

May 04, 2021

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 4, 2021, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. REGULAR SESSION: Meeting was called to order at 9:00 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.

(Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present.)

- B. Invocation was led by Most Rev. Ramon Bejarano, Auxiliary Bishop and Vicar General, Office of the Bishop, Diocese of San Diego.
- C. Pledge of Allegiance was led by Andrea Taheri's first grade class, McMillen Elementary School.

- D. Presentation or Announcement of Proclamation and Awards:

Chair Nathan Fletcher presented a proclamation declaring May 2021, to be National Nurses Month throughout the County of San Diego.

Vice-Chair Nora Vargas presented a proclamation declaring May 4, 2021, to be Chicano Park Day throughout the County of San Diego.

Vice-Chair Nora Vargas presented a proclamation declaring May 9, 2021, to be Working Mother's Day throughout the County of San Diego.

Supervisor Terra Lawson-Remer presented a proclamation declaring May 4, 2021, to be SEIU USWW Day throughout the County of San Diego.

Supervisor Terra Lawson-Remer presented a proclamation declaring May 1 – May 8, 2021, to be San Diego Labor Leaders Week throughout the County of San Diego.

- E. 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.

- F. Approval of the Statement of Proceedings/Minutes for the meeting of April 6, 2021.

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of April 06, 2021.

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

- G. Formation of Consent Calendar

- H. Discussion Items

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

Board of Supervisors' Agenda Items

Category	#	Subject
Public Safety	1.	NOTICED PUBLIC HEARING: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO COUNTY FIRE CHARGES AND FEES
	2.	UPDATE - REQUEST TO ADOPT BOARD OF SUPERVISOR POLICY REGARDING NO COST COMMUNICATION SERVICES FOR INCARCERATED PERSONS [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
	3.	COMMUNITY PARAMEDICINE - EXPLORING THE FEASIBILITY OF A COMMUNITY RISK REDUCTION MEDICAL SERVICES PROGRAM WITHIN THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
	4.	NOTIFICATION AND PROCEDURES FOR THE PLACEMENT AND RESIDENCY OF SEXUALLY VIOLENT PREDATORS AND REGISTERED SEX OFFENDERS
	5.	PROVIDE LEGAL REPRESENTATION TO DETAINED IMMIGRANTS FACING REMOVAL PROCEEDINGS

6. SHERIFF - ESTABLISH APPROPRIATIONS FOR FISCAL YEAR (FY) 2019 STATE HOMELAND SECURITY PROGRAM AND FY 2019 AND FY 2020 STATE HOMELAND SECURITY PROGRAM AND URBAN AREAS SECURITY INITIATIVE
[FUNDING SOURCES: GRANT REVENUE FROM THE U. S. DEPARTMENT OF HOMELAND SECURITY PASSED THROUGH THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES AND SUB GRANTED TO THE COUNTY OFFICE OF EMERGENCY SERVICES AND EXISTING GENERAL-PURPOSE REVENUE; AND, EXISTING GENERAL-PURPOSE REVENUE]
(4 VOTES)
7. SHERIFF - ESTABLISH APPROPRIATIONS FOR FISCAL YEAR 2021 DOMESTIC CANNABIS ERADICATION SUPPRESSION PROGRAM
[FUNDING SOURCES: GRANT REVENUE FROM THE U. S. DEPARTMENT OF JUSTICE DRUG ENFORCEMENT ADMINISTRATION AND EXISTING GENERAL PURPOSE REVENUE]
(4 VOTES)
8. SHERIFF'S DEPARTMENT LAW ENFORCEMENT AGREEMENT WITH THE STATE OF CALIFORNIA'S 22ND DISTRICT AGRICULTURAL ASSOCIATION
[FUNDING SOURCE: REVENUE FROM THE STATE OF CALIFORNIA'S 22ND DISTRICT AGRICULTURAL ASSOCIATION (DISTRICT)]
9. A RESOLUTION UPDATING THE COUNTY'S DESIGNATION OF AUTHORIZED AGENTS FOR EMERGENCY SERVICES FUNDING

Health and
Human Services

10. RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS IN RESPONSE TO THE LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY, AUTHORIZE AMENDMENT TO THE CONTRACT WITH RO HEALTH, AUTHORIZE AMENDMENT TO COMMUNITY HEALTH WORKER COMMUNICATION AND OUTREACH SERVICES CONTRACTS, AUTHORIZE APPLICATION FOR AND ACCEPTANCE OF FUNDING FROM THE COMMUNITY HEALTH WORKERS FOR COVID RESPONSE AND RESILIENCE GRANT, AUTHORIZE COMPETITIVE SOLICITATION FOR COMMUNITY HEALTH WORKERS FOR COVID RESPONSE AND RESILIENCE GRANT FUNDS, AUTHORIZE ACCEPTANCE OF IMMUNIZATION BRANCH COVID-19 LOCAL ASSISTANCE SUPPLEMENTAL FUNDING, ADOPT A RESOLUTION TO WAIVE PERMIT FEES INCURRED BY THE EVENTS INDUSTRY, AUTHORIZE AN EXTENSION OF THE RENT DEFERRAL PERIOD FOR RENTERS OF COUNTY OWNED COMMERCIAL OR RESIDENTIAL PROPERTY, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE COVID-19 PANDEMIC
11. CONTINUED ITEM FROM 04/06/2021 (11):
UPDATE ON ADVANCING THE BEHAVIORAL HEALTH CONTINUUM OF CARE
12. EXPANDING RENTAL ASSISTANCE TO SUPPORT TENANTS AND SMALL-SCALE INDEPENDENT PROPERTY OWNERS
13. ADOPT RESOLUTION FOR, AND AUTHORIZE ACCEPTANCE OF, OLDER ADULT SERVICES REVENUE AGREEMENTS AND GRANTS FOR FISCAL YEAR 2021-2022, AND AUTHORIZATION TO PURSUE FUTURE FUNDING OPPORTUNITIES FOR PROGRAMS SERVING OLDER ADULTS AND PERSON WITH DISABILITIES [FUNDING SOURCE: STATE GENERAL FUND, FEDERAL MEDICAID PROGRAM; TITLES III, V, AND VII OF THE OLDER AMERICANS ACT; FEDERAL AND STATE HICAP FUNDS; FEDERAL SNAP-ED/CALFRESH – HEALTHY LIVING, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES; HEALTH PLANS AND OTHER HEALTHCARE ENTITIES; SAN DIEGO GAS & ELECTRIC; VETERANS ADMINISTRATION SAN DIEGO HEALTHCARE SYSTEM; SAN DIEGO STATE UNIVERSITY RESEARCH FOUNDATION; AND CORPORATION FOR NATIONAL & COMMUNITY SERVICE]

14. AUTHORIZE COMPETITIVE SOLICITATION FOR SECURITY GUARD SERVICES FOR HEALTH AND HUMAN SERVICES AGENCY FACILITIES
[FUNDING SOURCES: VARIOUS FEDERAL AND STATE REVENUE AVAILABLE FOR ADMINISTRATION OF HEALTH AND HUMAN SERVICES PROGRAMS AND REALIGNMENT]
15. AUTHORIZE A-87 EXCEPTION TO COMPETITIVE PROCUREMENT FOR CONTRACT WITH THE SAN DIEGO STATE UNIVERSITY RESEARCH FOUNDATION FOR TRAINING SERVICES
[FUNDING SOURCES: SOCIAL SERVICES ADMINISTRATIVE REVENUE AND REALIGNMENT]
16. AUTHORIZE COMPETITIVE SOLICITATION FOR VISITATION, TRANSPORTATION, AND FAMILY VISIT COACHING SERVICES
[FUNDING SOURCES: SOCIAL SERVICES ADMINISTRATIVE REVENUE AND REALIGNMENT]
17. AUTHORIZE COMPETITIVE SOLICITATION FOR COMMUNITY SERVICES FOR FAMILIES PROGRAM
[FUNDING SOURCE: SOCIAL SERVICES ADMINISTRATIVE REVENUE AND REALIGNMENT]
18. ADMINISTRATIVE ITEM:
AN ORDINANCE AMENDING ARTICLE XV-B OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES
19. NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF REPUBLIC SERVICES, INC., IN AN AGGREGATE AMOUNT NOT TO EXCEED \$703,700,000
20. NOTICED PUBLIC HEARING:
ISSUANCE OF MULTIFAMILY HOUSING REVENUE OBLIGATIONS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR THE BENEFIT OF FAIRFIELD PARK CREST LP, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$38,000,000
21. NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF LA MAESTRA FAMILY CLINIC, INC., IN AN AGGREGATE AMOUNT NOT TO EXCEED \$15,000,000

