

May 02, 2017

STATEMENT OF PROCEEDINGS

The Minutes of the

***REGULAR MEETING OF THE
BOARD OF SUPERVISORS***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, MAY 02, 2017, 9:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Called to order at 9:05 a.m.

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

Invocation was led by Reverend Jim Simpson from the Christian Motorcyclists Association.

Pledge of Allegiance was led by Justin Perry from Eagle Scout Varsity Team 330.

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	Agenda #	Subject
Public Safety Group	1.	STEPPING UP FOR THOSE WITH MENTAL ILLNESS
	2.	FIRE MITIGATION FEE PROGRAM REVIEW COMMITTEE ANNUAL REPORT
Community Services	3.	TRANSFER APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE RAINBOW HEIGHTS RADIO SITE INFRASTRUCTURE REPLACEMENT PROJECT [FUNDING SOURCE: OPERATING TRANSFER IN FROM THE GENERAL FUND] (4 VOTES)
Financial and General Government	4.	LEMON GROVE SCHOOL DISTRICT 2017 GENERAL OBLIGATION BONDS (ELECTION OF 2014, SERIES C), 2017 GENERAL OBLIGATION ED TECH BONDS (ELECTION OF 2014, SERIES D) AND 2017 GENERAL OBLIGATION REFUNDING BONDS

5. SET HEARINGS FOR 06/20/2017 AND 06/27/2017:
FILLING THE VACANCY OF THE SAN DIEGO COUNTY
ELECTIVE OFFICE OF DISTRICT ATTORNEY
6. EMPLOYER AND EMPLOYEE RETIREMENT
CONTRIBUTION RATES FOR FISCAL YEAR 2017-18
[FUNDING SOURCES: A COMBINATION OF PROGRAM
SPECIFIC AND GENERAL PURPOSE REVENUE]
7. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCES: AMENDMENTS TO THE COMPENSATION
ORDINANCE AND ADMINISTRATIVE CODE (4/25/2017 –
FIRST READING; 5/2/2017 – SECOND READING)
[FUNDING SOURCES: A COMBINATION OF GENERAL
PURPOSE REVENUES, AVAILABLE GENERAL FUND
FUND BALANCE, AND VARIOUS PROGRAM REVENUES]
- Communications Received 8. COMMUNICATIONS RECEIVED
- Appointments 9. APPOINTMENTS: VARIOUS
- Health and Human Services 10. * AFFORDABLE HOUSING DEVELOPMENT, VISTA,
RAMONA- APPROVAL OF \$4,540,000 ALLOCATIONS TO
WAKELAND HOUSING AND DEVELOPMENT
CORPORATION AND CHELSEA INVESTMENT
CORPORATION TO DEVELOP AFFORDABLE HOUSING
[FUNDING SOURCE: REVENUE FROM U.S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT]
- Land Use and Environment 11. RECEIVE A REPORT AND CONSIDER OPTIONS FOR
IMPROVING COUNTY ROADS TO ACHIEVE A
PAVEMENT CONDITION INDEX OF 70
- Financial and General Government 12. * SET A HEARING FOR 06/12/2017:
CHIEF ADMINISTRATIVE OFFICER RECOMMENDED
OPERATIONAL PLAN FOR FISCAL YEARS 2017-18 &
2018-19
[FUNDING SOURCES: PROGRAM REVENUES, GENERAL
PURPOSE REVENUES AND AVAILABLE PRIOR YEAR
FUND BALANCE]

*Presentation

13. SET A HEARING FOR 06/12/2017:
CHIEF ADMINISTRATIVE OFFICER RECOMMENDED
OPERATIONAL PLAN FOR FISCAL YEARS 2017-18 &
2018-19 FOR COUNTY SERVICE AREAS, LIGHTING AND
MAINTENANCE DISTRICTS, PERMANENT ROAD
DIVISIONS, AIR POLLUTION CONTROL DISTRICT, SAN
DIEGO COUNTY SANITATION DISTRICT, SAN DIEGO
COUNTY FLOOD CONTROL DISTRICT AND COUNTY
SUCCESSOR AGENCY
[FUNDING SOURCES: PROGRAM REVENUES AND
AVAILABLE PRIOR YEAR FUND BALANCES]

(RELATES TO AIR POLLUTION CONTROL DISTRICT
AGENDA NO. AP1, FLOOD CONTROL DISTRICT AGENDA
NO. FL1, COUNTY SUCCESSOR AGENCY AGENDA
NO. SR1, AND SANITATION DISTRICT AGENDA NO. SA1)

Public Safety
Group

14. SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: AMENDMENT TO THE ADMINISTRATIVE
CODE TO EXPAND THE AUDITOR AND CONTROLLER'S
VICTIM RESTITUTION COLLECTION AUTHORITY
(4/25/2017 – First Reading; 5/2/2017 – Second Reading)

Closed Session

15. CLOSED SESSION

Presentations/
Awards

16. PRESENTATIONS/AWARDS

Public
Communication

17. PUBLIC COMMUNICATION

**1. SUBJECT: STEPPING UP FOR THOSE WITH MENTAL ILLNESS
(DISTRICTS: ALL)**

OVERVIEW:

On November 15, 2016, the Board of Supervisors adopted a resolution to support "Stepping Up," a national initiative to reduce the number of adults with mental illness in jail. The initiative, which was launched by the National Association of Counties (NACo), the Council of State Governments (CSG) Justice Center, and the American Psychiatric Association Foundation (APAF); has more than 200 government agency participants including the County of San Diego.

In January, as NACo's Second Vice President, Supervisor Cox, County Public Safety and Health & Human Services Agency (HHS) staff joined other leaders at the national initiative's first California Summit, to learn about best practices and develop a framework for implementing the initiative.

