Serve as the designated child abuse prevention coordinating body and local Children's Trust Fund (CTF) body as set forth in California Welfare and Institutions Code Sections 18982 et seq. and 18965 et seq. regarding proposals to be funded by the CTF; and
- Recommend to the Board proposals that the Advisory Board agrees merit funding.

Regional engagement and collaboration with private and public sectors, stakeholders, and the community create buy-in and collective investment in prevention and family strengthening and fosters inclusive and sustainable communities. Input on proposed services and activities were gathered from the community at Advisory Board and subcommittee meetings and recommended by the Advisory Board for CTF funding to align with sustainability practices to promote equity, justice, and community with focused investment in underserved communities. Proposed services and activities are also complementary to existing services and supports that will provide an additional advantage to maximize positive impact on the County's racial equity work.

Through Advisory Board's recommendations for funding proposals and the San Diego County Board of Supervisors' strong commitment to prevent and respond to child abuse and neglect, CWS continues to deepen prevention and family strengthening efforts and uphold sustainable practices and services contributing to fewer youth entering into the child welfare system.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2021-23 Operational Plan in the Health and Human Services Agency (HHSA). If approved, this request will result in estimated costs and revenue of \$900,000 in FY 2021-22 and estimated costs and revenue of \$1,300,000 in FY 2022-23. The three-year funding proposal for FY 2020-21 through FY 2022-23 is an estimated total costs and revenue of \$3,100,000. The funding source is the AB 2994 Children’s Trust Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

- 15. **SUBJECT: AUTHORIZE COMPETITIVE SOLICITATIONS FOR A RELOCATION PLANNING AND SERVICES CONSULTANT (DISTRICTS: ALL)**

OVERVIEW

The Housing Authority of the County of San Diego (HACSD) owns and operates 121 public housing units at four developments located in the City of Chula Vista. HACSD is undertaking a major rehabilitation project at the elderly-disabled housing development that will require the relocation of 59 households for an anticipated four months. The County of San Diego (County), Health and Human Services Agency, Housing and Community Development Services intends to secure a qualified and experienced relocation consultant to facilitate the relocation and provide safe, convenient, and temporary housing for the residents during the upgrade. Today’s action requests the San Diego County Board of Supervisors to authorize the Director, Department of Purchasing and Contracting to issue a competitive solicitation for a consultant to provide relocation planning and services.

This item supports the County’s vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. In addition, this item supports the County’s Framework for Ending Homelessness by extending the useful life of this property and maintaining the quality of life and safety for the residents that reside there.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

In accordance with Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting to issue a competitive solicitation for public housing consulting and relocation services. Upon successful negotiations and

determination of a fair and reasonable price, award a contract for an initial term of one year, and with up to an additional six months if needed, and to amend the contract as needed to reflect changes in program, funding or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency or designee.

EQUITY IMPACT STATEMENT

The Housing Authority of the County of San Diego (HACSD) administers various rental assistance programs funded by the U.S. Department of Housing and Urban Development (HUD) intended to assist very low-income families, the elderly, homeless veterans, and the disabled to afford decent, safe, and sanitary housing. Towncentre Manor site serves elderly and disabled households. Improvements at this site will extend the useful life of this property and maintain the quality of life and safety for the vulnerable population for the foreseeable future. A relocation consultant will be responsible for planning and managing the relocation process, which will include notifying residents of the relocation. The request for proposal will require the consultant to conduct meetings with each household to explain the process and be available to consult with each tenant.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2021-2023 Operational Plan in the Health and Human Services Agency (HHS). If approved, this will result in no change in cost and revenues in FY 2021-22 and estimated costs and revenues of up to \$2.2 million in FY 2022-23 for the relocation planning and services costs. The funding source is previously allocated General Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The funds in the consultation contract will provide contracting opportunities for companies engaged in relocation consultation services, and owners of hotels/motels and short-term affordable housing units.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

16. **SUBJECT: ACCEPT THE GIFT OF A MODULAR LABORATORY FROM THE COUNTY OF PLACER, AUTHORIZE THE CHAIR OF THE BOARD OF SUPERVISORS TO SIGN A LETTER OF APPRECIATION TO THE COUNTY OF PLACER, AUTHORIZE SIGNATURE OF THE TRANSFER AND REMOVAL AGREEMENT, AND AUTHORIZE A COMPETITIVE SOLICITATION RELATED TO THE MODULAR LABORATORY (DISTRICTS: ALL)**

OVERVIEW

On February 16, 2022, the County of San Diego (County) Public Health Laboratory (PHL) took precautionary measures and asked staff to leave the Health Services Complex located at

3851 Rosecrans Street, due to a potential structural issue. PHL immediately implemented its continuity of operations plan (COOP) to be able to provide continued laboratory testing services. Additionally, as a short-term solution, PHL requested support from the State and received a COVID-19 testing van on February 23, 2022, and a Biosafety Level 3 (BSL-3) mobile laboratory (Laboratory) on March 22, 2022, as a temporary loan from the Civil Support Team.

During the COOP planning process, it was found that the County of Placer has a BSL-3, fully equipped modular laboratory that has been decommissioned and sitting idle since 2018. The modular laboratory is in excellent condition with no issues or problems noted at the time of its decommissioning, and the County of Placer has offered this as a gift to the County. This modular laboratory would permit the County's PHL to regain nearly its full BSL-3 testing ability. A BSL-3 testing laboratory has higher safety and security measures that allow Public Health Laboratory staff to work with dangerous pathogens that pose an aerosol exposure risk. This Biosafety level is required to work with these agents and perform the required testing provided by the Laboratory Response Network.

The Laboratory Transfer and Removal Agreement (Agreement), detailed in Attachment B, releases the County of Placer from liability of the Laboratory and its transfer, and grants the County of San Diego the right to property access to deconstruct and move the Laboratory. Additionally, the Agreement includes the County of San Diego's responsibilities for permits, approvals, and property, as needed, and liability for the laboratory, its move and recommissioning.

The San Diego County Board of Supervisors (Board) Policy A-112 and County Administrative Code Section 66 requires Board approval to accept gifts and donations over \$5,000. Today's action requests the Board to accept the gift of a BSL-3 modular laboratory and its equipment valued at over \$1 million from the County of Placer for the benefit of San Diego County residents through the continued operations of the County PHL. Additionally, today's action requests the Board to determine the proposed action is not subject to the California Environmental Quality Act, to authorize the Chair of the Board of Supervisors to sign a letter of appreciation on behalf of the County of San Diego to the County of Placer, to authorize the Agency Director of the County Health and Human Services Agency, or designee, to sign the Transfer and Removal Agreement related to this gift, and to authorize a competitive solicitation for BSL-3 modular laboratory certification, maintenance of equipment, and related services as needed.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by furthering efforts to protect the population through continued Public Health Laboratory testing services.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find the Biosafety Laboratory 3 (BSL-3) modular laboratory is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301.
2. In accordance with County Administrative Code Section 66 and Board Policy A-112, accept the gift of a BSL-3 modular laboratory and its equipment from the County of Placer.
3. Authorize the Chair of the Board of Supervisors to sign a letter of appreciation, upon receipt, on behalf of the County of San Diego to the County of Placer.
4. Approve and authorize the Agency Director, Health and Human Services Agency, or designee, to sign the Transfer and Removal Agreement.
5. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for the BSL-3 modular laboratory certification, maintenance of equipment, and related services as needed, and upon successful negotiations and determination of a fair and reasonable price, award a contract/s for a term of one year, with four option years, and up to an additional six months if needed, and to amend the contract/s as needed to reflect changes to services and funding.

EQUITY IMPACT STATEMENT

To support the most vulnerable residents in San Diego County, an equity lens was used to prioritize, when appropriate, the distribution of Public Health Laboratory (PHL) testing, sample processing, and data collection for outbreaks of contagious diseases such as COVID-19, tuberculosis, hepatitis, and more.

Through press conferences and presentations at San Diego County Board of Supervisors meetings, the County of San Diego (County) has been able to disseminate critical information about the efforts done to address and combat items such as the COVID-19 pandemic, previous Hepatitis outbreaks, and other communicable disease information to a wide audience, as well as providing a forum to receive public comment. To continue the County's commitment to transparency and open government and remove traditional barriers to access and participation in government affairs, today's actions will provide the renewed ability for testing services within the County that have been impacted due to the current closure of the PHL. The ability to reestablish PHL testing back to near full capacity at our own County facility will allow the County to continue to provide these services and enhance the lives of Black, Indigenous, People of Color, women, people with disabilities, immigrants, youth, the LGBTQ community, and economically disadvantaged.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2021-23 Operational Plan in the Health and Human Services Agency (HHSA). If approved, this will establish a capital asset valued at over \$1,000,000 which will be depreciated over the life of the asset. The costs associated with the donation such as deconstruction, reconstruction, and transportation will

result in costs and revenue of approximately \$500,000 in FY 2021-22. Annual maintenance and certification costs are estimated at \$50,000 beginning in FY 2022-23. The funding source is the Epidemiology Laboratory Capacity Enhancing Detection Expansion grant. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

17. **SUBJECT: NOTICED PUBLIC HEARING:
APPROVAL OF THE CONFLICT-OF-INTEREST CODES FOR THE
ALPINE FIRE PROTECTION DISTRICT, COUNTY OF SAN DIEGO
SHERIFF’S DEPARTMENT, DUAL LANGUAGE IMMERSION
NORTH COUNTY, ELEMENT EDUCATION, LAKESIDE FIRE
PROTECTION DISTRICT AND NORTH COUNTY FIRE
PROTECTION DISTRICT (DISTRICTS: ALL)**

OVERVIEW

The Board of Supervisors serves as the Code Reviewing Body for any local government, other than cities, with jurisdiction wholly within the County, per Government Code Section 82011. The recommended action would approve the adoption of the new Conflict of Interest Code for Dual Language Immersion North County, and the proposed amendments to the Conflict of Interest codes of Alpine Fire Protection District, County of San Diego Sheriff’s Department, Element Education, Lakeside Fire Protection District and North County Fire Protection District.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Approve the Conflict-of-Interest codes of the following agencies:

1. Alpine Fire Protection District
2. County of San Diego Sheriff’s Department
3. Dual Language Immersion North County
4. Element Education
5. Lakeside Fire Protection District
6. North County Fire Protection District

EQUITY IMPACT STATEMENT

County government includes standing and special citizen boards, commissions, committees and task forces formed to advise the Board of Supervisors and County staff on issues and policies and to serve as links to the community. Boards, commissions and committees provide an inter-relationship between the residents and the government of the County and as such must provide transparent bias-free decision- making. The Board of Supervisors serves as the Code

Reviewing Body for any local government, other than cities, with jurisdiction wholly within the County, pursuant to Government Code Section 82011. Under the California Political Reform Act, a public official has a disqualifying conflict of interest in a governmental decision if it is foreseeable that the decision will have a financial impact on their personal finances or other financial interests. In such cases, there is a risk of biased decision-making that could sacrifice the public's interest in favor of the official's private financial interests. To avoid actual bias or the appearance of possible improprieties, the public official is prohibited from participating in the decision.

The recommended action would approve the adoption or amendments of the Conflict of Interest codes submitted by various entities. The adoption or amendments to the Conflict of Interest codes in this Board Letter enable the County of San Diego to provide transparency and accountability to individual residents, ensuring equitable operations of the government that are free from undue influence.

FISCAL IMPACT

The funding source for administration of this task is included in the Fiscal Year 2021-2022 Adopted Budget for the Clerk of the Board of Supervisors. These reviews require minor costs, which may be recoverable from the State of California.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

18. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM & COMMUNITY ENHANCEMENT GRANTS (DISTRICT: 4)

OVERVIEW

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

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER

1. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to the San Diego Women's Chorus to enhance the elevated pro-LGBTQ+ energy among San Diego residents and visitors by providing funds for the Annual Pride Concert focused on justice and equality.