Financial and
General
Government

22. NOTICED PUBLIC HEARING:
ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: FINANCE AND GENERAL GOVERNMENT
GROUP FEES AND RATES RELATING TO THE
ASSESSOR/RECORDER/COUNTY CLERK AND COUNTY
COUNSEL
23. FRAMEWORK FOR THE FUTURE: CREATING AN
OFFICE OF LABOR STANDARDS AND ENFORCEMENT
24. SUPPORTING H.R. 1280, THE GEORGE FLOYD JUSTICE
IN POLICING ACT
25. ADVOCATING FOR RENTAL ASSISTANCE FLEXIBILITY
AND THE CREATION OF A SHALLOW (SHORT-TERM)
RENT SUBSIDY PROGRAM
26. AN ORDINANCE OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN DIEGO EXERCISING THE
COUNTY'S POLICE POWER TO PROHIBIT
RESIDENTIAL EVICTIONS WITHOUT JUST CAUSE AND
TO ENACT A MORATORIUM ON CERTAIN
RESIDENTIAL RENT INCREASES
27. SUPPORT THE PROTECTING THE RIGHT TO
ORGANIZE (PRO) ACT OF 2021
28. GROSSMONT-CUYAMACA COMMUNITY COLLEGE
DISTRICT GENERAL OBLIGATION BONDS, (ELECTION
OF 2012, SERIES 2021C) AND THE 2021 GENERAL
OBLIGATION REFUNDING BONDS
29. NEIGHBORHOOD REINVESTMENT AND COMMUNITY
ENHANCEMENT PROGRAM GRANTS (DISTRICT: 4)
[FUNDING SOURCES: GENERAL PURPOSE REVENUE
AND TRANSIENT OCCUPANCY TAX REVENUES]
30. GENERAL SERVICES - AUTHORIZATION TO
ADVERTISE AND AWARD CONSTRUCTION MANAGER
AT RISK CONTRACTS
31. AMENDMENTS TO THE COMPENSATION ORDINANCE
(5/4/2021 - First Reading; 5/18/2021 - Second Reading)

Communications
Received

32. COMMUNICATIONS RECEIVED

Appointments

33. APPOINTMENTS: VARIOUS

TUESDAY, MAY 4, 2021

- | | | |
|--|-----|---|
| Financial and
General
Government | 34. | APPOINTMENT OF COUNTY COUNSEL AND APPROVAL
OF EMPLOYMENT AGREEMENT |
| Closed Session | 35. | CLOSED SESSION |
| Public
Communication | 36. | PUBLIC COMMUNICATION |

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1. **SUBJECT: NOTICED PUBLIC HEARING:
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY
ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN
DIEGO COUNTY FIRE CHARGES AND FEES (DISTRICTS: ALL)**

OVERVIEW

To promote fire safety within the region, San Diego County Fire (County Fire) reviews residential and commercial projects to ensure compliance with the County Fire Code and California Fire Code. County Fire assesses charges and fees to recover its costs for this work, which are approved by the County Board of Supervisors (Board). The levies are charged to individuals or agencies applying for new residential and commercial building permits, tenant improvement permits, gate and grading permits, and special event permits. The Board last approved revisions to the fees and rates in Article XX of the San Diego County Administrative Code on December 3, 2013 (1).

County Fire recently conducted a review of fees and rates to ensure compliance with Board Policy B-29 (Fees, Grants, and Revenue Contracts - Department Responsibility for Cost Recovery), which requires County departments to recover the costs to provide services to agencies or individuals. As a result, County Fire is proposing actions that support the cost of providing County Fire services, while ensuring fee levels that are fair and equitable for customers and the public. A total of 20 County Fire fees and two rates, and associated costs, were reviewed, resulting in a proposed increase in 14 fees, a proposed increase in one rate, a proposed decrease in six fees, and the deletion of one rate. The Auditor and Controller reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal for Fiscal Year 2021-22.

Today's request is for the Board to consider an ordinance amending Article XX of the County Administrative Code related to fees for services provided by County Fire. If the Board takes this action as recommended, then on May 18, 2021, it may consider adoption of the proposed ordinance.

This action contributes to the *Live Well San Diego* vision by furthering activities that help make San Diego a more resilient community by ensuring that adequate fire protection and prevention measures are included in new residential and commercial development.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On May 4, 2021:

1. Waive Board Policy B-29 (Fees, Grants and Revenue Contracts - Department Responsibility for Cost Recovery) as it relates to previously authorized fee waivers, such as structures damaged or destroyed by natural disaster, modifications to the homes of disabled veterans, and plan check and inspection fees for the Homeowner and Business Owner Relief Act permits.

2. Find the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15273 of the CEQA Guidelines and approve the findings in Attachment D pursuant to CEQA Guidelines Section 15273 (a)(1), which provides a statutory exemption for the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies that the public agency finds are for the purpose of meeting operating expenses.
3. Approve the introduction of the Ordinance (first reading), read title, and waive further reading of the Ordinance:
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO COUNTY FIRE CHARGES AND FEES.

If, on May 4, 2021, the San Diego County Board takes action as recommended, then on May 18, 2021, consider and adopt (second reading):

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, ARTICLE XX, RELATING TO SAN DIEGO COUNTY FIRE CHARGES AND FEES.

FISCAL IMPACT

Funds for this request will be included in the Fiscal Years 2021-22 CAO Recommended Operational Plan, San Diego County Fire. If approved, this request will result in an estimated increase in revenue of \$36,270 in Fiscal Year 2021-22. The proposed fees ensure full cost recovery for services related to fire plan reviews, inspections, and other technical work, with certain exceptions for which a waiver of Board Policy B-29 is requested. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The proposed fees and rates will have an impact on the business community within the San Diego County Fire Protection District and fire protection districts or municipal water districts that contract with County Fire to provide fire plan reviews and inspections. Services have previously been provided to individual applicants without full cost recovery. The proposed levies have been found to be fair and comparable with those assessed by other agencies for similar services. Attachment F - Regional Comparison of Major Fee Types compares County Fire's proposed fees to those in neighboring Fire Protection Districts and County Fire Departments.

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 18, 2021.

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

2. SUBJECT: UPDATE - REQUEST TO ADOPT BOARD OF SUPERVISOR POLICY REGARDING NO COST COMMUNICATION SERVICES FOR INCARCERATED PERSONS (DISTRICTS: ALL)

OVERVIEW

On March 2, 2021 (3), the Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to develop a Board Policy that prohibits the County from entering into agreements to charge incarcerated persons for communication services, including telephone, messaging and video visitation, and to prohibit the County from generating operating revenue from fees associated with communication services.

Additionally, the Board directed the CAO to develop, with the Sheriff and Probation Department, a communication services program that provides no-cost communication services for incarcerated persons, authorized contract amendments and a new procurement and directed the CAO to identify alternative funding sources for the Fiscal Year 2021-22 budget to support inmate welfare services and programs.

This is a request for the Board to adopt a Board Policy regarding No Cost Communication Services for Incarcerated Persons. This item also provides updates regarding the implementation of no cost communication services.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt Board Policy B-73 entitled: NO COST COMMUNICATION SERVICES FOR INCARCERATED PERSONS to be effective as of July 1, 2021.

FISCAL IMPACT

There is no fiscal impact in Fiscal Year 2020-21 associated with the adoption of the No Cost Communication Services for Incarcerated Persons policy in Fiscal Year 2020-21. Funds in the amount of \$7.7 million will be included in the Fiscal Years 2021-23 CAO Recommended Operational Plan in the Sheriff's Department (\$7.5 million) and Probation Department (\$0.2 million) to continue support for the inmate welfare programs services provided by both departments and for the anticipated rates and fees associated with communication services for incarcerated adults and youth in custody. The proposed funding source is General Purpose Revenue. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, directing the Chief Administrative Officer to explore rate relief possibilities under the Public Utilities Commission (PUC) and federal entities, and to prepare a letter for the Chair's signature in support of rate relief efforts.