With many efforts already under way at the County to address mental illness, we have an opportunity today to reduce the number of people with mental illness in jails while breaking the cycle of homelessness for this population and help them integrate successfully into the community.

Today's recommendation would direct the Chief Administrative Officer to work with the Sheriff and the District Attorney to develop a strategy to address the mental health of sentenced offenders in an alternative custody setting and return to the Board within 90 days with recommendations for implementation and funding.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR GREG COX , SHERIFF WILLIAM GORE AND DISTRICT ATTORNEY BONNIE DUMANIS

Direct the Chief Administrative Officer to work with the Sheriff and the District Attorney to develop a strategy to address the mental health needs of sentenced offenders in an alternative custody setting and return to the Board within 90 days with recommendations for implementation and funding of a pilot program.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

2. SUBJECT: FIRE MITIGATION FEE PROGRAM REVIEW COMMITTEE ANNUAL REPORT (DISTRICTS: ALL)

OVERVIEW:

On October 8, 1986 (15), the Board of Supervisors adopted the Fire Mitigation Fee Ordinance. The purpose of the ordinance was to create a program that collected and allocated funds to fire agencies in the unincorporated area of San Diego County for the purpose of providing for capital facilities and equipment to serve new development. Since fire agencies lack legal authority to impose mitigation fees directly, the County collects a fee from applicants when building permits are issued and distributes the funds to the fire agencies quarterly. The fire districts then use the funds to purchase equipment that will serve new development. The fire districts cannot use the funds to offset shortages in their existing program budgets.

The Board of Supervisors established the Fire Mitigation Fee Review Committee to provide oversight of the program. As part of this oversight, the review committee is responsible for reviewing the fire agencies' annual expense reports to ensure improvement projects were necessary to serve new development and to make recommendations to the Board of Supervisors on adjustments in the mitigation fee amount. Today's proposed Board actions will authorize the receipt of the Fiscal Year 2015-16 report by the Fire Mitigation Fee Committee, and will maintain the current fire mitigation fee structure for Fiscal Year 2017-18.

FISCAL IMPACT:

There is no fiscal impact associated with this request. During Fiscal Year 2015-16 the Fire Mitigation Fee Program, which is managed by the County, collected \$1,433,166.44 in revenue and distributed the funds among local fire agencies on a quarterly basis. There will be no change in net General Fund cost and no additional staff years will be required as a result of this action.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Receive the report from the Fire Mitigation Fee Review Committee for Fiscal Year 2015-16, which shows that the participating fire agencies are in conformance with the County Fire Mitigation Fee Ordinance (Attachment A).
2. Maintain the current fee schedule for Fiscal Year 2017-18.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

3. **SUBJECT: TRANSFER APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE RAINBOW HEIGHTS RADIO SITE INFRASTRUCTURE REPLACEMENT PROJECT (DISTRICT: 5)**

OVERVIEW:

The Sheriff's Department provides the County and numerous public safety agencies with day-to-day public safety and emergency responder communications. The Sheriff currently operates a radio facility at Rainbow Heights in Fallbrook. The Rainbow Heights radio site provides radio service for emergency responders in the area. On January 27, 1986 the County entered into a 50 year agreement with the Rainbow Municipal Water District allowing the County to install and operate a radio communications facility adjacent to the Rainbow Heights water tank. A metal equipment shelter, a backup generator, and a 40' steel radio tower were installed at the site adjacent to the water tank. The radio facility infrastructure is over 30 years old and has reached the end of its service life. The proposed capital project will replace the infrastructure with a new 40' self-supporting tower, a new 25kW generator, and a refurbished concrete radio equipment shelter.

Today's proposed action is to appropriate funds for the Rainbow Heights Radio Site Infrastructure Replacement project and authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract to replace the radio communications site infrastructure located at Rainbow Heights in Fallbrook. If approved, construction is expected to begin in November 2017, with estimated completion of January 2018.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan for the Justice Facility Construction Fund. If approved, this request will result in current year costs and revenue of \$325,000 for Capital Project 1021206, Rainbow Heights Radio Site Infrastructure Replacement. The funding source is an Operating Transfer In from the General Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

Expenditures for the construction will create private sector jobs and economic opportunities in San Diego County.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed Rainbow Heights Radio Site Infrastructure Replacement project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15302, Replacement and Reconstruction.
2. Transfer appropriations of \$325,000 from the Sheriff's Department, Services & Supplies, to the Contributions to Capital Outlay Fund, Operating Transfer Out, to provide funds for Capital Project 1021206, Rainbow Heights Radio Site Infrastructure Replacement. **(4 VOTES)**

3. Establish appropriations of \$325,000 in the Justice Facility Construction Fund for Capital Project 1021206, Rainbow Heights Radio Site Infrastructure Replacement, based on an Operating Transfer In from the General Fund. (4 VOTES)
4. Authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401, et seq. of the Administrative Code, with respect to contracting for the Rainbow Heights Radio Site Infrastructure Replacement project.
5. Designate the Director, Department of General Services as the County Officer responsible for the administration of all contracts associated with the construction of Rainbow Heights Radio Site Infrastructure Replacement project.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

4. **SUBJECT: LEMON GROVE SCHOOL DISTRICT 2017 GENERAL OBLIGATION BONDS (ELECTION OF 2014, SERIES C), 2017 GENERAL OBLIGATION ED TECH BONDS (ELECTION OF 2014, SERIES D) AND 2017 GENERAL OBLIGATION REFUNDING BONDS (DISTRICT: 2)**

OVERVIEW:

Lemon Grove School District 2017 GO Bonds (Election of 2014, Series C). On November 4, 2014, a bond election was held in the Lemon Grove School District, County of San Diego, State of California (“District”) at which the requisite 55% or more of the persons voting on the bond measure (“Measure R Authorization”) voted to authorize the issuance and sale of \$10,000,000 principal amount of general obligation bonds of the District. On April 4, 2017, the District authorized the issuance of the third series of bonds under the Measure R Authorization in an aggregate principal amount not to exceed \$3,000,000 to be designated the “Lemon Grove School District (San Diego County, California) 2017 General Obligation Bonds, Election of 2014, Series C” (“Series C GO Bonds”).