2. Allocate \$15,000 from the Community Enhancement Program budget (Org 12900) to the Kim Center for Social Balance to support measurable systemic change by organizing all stakeholder groups around locally specific data and action plans by providing funds for the Inaugural San Diego LEAPS Assessment.
3. Allocate \$3,500 from the Community Enhancement Program budget (Org 12900) to the Asian Pacific American Coalition San Diego to pay the cost of maintaining and reinstalling banners for the Kearny Mesa and Convoy District Banner Programs, including: Year-Round Banner, Lunar New Year Banner, Get Out the Vote Banner & Asian Pacific American Heritage Month Banner by providing funds for spreading awareness, promoting and engaging the community.
4. Allocate \$6,251 from the Community Enhancement Program budget (Org 12900) to the Council on American-Islamic Relations, California to support the New Beginnings: A Resource Fair for New Afghan Families in San Diego County where they will support access to legal information, food, and employment resources, as well as COVID-19 vaccination.
5. Allocation of \$5,000 from the Community Enhancement Program budget (Org 12900) to the San Diego Air & Space Museum to pay the cost of producing a series of 20-minute videos for senior citizens, who have largely been isolated from in person events during the pandemic. These videos will be shown at senior centers and residences to reconnect this vulnerable population to lifelong learning.
6. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Connect Foundation to help fund the cost of staff, marketing, outreach and 1:1 technical assistance, including inclusive driven expertise which will be used towards the Connect Programs that educate, grow and fund innovation companies in the region.
7. Allocate \$3,500 from the Community Enhancement Program budget (Org 12900) to Thrive Lemon Grove to pay the cost of garden improvements, food distribution, multicultural event, raising risk and prevention awareness of human trafficking and girl's empowerment, and general organizational support.
8. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Grossmont Union High School District to support the Monte Vista Track Surface Replacement Project to help fund the replacement of the current track surface that is used by the community.
9. Allocate \$11,220 from the Neighborhood Reinvestment Program budget (Org 15665) to YMCA of San Diego County to help pay the cost of shade sails to be installed at the Copley-Price Family YMCA preschool to provide shade over the outdoor preschool activity area which will increase the outdoor programming options during warm weather, providing shade to keep children and staff safe.

10. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to the Elementary Institute of Science to reconfigure classroom space needed to accommodate: 1) serving more students and 2) changes in the delivery of STEM instruction. The remodel will facilitate students' use of laptops to conduct research, graph projects, enter data and other skills that are part of NGSS.
11. Allocate \$200,000 from the Neighborhood Reinvestment Program budget (Org 15665) to the San Diego Foundation to acquire computer equipment such as desktops, laptops, servers, headphones, printers, and docking stations to support remote work for cover the staff to develop and continue philanthropic initiatives, outreach activities to inform the community of charitable opportunities, and support COVID-19 pandemic relief efforts.
12. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15665) to the Family Health Centers of San Diego, Inc. to help cover the cost of a CLARUS 500 retinal camera for Diamond Neighborhoods Family Health Center (DNFHC) which will allow doctors to get a much wider digital view of the retina that will facilitate better patient care and increased provider productivity.
13. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15665) to the Regents of the University of California to help support the University of California Health Milk Bank Outreach in purchasing ACE milk pasteurizers, lab tables/trolley, desk, Kinex bottle capper, Cole Parmer lab mixer, freezers and temperature monitoring systems, and computers with additional webcams/headsets.
14. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Chinese School of San Diego to help purchase a camera system and security camera to be installed at the school located at Kearny Mesa for its safety.
15. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Catalyst of San Diego & Imperial Counties to support the Lived Experience Advisors by providing funds for laptops, cell phones, and office equipment, which will be used to ensure homelessness solutions are more effective and sustainable.
16. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Urban Corps of San Diego County to cover the cost of the Urban Corps community impact mural to be installed at the lobby of Urban Corps main San Diego facility which will inspire and motivate current and prospective Corps members as they enter every day for work and school or come for the first time to enroll in the program.
17. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15665) to San Diego Youth Services to pay the one-time cost of technology upgrades needed to create the registration and CEU platform, and acquire certificates, signage, flyers other and marketing items for the Birth of Brilliance Cultural Fair and Conference which raises the collective consciousness around the effects of racial disparities and implicit bias in mental health, social services, developmental services, early childhood education, and medical care.

18. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Bayside Community Center to cover the one-time cost of technology supplies such as a laptop, 2-shelf utility cart, two outdoor utility carts and tote bags use for weekly food distributions to support its educational and food security programming at the Bayside Environmental Learning Center, Academic Club, weekly onsite food distributions, and at Bayside's Earth Month 2022 event, and to promote the planned re-establishment of the Linda Vista Community Garden.
19. Rescind the December 7, 2021 (11) allocation of \$6,973.00 from the Neighborhood Reinvestment budget (15665) to the San Diego Young Artists Music Academy Incorporated so that the funds can be reallocated to other projects.
20. Establish appropriations of \$6,864 in the Neighborhood Reinvestment Program budget (Org 15665) based on the return of unused funds from prior year allocations so they can be allocated to other projects. **(4 VOTES)**
21. Find that the proposed grant allocations have a public purpose.
22. Authorize the Office of Financial Planning to enter into grant agreements with organizations awarded grant funds and to approve minor amendments to the agreements that do not change the purpose or performance period of the funded activity.
23. Find that the allocations to Asian Pacific American Coalition San Diego, Grossmont Union High School District, YMCA of San Diego County, Elementary Institute of Science, Chinese School of San Diego, and Urban Corps of San Diego County are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

We recognize that the systemic impacts that inequitable policies may create for residents in San Diego County. The proposed allocation of funds is intended to improve the quality of life throughout the County by providing funds to nonprofits whose work addresses inequities by providing services to all throughout the county. Organizations are chosen for funding based on their location or the demographics they serve with a focus on underserved communities that contain higher numbers of People of Color and LGBTQ+ people. Organizations chosen should work to promote a sense of belonging and utilize equity in their operations, outreach, and programs. Supporting documents were reviewed as well as impact reports and community testimony to verify the organization meets these goals.

FISCAL IMPACT

Funds for these grant allocation requests are included in the Fiscal Year 2021-2022 Operational Plan for the Community Enhancement Program (Org 12900) and the Neighborhood Reinvestment Program (Org 15665). The fiscal impact of these recommendations is \$48,251 from the Community Enhancement Program (Org 12900) and \$381,220 from the Neighborhood Reinvestment Program (Org 15665) totaling \$429,471. The funding sources are Transient Occupancy Tax Revenues, and General Purpose Revenue.

Funds for the return of unused funds are not included in the Fiscal Year 2021-22 Operational Plan for the Neighborhood Reinvestment Program (Org 15665). If approved, it will result in cost and revenue of \$6,864 and the funding source is return of unused funds from prior year Neighborhood Reinvestment program allocations so they can be allocated to other projects.

There will be no change in net General Fund Cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

19. SUBJECT: COMMUNITY ENHANCEMENT & NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 5)

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND

1. Allocate \$10,000 from Community Enhancement Program budget (Org 12900) to the American National Red Cross for the Home Fire Assistance Project that helps individuals with disaster relief in San Diego County.
2. Allocate \$15,000 from Community Enhancement Program budget (Org 12900) to the Fallbrook Music Society, Inc. to support the free Classical Sunday Concert Series and In-School Music Program for school-aged children.
3. Allocate \$25,000 from Community Enhancement Program budget (Org 12900) to the Oceanside Chamber of Commerce Foundation, Inc. to support the Armed Forces Day Operation Appreciation event held in May to honor those who have served.
4. Allocate \$50,000 from Community Enhancement Program budget (Org 12900) to Photocharity d.b.a. Doors of Change to support a North County Expansion Case Manager and North County Expansion Program Director position to assist homeless youth.
5. Allocate \$40,000 from Community Enhancement Program budget (Org 12900) to the San Marcos Chamber of Commerce to fund an Events Director, Office Manager and Event Security position to support events that provide free resources and entertainment to the community.

6. Allocate \$34,712 from Neighborhood Reinvestment Program budget (Org 15670) to the Fallbrook Food Pantry to help with plumbing repair cost and hardware at 140 North Brandon Road, Fallbrook, CA 92028 to ensure that the building is a safe place to operate.
7. Allocate \$40,000 from Neighborhood Reinvestment Program budget (Org 15670) to the Kiwanis Club of Escondido Foundation to purchase and install an ADA compliant playground for children with disabilities located at 1700 La Honda Drive, Escondido, CA 92027.
8. Allocate \$35,000 from Neighborhood Reinvestment Program budget (Org 15670) to the San Diego Blood Bank to purchase HemoFlow devices for blood collection at donor centers in North San Diego County.
9. Allocate \$9,000 from Neighborhood Reinvestment Program budget (Org 15670) to the Vista Art Association Foundation, Inc. to assist with the purchase of material and supplies including art tools, paints, displays, shade canopies, umbrellas/stands and communication devices for the 2022 Alley Art Festival, a free public event being held on June 11th.
10. Find that these grants have a public purpose.
11. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded grants 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.
12. Find that the allocations to Fallbrook Food Pantry and Kiwanis Club of Escondido Foundation are exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

These proposed allocations of funds are intended to improve the quality of life throughout the County by providing funds for nonprofits whose work addresses inequities by providing services to all with an emphasis on underserved communities. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach and programs.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2021-2022 Operational Plan for the Community Enhancement Program (Org 12900) and the Neighborhood Reinvestment Program (Org 15670). The fiscal impact of these recommendations is \$140,000 from the Community Enhancement Program budget (Org 12900) and \$118,712 from the Neighborhood Reinvestment Program budget (Org 15670) totaling \$258,712. The funding sources are Transient Occupancy Tax Revenues, and General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

20. SUBJECT: COMMUNITY ENHANCEMENT AMERICAN RESCUE PLAN AND 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.

RECOMMENDATION(S)

VICE-CHAIR NORA VARGAS

1. Allocate \$25,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to California Federation of Women’s Club d.b.a. San Ysidro Women’s Club to support community projects aimed at addressing the economic impact of the COVID-19 pandemic on low-income and minority communities by providing funding towards the distribution of blankets, books, backpacks, and school supplies. This grant request includes support towards scholarships that would help support students from low-income and minority communities in San Ysidro who historically have faced challenges acquiring, receiving, and completing higher education which were exacerbated by the COVID-19 pandemic.
2. Allocate \$15,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to OnStage Playhouse, Inc. to support a diverse variety of theatre productions and community events aimed at addressing the unique economic impact of the COVID-19 pandemic on theatre productions as a result of prolonged venue closures that have made it difficult for theatre arts programs to recover from the pandemic by providing funding towards an Arts in the Park event in Chula Vista, stipends for performing artists, support for their educational program Page to Stage, support for their Community Conversations event, and to purchase marketing materials for community outreach activities.
3. Allocate \$10,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to Transcendance Youth Arts Project d.b.a. “transcenDANCE” to support culturally-sensitive therapeutic support aimed at addressing the disproportionate, economic impact of the COVID-19 pandemic on youth in underserved San Diego communities and on cultural and arts venues that were closed for prolonged periods of time in response to the pandemic by providing funding towards program staff salaries and program costs to benefit classes for youth, field trips to cultural institutions and open public spaces, workshops, and outreach performances and activities.