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

3. SUBJECT: COMMUNITY PARAMEDICINE - EXPLORING THE FEASIBILITY OF A COMMUNITY RISK REDUCTION MEDICAL SERVICES PROGRAM WITHIN THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT (DISTRICTS: ALL)

OVERVIEW

The COVID-19 pandemic highlighted the limits of healthcare access in rural unincorporated San Diego County communities. Out of this challenge also grew new opportunities and expanded collaboration. In the early stages of the pandemic, the County began providing COVID-19-related services in the more remote corners of the region through its partnership with the California Department of Forestry and Fire Protection. Many of these areas fall into the lowest quartile on the California Healthy Places Index, due in part to their distance from healthcare services. Over the past year, County Fire Emergency Medical Services (EMS) teams shifted to this mission. County Fire worked closely with the Health and Human Services Agency (HHSA) and other fire agencies to close the gaps in access, together administering more than 82,000 COVID-19 tests, 35,000 COVID-19 vaccines, and 3,200 flu vaccines.

The success of this work has demonstrated the potential of an expanded EMS role in rural unincorporated communities. Through County Fire's Community Risk Reduction Division, EMS staff could broaden these proactive medical services. Work could include connecting patients to primary care and behavioral health services, conducting post-hospital follow-up visits, and expanding public health education in partnership with HHSA. In order to carry out the work on the feasibility study, a temporary expert professional will be hired.

Today's action requests the Chief Administrative Officer to explore the feasibility of establishing a Community Risk Reduction medical services program within the San Diego County Fire Protection District jurisdictional area and return to the Board within 180 days with recommendations for implementation.

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND AND CHAIRMAN NATHAN FLETCHER

Direct the Chief Administrative Officer to explore the feasibility of establishing a Community Risk Reduction medical services program within the San Diego County Fire Protection District jurisdictional area by hiring a temporary expert professional and return to the Board within 180 days with recommendations for implementation.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan for San Diego County Fire Authority. If approved, this request will result in costs of \$100,000 in Fiscal Year 2020-21. The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, directing the Chief Administrative Officer to:

- To explore the feasibility of establishing a Community Risk Reduction medical services program within the San Diego County Fire Protection District jurisdictional area by hiring a temporary expert professional and return to the Board within 180 days with recommendations for implementation.
- Explore the feasibility of partnering with Community College Districts.
- Prepare a feasibility report to include cost benefit analysis to determine opportunities for cost savings that the program can realize, particularly looking at probable reductions in emergency room visits, overnight hospitalizations, and hospital readmissions. The report should also include measurements related to the health equity index in communities to evaluate program effectiveness.

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

4. **SUBJECT: NOTIFICATION AND PROCEDURES FOR THE PLACEMENT AND RESIDENCY OF SEXUALLY VIOLENT PREDATORS AND REGISTERED SEX OFFENDERS (DISTRICTS: ALL)**

OVERVIEW

The housing of sex offenders in San Diego County continues to be a major concern for the region's families, community leaders and the elected officials representing them. Unfortunately, the current processes related to the notification and placement of Sexually Violent Predators (SVP) and registered sex offenders is unclear as accurate information has been difficult to obtain and sometimes contradictory. In addition, it has been determined that local agencies have disregarded public noticing laws. Also, vendors responsible for placing Sexually Violent Predators and registered sex offenders have violated County building codes and had improvements made to accommodate these sex offenders. These are being pursued by County Code Enforcement.

The following is a summary of the information my office has been able to obtain from multiple sources concerning the current processes:

SVP Release, Placement and Notification Process

- Department of State Hospitals (DSH) notifies County Sexual Assault Felony Enforcement (SAFE) Task Force a few weeks before SVP is to be released.
- Although a representative from the Sheriff's Department is a member of, and has attended the SAFE meetings, there is a lack of clarity as to the role and responsibilities of the Task Force.
- The SAFE team notifies community and local elected officials of pending SVP releases, the dates of placement court hearings, and the process to testify during court hearings.
- DSH (or DSH's consultant) identifies and secures a residence for the SVP to live.
- According to the DSH website FAQs, "the county is notified in writing by DSH of the upcoming (SVP) release. The court may appoint a county organization to assist with the housing search."

- A housing search committee may include representatives from local law enforcement, district attorney's office or other county administrators. The committee would meet regularly with the Executive Director of CONREP to receive updates on the housing search. Counties are not required to form a committee. If they decide not to, the search is still conducted and findings are relayed to the court."
(<https://dsh.ca.gov/Treatment/FAQs.html>)
- According to the California Welfare and Institutions Code: "...county of domicile shall designate a county agency or program that will provide assistance and consultation in the process of locating and securing housing within the county for persons committed as sexually violent predators..."
- We have received contradictory responses from the District Attorney regarding the roles and responsibilities relative to a housing search committee.
- The San Diego Sheriff's Department has indicated they "do not have a role in that decision making" of housing an SVP.
- Both the residence where SVP's Badger and Wakefield may be placed, and the Cordial Road property where ten registered sex offenders were living, had improvements made to accommodate these sex offenders, in violation zoning code. These are being pursued by County Code Enforcement.

Registered Sex Offender Notification Process

- California Department of Corrections' San Diego region consultant (HealthRIGHT360) authorizes their subconsultant (Optima Transitional, Inc.) to identify and lease properties for non-SVP sex offenders participating in recovery programs and living in group homes.
- California Department of Corrections staff inspects proposed SVP residences and approves Optima's leasing of residences.
- Once registered sex offenders (both SVP and non-SVP) move into a new residence, they must register with local law enforcement within ten days and must register their current address within five working days of their birthday each year.
- Local law enforcement provides this registration information to the State Department of Justice, who inputs information into Megan's Law database
(<https://www.meganslaw.ca.gov/>)

Additional Information

- The San Diego Sex Offender Management Council (SOMC) is comprised of law enforcement and mental health representatives and is responsible for developing and implementing standards to improve the quality and effectiveness of sex offender evaluations, treatment and supervision.
- The Sex Offender Management Council met monthly until 2019. The District Attorney's office has informed us that "informal" meeting have been held without noticing, agendas or minutes as required under the Brown Act.
- Although my office has been able to obtain the above information, there are inconsistencies and omissions in the answers we received to our questions to the District Attorney's office and Sheriff's office. Some of the remaining questions that need to be answered include the following:
- There is contradictory information on the role and formation of an SVP "housing search committee."
- Who has the authority/ability to form a housing search committee (Courts, District Attorney, Sheriff, Board of Supervisors, Probation, etc.) and is the committee limited?

- Is DSH required to notify the SAFE team prior to the release of an SVP? If so, what statute, regulation, etc. requires them to do so?
- How much time prior to release of an SVP must the SAFE team be notified?
- Is DSH required to provide any other local notification of pending SVP releases/placements?
- Has an agency or program, or housing committee been established in San Diego County to assist with SVP housing searches?
- If not, who is responsible for identifying an agency or program and notifying DSH, or establishing a housing search committee?
- If a housing committee can be established, who can serve on the committee?
- Are local law enforcement permitted to inform communities once a registered sex offender registers with law enforcement?
- What is the formal function of the SAFE Task Force?
- Who appoints the SAFE Task Force?
- Is SAFE governed by the Brown Act?
- What are the full responsibilities of the SOMC?
- What governs the composition of the SOMC? Who is responsible for appointing SOMC members?

To enhance the notification and placement processes for Sexually Violent Predators and sex offenders, it is vital for all parties, including the public, to first understand the roles and responsibilities each entity plays under the current processes. I am, therefore, asking the board to direct County Counsel and the Chief Administrative Officer to review the facts and questions raised, as well as other related issues, and determine what process has been used and what processes and procedures can be utilized for notifying the public about the placement and residency of Sexual Violent Predators (SVP) and Registered Sex Offenders.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON

Direct County Counsel and the Chief Administrative Officer to review the facts and questions raised, as well as other related issues, and determine what process has been used and what processes and procedures can be utilized for notifying the public about the placement and residency of Sexual Violent Predators (SVP) and Registered Sex Offenders.

FISCAL IMPACT

This action will not result in the need for any additional funding.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, directing the Chief Administrative Officer to assess notifications to tribal governments as part of the notification process.

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

**5. SUBJECT: PROVIDE LEGAL REPRESENTATION TO DETAINED
IMMIGRANTS FACING REMOVAL PROCEEDINGS
(DISTRICTS: ALL)**

OVERVIEW

Deportation has immeasurable consequences for the person removed and the family and community that is left behind in the United States.