Lemon Grove School District 2017 GO ED Tech Bonds (Election of 2014, Series D). On November 4, 2014, a bond election was held in the Lemon Grove School District, County of San Diego, State of California (“District”) at which the requisite 55% or more of the persons voting on the bond measure (“Measure R Authorization”) voted to authorize the issuance and sale of \$10,000,000 principal amount of general obligation bonds of the District. On April 4, 2017, the District authorized the issuance of the fourth series of bonds under the Measure R Authorization in an aggregate principal amount not to exceed \$1,000,000 to be designated the “Lemon Grove School District (San Diego County, California)

2017 General Obligation ED Tech Bonds, Election of 2014, Series D” (“Series D GO Bonds”). After Series D GO Bonds are issued, all of Measure R Authorization will have been exhausted.

Lemon Grove School District 2017 GO Refunding Bonds. On November 4, 2008, a bond election was held in Lemon Grove School District, County of San Diego, State of California (“District”) at which the requisite 55% or more of the persons voting on the bond proposition (“Proposition W”) voted to authorize the issuance and sale of \$28,000,000 principal amount of general obligation bonds of the District. Multiple series were issued under Proposition W of which Series A Bonds are subject to redemption on August 1, 2019. On April 4, 2017, the District authorized the issuance of the 2017 General Obligation Refunding Bonds in a principal aggregate amount not to exceed \$6,000,000 (“2017 GO Refunding Bonds”) to refund the outstanding portion of Lemon Grove School District (San Diego County, California) General Obligation Bonds, 2008 Election, Series A (“Refunded Bonds”) authorized under Proposition W for the purpose of realizing debt service savings to the taxpayers of the District.

Today’s recommendation will request adoption of three resolutions for issuance of Series C GO Bonds, Series D GO Bonds and 2017 GO Refunding Bonds. The resolutions include: authorizing Lemon Grove School District to issue and sell bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent, executing a Paying Agent and Investment Management Agreement and directing the County Auditor and Controller to maintain taxes on the tax roll.

FISCAL IMPACT:

The Series C and D GO Bonds and the 2017 GO Refunding Bonds will be general obligations of the District to be paid from ad valorem property taxes levied within its boundaries, and do not constitute an obligation of the County. The 2017 GO Refunding Bonds will replace existing obligations issued under the Proposition W Authorization.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE LEMON GROVE SCHOOL DISTRICT TO ISSUE AND SELL GENERAL OBLIGATION BONDS, 2014 SERIES C, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS

2. Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE LEMON GROVE SCHOOL DISTRICT TO ISSUE AND SELL GENERAL OBLIGATION ED TECH BONDS, 2014 SERIES D, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS

3. Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE COUNTY TREASURER-TAX COLLECTOR TO EXECUTE A PAYING AGENT AGREEMENT AND FORMALLY DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL FOR THE LEMON GROVE SCHOOL DISTRICT 2017 REFUNDING GENERAL OBLIGATION BONDS

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Resolution No. 17-056, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE LEMON GROVE SCHOOL DISTRICT TO ISSUE AND SELL GENERAL OBLIGATION BONDS, 2014 SERIES C, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS;

Resolution No. 17-057, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE LEMON GROVE SCHOOL DISTRICT TO ISSUE AND SELL GENERAL OBLIGATION ED TECH BONDS, 2014 SERIES D, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS;

and Resolution No. 17-058, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE COUNTY TREASURER-TAX COLLECTOR TO EXECUTE A PAYING AGENT AGREEMENT AND FORMALLY DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL FOR THE LEMON GROVE SCHOOL DISTRICT 2017 REFUNDING GENERAL OBLIGATION BONDS.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

5. **SUBJECT: SET HEARINGS FOR 06/20/2017 AND 06/27/2017:
FILLING THE VACANCY OF THE SAN DIEGO COUNTY
ELECTIVE OFFICE OF DISTRICT ATTORNEY
(DISTRICTS: ALL)**

OVERVIEW:

County of San Diego District Attorney, Bonnie Dumanis, will resign from office effective July 7, 2017. Board Policy A-105, "Process to Fill Vacancies of Elected Officers other than Board of Supervisors," establishes a procedure for appointment of Elected County Officers, other than Supervisors, for which the Board of Supervisors has the power to fill the vacancy and provides the procedure for an open process allowing for citizen participation.

The process to fill the upcoming District Attorney vacancy requires three steps: On May 2, 2017, the Board will approve the form of notice and application, and the deadline for acceptance of applications. On June 20, 2017, the Board will conduct the first public hearing during which the Board will select no more than five (5) finalists from among those who have applied. On June 27, 2017, a second public hearing will take place during which the Board will make a final selection from among the finalists. Pursuant to Board Policy A-105, the person so appointed shall be prepared to formally assume office no later than twenty (20) business days following selection by the Board.

FISCAL IMPACT:

There is no fiscal impact as a result of the recommended actions. The position is budgeted in the Department of the District Attorney.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On May 2, 2017:

1. Approve the application packet for the position which includes the form of notice to advertise the position (Attachment A).