4. Allocate \$40,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to Bonitafest Melodrama Teatro Pastorela to support a diverse variety of theatre productions and community events aimed at addressing the disproportionate economic impact of the COVID-19 pandemic on middle- and working-class communities and on theatrical productions and community events that were closed in response to the pandemic by providing funding towards the 45th Annual Bonitafest Melodrama, the 50th Annual Bonitafest and parades, the 32nd Annual production of “La Pastorela,” and the production of original drama “Teresita” which all had been postponed and are now impacted by reduced revenue and increased costs such as requiring additional cleaning due to the COVID-19 pandemic.
5. Allocate \$13,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to Kim Center for Social Balance to support workplace equity efforts aimed at addressing the disproportionate economic impact of the COVID-19 pandemic on working women by providing funding towards their inaugural San Diego LEAPS Assessment to conduct surveys for regional employers and their employees to address COVID-19-related workplace experiences and changing needs for employees/employers exacerbated by the pandemic. While the report will cover a broad array of issues, this funding is only for those portions of the report that address the impacts of COVID-19.
6. Allocate \$8,500 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to PASACAT, Inc. d.b.a. PASACAT Philippine Performing Arts Company to support dance and music productions aimed at addressing the disproportionate economic impact of the COVID-19 pandemic on low-income and minority communities and on performing arts which were closed during the pandemic by providing funding to provide instruction of Philippine dance and rondalla to students, and for the curation of Filipinos of South Bay exhibit at the Chula Vista Library. These activities would not be possible without this grant because of the effects of reduced funding and increased program delivery costs attributable to the COVID-19 pandemic.
7. Allocate \$5,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to TransFamily Support Services to support outreach programs aimed at addressing the public health impacts of the COVID-19 pandemic on youth by providing funding for support groups and mentorship programs for middle, high school, and college-aged Trans and non-binary youth through family-focused programming, educational offerings, and training courses. The funded program is intended to address the impacts of the COVID-19 pandemic on youth from communities that were particularly impacted by the pandemic.
8. Allocate \$25,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to Junior Achievement of San Diego County, Inc. to support educational programs and projects aimed at addressing the economic and educational impacts of the COVID-19 pandemic on low-income and minority communities by providing funding towards Junior Achievement programs, in partnership with the Chula Vista Elementary School District, by providing Common Core-aligned experiential programs, which are designed to support student success in financial literacy, work-readiness, and entrepreneurship. The funded program is intended to address the impacts of the COVID-19 pandemic on youth from communities that were particularly impacted by the pandemic.

9. Allocate \$12,500 from the Neighborhood Reinvestment Program budget (Org 15650) to I Am My Brother's Keeper CDC to support the cost of their Food Distribution Program by providing funds for the acquisition of food for those in need, PPE, equipment used in the distribution of food, marketing materials, and administrative supplies and equipment.
10. Allocate \$26,574 from the Neighborhood Reinvestment Program budget (Org 15650) to Pilipino Workers Center of Southern California d.b.a. Asian Solidarity Collective for infrastructure upgrade including building new office space where they can plan and execute their activities. Funding also includes support for technology upgrades by purchasing computers, printers, phone system, and software. Funding also includes support to purchase a sound system and generator.
11. Allocate \$6,000 from the Neighborhood Reinvestment Program budget (Org 15650) to Bonitafest Melodrama Teatro Pastorela d.b.a. Bonitafest to fund costs associated with repairing and re-installing Bonita's yellow and turquoise glarfs.
12. Allocate \$5,815 from the Neighborhood Reinvestment Program budget (Org 15650) to San Diego Children's Choir to provide funds for program supplies and equipment for choral music instruction by purchasing digital pianos, a laptop, an iPad, tote bags, and a keyboard amplifier.
13. Allocate \$22,500 from the Neighborhood Reinvestment Program budget (Org 15650) to National City OTNC Foundation to support three community events by purchasing event equipment and supplies such as event signage, t-shirts, acquisition of food for those in need, backpacks, and school supplies.
14. Find that each of the proposed grants has a public purpose and that those grants awarded using American Rescue Act Program funds are needed to address a negative economic or public health impact of the COVID-19 pandemic.
15. Authorize the Office of Financial Planning to enter into agreements and make minor amendments to agreements that do not change the purpose or amount of the grant to organizations awarded funds.
16. Find that the proposed allocations to Pilipino Workers Center of Southern California and Bonitafest Melodrama Teatro Pastorela are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

We recognize that the systemic impacts that inequitable policies may create for residents in San Diego County. Find that these proposed allocations and amendment of funds are intended to improve the quality of life throughout the County by providing funds for non-profits and local agencies whose work addresses inequities, promotes quality of life and improves outcomes that align with the vision of our county. Organizations and agencies were chosen based on their location or the demographics they serve with a focus on organizations and agencies that focus on vulnerable community members, youth and senior events, and other

inclusive community events. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach, and programs. Their supporting documents were reviewed as well as impact reports and community testimony.

FISCAL IMPACT

Funds for these grant requests are included in the Fiscal Year 2021-22 Operational Plan for Community Enhancement ARPA Program budget (Org 12905) and Neighborhood Reinvestment Program budget (Org 15650). The fiscal impact of these recommendations is \$141,500 from the Community Enhancement ARPA Program budget (Org 12905) and \$73,389 from the Neighborhood Reinvestment Program budget (Org 15650) totaling \$214,889. The funding sources are General Purpose Revenue and the American Rescue Plan Act. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

21. **SUBJECT: COMMUNITY ENHANCEMENT ARPA AUGMENTATION AND COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 3)**

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR TERRA LAWSON-REMER

1. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Promises2Kids Foundation to support one-time purchase of furnishings including stackable training tables and chairs, 2 small conference tables and chairs, white boards, community flex space including seating work areas, confidential meeting booths for confidential conversations, open learning lounge furnishings, and technical equipment for presentations.
2. Allocate \$30,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Open Heart Leaders to support the cost of purchasing a 15-passenger vehicle. These funds will help low-income youth in District 3 with their wellness and educational experiences in the community.

3. Allocate \$30,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Connect Foundation to support the Five.Ten.Thirty Innovation Day event at Petco Park that aims at promoting the local and regional economy. Funds will support the one-time purchase of tote bags, t-shirts, banners, step ups, and charging stations.
4. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Encinitas Historical Society to support the one-time expense of replacing the aged roof of the 1883 Schoolhouse. This facility is open to public and serves the community as part of the 3rd grade curriculum in Encinitas.
5. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Mission Edge San Diego to support the one-time expenses of acquiring books, cards, storage shed, PPE, podcast equipment, t-shirts, sleeping bags, first aid kits, tables, ice chest, lanterns, chairs, yoga mats, contactless thermometers, signage, pop up tent, journals, ground tarps, tents, plates, bowl, cups, camping stove, cooking pots, watches, and emergency satellite phones. Through their programing available to the public, members in our community will have the opportunity to enjoy the outdoors.
6. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Pacific Arts Movement to support their new facilities located in Mira Mesa. Funds will support the one-time purchase of furniture and technology (Computer, TV, Projection Equipment).
7. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to the Jacobs and Cushman San Diego Food Bank to replace their software system for their food distribution inventory. The San Diego Food bank serves the entire region and ensuring people have access to nutritious meals.
8. Allocate \$10,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to Cardiff-by-the-Sea Chamber of Commerce, Inc. to be used for continuation of payroll. Funding will support the retention of employees impacted by the COVID-19 pandemic through payroll and their business activities.
9. Allocate \$10,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to The North Coast Repertory Theatre, a Nonprofit Corporation to pay actors, stage managers, crew, directors, designers, and technicians. Funding will address the disproportionate impact of the COVID-19 pandemic on theater arts as a result of prolonged closures of live theater productions and help to replace funding that has diminished as a result of the pandemic.
10. Allocate \$10,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to Diabetes Research Connection to support with innovation, technology, marketing, and invoices. Funds will address impacts of COVID-19 by helping to build connections and provide support for a community that may feel uncomfortable attending in-person events to stay connected from home through the services provided by the Diabetes Research Center.

11. Allocate \$15,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to La Jolla Village Merchants Association, Inc. to support with costs of promoting and supporting community events, such as obtaining graphics, poster printing, floor decals, reopening signs, volunteer supplies, holiday décor, sign insets, advertising for La Jolla Light, outdoor event equipment for ParkInk, email marketing, outdoor event flyers, social media marketing consultant, postage, volunteer uniforms, web design services, and IT support. Funds will address the impacts of COVID-19 by helping address increased pandemic response costs associated with things like obtaining PPE, and funding community events and business activities, marketing, and training that have been adversely impacted by prolonged closures in response to the pandemic and reduced funding.
12. Allocate \$15,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to La Jolla Historical Society (LJHS) to support payroll for LJHS's small, diverse staff of 5 employees who implement these programs. The COVID-19 pandemic adversely impacted LJHS's funding, staffing and ability to implement some of its core programming. Funds will address the impacts of COVID-19 by helping to retain staff necessary to support the continuity of programs and the preservation of organizational history.
13. Allocate \$15,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to American Combat Veterans of War to address impacts of the COVID-19 pandemic by support with the costs to acquire PPE and other measures to address the risk of infection, and to address the impact of reduced revenues as a result of the pandemic, by providing funds for office and storage lease fees, five low-cost ACVOW Board of Directors laptops, new website, ink and paper supplies. Funds will support veterans in needs and facilitate those needs by helping to address the impacts of the COVID-19 pandemic on continued operations of this non-profit.
14. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to agreements with the organizations awarded grants 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.
15. Find that each of the proposed grants has a public purpose and that those grants awarded using American Rescue Plan Act funds are intended to address the impacts of the COVID-19 pandemic.
16. Find that the allocation to the Encinitas Historical Society is exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

We recognize that the systemic impacts that inequitable policies may create for residents in San Diego County. Find that these proposed allocations of funds are intended to improve the quality of life throughout the County by providing funds for nonprofits whose work addresses

inequities, promotes quality of life and improves outcomes that align with the vision of our county. Organizations were chosen based on their location or the demographics they serve with a focus on organizations that focus on vulnerable community member, youth events and inclusive community events. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach and programs. Their supporting documents were reviewed as well as impact reports and community testimony.

FISCAL IMPACT

Funds for the grant allocation requests are included in the Fiscal Year 2021-22 Operational Plan for the Neighborhood Reinvestment Program (Org 15660), and the Community Enhancement American Rescue Plan Program budget (Org 12905). The fiscal impact of these recommendations is \$160,00 from the Neighborhood Reinvestment Program budget (Org 15660), and \$75,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) totaling \$235,000. The funding sources are General Purpose Revenue and the American Rescue Plan Act. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

- 22. SUBJECT: GENERAL SERVICES - ESTABLISH JOB ORDER CONTRACT CAPACITY AND AUTHORIZE THE DIRECTOR OF PURCHASING AND CONTRACTING TO ADVERTISE AND AWARD JOB ORDER CONTRACTS (DISTRICTS: ALL)**

OVERVIEW

The Department of General Services requests authority to establish \$150 million in Job Order Contracts (JOC) capacity that may be utilized until exhausted to execute approved capital and major maintenance repair and remodeling work. The JOC authority would be utilized for work budgeted within departments for the Major Maintenance Implementation Plan (MMIP), minor capital remodels, along with other general maintenance and repairs. Contracts are advertised periodically based on major maintenance and department forecasts of work with job orders issued under these contracts on an as-needed basis as projects are funded. The County of San Diego would continue to issue smaller, specialty job order contracts that provide greater opportunity for smaller, local contractors to participate in the program.

The Board of Supervisors (Board) previously approved authority for \$121 million in JOC capacity on May 19, 2020 (23). This authority has been exhausted and additional capacity is needed to award new JOC contracts.

Typically, 12 to 16 JOCs are awarded annually with a \$2.5 million up to \$5.4 million value each depending on the expected workload as determined by the annual approved MMIP. Project-based job orders are issued against each of these contracts depending on project scope. The average job order is approximately \$150,000 and includes trades such as roofing, heating/ventilation and air conditioning (HVAC), renovations, fire protection, paving, and electrical work for County facilities. There are typically 150 to 175 active job orders annually. The continued use of JOC will enable the County to provide greater efficiency and speed of delivery in scoping, contracting, and constructing projects.

Today's action requests the Board authorize \$150 million for JOC capacity and authorize the Director, Department of Purchasing and Contracting to advertise and award job order contracts to execute capital and major maintenance programs, including unanticipated urgent work identified by departments.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) under Article 5, Section 15060(c)(3) of the State CEQA Guidelines because it is not a project as defined by Section 15378.
2. Authorize the Director, Department of Purchasing and Contracting to advertise and award job order contracts and to take any action in accordance with Section 401, et seq. of the Administrative Code and Public Contract Code section 20128.5, with respect to job order contracting.
3. Designate the Director, Department of General Services as the County officer responsible for the administration of all contracts associated with job order contracting for the County of San Diego.