Immigrants' right to counsel in removal proceedings is a right that arises from multiple sources, including the Fifth Amendment to the U.S. Constitution, the Immigration and Nationality Act (INA), other federal statutes, and federal regulations. The constitutional right to due process protects the fundamental rights of every "person" in this country. The Fifth Amendment guarantees that "[n]o person ... shall be deprived of life, liberty, or property" without due process of law. Immigrants in removal proceedings, i.e. those facing deportation and appearing before an immigration judge, have a right "of being represented ... by counsel." I.N.A. § 240(b)(4)(A). While an immigrant's right to counsel of their own choice at their own expense in removal proceedings is protected by the Due Process Clause and INA, it is a right afforded to only the few that can pay the cost of such representation.

Many immigrants facing deportation or seeking asylum do not have access to legal representation. Legal fees can be extremely costly. Furthermore, immigration law is vast and complex, making it is very difficult to navigate without access to experts.

There is also strong evidence that when immigrants have access to counsel, the immigration courts run more efficiently. Immigration law is extremely complicated and changes frequently. Clients without a legal guide are lost. Represented clients are more likely to appear at their hearings and file fewer claims.

Exercising their constitutional right to being represented by an immigration attorney gives immigrants dignity, hope, and the ability to return to their affairs and continue contributing to their communities while their cases proceed through the courts. According to the American Immigration Council, immigrants in detention with legal representation who had a custody hearing were four times more likely to be released from detention, allowing them to return to their jobs, family and community while they awaited the results of their legal matter. Legal representation has also been shown to help immigrants gain or maintain their legal work authorization, thus contributing to federal, state, and local tax revenue.

Communities experience a significant loss in economic activity and reduction of tax revenue when immigrants are detained -- revenue that often is collected through employers, mortgages, lease payments, businesses, education and other financial contributions. Furthermore, there are high costs of keeping individuals in immigration detention at the taxpayer's expense. For instance, in the FY 2016 federal budget, taxpayers spent \$2 billion in detention of immigrants. This amount would significantly decline as people access adequate representation and exit the detention system.

The lack of appointed counsel means that tens of thousands of people each year go unrepresented, including asylum seekers, longtime legal residents, immigrant parents or spouses of U.S. citizens, and even children. They are left to defend themselves in an adversarial setting and notoriously complex system against the United States government,

which is always represented by counsel. According to the American Immigration Council, only 17 percent of detainees in San Diego have legal representation. Currently, San Diego County has many hard-working immigrant attorneys and organizations working to represent immigrants. However, many of these organizations lack adequate resources to address the volume of cases.

The Supreme Court in *Gideon v. Wainwright*, 372 U.S. 335 (1963), held that “any person haled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for [them]... in particular because “[g]overnments ... quite properly spend vast sums of money to establish machinery to try defendants accused of crime”. However this 6th amendment right to appointed counsel only applies to criminal proceedings, and immigration removal is a civil proceeding - so despite the fact that the consequences of deportation or the denial of asylum are often quite literally life and death, immigrants who are too poor to hire a lawyer are not assured a fair trial and are denied due process.

The Vera Institute of Justice reports that two out of three people in the United States support government-funded representation for immigrants facing deportation, including 67 percent of likely voters.

Los Angeles and Santa Clara County have successfully provided universal legal services to immigrants. Aware of the positive impact of informed legal defense, the County of Los Angeles, the City of Los Angeles, the Weingart Foundation, and the California Community Foundation responded to increased immigration enforcement practices by establishing the Los Angeles Justice Fund. This pilot grantmaking and capacity-building program was designed to strengthen the capacities of legal service providers to provide critical and timely legal representation for more immigrants in Los Angeles County who are detained by immigration officials or in removal proceedings. Santa Clara has a similar model where the County awards grants to immigration legal services who apply and are granted funds.

The San Diego Public Defender’s Office currently provides criminal legal defense services to San Diego County. The Office of Assigned Counsel is expertly suited to manage an Immigrant Rights Legal Defense Program, by administering and overseeing contracts awarded by the Department of Purchasing and Contracting to various immigrant defense agencies and non-profits. The Office of Assigned Counsel already provides San Diego County with similar services when directly contracting criminal cases to criminal attorneys when multiple layers of conflict arise pursuant to the Penal Code. Their track record and ability to manage, budget, and assign multiple cases will advance the representation of detained immigrants more readily than any other agency.

With this action today, San Diego will join efforts to realize constitutional rights promised but left unfulfilled, and expand access to justice for our immigrant population. Today’s request directs the Chief Administrative Officer to refer to budget \$5 million for a one-year pilot Immigrant Rights Legal Defense Program, and work with the Director of the Office of Assigned Counsel to return to the Board within 90 days with a program plan for a permanent program to provide legal representation to detained immigrants facing removal proceedings in San Diego County.

RECOMMENDATION(S)
SUPERVISOR TERRA LAWSON-REMER

1. Establish a permanent Immigrant Rights Legal Defense Program, to provide legal representation to detained immigrants facing removal proceedings in San Diego County.
 - a. As a first step in establishing the permanent program, direct the Chief Administrative Officer to refer to budget \$5 million for Fiscal Year 2021-202 for a pilot Immigrant Rights Legal Defense Program.
 - i. The program will be a one (1) year pilot with a FY 21-22 budget of \$5 million. This shall include up to \$500,000 for translation services.
 - ii. The program shall be housed in the Office of Assigned Counsel of the Public Defender's Office.
 - iii. The Department of Purchasing and Contracting will work with the Office of Assigned Counsel to manage the contracting of cases to various immigrant defense agencies and non-profits within the county.
2. Direct the CAO to work with the Director of the Office of Assigned Counsel of the Public Defender's Office and return to the Board of Supervisors within 90 days with a permanent program plan to provide legal representation for detained immigrants facing removal proceedings in San Diego county under a universal representation model.
 - a. The program plan shall request a minimum yearly budget of \$5 million, including up to \$500,000 for translation services.
 - b. The program shall provide detained immigrants facing deportation or removal proceedings in San Diego County access to legal representation at no cost to the individual facing deportation or removal proceedings.
 - c. The program shall entail an annual report from the Public Defender's Office regarding:
 - i. Number of immigrants represented
 - ii. Number of days in custody before release, if released
 - iii. Dollar amount of the bond if given bond
 - iv. Substantive outcomes and substantive motions
 - v. Status of pending cases:
 1. Returned to employment
 2. Returned to family
 3. Returned to community
 4. Remained in custody pending outcome
 - vi. Number of interpreters needed to assist
 - vii. Which language interpreters utilized
 - viii. Relief from removal available and utilized

- d. Require the Office of Assigned Counsel of the Public Defender's Office to use a case management system to capture other data that may be relevant or requested.
- e. The program shall build on lessons learned from the initial pilot project, as well as best practices from other counties with similar programs.

FISCAL IMPACT

Funds for this request are not included in the County of San Diego's Fiscal Year 2020-2021 Operational Plan. Refer to budget for an additional \$5 million to the FY 21-22 budget based on available prior year General Fund fund balance and anticipate a minimum of \$5 million annually in subsequent fiscal years beginning in FY 2022-2023 based on available ongoing funding sources. The impact to net General Fund cost and staff will depend on the final program design.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

6. **SUBJECT: SHERIFF - ESTABLISH APPROPRIATIONS FOR FISCAL YEAR (FY) 2019 STATE HOMELAND SECURITY PROGRAM AND FY 2019 AND FY 2020 STATE HOMELAND SECURITY PROGRAM AND URBAN AREAS SECURITY INITIATIVE (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 U. S. Department of Homeland Security's (DHS) Homeland Security Grant Program (HSGP).

On August 7, 2012 (4), the Board of Supervisors authorized the Sheriff to apply for and accept HSGP funds on behalf of the San Diego Law Enforcement Coordination Center (SD LECC) in future years if there are no material changes to the grant terms and funding levels. On February 14, 2017 (1), the Board of Supervisors 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 DHS through the California Governor's Office of Emergency Services (Cal OES) awarded a total of \$4,489,225 in HSGP funding to the Sheriff's Department for Fiscal Year (FY) 2019 (\$2,441,725) and FY 2020 (\$2,047,500) consisting of:

- a. \$394,225 sub granted to the County Office of Emergency Services for the FY 2019 SHSP for the Sheriff's Department. This is a request to establish appropriations of \$394,225 in grant funding for the project period March 1, 2020 to May 31, 2021.