2. Set the application period to commence at 8 a.m. Wednesday, May 3, 2017, and to close at 5 p.m. Wednesday, May 31, 2017. Applications are available from and must be returned to the Clerk of the Board of Supervisors, by the close of the filing period. All applicants must personally appear to obtain and file the required application forms. Applications with required attachments must be completed fully for acceptance by the Clerk of the Board.
3. Require the following with respect to this application process:
 - a. Each applicant must provide written responses to any questions the Board may ask the applicants to prepare during the process.
 - b. Each finalist must grant the County permission to conduct credit and criminal records background checks.
 - c. Inform the finalists that the appointment of the successful applicant will be contingent on that applicant passing the County's standard medical exam and background check.
4. Set Tuesday, June 20, 2017 at 2 p.m. as the first hearing for all applicants.
5. Set Tuesday, June 27, 2017 at 10 a.m. as the second hearing to consider finalists.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, setting Hearings for June 20, 2017 and June 27, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

6. **SUBJECT: EMPLOYER AND EMPLOYEE RETIREMENT CONTRIBUTION RATES FOR FISCAL YEAR 2017-18 (DISTRICTS: ALL)**

OVERVIEW:

California Government Code Section 31454 requires the Board of Supervisors to adjust the rates of the San Diego County employer and employee retirement contributions in accordance with the recommendations of the Board of Retirement of the San Diego County Employees Retirement Association (SDCERA). The Board of Retirement (Retirement Board) approved the employer and employee contribution rates recommended by its actuary, Segal Consulting, for Fiscal Year (FY) 2017-18 on December 15, 2016 and April 20, 2017. While the employer contribution rates are different for Safety and General members, the aggregate employer rate (or weighted average rate) approved by the Retirement Board for FY 2017-18 is 42.20% for all Tiers.

In FY 2016-17 the Board of Supervisors adopted the same contribution rates approved by the Retirement Board, of which the aggregate employer rate was 36.84% for all Tiers. For FY 2017-18, the Chief Administrative Officer recommends that the County's employer contribution rates be the rates recommended by the actuary.

The recommended increase in the average employer contribution rates was due to changes in the actuarial assumptions adopted by the Retirement Board for the June 30, 2016 valuation and subsequently for Tier C General Members on April 20, 2017. Collectively, these assumption changes included a reduction in the annual rate of investment return from 7.50% to 7.25%, an increase in life expectancy for retirees and a change in the minimum eligibility requirements for a service retirement for General Tier C members. In addition to the changes in actuarial assumptions, another significant factor impacting employer contribution rates includes investment losses experienced by the fund.

The average member rate as a percentage of payroll increased from 11.73% to 12.17%. This increase is primarily due to changes in actuarial assumptions, offset somewhat by a change in membership demographics.

FISCAL IMPACT:

If the recommendation to adopt the rates of employer retirement contributions as recommended by the actuary is approved, the estimated annual employer retirement contribution costs for the County and all participating employers will be approximately \$509.3 million for FY 2017–18, an increase of approximately \$80.7 million from the FY 2016–17 estimated contribution.

The County is obligated to fund approximately 92% of the estimated annual employer retirement contributions or \$468.6 million, an increase of approximately \$74.3 million from the previous fiscal year. Other participating employers are obligated to make the remaining 8% contribution. Other participating employers include the San Diego Superior Court, the Local Agency Formation Commission, and the San Dieguito River Valley Joint Powers Authority and SDCERA itself. The actual cost of retirement will differ due to the application of the contribution rates to the actual biweekly payroll as opposed to the actuary's assumed payroll. The funding source is a combination of program specific and general purpose revenue.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

**SAN DIEGO COUNTY EMPLOYEES RETIREMENT ASSOCIATION
BOARD OF RETIREMENT AND CHIEF ADMINISTRATIVE OFFICER**

Adopt the San Diego County employer and employee retirement contribution rates for Fiscal Year 2017–18 as recommended by the SDCERA actuary and approved by the Retirement Board on December 15, 2016 and April 20, 2017.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

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

OVERVIEW:

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

FISCAL IMPACT:

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

The annual estimated fiscal impact is as follows:

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

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

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinances entitled:

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION; and

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

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Ordinance No. 10483 (N.S.), entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION; and Ordinance No. 10484 (N.S.), entitled: AN ORDINANCE AMENDING SECTIONS 494 AND 495 OF THE ADMINISTRATIVE CODE.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

8. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW:

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

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Note and file.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

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

OVERVIEW:

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

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHAIRWOMAN DIANNE JACOB

Appoint Sharmin Self to the ALPINE COMMUNITY PLANNING GROUP, Seat No. 13, for a term to expire January 4, 2021.

Appoint Christopher Ryan Harms to the POTRERO COMMUNITY PLANNING GROUP, Seat No. 1, for a term to expire January 4, 2021.

Appoint Daniel Barger to the POTRERO COMMUNITY PLANNING GROUP, Seat No. 9, for a term to expire January 4, 2021.

Appoint Helen L. Horvath to the VETERANS ADVISORY COUNCIL, SAN DIEGO COUNTY, Seat No. 8, for a term to expire May 2, 2021.

VICE-CHAIRWOMAN KRISTIN GASPAR

Appoint Harris Gregory Effron to the HEALTH SERVICES ADVISORY BOARD (HSAB), Seat No. 5, for a term to expire January 4, 2021.

SUPERVISOR GREG COX

Appoint Tom Gardner to the AIR POLLUTION CONTROL DISTRICT HEARING BOARD (APCDHB), Seat No. 2, for a term to expire October 13, 2019.

Re-appoint Judith Tieber to the SWEETWATER COMMUNITY PLANNING GROUP, Seat No. 13, for a term to expire January 4, 2021.