EQUITY IMPACT STATEMENT

The approval to advertise and award Job Order Construction (JOC) contracts will enable the County to provide greater efficiency and speed of delivery in scoping, contracting, and constructing projects. JOC contractors have utilized many sub-contractors and suppliers in the San Diego area. Some of these subcontractors may not have the insurance or bonding capabilities to participate as prime contractors. Many of these projects occur on public-facing County buildings, which will have a positive impact on the culturally diverse population served.

FISCAL IMPACT

There is no direct fiscal impact resulting from today's requested action. If approved, this request will result in the establishment of contracts totaling up to \$150 million in capacity. Funding for issuance of job orders under the awarded contracts is budgeted by departments for specific project requests. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Expenditures resulting from this action will create private sector jobs and economic opportunities in San Diego County. Contractors in the job order contracting program are largely small businesses and provide jobs for small business sub-contractors. In fact, JOC contractors have utilized more than 500 sub-contractors and suppliers in the San Diego area, many of whom may not have the insurance or bonding capabilities to participate as prime contractors on larger County projects.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

23. SUBJECT: GENERAL SERVICES - APPROVAL IN PRINCIPLE TO LEASE SPACE FOR THE PUBLIC DEFENDER IN EAST SAN DIEGO COUNTY (DISTRICT: 2)

OVERVIEW

The Department of the Public Defender (PD) has partially operated out of the East County Regional Center (ECRC) for over 20 years. However, as PD continues to grow, the current location no longer meets its operational needs to serve the East County region and there is not an opportunity to expand within the ECRC. PD has a need for additional space near the Superior Court East County Division to continue to provide the essential services to the community.

Today's request is for the Board of Supervisors (Board) to approve in principle the lease of office space for PD in East County. Upon successful negotiation of a lease agreement, staff will return to the Board to request approval of the transaction.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not an approval of a project as defined by the California Environmental Quality Act (CEQA) pursuant to Sections 15352 and 15378 (b)(5) of the State CEQA Guidelines.
2. Approve in principle the lease of office space for the Public Defender.
3. Authorize the Director, Department of General Services, to conduct a search for suitable sites, negotiate a lease and return to the Board for approval of the agreement.

EQUITY IMPACT STATEMENT

The mission of the Public Defender is to protect the rights, liberties, and dignity of all persons in San Diego County and maintain the integrity and fairness of the American Justice System by providing the finest legal representation in the cases they are entrusted with. An effective

legal defense promotes more balanced and equitable criminal justice outcomes, particularly for the most vulnerable and disadvantaged communities. Today's action will allow clients of the Public Defender and their families to access assistance in the eastern portion of the County.

FISCAL IMPACT

There is no fiscal impact associated with the requested approval in principle to lease property for the Public Defender. The costs for lease will be determined during negotiation and will be provided when staff returns to the Board to request approval. The anticipated funding source for the proposed lease will be General Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

24. SUBJECT: AUTHORIZATION TO ADVERTISE COMPETITIVE SOLICITATION FOR RENEWAL OF COUNTY DIRECT ACCESS CONTRACTS (DISTRICTS: ALL)

OVERVIEW

California regulated utilities like SDG&E provide service by acquiring or generating energy, transmitting it through major power lines and piping, and then distributing it to individual businesses and residents. Direct Access (DA) service allows customers to purchase electricity or natural gas from a competitive provider called an Electric Service Provider (ESP), instead of from a regulated utility. The utility continues to deliver the electricity or natural gas that the customer purchases from the ESP over its distribution system and provides billing. The Direct Access program was initially established in California in 1996 and is regulated by the California Public Utilities Commission (CPUC). DA is currently fully prescribed, meaning no additional capacity is available, and is also not available to residential accounts.

Since as early as 2001, County of San Diego facilities have participated in DA and added capacity over time such that now approximately 90% of the County's total electricity and 100% of its natural gas is procured through a Direct Access contract. Using Direct Access has allowed the County to take advantage of savings opportunities as well as manage price risk by purchasing power when pricing is favorable and securing power several years into the future. In the past 20 years, DA has saved the County more than \$25 million from costs it would have paid if the same power was purchased from SDG&E. County facility DA contracts for electricity and natural gas procurement, currently awarded to Calpine Energy Solutions, are up for renewal in 2025.

On August 31, 2021 (11), the County Board of Supervisors voted for the unincorporated County to join San Diego Community Power (SDCP) which is one of two local Community Choice Aggregation (CCA) Joint Powers Authorities. At that time, it was not planned that County facility accounts were to migrate to this CCA when County unincorporated accounts launch in 2023, but instead would remain on DA. CCAs across California including SDCP, do not include DA accounts in their lists of service accounts as it is understood that DA offers better choice and individualized service than a CCA can provide. Additionally, CCAs do not provide natural gas service so there is no option for County gas accounts to take this path. While many CCAs offer 2-5% savings from the incumbent utility, County accounts have enjoyed annual savings as high as 29% under DA. Additionally, DA provides for a more flexible one-on-one service partnership, ensuring the best value for County taxpayers.

Direct Access also allows County facility accounts to easily transition to greater percentages of carbon-free electricity in alignment with the County's Climate Action Plan, Zero Carbon Plan for Operations, and CCA Guiding Principles established by the Board. Approval of this request to renew DA contracts for another 10 years provides for a smooth transition of County electricity accounts to reach 100% renewable power by 2030 or earlier, at the best pricing available.

The Board of Supervisors is requested to authorize the solicitation of a new Direct Access contract or contracts for the procurement of the County's electric and gas commodities and related services.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are not a project under the California Environmental Quality Act (CEQA) and are exempt from CEQA pursuant to CEQA Guidelines 15378(b)(5), 15060(c)(2), (3), 15061(b)(3).
2. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting to issue a competitive solicitation for electricity and natural gas Direct Access services, and upon successful negotiations and determination of a fair and reasonable price, award one or more contracts for a term of up to 10 years, and to amend the contracts as needed to reflect changes to services and funding.

EQUITY IMPACT STATEMENT

Approval of the request to advertise and award contracts to continue the County's Direct Access program for electricity and natural gas embodies the concepts of equity, justice and community. This action will allow the continuation of local choice for County operations energy, resulting in continued cost savings for County taxpayers and increasing renewable content helping to cut emissions for the region.

FISCAL IMPACT

There is no fiscal impact as a result of today's recommended action. If approved, the advertisement, negotiation, and award of favorable procurement contracts for electricity and/or gas are anticipated to result in continued future energy cost savings to the County.

BUSINESS IMPACT STATEMENT

NA

ACTION:

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

1. Found that the proposed actions are not a project under the California Environmental Quality Act (CEQA) and are exempt from CEQA pursuant to CEQA Guidelines 15378(b)(5), 15060(c)(2), (3), 15061(b)(3).
2. In accordance with Section 401, Article XXIII of the County Administrative Code, authorized the Director, Department of Purchasing and Contracting to issue a competitive solicitation for electricity and natural gas Direct Access services, and upon successful negotiations and determination of a fair and reasonable price, award one or more contracts for a term of up to 10 years, and to amend the contracts as needed to reflect changes to services and funding.
3. Directed the Chief Administrative Officer to develop a proposal to consider, as much as feasible, on how our County Operations' energy load be procured from renewable energy sources through direct access agreements, rooftop solar or other renewable sources, to align with the goals of the regional decarbonization framework timeline by mid-century and the implementation pathways of the regional decarbonization framework and return to the board later via a future Regional Decarbonization Framework (RDF) update.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

25. SUBJECT: AMENDMENTS TO THE COMPENSATION ORDINANCE (4/26/2022 - FIRST READING; 5/10/2022 - SECOND READING) (DISTRICTS: ALL)

OVERVIEW

The proposed amendments to the San Diego County Compensation Ordinance are part of the ongoing efforts to manage and maintain a skilled, adaptable and diverse workforce dedicated to sustaining operational excellence and serving the public. This action amends the Compensation Ordinance by: 1) establishing the Urban Forestry Coordinator classification to be used by the Planning & Development Services Department within the Land Use and Environment Group (LUEG), the Mitigation Specialist classification in the Office of Public Defender within the Public Safety Group (PSG) and the Senior Deputy Public Administrator/Guardian classification to be used by the Aging & Independence Services Department within the Health and Human Services Agency (HHSA). All three positions are in the Classified Service; 2) retitling one classification in the Unclassified Service, from Director, Office of Environmental and Climate Justice to Chief Sustainability Officer in the Land Use and Environment Group; 3) amending section 1.13.3 to increase the rates for County-owned residences maintenance charge that is deducted from employee's biweekly compensation for employees who reside in specific living quarters; and 4) amending section 5.11.1 of the Compensation Ordinance effective July 1, 2022, to allow employees in the Deputy Sheriff (DS) and Sheriff's Management (SM) bargaining units to participate in the previously established Employee Recognition and Awards Program.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Approve the introduction of the Ordinance (first reading):
AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.
2. If, on April 26, 2022, the Board takes action as recommended in item 1 then, on May 10, 2022 (second reading):
Submit ordinance for further Board consideration and adoption on May 10, 2022 (second reading).

EQUITY IMPACT STATEMENT

The Department of Human Resources is committed to assuring that equity is considered in classification and compensation review work in order to provide and retain a skilled, adaptable, and diverse workforce for County departments. Today's recommendations provide for the appropriate classification of positions.

The LUEG has requested to add the Urban Forestry Coordinator classification, in the Classified Service, to serve as a subject matter expert in the Planning & Development Services Department to coordinate and direct tree planting activities across the entire unincorporated area to achieve the County's Climate Action Plan goals.

The PSG has requested to add a professional journey-level classification, in the Classified Service, called Mitigation Specialist. Future incumbent(s) in this new class will be responsible for developing mitigation strategies that influence client-centered resolution of pending criminal cases to assist attorneys in contributing to defense strategy by providing both supportive evidence and a detailed, documented personal history of the client. The Mitigation Specialist class will aid in addressing bias in the criminal justice system by providing a meaningful support system while enacting practices for accountability and measurable outcomes. By taking a client-centered approach to a client's representation, the Office of the Public Defender's Mitigation Specialist class will consider, respect and value clients' diverse experiences, cultures and backgrounds while encouraging their active participation in their defense and providing the tools for them to do so.

The HHSA has requested to add the Senior Deputy Public Administrator/Guardian classification, in the Classified Service, to provide an additional lead level classification that will support the County efforts in protecting and managing the estates of decedents and at-risk individuals who are unable to make decisions. By creating this classification, the requested action will enhance resources in the Aging and Independence Services Department to provide the needed services to County of San Diego residents. Groups that will benefit from these services are vulnerable populations, including economically disadvantaged communities, seniors, disabled, physically and mentally ill.

The LUEG has requested to retitle one classification in the Unclassified Service from Director, Office of Environmental, and Climate Justice to Chief Sustainability Officer (CSO). This classification will be responsible for administering the activities of the Office of Sustainability and Environmental Justice (OSEJ). In addition, the CSO will lead the establishment of the

OSEJ and will increase the focus on and provide dedicated resources for regional sustainability initiatives such as the Regional Decarbonization Framework, addressing environmental justice issues, and working with communities and agencies at the local, state, and federal levels. The CSO will lead positions devoted to continuing the meaningful engagement that is a key factor in tackling the disparities faced by environmental justice communities in the unincorporated areas of the County and serving as a resource and ombudsperson for those communities in the region.

The requested action is strongly aligned to the initiatives in the County's 2022-2027 Strategic Plan and its vision for a just, sustainable, and resilient future for all. By creating these classifications, the County will enhance resources and develop programs to address the immediate needs of the County's underserved populations.