- b. \$2,047,500 for the FY 2019 SHSP (\$1,000,000) and the UASI (\$1,047,500) for the San Diego Law Enforcement Coordination Center (SD LECC). This is a request to establish appropriations of \$2,047,500 in grant funding for the project period September 1, 2019 to May 31, 2022.
- c. \$2,047,500 for the FY 2020 SHSP (\$1,000,000) and the UASI (\$1,047,500) for the SD LECC. This is a request to establish appropriations of \$2,047,500 in grant funding for the project period September 1, 2020 to May 31, 2023. This is also a request to authorize the Board of Supervisors to adopt a governing body resolution authorizing the Sheriff and designated Sheriff's Department personnel to execute any actions necessary for the purposes of the FY 2020 HSGP SHSP and UASI grant programs for the SD LECC.

RECOMMENDATION(S)

SHERIFF

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for grants and revenue contracts, as these grant and revenue programs do not recover full cost.
2. Establish appropriations of \$394,225 in the Sheriff's Department for Salaries & Benefits for overtime (\$166,000), Services & Supplies (\$172,940) and Capital Assets Equipment (\$55,285), based on unanticipated revenue from the U. S. Department of Homeland Security, Fiscal Year 2019 Homeland Security Grant Program, State Homeland Security Program (SHSP), passed through the California Governor's Office of Emergency Services, and sub granted to the County Office of Emergency Services for the project period of March 1, 2020 through May 31, 2021. **(4 VOTES)**
3. Establish appropriations of \$2,047,500 in the Sheriff's Department on behalf of the San Diego Regional Threat Assessment Center-Law Enforcement Coordination Center (SD RTAC-LECC) for Services & Supplies for the State Homeland Security Program (SHSP) and for the Urban Area Security Initiative (UASI) based on unanticipated revenue from the U. S. Department of Homeland Security, Fiscal Year 2019 Homeland Security Grant Program passed through the California Governor's Office of Emergency Services for the project period of September 1, 2019 to May 31, 2022. **(4 VOTES)**
4. Establish appropriations of \$2,047,500 in the Sheriff's Department on behalf of the San Diego Regional Threat Assessment Center-Law Enforcement Coordination Center (SD RTAC-LECC) for Services & Supplies for the State Homeland Security Program (SHSP) and for the Urban Area Security Initiative (UASI) based on unanticipated revenue from the U. S. Department of Homeland Security, Fiscal Year 2020 Homeland Security Grant Program passed through the California Governor's Office of Emergency Services for the project period of September 1, 2020 to May 31, 2023. **(4 VOTES)**
5. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE FISCAL YEAR 2019 AND 2020 HOMELAND SECURITY GRANT PROGRAM STATE HOMELAND SECURITY PROGRAM (SHSP) AND THE URBAN AREA SECURITY INITIATIVE (UASI).

FISCAL IMPACT**Fiscal Year (FY) 2019 State Homeland Security Program (Sheriff)**

Funds for this request are partially included in the Fiscal Year 2020-21 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$446,880 and revenue of \$394,225. The funding sources are grant revenue from the U. S. Department of Homeland Security passed through the California Governor's Office of Emergency Services and sub granted to the County Office of Emergency Services (\$394,225) and existing General-Purpose Revenue (\$52,655). The grant award recovers all Sheriff's Department direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$52,655. There will be no change in net General Fund cost and no additional staff years.

FY 2019 State Homeland Security Program/Urban Area Security Initiative (SD LECC)

Funds for this request are partially included in the Fiscal Year 2020-21 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$2,065,518 and revenue of \$2,047,500. The funding sources are grant revenue from the U. S. Department of Homeland Security passed through the California Governor's Office of Emergency Services (\$2,047,500) and existing General-Purpose Revenue (\$18,018). The grant award recovers all Sheriff's Department direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$18,018. There will be no change in net General Fund cost and no additional staff years.

FY 2020 State Homeland Security Program/Urban Areas Security Initiative (SD LECC)

Funds for this request are partially included in the Fiscal Year 2020-21 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$2,065,518 and revenue of \$2,047,500. The funding sources are grant revenue from the U. S. Department of Homeland Security passed through the California Governor's Office of Emergency Services (\$2,047,500) and existing General-Purpose Revenue (\$18,018). The grant award recovers all Sheriff's Department direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$18,018. 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 Anderson, the Board of Supervisors took action as recommended, adopting Resolution No. 21-056, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE FISCAL YEAR 2019 AND 2020 HOMELAND SECURITY GRANT PROGRAM STATE HOMELAND SECURITY PROGRAM (SHSP) AND THE URBAN AREA SECURITY INITIATIVE (UASI).

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

7. **SUBJECT: SHERIFF - ESTABLISH APPROPRIATIONS FOR FISCAL YEAR 2021
DOMESTIC CANNABIS ERADICATION SUPPRESSION PROGRAM
(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 U. S. Department of Justice Drug Enforcement Administration (USDOJ DEA).

The Domestic Cannabis Eradication/Suppression Program (DCE/SP) is the only nationwide law enforcement program that exclusively targets drug trafficking organizations involved in cannabis cultivation and that funds eradication enforcement activities throughout the nation. On September 29, 2015 (2), the Board of Supervisors authorized the Sheriff to execute the annual revenue contract with the USDOJ DEA and annual Memorandum of Agreement with participating local law enforcement agencies for the DCE/SP. On July 19, 2016 (4), the Board of Supervisors authorized the Sheriff to apply for the USDOJ DEA's DCE/SP funding in subsequent years and authorized the Sheriff, or designee, to review and execute all revenue and revenue-related documents, including agreements with other government and non-government agencies for the distribution of revenue where necessary to carry out the purposes of the program that do not materially impact or alter the services or funding levels.

During the program period, the Sheriff will address criminal activities related to cannabis operations within San Diego County during and after normal business hours. These operations include, but are not limited to, gathering and reporting intelligence data relating to illegal cultivation, possession, and distribution of cannabis; investigating and reporting instances involving the trafficking of controlled substances; and making arrests and referring these apprehended criminals to the appropriate prosecutorial authority for prosecution under controlled substances laws and other criminal laws. This is a request to establish appropriations of \$300,000 from the USDOJ DEA for the project period October 1, 2020 through September 30, 2021.

RECOMMENDATION(S)

SHERIFF

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for grants and revenue contracts, as these grant and revenue programs do not recover full cost.
2. Establish appropriations of \$300,000 in the Sheriff's Department, Salaries & Benefits for overtime (\$195,000) and Services & Supplies (\$105,000), based on unanticipated revenue from the U. S. Department of Justice Drug Enforcement Administration 2021 Domestic Cannabis Eradication/Suppression Program for the project period October 1, 2020 through September 30, 2021. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2020-21 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$357,585 and revenue of \$300,000. The funding sources are grant revenue from the U. S. Department of Justice Drug Enforcement Administration (\$300,000) and existing General Purpose Revenue (\$57,585). The grant award recovers all Sheriff's Department direct costs

but does not reimburse all costs associated with administrative overhead and support estimated at \$57,585. 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 Fletcher, the Board of Supervisors took action as recommended.

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

**8. SUBJECT: SHERIFF'S DEPARTMENT LAW ENFORCEMENT AGREEMENT
WITH THE STATE OF CALIFORNIA'S 22ND DISTRICT
AGRICULTURAL ASSOCIATION (DISTRICT: 3)**

OVERVIEW

On March 15, 2016 (4), the Board of Supervisors authorized the execution of a five-year agreement with the State of California's 22nd District Agricultural Association (District) for law enforcement and traffic control services to be provided by the Sheriff's Department for the period of June 1, 2016 through May 31, 2021. The District manages and operates the Del Mar Fairgrounds on behalf of the State of California, and hosts events such as the San Diego County Fair, live horse racing meets, and other interim events.

This is a request to approve the execution of a new agreement between the County of San Diego and the State of California's 22nd District Agricultural Association, for the period of July 2, 2021 through May 31, 2025.