CHIEF ADMINISTRATIVE OFFICER

Appoint Robert Spriggs Jr. to the CITIZENS' LAW ENFORCEMENT REVIEW BOARD (CLERB), Seat No. 5, for a partial term to expire June 30, 2017, and for a subsequent term to begin July 1, 2017 and to expire June 30, 2020.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

- 10. **SUBJECT: AFFORDABLE HOUSING DEVELOPMENT, VISTA, RAMONA- APPROVAL OF \$4,540,000 ALLOCATIONS TO WAKELAND HOUSING AND DEVELOPMENT CORPORATION AND CHELSEA INVESTMENT CORPORATION TO DEVELOP AFFORDABLE HOUSING (DISTRICTS: 2, 5)**

OVERVIEW:

The Health and Human Services Agency, Housing and Community Development Services (HCDS) is embarking on the development of a new comprehensive strategy to address the critical need for affordable housing within the County. It is anticipated that this strategy will strive to address the needs for a range of affordable housing development, while also evaluating regional collaboration scenarios. While the strategy is taking shape, HCDS has identified several affordable housing development opportunities for funding. In conjunction with the Housing Authority of the County of San Diego (HACSD), up to 261 units, including today's recommendations, are currently under evaluation for funding.

HCDS administers the U.S. Department of Housing and Urban Development's (HUD) HOME Investment Partnerships Program (HOME). HCDS, as the lead entity for the San Diego County HOME Consortium, receives an annual entitlement of HOME funds based on formula allocations using population, poverty rates, and housing conditions. HCDS received eight responses to a recent Notice of Funding Availability (NOFA) to construct affordable housing. Two of the eight proposals are being recommended for HOME funding today.

The Grove, a proposed affordable housing development for seniors, will consist of 81 residential rental units in the City of Vista. The development will provide affordable housing opportunities and supportive services for seniors. At least 75%

of the units (60 units) will be rented to very-low income households whose income does not exceed 50% of area median income, and the remaining 25% (20 units) will be rented to households whose income does not exceed 60% of area median income. One unit will be reserved for an on-site manager.

The Ramona Senior Apartments, another proposed senior affordable housing development, will consist of 62 residential rental units in Ramona. The development will provide affordable housing opportunities and supportive services for seniors experiencing homelessness or at risk of homelessness. 100% of the units (61 units) will be rented to very-low income households whose income does not exceed 50% of area median income. One unit will be reserved for an on-site manager.

Today's requested actions will authorize an allocation of up to \$2,700,000 to Wakeland Housing and Development Corporation (Wakeland) for The Grove located in the City of Vista and an allocation of up to \$1,840,000 to Chelsea Investment Corporation (Chelsea) for the Ramona Senior Apartments located in unincorporated Ramona. HOME funds will serve as a critical piece of the financing package for the acquisition and construction of each development.

The two developments before you today, will result in the creation of 143 new units of affordable housing in our region. In addition to these units, HCDS in collaboration with the HACSD, is evaluating an additional 118 units of affordable housing to be assisted with Project Based Vouchers for a total of 261 units. Authority to award up to 500 Project Based Vouchers was previously approved by the Housing Authority Board of Commissioners on April 12, 2017 (1).

Today's actions support the countywide *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.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2016-18 Operational Plan but will be included in the Fiscal Year 2017-19 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will have no fiscal impact in Fiscal Year 2016-17 and will result in allocations of up to \$2,700,000 and \$1,840,000 of HOME funds in Fiscal Year 2017-18 to finance the development of The Grove and the Ramona Senior Apartments, respectively. The loans will be secured by a deed of trust recorded against each property and repaid over a period of 55 years. The funding source for these loan agreements is revenue from U.S. Department of Housing and Urban Development. County costs for environmental review and long-term compliance monitoring of the development, estimated at up to \$25,000 in Fiscal Year 2017-18, will be recovered from the developers. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

This request will have a positive impact on the business community as the recommended developments involve construction work to be performed at each property. Contracts resulting from these recommendations will be executed with nonprofit and private sector firms and will involve a competitive procurement process.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the allocation of up to \$2,700,000 in HOME funds to Wakeland Housing and Development Corporation for the acquisition and construction of The Grove, an affordable housing development, located in the City of Vista.
2. Authorize the allocation of up to \$1,840,000 in HOME funds to Chelsea Investment Corporation for the acquisition and construction of the Ramona Senior Apartments, an affordable housing development located in unincorporated Ramona.
3. Authorize the publication of any required "Notice to the Public of Request for Release of Funds" for the recommended developments; authorize the Agency Director, Health and Human Services Agency or designee, to execute such a Request and Certification following environmental processing; and direct staff to transmit the request to the U.S. Department of Housing and Urban Development upon completion of any mandatory waiting periods.
4. Authorize the Agency Director, Health and Human Services Agency or designee, to negotiate and execute, with County Counsel and Department of Purchasing and Contracting concurrence, all contracts, related documents and/or amendments, and to take all necessary actions for the submittal and/or regulatory processing for implementation of the above-referenced developments.
5. In accordance with Section 401 et seq. of the County Administrative Code and where determined appropriate, authorize the Director, Department of Purchasing and Contracting, to issue future Health and Human Services Agency Notice of Funding Availability solicitations, and upon successful negotiations and determination of a fair and reasonable price, award contracts and amend contracts as required to reflect changes to scope, services and funding, subject to County Counsel concurrence, approval of the Agency Director, Health and Human Services Agency and contingent upon availability of U.S. Department of Housing and Urban Development funding.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Gaspar, the Board took action as recommended, and directed the Chief Administrative Officer to look into the legality of whether the units can be made affordable in perpetuity.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

11. SUBJECT: RECEIVE A REPORT AND CONSIDER OPTIONS FOR IMPROVING COUNTY ROADS TO ACHIEVE A PAVEMENT CONDITION INDEX OF 70 (DISTRICTS: ALL)

OVERVIEW:

The County of San Diego's (County) Department of Public Works (DPW) is responsible for maintaining nearly 2,000 centerline miles, or 4,000 lane miles of roads, in addition to 200 bridges, nearly 19,000 culverts, 188 traffic signals and 37,292 traffic signs.