Today's recommendations will also result in an increase in County-owned residences maintenance rates for employees who reside in specific living quarters. To embed racial equity, the maintenance rates for specific living quarters are based on the type of house, apartment, or room the employee occupies eliminating inequity in housing rates based on social and racial factors. The assigned class for each residence has been decided and classified by the resolution of the Board of Supervisors. A list of the residence classes can be found in sub-section (b)(2) of section 1.13.3 of the Compensation Ordinance. Maintenance charges reflect the cost to maintain the residences and are adjusted based on the annual percentage change in the U.S. City Average Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W). The increase for Fiscal Year 2022-2023 is 8.2%.

In addition, approval of these recommendations will allow for employees in the DS and SM bargaining units to participate, effective July 1, 2022, in the already established Employee Recognition and Awards Program. This program rewards our diverse workforce through monetary compensation, non-monetary compensation and paid leave and has established guidelines that support equity. The addition of employees in the DS and SM bargaining units creates inclusivity and provides equitable opportunities for these employees who are currently excluded from eligibility. The purpose of the recognition program is to improve productivity and customer service through enhanced motivation. This in turn strengthens public relations and customer service through the use of a strategic plan that is guided by equity, belonging and racial justice.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, to further consider and adopt the Ordinance on May 10, 2022.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

26. SUBJECT: AUTHORIZE CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS (DISTRICTS: ALL)

OVERVIEW

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

The County continues to make significant efforts to slow the spread of COVID-19. Today's actions request the San Diego County Board of Supervisors (Board) to adopt a resolution authorizing continuance of teleconferenced public meetings using simplified procedures. The Board will need to review and renew the findings at least every 30 days if it wishes to continue the authorization of teleconferenced public meetings using the simplified procedures. This action will also continue the County's commitment to transparency, open government, and the removal of traditional barriers to access and participation in government affairs.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt a resolution entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

EQUITY IMPACT STATEMENT

To continue the County's commitment to transparency and open government and remove traditional barriers to access and participation in government affairs, today's actions provide the mechanism to continue teleconferenced public meetings which will have a positive impact on the lives of Black, Indigenous, People of color, women, people with disabilities, immigrants, youth, the LGBTQ community, and economically disadvantaged.

FISCAL IMPACT

There is no fiscal impact associated with the proposed action. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-047, entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

AYES: Vargas, Lawson-Remer, Fletcher

NOES: Anderson, Desmond

**27. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
NOTICED PUBLIC HEARING:
FINANCE AND GENERAL GOVERNMENT GROUP FEES AND
RATES RELATING TO DEBT SERVICES, OFFICE OF COUNTY
COUNSEL, AND CLERK OF THE BOARD OF SUPERVISORS
(DISTRICTS: ALL)**

OVERVIEW

On April 5, 2022 (19), the Board of Supervisors took action to further consider and adopt the Ordinances on April 26, 2022.

Today's actions request that the Board of Supervisors (Board) review and approve amendments to San Diego County Administrative Code Article XX, San Diego County Administrative Code X-A, and the San Diego County Assessment Appeals Boards and Assessment Hearing Officers Rules of Procedure related to fees for Debt Services, provided by the Office of Financial Planning, and the Clerk of the Board of Supervisors. In addition, the Board is requested to approve a resolution relating to rates for the Office of County Counsel.

Today's recommended ordinance and resolution represent a comprehensive package that seeks to support the Finance and General Government Group's services. The proposed changes are the result of an analysis of services provided to the public, processing times, and corresponding costs to provide those services. The Finance and General Government Group reviewed a total of 10 fees, resulting in five increases and five decreases.

The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal for Fiscal Year 2022-23.

Today's actions include adoption of a resolution relating to County Counsel hourly billing rates and approving the introduction of three ordinances that amend fees and rates charged by Debt Services and the Clerk of the Board of Supervisors.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Submit ordinances for further Board consideration and adoption (second reading):

AN ORDINANCE AMENDING ARTICLE XX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES AND CHARGES FOR DEBT SERVICES;

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

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

EQUITY IMPACT STATEMENT

The proposed actions would amend fees and charges for services that are provided to agencies or individuals outside of the County of San Diego organization. The fees and rates that are included in this fee package are intended to cover the full cost of services that will be provided to such agencies or individuals. By collecting the full cost of services, the County ensures that services that benefit a single agency or individual does not reduce the available resources that could be available to the entire region for other vital services that are provided by County departments.

FISCAL IMPACT

Funds for this proposal will be included in the Fiscal Year 2022-24 CAO Recommended Operational Plan for the Finance and General Government Group Executive Office, Office of County Counsel, and Clerk of the Board of Supervisors. If approved, the proposed rates and fees will ensure full cost recovery for services provided. Amounts are anticipated to be minimal for the Finance and General Government Group Executive Office. If approved, the proposed hourly rates for the Office of County Counsel's attorneys and paralegals are projected to result in approximately \$3,348,000 of annual revenue generated from the hourly billable services provided to clients. If approved, the proposed fee package for the Clerk of the Board of Supervisors is projected to result in approximately \$10,000 of annual revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

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

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting the following:

Ordinance No. 10778 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE XX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES AND CHARGES FOR DEBT SERVICES;

Ordinance No. 10779 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE X-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES CHARGED BY THE CLERK OF THE BOARD OF SUPERVISORS; and,

Ordinance No. 10780 (N.S.), entitled: AN ORDINANCE AMENDING RULE 8(a) OF THE SAN DIEGO COUNTY ASSESSMENT APPEALS BOARDS AND ASSESSMENT HEARING OFFICERS RULES OF PROCEDURE RELATING TO FEES CHARGED BY THE CLERK OF THE BOARD OF SUPERVISORS FOR WRITTEN ASSESSMENT APPEALS BOARD FINDINGS AND CONCLUSIONS.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

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.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Note and file.

EQUITY IMPACT STATEMENT

N/A

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

**29. SUBJECT: NOTICED PUBLIC HEARING:
DISTRICT ATTORNEY - AN ORDINANCE ADDING ARTICLE LXIV
TITLED DISTRICT ATTORNEY AND NEW SECTION 955 OF THE
SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES
FOR APPROVAL OF THE SAN DIEGO COUNTY DISTRICT
ATTORNEY'S BUREAU OF INVESTIGATION MILITARY
EQUIPMENT USE POLICY (DISTRICTS: ALL)**

OVERVIEW

On September 30, 2021, Governor Newsom signed into law Assembly Bill 481 (AB 481). Assembly Bill 481 is intended to increase transparency, accountability, and oversight surrounding the acquisition and use by state and local law enforcement agencies of equipment the state has identified as "military equipment." AB 481 states that no later than May 1, 2022, a law enforcement agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall commence a governing body approval process in accordance with this section. Today's request seeks this approval.

Governing body approval under AB 481 must take the form of an ordinance adopting a publicly released, written military equipment use policy, which must address a number of specific topics, including the type, quantity, capabilities, purposes, and authorized uses of each type of equipment, the fiscal impact of their acquisition and use, the legal and procedural rules that govern their use, the training required by any officer allowed to use them, the mechanisms in place to ensure policy compliance, and the procedures by which the public may register complaints.

The District Attorney's Bureau of Investigation currently owns equipment that falls under the identified types as defined in AB 481. The listed equipment is used to assist in de-escalation, firearms training, education and court related expert testimony, and to enhance officer safety and public safety when conducting enforcement action. The equipment increases the safety of law enforcement personnel and citizens and provides a variety of options for a safe and timely resolution of critical incidents county wide.

Today's request is for the Board of Supervisors to approve an ordinance relating to the military equipment use policy as required by California Assembly Bill 481. Note that per AB 481, the San Diego County District Attorney's Bureau of Investigation military use policy has been posted on the San Diego County District Attorney's public website for 30 days.

RECOMMENDATION(S)
DISTRICT ATTORNEY

On April 26, 2022:

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

1. AN ORDINANCE ADDING NEW ARTICLE LXIV TITLED DISTRICT ATTORNEY AND NEW SECTION 955 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S BUREAU OF INVESTIGATION MILITARY EQUIPMENT USE POLICY.
2. Receive the San Diego County District Attorney's presentation related to Assembly Bill 481.

If, on April 26, 2022, the County of San Diego Board of Supervisors takes action as recommended, then on May 10, 2022, consider and adopt (second reading):
AN ORDINANCE ADDING NEW ARTICLE LXIV TITLED DISTRICT ATTORNEY AND NEW SECTION 955 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S BUREAU OF INVESTIGATION MILITARY EQUIPMENT USE POLICY.

EQUITY IMPACT STATEMENT

Public safety encompasses more than just the enforcement of the laws. The San Diego County District Attorney's Bureau of Investigation provides law enforcement services that aim to protect human rights, liberty, and security of person. It is the policy of the San Diego County

District Attorney to be transparent in the purchase and use of equipment the state has defined as military equipment. Decisions regarding the use, procurement and funding of this equipment will take into consideration the public's welfare, safety, civil rights, and allow for public input. The department also strives for equitable outcomes in our communities, which means that the law enforcement services afford our communities a chance to lower crime and improve quality of life throughout the entire jurisdiction. Ensuring that everyone is provided public safety is essential for thriving communities. The department is committed to keeping our communities safe and as crime free as possible.

FISCAL IMPACT

There is no fiscal impact associated with today's requests to receive a presentation related to Assembly Bill 481 and consider and adopt an ordinance approving the San Diego County District Attorney's Bureau of Investigation Military Equipment Use Policy. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, to further consider and adopt the Ordinance on May 10, 2022.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

- 30. SUBJECT: SAN DIEGO COUNTY FIRE - ROADSIDE VEGETATION MANAGEMENT FOR EVACUATION PREPAREDNESS PROGRAM: CONSIDER THE USE OF AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AUTHORIZE SINGLE SOURCE PROCUREMENT (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego continues to prioritize fire prevention and preparedness as the frequency and severity of wildfire disasters worsen throughout the state. Within the unincorporated county, the Department of Public Works (DPW) conducts annual mowing along roads for roadside safety. In addition, San Diego County Fire (County Fire) manages vegetation for fire safety in public areas and enforces related fire-safety-requirements on private property.

On March 16, 2021 (1), the San Diego County Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to explore options to expand roadside vegetation management to better protect local communities from future fire incidents. Upon returning to the Board on July 13, 2021 (1), County Fire and DPW presented options for a *Roadside Vegetation Management for Evacuation Preparedness Program*. The Board directed the CAO to 1) develop a comprehensive, countywide approach to vegetation management, and return to

the Board after identifying a funding source and preparing an implementation timeline, and 2) continue stakeholder outreach related to the Defensible Space for Fire Protection Ordinance and return to the Board with a proposal to amend it to align with the County Consolidated Fire Code.

On October 5, 2021 (2) County Fire and DPW returned to the Board with proposed amendments to the Defensible Space for Fire Protection Ordinance, which the Board adopted. Also, on October 5, 2021 (5), County Fire and DPW provided an update and requested initial resources to evaluate the proposed *Roadside Vegetation Management for Evacuation Preparedness Program*. Since that time, County Fire and DPW have identified 200 lane-miles of critical evacuation corridors with single entry and exit points that may benefit from additional roadside vegetation management for fire safety and retained a consultant to review the proposed project, which found no potentially significant impacts to the environment. In addition, County Fire evaluated long-term fire retardants for use in certain areas along the 200 lane-miles, to be used in combination with vegetation management. County Fire selected Phos-Chek FORTIFY®, given its approval by the U.S. Forest Service for use in federal and state forest areas, effectiveness, and durability.

Today's proposed actions by the Board include finding that the *Roadside Vegetation Management for Evacuation Preparedness Program* is exempt from the California Environmental Quality Act, authorizing a single source procurement of fire retardant for an initial term of one year and four option years, and approving the *Roadside Vegetation Management for Evacuation Preparedness Program*, as described in this letter.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions related to roadside vegetation management are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15304(i).
2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director of Purchasing and Contracting to enter into negotiations with Perimeter Solutions LP, and subject to successful negotiations and determination of a fair and reasonable price, award a contract for PHOS-CHEK FORTIFY® brand fire retardant for a one-year period with four options years and an additional six months, if needed, and to amend the contract as needed to reflect changes to requirements and funding. Waive the competitive procurement requirements of Board Policy A-87.
3. Authorize San Diego County Fire Protection District to implement the *Roadside Vegetation Management for Evacuation Preparedness Program*, as described in this letter.