RECOMMENDATION(S)

SHERIFF

1. Approve and authorize the Clerk of the Board to accept and execute, upon receipt, an agreement with the State of California's 22nd District Agricultural Association for the period of July 2, 2021 through May 31, 2025 for an estimated amount of \$6,060,007 for law enforcement and traffic control services for the San Diego County Fair and other interim events at the Del Mar Fairgrounds.
2. Authorize the Sheriff to execute all required contract documents, including any extensions, amendments, and/or revisions thereto that do not materially impact either the program or funding level.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2021-22 Operational Plan in the Sheriff's Department. If approved, this request will result in estimated costs and revenue of \$6,060,007 over the term of the agreement as follows:

Year	Fiscal Year	Amount
Yr1	FY 2021-22	\$ 638,948
Yr2	FY 2022-23	\$ 1,202,422
Yr3	FY 2023-24	\$ 1,343,407
Yr4	FY 2024-25	\$ 1,405,456
Yr5	FY 2025-26	\$ 1,469,774
TOTAL		\$ 6,060,007

The funding source is revenue from the State of California's 22nd District Agricultural Association (District). Subsequent year costs and revenues will be included in future year Operational Plans for the Sheriff's Department and will be adjusted based on negotiated labor agreements and other adjustments or service level changes. The District will reimburse all actual costs to 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: A RESOLUTION UPDATING THE COUNTY'S DESIGNATION OF AUTHORIZED AGENTS FOR EMERGENCY SERVICES FUNDING (DISTRICTS: ALL)

OVERVIEW

During disasters, the County of San Diego utilizes all available response resources to protect life and property within the affected community. When a disaster reaches a scale beyond the County's means to effectively respond, the County can proclaim a local emergency requesting additional state and/or federal resources. These resources can include reimbursements for eligible disaster response and recovery costs under Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988. Funds may also be received through the California Disaster Assistance Act for disaster response and recovery costs.

Recent examples when the County proclaimed a local emergency and had received state and/or federal disaster assistance include the COVID-19 Pandemic, the 2020 Valley Fire, 2019 Winter Storms, 2018 West Fire, and the 2017 Lilac Fire. The State, which disburses the federal funds, requires applications for disaster financial assistance to be signed by authorized agents. Resolutions designating authorized agents may be made effective for all future disasters up to three (3) years following their approval.

Today's recommendation is to adopt a resolution to renew the County's designation of its authorized agents, by title, for the next three (3) years.

RECOMMENDATION(S)**CHIEF ADMINISTRATIVE OFFICER**

Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE DESIGNATION OF APPLICANT'S AGENT FOR FEDERAL AND STATE DISASTER FUNDS.

FISCAL IMPACT

There is no fiscal impact associated with this request. 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 took action as recommended, adopting Resolution No. 21-057, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE DESIGNATION OF APPLICANT'S AGENT FOR FEDERAL AND STATE DISASTER FUNDS.

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

10. **SUBJECT: RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS IN RESPONSE TO THE LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY, AUTHORIZE AMENDMENT TO THE CONTRACT WITH RO HEALTH, AUTHORIZE AMENDMENT TO COMMUNITY HEALTH WORKER COMMUNICATION AND OUTREACH SERVICES CONTRACTS, AUTHORIZE APPLICATION FOR AND ACCEPTANCE OF FUNDING FROM THE COMMUNITY HEALTH WORKERS FOR COVID RESPONSE AND RESILIENCE GRANT, AUTHORIZE COMPETITIVE SOLICITATION FOR COMMUNITY HEALTH WORKERS FOR COVID RESPONSE AND RESILIENCE GRANT FUNDS, AUTHORIZE ACCEPTANCE OF IMMUNIZATION BRANCH COVID-19 LOCAL ASSISTANCE SUPPLEMENTAL FUNDING, ADOPT A RESOLUTION TO WAIVE PERMIT FEES INCURRED BY THE EVENTS INDUSTRY, AUTHORIZE AN EXTENSION OF THE RENT DEFERRAL PERIOD FOR RENTERS OF COUNTY OWNED COMMERCIAL OR RESIDENTIAL PROPERTY, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE COVID-19 PANDEMIC (DISTRICTS: ALL)**

OVERVIEW

A novel coronavirus (COVID-19) was detected in Wuhan City, Hubei Province in China in December 2019. Since then, the virus has rapidly spread across the globe, resulting in the World Health Organization (WHO) declaring COVID-19 a pandemic on March 11, 2020.

On February 14, 2020, the San Diego County Public Health Officer issued a Declaration of Local Health Emergency, pursuant to California Health and Safety Code Section 101080. Additionally, on that day, pursuant to California Government Code 8630, the Chief Administrative Officer (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 receive an update on the local COVID-19 response and ratify all actions taken by the CAO, Public Health Officer, Director, Department of Purchasing and Contracting and Director, Department of General Services in response to the local health emergency and local emergency. Additionally, it is requested that the Board take the following actions to continue to support the County's COVID-19 response efforts:

- Authorize an amendment to community health worker communication and outreach services contracts listed in Attachment A, to extend the contract term up to December 31, 2021.
- Authorize an amendment to the contract with RO Health, Inc., to extend through June 30, 2022 and to increase funding.
- Authorize acceptance of approximately \$13,134,740 in supplemental grant funding through the California Department of Public Health, from the Centers for Disease Control and Prevention for Immunization Local Assistance for COVID-19 vaccination services.
- Authorize application for and acceptance of funding through the Department of Health and Human Services, for the Community Health Workers for COVID Response and Resilient Communities grant.
- Authorize the Director, Department of Purchasing and Contracting to issue competitive solicitation(s) for Community Health Workers for COVID Response and Resilience grant funds.
- Adopt a resolution to waive permit fees incurred by the events industry for the duration of Fiscal Year 2021-22.
- Authorize an extension of the rent deferral directed by the Board on April 7, 2020 (4) through December 31, 2021.

Today's proposed actions support the County's *Live Well San Diego* vision by protecting the health of residents against the COVID-19 pandemic.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive an update on the COVID-19 response.
2. Ratify all actions taken by the Chief Administrative Officer, Public Health Officer, Director, Department of Purchasing and Contracting, and Director, Department of General Services in response to the local health emergency and local emergency.

3. In accordance with the Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and a determination of a fair and reasonable price, to amend contract No. 563730 with RO Health, Inc. to extend the contract term through June 30, 2022, 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 Agency Director, Health and Human Services Agency.
4. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and a determination of a fair and reasonable price, to amend the contracts listed in Attachment A, extending the contract term up to December 31, 2021, 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 Agency Director, Health and Human Services Agency.
5. Authorize the Agency Director, Health and Human Services Agency, or designee, to apply for and accept funding through the Department of Health and Human Services for the Community Health Workers for COVID Response and Resilient Communities grant.
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 Community Health Workers for COVID Response and Resilience grant funds, and upon successful negotiations and determination of a fair and reasonable price, award one or more contracts for the period of up to one year and up to two option years, and up to six additional months if needed, subject to the availability of funds; and to amend the contract(s) as needed to reflect changes in services and funding allocation, subject to the approval of the Agency Director, Health and Human Services Agency.
7. Authorize the acceptance of \$13,134,740 in supplemental grant funding through the California Department of Public Health, from the Centers for Disease Control and Prevention for Immunization Local Assistance for COVID-19 vaccination services for the period of July 1, 2021 through June 30, 2022, and authorize the Clerk of the Board to execute all required documents, upon receipt, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
8. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO WAIVING EVENT INDUSTRY FEES.
9. Authorize an extension of the rent deferral period directed by the San Diego County Board of Supervisors (Board) on April 7, 2020 (4) for renters of County of San Diego owned commercial or residential property in the incorporated and unincorporated areas, including the lease agreements outlined in the April 24, 2020 memo to the Board titled "County of San Diego Requirements that may Inhibit Businesses Impacted by the Coronavirus Global Emergency from Swiftly Reopening Once the Public Health Order is Lifted". The repayment period shall begin January 1, 2022 and rent deferrals for County leases shall otherwise remain the same as earlier directed by the Board.

10. Take any other action necessary to address the COVID-19 pandemic emergency response.

FISCAL IMPACT

Prior action by the San Diego County Board of Supervisors (Board) created a framework for the use of over \$431 million in CARES Act, Coronavirus Relief Fund (CRF) revenue (\$390.7 million), and County of San Diego (County) General Fund Fund Balance (\$40.6 million), through December 30, 2020, toward our COVID-19 response efforts and for economic and community investments. The framework included public health and medical services, testing, tracing, treatment, temporary housing assistance, sanitation, food distribution services, allocations to the 17 cities that did not receive direct CARES Act funds, child care vouchers, child care provider grant program, economic stimulus program, child welfare outreach, Behavioral Health telehealth, compliance efforts, rental assistance, remote learning internet access for students, and administrative support. The estimated cost through the end of December 2020 is \$440.8 million. The County is currently spending an estimated \$11.6 million a week toward County response, Test, Trace, and Treat (T3) efforts, continuation of the Great Plates Delivered program, the COVID Income Stipend Program, and vaccination efforts. The County will rely on available stimulus funding, program revenues, Realignment, and County General Fund Fund Balance to cover costs. The County will continue to pursue other federal and State stimulus revenue and funding sources, including funds through the Federal Emergency Management Agency (FEMA).