Like counties across the state and nation, maintaining the County's aging road infrastructure has become increasingly challenging, particularly with rising construction costs, declining State revenues, and a gas tax funding system that has been challenged by the growth in increasingly fuel efficient and zero emission vehicles.

The primary source of revenue used to maintain County roads comes from the Highway Users Tax, or State gas tax, which has declined from 39.5 cents a gallon in Fiscal Year (FY) 2013-14 to 27.8 cents a gallon in FY 2016-17. Annual revenue from the State gas tax is less today than it was in the year 2000, and revenue is insufficient to properly maintain the County road network. The County has been bridging the funding gap using the SDG&E franchise fee, TransNet revenue, Road Fund reserves, and Road Fund fund balance, but that funding did not cover the full costs of adequately maintaining the roads. As a result of the declining State revenues, the County's average Pavement Condition Index (PCI), an industry standard rating system used to rate streets, dropped from 70 six years ago to 60 in 2016, the lowest PCI ever.

On February 14, 2017 (13), the Board of Supervisors (Board) directed the Chief Administrative Officer to return with a funding plan within 90 days that identifies options to reach an average PCI of 70 within five years; to draft a letter for the Chair's signature urging the Governor and the California State Legislature to prioritize and approve a transportation funding solution that will address the deteriorating road conditions throughout the State; and to work with the Administration and the region's Congressional delegation to obtain a federal funding solution. The Board also requested that staff develop average PCI options for roads with different average daily trips (ADT) based on local and major road classifications. The Chair's letter to the Governor was sent on February 21, 2017 (Attachment A).

On April 6, 2017, the State Legislature passed the Road Repair & Accountability Act of 2017, which is projected by the State to provide \$7.5 billion of additional road maintenance funding to California counties over the next decade. As part of this legislation, DPW expects to receive approximately \$538 million of additional road maintenance revenues over the next 10 years, in addition to existing funding DPW receives to maintain County roads. In addition, the Legislature passed a constitutional amendment to ensure these revenues are not diverted away from transportation needs, which will be placed on the June 2018 ballot.

Based on the projected new transportation funding, DPW has developed four options to improve the County road network's average PCI. All of the options include using the new transportation funding for road resurfacing projects to improve the condition of County roads. These new funding options identify what can be accomplished with available funding over the next five to ten years. One option would require additional revenue from the County, and two options consider different average PCIs based on major and local road classifications. Major roads serve as the County's "backbone" network of County-maintained roads and carry the highest amount of traffic. Local roads provide the way for residents to travel from their homes, and connect all the traffic from residential areas to major roads.

Options include:

1. Achieve an average PCI of 70 for the entire County road network in 5 years by authorizing the Road Fund's borrowing of up to \$34 million from the General Fund between FY 2017-18 and FY 2021-22 to be repaid from Road Repair & Accountability Act of 2017 transportation funding received in future years. This option provides the most benefit over the shortest period of time. If this option is selected by the Board, as annual funding information becomes available, staff will work with Auditor & Controller on taking any necessary actions to facilitate the loan process and return to the Board. This is the staff recommended option.
2. Achieve an average PCI of 67 in 5 years and an average PCI of 70 in 7 years using the Road Repair & Accountability Act of 2017 transportation funding. This option uses DPW's Pavement Management System (StreetSaver) to optimize which roads receive surface treatments and provides the fastest way to achieve an average PCI of 70 using only the new transportation funds and existing DPW road maintenance funding.
3. Achieve an average PCI of 70 on major roads and an average PCI of 65 on local roads in 5 years. This option provides the ability to improve the average PCI to 70 for major roads, which have the highest daily volume of traffic, and improves the local roads to an average PCI of 65. This option results in an average PCI of 67 for the entire County road network in 5 years.
4. Achieve an average PCI of 65 on major roads and an average PCI of 70 on local roads in 5 years. This option provides the ability to improve the average PCI to 70 for local roads, which have lower daily traffic volumes than major roads but serve residential areas, and improves the major roads to an average PCI of 65. This option results in an average PCI of 67 for the entire County road network in 5 years.

Once the selected option is achieved, the costs moving forward to maintain that PCI will be \$33 million per year in future years.

The Road Repair & Accountability Act of 2017 provides that new funding from the Road Maintenance Rehabilitation Account "shall be prioritized for expenditure on basic road maintenance and road rehabilitation projects, and on critical safety projects." *Streets and Highways Code Section 2030(a)*

This source of new State transportation funding may also be used for: “railroad grade separations; complete street components, including active transportation purposes, pedestrian and bicycle safety projects, transit facilities and drainage and stormwater capture projects in conjunction with any other allowable project traffic control devices [and] to satisfy a match requirement in order to obtain state or federal funds for projects.” *Streets and Highways Code Section 2030(b)*.

Since the County’s average PCI is currently 60, and the goal is to improve the average network PCI on County roads, one of the recommended actions for the Board’s consideration today is to dedicate this new transportation funding for road maintenance and road rehabilitation projects.

The new transportation funding also requires the County to provide the California Transportation Commission (CTC) a list of projects proposed to be funded by mid-June of each year. The first list will be due June 15, 2017, and staff will have to include funding for these road maintenance projects as part of the County of San Diego CAO Recommended Operational Plan Change Letter Fiscal Years 2017-18 & 2018-19. Upon expending the new transportation funds, counties are required to submit documentation to the CTC including a description and location of each completed project, the amount of funds expended, the completion date and the estimated useful life of the improvements.