EQUITY IMPACT STATEMENT

More than 80 percent of the San Diego County Fire jurisdictional area qualifies as a disadvantaged unincorporated community, based on a San Diego Local Agency Formation Commission (LAFCO) report on the funding, administration, and performance of the former

County Service Area No. 135 (now San Diego County Fire Protection District). Roadside vegetation management decreases the likelihood of entrapment, loss of life, and loss of property for residents of wildfire-prone unincorporated areas. A total of 79% of the unincorporated area in San Diego County is designated as High or Very High Fire Hazard Severity Zones.

County Fire offers support and education to help individuals who have barriers, such as ability, age and financial resources, and works with local Fire Safe Councils and other community organizations to achieve compliance with requirements for defensible space. In addition, County Fire and the California Department of Forestry and Fire Protection (CAL FIRE) San Diego Unit staff refer individuals to grant-funded programs that assist with this work.

The Department of Public Works (DPW) utilizes data from road crews and community input, along with information gathered from California's Healthy Places Index, to identify areas along public roads to conduct vegetation management for roadside safety. As part of routine maintenance operations, DPW will coordinate with County Fire on their planned list of roads and scheduling. These actions are anticipated to positively impact equity and enhance vegetation management along evacuation corridors.

FISCAL IMPACT

There is no fiscal impact as a result of today's requested actions. Subsequent years cost and revenue will be included in future Operational Plans for San Diego County Fire.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

31. SUBJECT: SHERIFF - REQUEST TO ADOPT AN ORDINANCE AND RESOLUTION AMENDING FEES ADMINISTERED BY THE SHERIFF'S DEPARTMENT (DISTRICTS: ALL)

OVERVIEW

Today's actions request that the Board of Supervisors (Board) review and approve amendments to Section 448.1 of the County Administrative Code and Sections 21.0102 and 21.1901 of the San Diego County Code of Regulatory Ordinances related to the San Diego County Sheriff's Department's (Sheriff's Department) fees charged for provided services. The Board is also requested to adopt a resolution relating to fines collected for chemical testing, specifically alcohol and impairing substances associated with incidents that involve driving under the influence/driving under the influence of drugs (DUI/DUID).

Today's recommended ordinance and resolution represent a comprehensive fee package of proposed changes that are the result of an analysis of services provided to the public, processing times, and corresponding costs to provide those services. The proposed amendments to the County Administrative Code pertain to Section 448.1 (Detention Services User Fees) and cover two distinct services. One updates fees to reflect actual vendor costs associated with incarcerated persons' accounts and prepaid debit cards. The other seeks to offset fees associated with vendor costs put forth by the commissary service website. In addition to the County Administrative Code amendments, the Sheriff's Department reviewed its regulatory and licensing fees, resulting in 35 proposed regulations having fee adjustments and ten determinations to maintain existing fees. Of the proposed 35 fee adjustments, the Sheriff's Department is requesting a B-29 waiver for one relating to the Concealed Weapons License. The Sheriff's Department has determined that the increase in the Concealed Weapons License initial fee should be adjusted to a fair and reasonable amount, which is comparable to large county agencies throughout the state, rather than full cost recovery.

The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal for Fiscal Year 2022-23.

Today's requested actions are for the Board to, on April 26, 2022, consider an Ordinance amending Section 448.1 of the County Administrative Code and Sections 21.102 and 21.1901 of the San Diego County Code of Regulatory Ordinances relating to the San Diego County Sheriff's Department (first reading) so that it can be acted upon at the May 10, 2022 meeting (second reading) and waive B-29 for full cost recovery relating to Concealed Weapons License fee. Lastly, the Board is requested to adopt a resolution to impose an additional penalty of \$50 pursuant to Penal Code Section 1463.14(b) to help offset the costs of chemical testing for drug and alcohol substances.

RECOMMENDATION(S)

SHERIFF

1. Waive Board Policy B-29, Fees, Grants and Revenue Contracts, Department Responsibility for Full Cost Recovery related to Concealed Weapons License fee.
2. Approve the introduction of the Ordinance (first reading), read title, and waive further reading of the Ordinance:
AN ORDINANCE TO AMEND SECTION 448.1 TO ARTICLE XXV OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE AND SECTIONS 21.102 AND 21.1901 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO SHERIFF'S DEPARTMENT FEES.
3. Adopt a Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO FINES COLLECTED FOR CHEMICAL TESTING FOR DRUG AND ALCOHOL SUBSTANCES.

If, on April 26, 2022, the Board takes action as recommended above, then on May 10, 2022: Consider and adopt the Ordinance to amend Section 448.1 of the San Diego County Administrative Code and amend Sections 21.102 and 21.1901 of the San Diego County Code of Regulatory Ordinances relating to Sheriff's Department fees (second reading).

EQUITY IMPACT STATEMENT

The Sheriff's Department strives for equitable and positive outcomes in our communities, which means that services to our communities should not entail fees that create inequalities or inequities for our communities. The proposed fee increases are part of the transparency and accountability that is necessary in government. The fees are meant for service cost recovery. These fees for prepaid debit cards and commissary website services are necessary for the operation of these services that bring convenience and accessibility to our clients. The calculations for the fee increases are not meant to be cost prohibitive for individuals, especially members of our communities who suffer from economic inequality.

FISCAL IMPACT

Fees for Incarcerated Persons Pre-Paid Debit Cards (Attachments A and B)

There is no fiscal impact to the County. The fees assessed for this service are paid directly by the customer to the vendor and/or merchant for processing the transaction. There will be no change in net General Fund cost and no additional staff years.

Commissary Service Website Fee (Attachments A and B)

There is no fiscal impact to the County. To offset vendor service costs, transaction fees are proposed to increase by \$0.35 per transaction. If approved, the cost per transaction will go from \$3.25 to \$3.60 to support website hosting and processing online credit and debit card payments. There will be no change in net General Fund cost and no additional staff years.

Various Regulatory/Licensing Fees (Attachment D)

If approved, this request will produce a nominal increase in revenue depending on the number of licenses issued each year. Revenues related to these fees of \$800,000 are included in Fiscal Year 2022-23 CAO Recommended Operational Plan for the Sheriff's Department and will not require the addition of any staff years.

Chemical Testing Involving Driving Under the Influence/Driving Under the Influence of Drugs (DUI/DUID)

If approved, this request will produce an increase in revenue depending on the number of convictions in which the California Superior Court opts to levy a fee associated with Driving Under the Influence (DUI) or Driving Under the Influence of Drugs (DUID) in order to pay for the cost of drug and/or alcohol testing performed by the Regional Crime Laboratory. Funding, as required by the California Penal Code, must be provided to the Regional Crime Laboratory for cost recovery of chemical testing services rendered. Revenue for this program cannot exceed the cost of the program. Funds for this request are included in the Fiscal Year 2022-23 CAO Recommended Operational Plan for the Sheriff's Department and will not require the addition of any staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

This item was withdrawn at the request of the Chief Administrative Officer.

32. SUBJECT: 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

Today's action requests that the San Diego County Board of Supervisors (Board) approve amendments to Article XV-B of the San Diego County Administrative Code related to fees charged for services by the County of San Diego (County) Health and Human Services Agency (HHS) Public Health Services and Behavioral Health Services. The Board last approved revisions to HHS's fees and rates on May 4, 2021 (18).

The proposed Ordinance represents a comprehensive package that seeks to support the cost of providing HHS services, while maintaining fees that are fair and equitable for customers and the public. In accordance with Board Policy B-29 (Fees, Grants, and Revenue Contracts-Department Responsibility for Cost Recovery), HHS recently conducted a review of their fees and rates, in order to ensure costs are fully recovered for services provided to agencies or individuals. A total of 83 HHS fees and their associated costs were reviewed, resulting in proposed additions, 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 2022-23.

Today's request requires two steps: on April 26, 2022, it is requested that the Board consider an Ordinance amending sections of the San Diego County Administrative Code related to HHS fees. If the Board takes the action as recommended, then on May 10, 2022, the proposed Ordinance will be brought back to the Board for consideration and adoption.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by ensuring that the County has optimized its health and social services delivery system to ensure efficiency, integration and innovation while maintaining fiscal stability in support of a healthy, safe and thriving region.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

On April 26, 2022:

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

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

If on April 26, 2022, the San Diego County Board of Supervisors takes action as recommended, then on May 10, 2022

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

EQUITY IMPACT STATEMENT

As part of standard practice, the County of San Diego (County), Health and Human Services Agency (HHSA) performs an annual review of fees and rates charged in order to ensure that charges do not exceed the County's actual cost for the service provided. Additionally, HHSA reviews fees annually to ensure that costs are fully recovered for services provided to agencies or individuals, in alignment with current San Diego County Board of Supervisors (Board) standards and that they are updated to reflect applicable laws and regulations.

To develop the cost recovery proposal, HHSA performed an analysis of all services provided to customers to examine the tasks and functions performed, including the direct and indirect costs of performing those tasks in relation to the specific services. Criteria were established to determine a fair and equitable fee for direct services provided.

The proposed Ordinance represents a comprehensive package that seeks to support the cost of providing HHSA services, while maintaining fees that are fair and equitable for customers and the public. Updates include public health laboratory fees that are either tied to environmental testing, such as testing of drinking water or foodborne illness investigations, or clinical fees such as tests for communicable disease outbreaks, among others. Additionally, a new fee is being added to help reduce tobacco use initiation, foster health equity, and reduce access to nicotine and tobacco through improved compliance with current laws and regulations. Lastly, the proposed Ordinance includes a revision to a fee for the Edgemoor Skilled Nursing Facility to align with updated full cost recovery information.

Today's action would update fees for services provided by the County that help to promote health and safety and have an impact on the lives of Black, Indigenous, People of Color, women, people with disabilities, immigrants, youth, the LGBTQ+ community, and economically disadvantaged.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2021-23 Operational Plan in the Health and Human Services Agency (HHSA). If approved, this request will have no impact in Fiscal Year 2021-22 and will result in an estimated increase in revenue of \$299,552 in Fiscal Year 2022-23. A waiver of B-29 is requested for the new Tobacco Retail License fee because not all costs will be recovered as a result of the proposed three-year phased-in approach. The B-29 cost for Fiscal Year 2022-23 is estimated at \$240,900 and will be funded with Realignment. There is no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

This item was withdrawn at the request of the Chief Administrative Officer.

- 33. SUBJECT: RECEIVE AN UPDATE ON AFFORDABLE HOUSING ACCOMPLISHMENTS, AUTHORIZE THE ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS FOR AFFORDABLE HOUSING, AND ADOPT A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS PROVIDING AUTHORIZATION TO PARTICIPATE IN THE FOURTH ROUND NOTICE OF FUNDING AVAILABILITY FOR THE NO PLACE LIKE HOME PROGRAM ALTERNATIVE PROCESS ALLOCATION FUNDS (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Health and Human Services Agency (HHSA), Housing and Community Development Services (HCDS), administers a variety of housing programs to increase access to affordable and decent housing options for San Diego County residents. HHSA continues to make progress increasing affordable housing opportunities region wide through the issuance of loans for affordable housing development. HHSA utilizes local, state, and federal resources to provide funding for affordable housing development opportunities. Resources include the local Innovative Housing Trust Fund (IHTF), state Special Needs Housing Program (SNHP), state No Place Like Home (NPLH) program funds, state Permanent Local Housing Allocation (PLHA) program funds, federal HOME Investment Partnership (HOME) program and HOME Investment Partnership - American Rescue Plan (HOME-ARP) funds, federal Community Development Block Grant (CDBG) program funds, Excess County land, and federal Project Based Housing Vouchers (PBV's). This combination of resources provided funding for 44 developments with 3,390 affordable housing unit estimated to serve 6,780 individuals at initial occupancy. Affordable housing units include 291 NPLH designated, and 264 units supported with PBV's. Starting with the implementation of the IHTF and integrating other state and federal resources available, HHSA has awarded \$175,750,777 in loan funding for the construction and rehabilitation of affordable housing. Funding includes \$69,725,812 IHTF, \$1,100,000 SNHP, \$79,506,758 NPLH, \$1,504,774 PLHA, \$21,613,433 HOME/HOME ARP, and \$2,300,000 CDBG. Additionally, 8 County sites have been set aside for affordable housing throughout the region. All units will remain affordable for 55 to 99 years.