Recommendation #3: Amend to Extend Contract 562162 with RO Health, Inc.

Funds for this request are not included in the Fiscal Year (FY) 2020-22 Operational Plan in Health and Human Services Agency (HHSA). If approved, this recommendation will result in no change in costs and revenues in Fiscal Year 2020-21 and estimated costs and revenue of \$14.0 million in FY 2021-22. The funding source is anticipated to be federal and/or State stimulus funds. If needed, additional appropriations will be requested through future Board action. There are no changes in net General Fund costs and no additional staff years.

Recommendation #4: Community Health Worker Communication and Outreach Services Contracts

Funds for this request are not included in the FY 2020-22 Operational Plan in HHSA. If approved, this recommendation will result in no change in costs and revenues in FY 2020-21 and estimated costs and revenues of \$4.7 million in FY 2021-22. The funding source is anticipated to be federal and/or State stimulus funds. If needed, additional appropriations will be requested through future Board action. There are no changes in net General Fund costs and no additional staff years.

Recommendation #5-6: Accept Community Health Workers for COVID-19 Response and Resilient Communities Grant Funding

Funds for this request are not included in the FY 2020-22 Operational Plan in HHSA. If awarded and approved, there is no change in costs and revenue in Fiscal Year 2020-21 and estimated costs and revenue of up to \$1.0 million in FY 2021-22, depending on final award amount. The funding source is federal funding from the Department of Health and Human Services for the Community Health Workers for COVID Response and Resilient Communities grant. There will be no change in net General Fund cost and no additional staff years.

If the grant is awarded and approved, funds for subsequent years will be included in future Operational Plans. If awarded and approved, the County is anticipated to receive up to \$3.0 million in total program funds through FY 2023-24, depending on final award amount. If needed, additional appropriations will be requested through future Board action.

Recommendation #7: Accept Supplemental Grant Funding for Immunization Local Assistance for COVID-19 Vaccination Services

Funds for this request are not included in the FY 2020-22 Operational Plan in HHSA. If approved, this recommendation will result no change in costs and revenues in FY 2020-21 and estimated costs and revenue of \$13,134,740 in FY 2021-22. HHSA will leverage the supplemental Immunization Local Assistance grant revenue to help fund COVID-19 emergency response vaccination costs in FY 2021-22 to increase COVID-19 vaccination services. If needed, additional appropriations will be requested through future Board action. There is no change in net General Fund cost and no additional staff years.

Recommendation #8: Adopt a Resolution to Waive Permit Fees Incurred by the Events Industry

Department of Environmental Health and Quality and Department of Parks and Recreation Fees Funds to replace the revenues that would be lost if this fee waiver request is approved are not included in the FY 2020-21 Operational Plan in the Department of Environmental Health and Quality (DEHQ) or Department of Parks and Recreation (DPR). If the waiver is approved, FY 2021-22 foregone revenues are estimated to be \$1,137,000 in DEHQ and \$400,000 in DPR. Those revenues could be replaced with American Rescue Plan Act (ARPA) funds if those revenues are available on a timely basis and if replacement of the lost revenues is categorically allowed, or if this use of the unrestricted portion of anticipated ARPA funds is prioritized. If ARPA funds are not available and allocated to this use, DEHQ would be able to allocate some prior year available unassigned General Fund fund balance to compensate for foregone revenue, and the remaining foregone revenue would be referred to budget for consideration during the FY 2021-22 budget deliberations and adoption. If ARPA funds are not available and allocated for this use, DPR will return at a future Board meeting to propose an alternative funding source. There will be no additional staff years.

The description of waived DEHQ fees in the Resolution anticipates revisions to the County Code naming and subsection locations of the affected DEHQ fees. Those revisions will be proposed to the Board in the near future. The DEHQ fees proposed for waiver are currently codified within subsections (6), (7), (8) and (21) of section 65.107 of the County Code.

Sheriff's Department and San Diego County Fire Fees

Funds to replace the revenues that would be lost if this fee waiver request is approved are not included in the Fiscal Year (FY) 2020-22 Operational Plan in the Sheriff's Department and San Diego County Fire Authority. If the waiver is approved, FY 2021-22 foregone revenues are estimated to be \$118,280 in the Sheriff's Department and \$6,000 in San Diego County Fire Authority. Those revenues could be replaced with ARPA funds if those revenues are available on a timely basis and if replacement of the lost revenues is categorically allowed, or if this use of the unrestricted portion of anticipated ARPA funds is prioritized. If ARPA funds are not available and allocated to this use, the Sheriff's Department and San Diego County Fire Authority will return at a future Board meeting to propose an alternative funding source.

Recommendation #9: Extension of the Rent Deferral Period

If Recommendation 9 is approved, the extension of the repayment date for deferred rent could result in the additional deferment of up to \$1,054,000 in lease revenue on a monthly basis until December 31, 2021.

BUSINESS IMPACT STATEMENT

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

ACTION:

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

1. Received an update on the COVID-19 response.
2. Ratified all actions taken by the Chief Administrative Officer, Public Health Officer, Director, Department of Purchasing and Contracting, and Director, Department of General Services in response to the local health emergency and local emergency.
3. In accordance with the Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorized the Director, Department of Purchasing and Contracting, upon successful negotiations and a determination of a fair and reasonable price, to amend contract No. 563730 with RO Health, Inc. to extend the contract term through June 30, 2022, 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 Agency Director, Health and Human Services Agency.
4. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorized the Director, Department of Purchasing and Contracting, upon successful negotiations and a determination of a fair and reasonable price, to amend the contracts listed in Attachment A, extending the contract term up to December 31, 2021, 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 Agency Director, Health and Human Services Agency.
5. Authorized the Agency Director, Health and Human Services Agency, or designee, to apply for and accept funding through the Department of Health and Human Services for the Community Health Workers for COVID Response and Resilient Communities grant.
6. In accordance with Section 401, Article XXIII of the County Administrative Code, authorized the Director, Department of Purchasing and Contracting, to issue Competitive Solicitation(s) for Community Health Workers for COVID Response and Resilience grant funds, and upon successful negotiations and determination of a fair and reasonable price, award one or more contracts for the period of up to one year and up to two option years, and up to six additional months if needed, subject to the availability of funds; and to amend the contract(s) as needed to reflect changes in services and funding allocation, subject to the approval of the Agency Director, Health and Human Services Agency.

7. Authorized the acceptance of \$13,134,740 in supplemental grant funding through the California Department of Public Health, from the Centers for Disease Control and Prevention for Immunization Local Assistance for COVID-19 vaccination services for the period of July 1, 2021 through June 30, 2022, and authorize the Clerk of the Board to execute all required documents, upon receipt, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
8. Adopted Resolution No. 21-058 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO WAIVING EVENT INDUSTRY FEES.
9. Authorized an extension of the rent deferral period directed by the San Diego County Board of Supervisors (Board) on April 7, 2020 (4) for renters of County of San Diego owned commercial or residential property in the incorporated and unincorporated areas, including the lease agreements outlined in the April 24, 2020 memo to the Board titled "County of San Diego Requirements that may Inhibit Businesses Impacted by the Coronavirus Global Emergency from Swiftly Reopening Once the Public Health Order is Lifted". The repayment period shall begin January 1, 2022 and rent deferrals for County leases shall otherwise remain the same as earlier directed by the Board, with an extension of the rent deferral period up to a five year pay-back period.
10. Took any other action necessary to address the COVID-19 pandemic emergency response.
 - a. Directed staff to prepare a letter to be signed by the Chair, on behalf of the Board, to the County's Federal delegation and the White House that states before any migrants are released in San Diego County, they need to be COVID-19 tested and COVID-19 treated and quarantined as necessary.
 - b. Directed staff to prepare a letter to be signed by the Chair, on behalf of the Board, to the State requesting greater flexibility in using state rental assistance funds.

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

**11. SUBJECT: CONTINUED ITEM FROM 04/06/2021 (11):
UPDATE ON ADVANCING THE BEHAVIORAL HEALTH
CONTINUUM OF CARE (DISTRICTS: ALL)**

OVERVIEW

On April 6, 2021 (11), the Board of Supervisors continued the item to May 4, 2021.