Today’s request is to provide direction on a preferred option for achieving an increased average PCI for the County’s road network, to direct staff to preserve the Road Repair & Accountability Act of 2017 funding for road maintenance and road rehabilitation projects and direct staff to include the new transportation funding in the CAO Recommended Operation Plan Change Letter Fiscal Years 2017-18 & 2018-19 to allow staff to submit a proposed FY 2017-18 list of projects to the CTC by June 15, 2017.

FISCAL IMPACT:

There is no fiscal impact associated with the receipt and acceptance of today’s report on a funding plan that identifies options for repairing County roads. The Department of Public Works will return to the Board during budget deliberations on June 27, 2017 at 2:00 p.m. to appropriate anticipated revenues received from the State Highway Users Tax, as part of the CAO Recommended Operational Plan Change Letter Fiscal Years 2017-18 & 2018-19. If the option to authorize a loan of up to \$34 million from the General Fund to the Road Fund is selected (Option 1), the Department of Public Works will work with Auditor & Controller to prepare the necessary loan details including a payment schedule, terms and conditions, and other necessary information and will return to the Board for approval. There will be no change in net General Fund cost and no additional staff years as a result of this item.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines that consideration and selection of a funding plan, to fix County roads and improve the average Pavement Condition Index, is exempt from CEQA review because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.
2. Adopt one of the following options and direct the Chief Administrative Officer to proceed with actions necessary to achieve an increased average Pavement Condition Index for the County's road network.
 - a. Option 1 - Achieve an average PCI of 70 for the entire County road network in 5 years by authorizing the Road Fund's borrowing of up to \$34 million from the General Fund between FY 2017-18 and FY 2021-22 to be repaid from Road Repair & Accountability Act of 2017 transportation funding received in future years. This is the staff recommended option and it would require staff to return to the Board of Supervisors for approval of loan details.
 - b. Option 2 - Achieve an average PCI of 67 in 5 years and an average PCI of 70 in 7 years using only the Road Repair & Accountability Act of 2017 transportation funding and existing DPW road maintenance funding.
 - c. Option 3 - Achieve an average PCI of 70 on major roads and an average PCI of 65 on local roads in 5 years.
 - d. Option 4 - Achieve an average PCI of 65 on major roads and an average PCI of 70 on local roads in 5 years.
3. Direct the Chief Administrative Officer to use any funding received from the Road Repair & Accountability Act of 2017 on road maintenance and road rehabilitation projects and activities.
4. Direct the Chief Administrative Officer to include revenue and appropriations from the Road Repair & Accountability Act of 2017 in the CAO Recommended Operation Plan Change Letter Fiscal Years 2017-18 & 2018-19.

ACTION:

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

1. Found in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines that consideration and selection of a funding plan, to fix County roads and improve the average Pavement Condition Index, is exempt from CEQA review because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.
2. Adopted Option 1: Achieve an average PCI of 70 for the entire County road network in 5 years by authorizing the Road Fund's borrowing of up to \$34 million from the General Fund between FY 2017-18 and FY 2021-22 to be repaid from Road Repair & Accountability Act of 2017 transportation funding

received in future years. This is the staff recommended option and it would require staff to return to the Board of Supervisors for approval of loan details.

3. Directed the Chief Administrative Officer to use any funding received from the Road Repair & Accountability Act of 2017 on road maintenance and road rehabilitation projects and activities.
4. Directed the Chief Administrative Officer to include revenue and appropriations from the Road Repair & Accountability Act of 2017 in the CAO Recommended Operation Plan Change Letter Fiscal Years 2017-18 & 2018-19.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**12. SUBJECT: SET A HEARING FOR 06/12/2017:
CHIEF ADMINISTRATIVE OFFICER RECOMMENDED
OPERATIONAL PLAN FOR FISCAL YEARS 2017-18 &
2018-19 (DISTRICTS: ALL)**

OVERVIEW:

This letter presents the Chief Administrative Officer Recommended Operational Plan (Recommended Operational Plan) for Fiscal Years 2017-18 & 2018-19 and directs the scheduling of related public hearings and budget deliberations.

This Recommended Operational Plan presents a recommended County budget of \$5.69 billion and 17,404.00 staff years for Fiscal Year 2017-18. The \$5.69 billion represents a 6.2% increase from the current fiscal year's Adopted Budget of \$5.36 billion.

The Recommended Operational Plan focuses on supporting a region that is Building Better Health, Living Safely, and Thriving by allocating resources to strategically invest in San Diego that keep people with mental illness out of jail; focuses on aging well, behavioral health services including Project One For All, and housing stability; regional public safety; construct and maintain buildings that serve the public and neighborhoods while protecting the environment; and invest in employees by continuing to actively manage retirement costs.

FISCAL IMPACT:

The Chief Administrative Officer Recommended Operational Plan for Fiscal Years 2017-18 & 2018-19 totals \$5.69 billion for Fiscal Year 2017-18 and \$5.23 billion for Fiscal Year 2018-19. The funding sources are program revenues, General Purpose Revenues and available prior year fund balance.

BUSINESS IMPACT STATEMENT:

The Recommended Operational Plan includes allocations of funding for the purchase of goods and services from the private sector.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Receive and consider the Chief Administrative Officer Recommended Operational Plan for Fiscal Years 2017–18 & 2018–19.
2. Set June 12, 2017 as the date to begin the legally required public hearings on the Chief Administrative Officer Recommended Operational Plan for Fiscal Years 2017–18 & 2018–19.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Jacob, the Board took action as recommended, setting June 12, 2017 as the date to begin the legally required public hearings on the Chief Administrative Officer Recommended Operational Plan for Fiscal Years 2017–18 & 2018–19.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

13.