These items support the County's Framework for Ending Homelessness, specifically Permanent Housing and Support strategic domain. Permanent affordable housing coupled with supportive services is a crucial component of the Framework and the allocation of \$12 million of American Rescue Plan Act (ARPA) funding for the creation of permanent supportive housing for extremely low-income households aligns with serving residents at greatest risk of experiencing homelessness.

Today's actions request the Board receive an update on affordable housing funding efforts including all efforts related to the Innovative Housing Trust Fund, authorize the allocation of

\$12 million in American Rescue Plan Act (ARPA) funding, and adopt a Resolution to authorize the County to apply for and accept the Competitive Alternative Process County allocation, under the NPLH Fourth Round Notice of Funding Availability (NOFA), a minimum of \$29,874,192. The Resolution also states that the County will make mental health supportive services available to support the NPLH units for a minimum of 20 years. Supportive services will be provided by HHSA, Behavioral Health Services. The Resolution is included at Attachment A.

Today's actions support the County's vision of a just, sustainable, and resilient future for all San Diego County residents, particularly for historically underserved communities. Additionally, today's actions renew the County's support of the regional *Live Well San Diego* vision by ensuring low-income residents have access to suitable living environments, as well as enhancing the quality of life for residents by encouraging decent and affordable housing, which promotes a healthy, safe, and thriving region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15060 (c)(3) of the state CEQA Guidelines because the activity in question is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378.
2. Receive an update on affordable housing accomplishments.
3. Adopt a Resolution entitled:
A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS PROVIDING AUTHORIZATION TO PARTICIPATE IN THE FOURTH ROUND NOTICE OF FUNDING AVAILABILITY FOR THE NO PLACE LIKE HOME PROGRAM COMPETITIVE ALTERNATIVE PROCESS ALLOCATION FUNDS.
4. Approve the use of \$12 million of American Rescue Plan Act (ARPA) funding allocated for Homeless Services under the County of San Diego's ARPA Framework for the creation of permanent supportive housing for extremely low-income households.
5. Authorize the Agency Director, Health and Human Services Agency, or designee, to issue Notices of Funding Availability, publish notices, award contracts and execute agreements, amend existing contracts as needed to reflect changes to services and funding, execute certification forms, prepare and execute all necessary documents for the submittal, regulatory processing and implementation, and take any other actions necessary to allocate No Place Like Home funding related to Recommendation 3, and American Rescue Plan Act funding related to Recommendation 4, as applicable.
6. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue Competitive Solicitation(s) for the No Place Like Home Program funds and American Rescue Plan Act funding; and upon successful negotiations and determination of a fair and reasonable

price, award one or more contracts; award contracts for an Initial Term of up to one (1) year, with four (4) one-year Option Periods, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program, funding, or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.

EQUITY IMPACT STATEMENT

The success of affordable housing programs reported to the San Diego County Board of Supervisors (Board) today, contribute to the County of San Diego’s efforts in addressing local housing shortages and increase access to quality affordable housing. Additionally, these efforts result in the creation of private sector jobs and economic opportunities in San Diego County. It is anticipated that County residents in need will benefit from the developments assisted by local, State, and federal affordable housing funding resources. Units created provide housing for low-income families, seniors, veterans, developmentally disabled individuals, homeless individuals, and other special needs groups through-out affordability period.

The limited supply of affordable housing places a financial burden upon many County residents. According to the Center on Budget and Policy Priorities, 4 in 10 low-income people in the United States are either homeless or paying more than half of their income on housing. In San Diego County, 81% of extremely low-income households pay more than half of their income on housing costs as reported by the California Housing Partnership.

The County’s affordable housing efforts make units available to extremely low- (30% AMI), very low- (50% AMI), and low-income (80% AMI) individuals and households. Below for reference are the maximum income limits at each income level. Further, units funded with NPLH funds provide housing for extremely low-income homeless or chronically homeless individuals with a serious mental illness. The NPLH funds along with the \$12 million ARPA funding for permanent supportive housing for extremely low-income individuals and households provide resources for the most vulnerable members in the region.

Area Median Income	1 – Person Household	4 – Person Household
30% (extremely low income)	\$25,450	\$36,350
50% (very low income)	\$42,450	\$60,600
80% (low income)	\$67,900	\$97,000

County affordable housing efforts span the region. Below is a summary of recent investments in affordable housing. This includes 10 developments that have completed construction providing 835 units of affordable housing serving low-income individuals and households that will remain affordable for 55 to 99 years.

Status	# of Developments	# of Units	Communities Served	Funding Invested
Upcoming	21	1,601	City of San Diego, Carlsbad, Escondido, Oceanside, Ramona, Vista, unincorporated Vista, Santee, National City	\$63,088,323 179 PBV’s

Under Construction	13	954	San Marcos, Alpine, Chula Vista, City of San Diego, Vista, Escondido, Carlsbad	\$85,057,182
Completed	10	835	Poway, El Cajon, City of San Diego, Spring Valley, Vista, Carlsbad	\$27,605,272 85 PBV's

Funding was made available in a Notice of Funding Availability (NOFA). The IHTF and HOME/PLHA/PBV NOFAs were competitive NOFA's and applications must meet minimum requirements to be considered for funding. Funding awards are made to the top scoring developments until all funds are exhausted. The NPLH NOFA is currently open and available for over-the-counter applications. Most recent stakeholder outreach and information regarding IHTF and NPLH funding was presented at the San Diego Housing Federation Roundtable meeting in September 2021. Staff provide technical assistance as needed in response to questions regarding the NOFA and application process. NOFAs are available on the County Housing and Community Development Services webpage and shared via a GovDelivery announcement.

FISCAL IMPACT

Recommendations #1 and #2 - CEQA Guidelines and Receive an update on affordable housing accomplishments.

These recommendations have no fiscal impact. There will be no change in net General Fund cost and no additional staff years.

Recommendations #3, #5 and #6 - Apply for and accept the Competitive Alternative Process County allocation, under the NPLH Fourth Round Notice of Funding Availability (NOFA).

Funds for this request are partially included in the Fiscal Year (FY) 2021-23 Operational Plan in the Health and Human Services Agency (HHS). If approved, today's recommendation to apply for the No Place Like Home (NPLH) Program Alternative Process County allocation will result in no change in costs and revenue in FY 2021-22 and anticipated costs and revenue of \$29.9 million in FY 2022-23. Upon award of the allocation, full appropriations for Fiscal Year 2022-23 will be requested as part of the Fiscal Year 2022-23 CAO Recommended Operational Plan Change Letter. The funding source is the State of California, Department of Housing and Community Development NPLH Program funds. There will be no change in net General Fund cost and no additional staff years.

Recommendations #4, #5, and #6 - Authorize the allocation of ARPA funding for the creation of permanent supportive housing for extremely low-income households.

Funds for this request are included in the FY 2021-23 Operational Plan in HHS. If approved, this request will result in no change in costs and revenue FY 2021-22 and costs and revenue of \$12 million in FY 2022-23 for permanent supportive housing. The funding source is American Rescue Plan Act (ARPA). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

This proposal will have a positive impact on the business community since the recommended actions will result in construction work to be performed at properties that are awarded funding. Contracts resulting from these recommendations may be executed with private sector firms and will involve a competitive bid process. Developments with funding awards are estimated to be completed within the next two to five years.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, adopting Resolution No. 22-048, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS PROVIDING AUTHORIZATION TO PARTICIPATE IN THE FOURTH ROUND NOTICE OF FUNDING AVAILABILITY FOR THE NO PLACE LIKE HOME PROGRAM COMPETITIVE ALTERNATIVE PROCESS ALLOCATION FUNDS.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

34. **SUBJECT: AN ORDINANCE TO PROVIDE FOR THE LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) (DISTRICTS: ALL)**

OVERVIEW

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international bill of rights for women. The United Nations General Assembly adopted CEDAW in 1979. CEDAW, which consists of a preamble and 30 articles, defines what constitutes discrimination against women and sets forth an agenda for action to end such discrimination. Across multiple sectors, discrimination against women causes negative impacts in economic, political, and social participation of women. This in turn results in loss of economic opportunities and poverty, among other things.

On July 17, 1980, President Carter signed CEDAW. However, the United States is one of only a handful of other nations, which has yet to ratify the treaty. Nonetheless, numerous cities and counties across this nation have taken action to adopt local ordinances that reflect the principles of CEDAW to work towards the elimination of all discrimination against women. Adopting a CEDAW ordinance locally will help the County of San Diego (County) achieve gender parity, decrease gender-based discrimination, and work towards the elimination of all acts of discrimination against women and girls in our county.

On November 16, 2021 (19), the Board of Supervisors (Board) took action to approve and direct the Chief Administrative Officer to identify appropriate County staff from the Office of Equity and Racial Justice and other relevant departments to work with the San Diego County Commission on the Status of Women & Girls to: (1) draft a San Diego County CEDAW Ordinance for adoption and approval by the Board; and (2) begin the process to conduct a gender equity strategy to help guide the implementation of this ordinance upon its adoption.

The recommendation today is to approve the first reading of the CEDAW ordinance. If the Board approves the first reading today, the recommended action is to adopt the CEDAW ordinance after a second reading at the Board of Supervisors' regular meeting on May 10, 2022.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Approve the introduction of the ordinance (first reading):
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO PROVIDE FOR THE LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW).
2. If, on April 26, 2022, the Board takes action as recommended in item 1. then, on May 10, 2022 (second reading):
Submit ordinance for further Board consideration and adoption on May 10, 2022 (second reading).

EQUITY IMPACT STATEMENT

Discrimination against women violates basic human rights because all human beings are inherently entitled to equal rights and respect for dignity. Furthermore, discrimination against women causes adverse, unequal, and/or unfavorable treatment of women and girls based on sex, gender, gender identity, and/or gender expression with regard to economic development, the legal system, political and civic engagement, and healthcare. Adopting a CEDAW ordinance will help the County of San Diego (County) achieve gender parity, decrease gender-based discrimination, and work towards the elimination of all acts of discrimination against women and girls in our county.

The Board of Supervisors created the San Diego County Commission on the Status of Women and Girls (Commission) to identify the needs and problems of women and girls in the county and to eliminate the practice of discrimination and prejudice against women and girls. The Commission identified that a CEDAW ordinance is necessary to further address these issues. It is integral that the Commission and County departments, offices, programs, boards, commissions, and other operational units explore the disparate impacts facing women and girls. Critical to the implementation of this ordinance will be consideration for an intersectional and inclusive view of gender equity.

The Board of Supervisors created the Office of Equity and Racial Justice (OERJ) to prevent and eliminate inequality and discrimination, including discrimination against women and transgender, cisgender, and gender nonconforming individuals. The OERJ is the most appropriate oversight body to help guide the implementation of this ordinance and shall consult with the Commission throughout the process. The OERJ will provide technical assistance throughout the intersectional gender analysis process and oversee the development and implementation of intersectional gender equity action plans by each county department, office, program, board, and commission. This effectuates the goal and purpose for which the Board established the OERJ.

FISCAL IMPACT

Today’s action does not have a fiscal impact. However, it is anticipated there will be fiscal impacts associated with the implementation of this ordinance, if it is adopted. The ordinance requires an intersectional gender analysis, which will inform Intersectional Gender Equity Action Plans to be developed by every County operational unit. If additional resources are required for these actions, details and the request for additional funding will be presented to the Board at that time.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, to further consider and adopt the Ordinance on May 10, 2022.