**SUBJECT: SET A HEARING FOR 06/12/2017:
CHIEF ADMINISTRATIVE OFFICER RECOMMENDED
OPERATIONAL PLAN FOR FISCAL YEARS 2017–18 &
2018–19 FOR COUNTY SERVICE AREAS, LIGHTING AND
MAINTENANCE DISTRICTS, PERMANENT ROAD
DIVISIONS, AIR POLLUTION CONTROL DISTRICT, SAN
DIEGO COUNTY SANITATION DISTRICT, SAN DIEGO
COUNTY FLOOD CONTROL DISTRICT AND COUNTY
SUCCESSOR AGENCY (DISTRICTS: ALL)**

OVERVIEW:

The Board is requested to receive and consider the Chief Administrative Officer Recommended Operational Plan for Fiscal Years 2017–18 & 2018–19 (Recommended Operational Plan) and direct the scheduling of related public hearings and budget deliberations.

FISCAL IMPACT:

The funding sources for the County Service Areas, Lighting and Maintenance Districts, Permanent Road Divisions, San Diego County Sanitation District, Air Pollution Control District, San Diego County Flood Control District and County Successor Agency are program revenues and available prior year fund balances.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Acting as the Board of Supervisors, receive and consider the Fiscal Years 2017–18 & 2018–19 Recommended Operational Plan for the County Service Areas, Lighting and Maintenance Districts and Permanent Road Divisions.

2. Acting as the Board of Directors of the San Diego County Sanitation District, receive and consider the Fiscal Years 2017–18 & 2018–19 Recommended Operational Plan for the San Diego County Sanitation District.
3. Acting as the San Diego County Air Pollution Control Board of Directors, receive and consider the Fiscal Years 2017–18 & 2018–19 Recommended Operational Plan for the Air Pollution Control District.
4. Acting as the San Diego County Flood Control District Board of Directors, receive and consider the Fiscal Years 2017–18 & 2018–19 Recommended Operational Plan for the San Diego County Flood Control District.
5. Acting as the County Successor Agency Board of Directors, receive and consider the Fiscal Years 2017–18 & 2018–19 Recommended Operational Plan for the County Successor Agency.
6. Set June 12, 2017 as the date to begin the legally required public hearings.

(Relates to Air Pollution Control District Agenda No. AP1, Flood Control District Agenda No. FL1, County Successor Agency Agenda No. SR1, and Sanitation District Agenda No. SA1)

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Jacob, the Board took action as recommended, setting June 12, 2017, as the date to begin the legally required public hearings.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

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

OVERVIEW:

On April 25, 2017 (1), the Board introduced the Ordinance for further Board consideration and adoption on May 2, 2017.

In California, victims of crime have a constitutional right to restitution through Article I, Section 28 (b) of the California Constitution, known as the Victims' Bill of Rights (Marsy's Law). Marsy's Law designates that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer. The Law also designates that restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss. The County of San Diego supports the rights

of victims established by Marsy's Law, by ensuring that offenders meet their obligation to pay ordered restitution. The San Diego County offices of the District Attorney, Sheriff, Probation, the Auditor and Controller and the California Department of Corrections and Rehabilitation may be involved in collecting restitution on a victim's behalf.

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

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

FISCAL IMPACT:

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

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt the Ordinance amending section 92 of Article V of the San Diego County Administrative Code relating to restitution collections pursuant to penal codes 1202.45, 2085.5, 2085.6 and 2085.7.
2. Waive Board Policy B-29, Fees, Grants, and Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Ordinance No. 10485 (N.S.), entitled: AN ORDINANCE TO AMEND SECTION 92 OF ARTICLE V OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO RESTITUTION COLLECTIONS PURSUANT TO PENAL CODES 1202.45, 2085.5, 2085.6 AND 2085.7.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

15. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Michelle Rivera v. County of San Diego, et al.; United States District Court, Central District, No. 5:16-CV-00795 PSG
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Iipay Nation of Santa Ysabel v. County of San Diego, et al.; San Diego County Superior Court No. 37-2012-00066977-CU-BC-EC
- C. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.6)
Designated Representatives: Susan Brazeau, Brad Rankin
Employee Organizations and Unrepresented Employees: All

ACTION:

County Counsel reported that for Closed Session on Tuesday, May 2, 2017, the Board took no reportable actions.

16. SUBJECT: PRESENTATIONS/AWARDS (DISTRICTS: ALL)

OVERVIEW:

Chairwoman Dianne Jacob presented a proclamation declaring May 02, 2017, Gwendalyn Gibson Day throughout the County of San Diego.

Supervisor Ron Roberts presented a proclamation declaring the week of May 7 thru May 13, 2017, National Travel And Tourism Week throughout the County of San Diego.

Supervisor Ron Roberts presented a proclamation declaring the week of May 21 thru May 27, 2017, Emergency Medical Services week throughout the County of San Diego.

Supervisor Greg Cox presented a proclamation honoring the Volunteer of the Month: Virginia Syverson.

17. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW:

Moriah Saldana spoke to the Board regarding Creek to Bay cleanup.

Katherine Rhodes spoke to the Board regarding homeless funding.

ACTION:

Heard, referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 12:03 p.m.

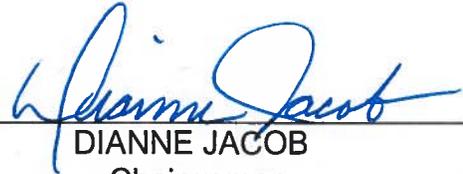
DAVID HALL

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

Consent: Lopez

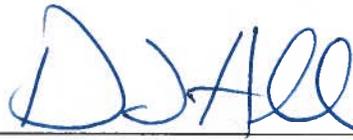
Discussion: Zurita

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



DIANNE JACOB
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

05/02/17