AYES: Vargas, Lawson-Remer, Fletcher
NOES: Anderson, Desmond

- 35. **SUBJECT: CONTINUED ITEM FROM APRIL 5, 2022:
NOTICED PUBLIC HEARING:
AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF
SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED
TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC
PAYMENT (DISTRICTS: ALL)**

OVERVIEW

On April 5, 2022 (18), the Board of Supervisors continued this item to April 26, 2022.

Today’s action requests the San Diego County Board of Supervisors (Board) review and approve an ordinance to amend Article XX of the San Diego County Code of Administrative Ordinance (Admin Code) for certain Credit Card, Debit Card and Electronic Payment fees related to various County departments as authorized by Government Code Section 6159.

As a result of changes to service contracts with existing and new third-party merchant service providers, some of these fees have changed since they were last approved by the Board. These fees are payable by the customer directly to the County’s third-party providers responsible for processing these transactions. The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal.

Today's actions would amend the Admin Code to codify all Credit Card, Debit Card, and Electronic Payment fees through the introduction of an ordinance to amend Article XX of the San Diego County Administrative Code to add Section 371 (first reading) so that it may be acted upon at the May 10, 2022 meeting (second reading).

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

On April 26, 2022:

1. Approve the introduction of the following Ordinance (first reading):
AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC PAYMENT.

If on April 26, 2022, the Board takes action as recommended on Item 1 above, then on May 10, 2022:

2. Consider and adopt the Ordinance (second reading), read title and waive further reading of the Ordinance.

EQUITY IMPACT STATEMENT

Payments made to the County of San Diego correspond to property tax payments, fees, and public services. The ability to accept and process electronic payments allows the County to expand accessibility for people with disabilities to Programs, Services, and Activities (PSAs). Electronic payments can be made by over the phone or on-line, which makes it more convenient for individuals with limited transportation and mobility. Online payments can be made through the County website and translated to over 100 languages reaching a larger community. By facilitating alternate payment methods such as credit card, debit card, and electronic transfers, the County encourages equitable payment opportunities for a broader customer base and a more diverse financial ability to pay. Establishing credit card, debit card, and electronic funds transfer fees enhances transparency of the payment processing fees charged and collected directly by the County's third-party providers responsible for processing these transactions.

FISCAL IMPACT

There is no fiscal impact associated with the recommended actions. The credit card and debit card processing and electronic payment fees are paid directly by the customer to the vendor processing the transaction. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors closed the Hearing and took action as recommended, to further consider and adopt the Ordinance on May 10, 2022.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

**36. SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA
PUBLIC FINANCE AUTHORITY FOR THE BENEFIT OF CENTRO
DE SALUD DE LA COMUNIDAD DE SAN YSIDRO, INC. (DBA SAN
YSIDRO HEALTH) IN AN AGGREGATE MAXIMUM AMOUNT NOT
TO EXCEED \$28,000,000 (DISTRICT: 1)**

OVERVIEW

The County has received a request from the California Public Finance Authority (“CalPFA” or “Authority”) to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority’s issuance of one or more series of revenue obligations in an aggregate principal amount not to exceed \$28,000,000 (the “Obligations”), for the benefit of Centro de Salud de la Comunidad de San Ysidro, Inc. dba San Ysidro Health, a California non-profit community health center (the “Borrower” or “SYH”). The Borrower has applied for the financial assistance of the Authority. The proceeds of the Obligations will be used to finance, refinance and/or reimburse the cost of the acquisition, construction, improvement, equipping and furnishing of facilities, including but not limited to (1) an approximately 23,780 square foot, one-story medical office building occupied and used by the Corporation to operate a Program of All-Inclusive Care for the Elderly (PACE) located at 880 Third Avenue, Chula Vista, California 91911; (2) a community health clinic known as the Maternal & Child Health Center located at 4050 Beyer Boulevard, San Ysidro, California 92173; and (3) a community health clinic known as San Ysidro Health San Diego PACE/Senior Health Services located at 3364 Beyer Boulevard, San Ysidro, California 92173 (collectively, the “Project”). A portion of such proceeds of the Obligations will be used to pay the costs of issuance and other related costs in connection with the financing.

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

2. Adopt a Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF CALIFORNIA PUBLIC FINANCE AUTHORITY REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$28,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, REHABILITATION, EQUIPPING AND FURNISHING OF HEALTHCARE AND RELATED FACILITIES FOR CENTRO DE SALUD DE LA COMUNIDAD DE SAN YSIDRO, INC. (DBA SAN YSIDRO HEALTH).

EQUITY IMPACT STATEMENT

As a Federally Qualified Health Center, San Ysidro Health's ("SYH") primary care services are available to low income and uninsured individuals, regardless of their ability to pay. SYH's primary care program is augmented by health promotion services (e.g., health education, adolescent health programs, early cancer detection, etc.), enabling services (e.g., transportation assistance, Affordable Care Act enrollment services, etc.), and social support services (e.g., WIC nutrition services, Family Resource Center, etc.).

FISCAL IMPACT

If approved, the proposal will result in approximately \$1,030 of unanticipated revenue to be used to reimburse the County for costs associated with this non-County financing.

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors closed the Hearing and took action as recommended, adopting Resolution No. 22-049, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF CALIFORNIA PUBLIC FINANCE AUTHORITY REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$28,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, REHABILITATION, EQUIPPING AND FURNISHING OF HEALTHCARE AND RELATED FACILITIES FOR CENTRO DE SALUD DE LA COMUNIDAD DE SAN YSIDRO, INC. (DBA SAN YSIDRO HEALTH).

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

37. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Wanda Yarborough. v. County of San Diego, et al.; San Diego Superior Court,
Case No. 37-2019-00031415-CU-PA-CTL
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Tyler Astorga v. County of San Diego, et al.; United States District Court,
Southern District No. 3:21-cv-463-BEN-KSC
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
K.J.P., et al. v. County of San Diego, et al.; United States District Court,
Southern District No. 3:15-cv-02692-H-MDD
- D. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.6)
Designated Representatives: Susan Brazeau, Brad Rankin, Melanie Chaney
Employee Organizations and Unrepresented Employees: All

ACTION:

Noting for the record that Closed Session matters were heard on April 26, 2022 and April 27, 2022; County Counsel reported that for Closed Session the Board of Supervisors took the following action:

On Item 37C, K.J.P., et al. v. County of San Diego, et al., the Board voted unanimously to ratify filing an appeal of an adverse judgment.

**38. SUBJECT: COUNTY ACTION TO ADDRESS TERMINATION OF TITLE 42:
ADDRESSING THE NEED FOR RESPITE MIGRANT SHELTER
(DISTRICTS: ALL)**

OVERVIEW

Over the past four years, the U.S.-Mexico border has seen an increase in migrants seeking asylum from humanitarian crises around the globe. Federal law allows people from other countries to seek asylum in the United States if they fear persecution at home. They must be present in the U.S. and prove that they have a fear of persecution on one of five grounds: race, religion, nationality, political opinion, or membership in a particular social class. However, in March 2020, the U.S. Centers for Disease Control and Prevention (CDC) put into effect Title 42, a law that prevented those seeking asylum from entering the U.S. Title 42 was a mitigation effort meant to control the spread of COVID-19. As a result of Title 42, the U.S. stopped processing asylum seekers who arrived at the U.S.-Mexico border asking for humanitarian protection.

On April 1, 2022, the CDC released a media statement indicating the intent to terminate Title 42 on May 23, 2022. With this announcement, the backlog of asylum seekers who have been waiting at the U.S.-Mexico border will be processed for asylum. As a welcoming community that reaffirmed its commitment to accept refugees and newcomers, the County of San Diego should be prepared for an increase in individuals and families seeking asylum while creating pathways for them to safely reach their final destination.

Since immigration regulations are not under local authority, today's actions will create an ad-hoc Board of Supervisors subcommittee to address both short-term and long-term goals. Additionally, the action will direct the Chief Administrative Officer to provide immediate assistance in identifying temporary respite sheltering for the anticipated increase of individuals and families who will be seeking asylum and will ensure better coordination amongst different government agencies, NGOs, and local jurisdictions. Today's actions will also seek to work with our federal and State delegations to seek reimbursement; work on legislative policy, and advocate for funding resources that would allow the County to provide on-going services to asylum seeking families, individuals, and partner with NGOs.

RECOMMENDATION(S)

VICE-CHAIR NORA VARGAS AND CHAIR NATHAN FLETCHER

1. Appoint Chair Fletcher and Vice Chair Vargas to an ad-hoc Board of Supervisors sub-committee to address both short-term and long-term solutions for the influx of migrants entering San Diego County.
2. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA guidelines sections 15269(c)
3. Direct the Chief Administrative Officer to identify County property for a potential temporary respite shelter that could be used to temporarily shelter asylum seeking individuals and families and take actions necessary to effectuate such use.
4. Direct the Chief Administrative Officer to work with federal and State delegations on legislative policy, including seeking funding resources, that would allow the County to provide necessary human services to asylum seeking individuals and families and receive reimbursements, since immigration regulations are not under local authority.

EQUITY IMPACT STATEMENT

For generations, the United States has experienced cycles of migration where the populations have varied from country of origin and circumstances. Individuals coming are fleeing violent conflict, war, and unlivable conditions. Migrants who arrive at the border are parents arriving with children or individuals fleeing their home country, looking for safety and an opportunity for a better life. While families await their application decision, it is imperative to provide safe respite shelter with supportive services to ensure the wellbeing of these vulnerable populations and the surrounding communities.

FISCAL IMPACT

There is no fiscal impact associated with today's actions. There is no change in net General Fund costs and no additional staff years. There may be fiscal impact associated with future related recommendations which staff would return to the board for consideration and approval.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

39. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Karen Mulcahey spoke to the Board regarding challenges of working in Child Welfare Services and employee wages.

Rachel Randolph spoke to the Board regarding County staffing and employee wages.

Robin Cohen spoke to the Board regarding support for the proposed labor contract.

Crystal Irving spoke to the Board regarding support for the proposed labor contract.

Michael Brando spoke to the Board regarding Board of Supervisors Rule 4.

Russell Little spoke to the Board regarding support for COVID-19 Early Alert Program.

Consuelo Henkin spoke to the Board regarding pharmaceuticals.

Kevin Stevenson spoke to the Board regarding concerns about comments at previous Board meetings.

Amanda Remmen spoke to the Board regarding support for COVID-19 prevention efforts at schools.

Kathleen Lippitt spoke to the Board regarding concerns about impacts on youth from potency of marijuana products.

Andrew Prakash spoke to the Board regarding cloud cover.

Audra spoke to the Board regarding law enforcement upholding their oaths.

Sandra Martinez spoke to the Board regarding concerns about the World Economic Forum.

Mary D. spoke to the Board regarding concerns about negative comments about Christians.

Natalie Hays spoke to the Board regarding concerns about past comments by Supervisor Lawson-Remer pertaining to Christians.

Eleanor spoke to the Board regarding comments about the public trust and medical freedom.

Judith Howell spoke to the Board regarding requesting funds for solutions to provide access to public restrooms.

Blaire Overstreet spoke to the Board regarding improving access to public restrooms for all.

Megan Welsh spoke to the Board regarding improving access to public restrooms for all.

Terri Ann Skelly spoke to the Board regarding recommending a ban on flavored marijuana and tobacco products.

Becky Rapp spoke to the Board regarding concerns about marijuana vendors setting up booths at parks.

Truth spoke to the Board regarding concerns about the Board's Rules of Procedure and Consent Calendar.

Mitchelle Woodson spoke to the Board regarding improving access to public restroom for all.

Jason Robo spoke to the Board regarding past Board actions.

Barbara Gordon spoke to the Board regarding marijuana use and mental health.

Dean spoke to the Board regarding past Board's actions, the challenges using the call-in comment system, and the pandemic.

ACTION:

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 6:45 p.m. in memory of Matias Gyetvai and Dr. Carrel Reavis.

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

Consent: Vizcarra

Discussion: Zurita

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