Under the leadership of the San Diego Board of Supervisors (Board), behavioral health care in San Diego County is in the midst of a profound transformation. The County of San Diego (County) is taking action and making strategic investments to move the local behavioral health care delivery system from a model of care driven by crises, to one centered on continuous, coordinated care and prevention. These efforts are guided by data; focused on equity; and designed to engender collaborative work across silos, within and outside of government.

Today's update to the Board includes a summary of the conceptual strategies underlying the County's behavioral health reform efforts, as well as a report on progress of the portfolio of projects that are bringing this transformation to life.

Additionally, today's action, if approved, would accept the updated Lanterman-Petris-Short (LPS) Designation Guidelines and Processes for Facilities within San Diego County to include all programs that meet State and local regulations, including community-based crisis stabilization units, a health care service that is crucial to driving toward a continuous care orientation.

These actions will advance the County's ongoing work across systems to support better care of individuals, better health for local populations, and more efficient health care resourcing. In doing so, today's item supports the County's *Live Well San Diego* vision for a region where all residents have the opportunity to build better health, live safely, and thrive.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive an update on Advancing the Behavioral Health Continuum of Care.
2. Direct the Chief Administrative Officer to sunset time-certain reporting for the Behavioral Health Impact Fund and Laura's Law updates, and to shift reporting for the Behavioral Health Continuum of Care to coincide with significant developments.
3. Adopt the updated Lanterman-Petris-Short (LPS) Designation Guidelines and Processes for Facilities within San Diego County, revised to expand eligibility to all programs that meet applicable State and local requirements.

FISCAL IMPACT

There is no fiscal impact associated with this item. 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 Fletcher, the Board of Supervisors took action as recommended.

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

12. **SUBJECT: EXPANDING RENTAL ASSISTANCE TO SUPPORT TENANTS AND SMALL-SCALE INDEPENDENT PROPERTY OWNERS (DISTRICTS: ALL)**

OVERVIEW

The COVID-19 pandemic has deeply impacted individuals, families, and businesses across the County of San Diego as the region has seen 275,096 positive COVID-19 cases and 3,684 deaths. The pandemic also sent economic shockwaves that led to highest unemployment rates since the Great Depression, peaking at over 25% in May 2020 and leaving a quarter million

San Diegans out of work. Many businesses have permanently closed or partially reopened with reduced staffing capacity.

County and State government responded quickly with measures to limit the spread of the virus and keep people stably housed during this public health emergency. The County of San Diego issued a Local Health Emergency on February 14, 2020 followed by the Governor's State of Emergency on March 4, 2020.

On August 31, 2020, the State of California enacted the COVID-19 Tenant Relief Act (AB 3088, 2020), to provide temporary eviction protections for tenants unable to pay rent due to COVID-19 hardships. The passage of SB-91 on January 31, 2021 extended these eviction protections for additional five months and outlined a rental assistance program to support low-income tenants. Following the passage of SB-91, the County of San Diego launched a \$107 million Emergency Rental Assistance Program (ERAP) to provide critical support to low-income renters and help them stay in their homes. However, we also need to consider the impact of the pandemic on the broader housing ecosystem, including small-scale, independent, property owners (often referred to as "mom-and-pop" property owners), who have been disproportionately impacted by loss of income and are at risk of delinquency and foreclosure. Landlords are estimated to see a rent shortfall of \$25-34 billion nationally due to the pandemic. While large, corporate real estate investors and development conglomerates can absorb such costs and have greater access to capital and bank loans, small-scale mom and pop property owners are far more likely to fall into delinquency and risk of foreclosure.

Approximately 30% of mom-and-pop property owners have not been able to access federal mortgage forbearance programs, which only apply if their mortgage is backed by federal government entities, like Fannie Mae and Freddie Mac. Another 1.7 million homeowners will be exiting mortgage forbearance programs in the coming months. Further, a \$100 billion tax break provision in the CARES Act went almost entirely to wealthy individuals and large real estate corporations, leaving mom and pop property owners with little to no support. Mom-and-pop property owners account for roughly half of the rental housing market. They are mostly concentrated in single-family and duplex properties and generally have a better track record of responsible property management. There are a few key subpopulations within this category that are of particular concern:

- Seniors living on a fixed income who have life savings and retirement assets invested in one or more rental properties and are relying on the rental income for support;
- Military families that have been deployed and are renting their property to cover the mortgage expenses;
- Households economically impacted by COVID, who may have had to sell their primary residence, and are looking to move into their rental property.

Many mom-and-pop property owners are not eligible for the County's rental assistance program because their tenants do not income qualify under SB-91 guidelines. However, the tenants may still be behind or not paying rent, so the burden is increasingly falling on these small-scale property owners to keep up with mortgage and property payments, even in the absence of rental income.

Struggling mom-and-pop property owners are more likely to be forced to sell to large corporate investors and hedge funds or fall into foreclosure and bank ownership. A similar scenario happened after the 2007 financial crisis, which led to negative outcomes for property owners, tenants, and their surrounding communities, and disproportionately impacted communities of color. We need to act to avoid a similar wave of foreclosures among small-scale property owners.

Today's action directs the Chief Administrative Officer to: (1) analyze the rental shortfall and housing assistance need among small-scale, mom-and-pop property owners, and (2) develop a new rental assistance program to support small-scale mom-and-pop property owners who substantially rely on rental income, are experiencing significant rental payment shortfalls from their tenants, and have not been able to access or are ineligible for other sources of government support (mortgage forbearance, income-targeted rental assistance, etc.). These measures will ensure that the County provides a comprehensive COVID-19 response and advances a robust support framework that considers the impact of the pandemic across the housing landscape. I urge my colleagues to join me in supporting this measure.

RECOMMENDATION(S)
SUPERVISOR TERRA LAWSON-REMER

1. Direct the Chief Administrative Officer to analyze the rental payment shortfalls and housing assistance needs among small-scale, independent, property owners that have experienced COVID-19 related rental income shortfalls and develop a new rental assistance program tailored to meet these needs. The Chief Administrative Officer should provide options for a program funding amount based on the analysis of need. Program funding will be dedicated from the COVID-19 Funding Framework for the American Rescue Plan Act of 2021 (ARPA) and earmarked from within the \$100 million dedicated to tenant protections, homeless services, and hotel/motel acquisitions.
2. Report back with a memo to the Board with a recommended funding amount for the new rental assistance program tailored to meet the needs of small-scale, independent, property owners.

FISCAL IMPACT

There is no fiscal impact associated with this action. The ARPA framework will be finalized, and funds appropriated, once when federal guidelines are released.

BUSINESS IMPACT STATEMENT

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

ACTION:

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Fletcher, the Board of Supervisors took the following actions:

1. Directed the Chief Administrative Officer to analyze the rental payment shortfalls and housing assistance needs among small-scale, independent, property owners that have experienced COVID-19 related rental income shortfalls and develop a new rental assistance program tailored to meet these needs. The Chief Administrative Officer should provide options for a program funding amount based on the analysis of need. Program funding will be referred to budget.

2. Directed the Chief Administrative Officer to report back with a memo to the Board with a recommended funding amount for the new rental assistance program tailored to meet the needs of small-scale, independent, property owners.

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

13. **SUBJECT: ADOPT RESOLUTION FOR, AND AUTHORIZE ACCEPTANCE OF, OLDER ADULT SERVICES REVENUE AGREEMENTS AND GRANTS FOR FISCAL YEAR 2021-2022, AND AUTHORIZATION TO PURSUE FUTURE FUNDING OPPORTUNITIES FOR PROGRAMS SERVING OLDER ADULTS AND PERSON WITH DISABILITIES (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Board of Supervisors (Board) has demonstrated a long-term commitment to enhancing programs focused on the safety and welfare of older adults and persons with disabilities. The County of San Diego (County) Health and Human Services Agency, Aging & Independence Services administers these programs. On May 5, 2020 (2), the Board approved the Fiscal Year 2020-21 revenue agreements to fund various programs supporting older adults and persons with disabilities. These services allow older adults and those with disabilities to remain safely in their homes and to access needed community resources. Additionally, these services align with the County's Aging Roadmap, which includes Age Well San Diego, the region's plan for an age-friendly and dementia-friendly community that supports the health, safety, and wellness of residents of all ages. Per the requirement of the California Department of Aging (CDA), this item requests the Board adopt a resolution relating to the CDA revenue agreements and authorize acceptance of \$20,701,946 of federal, State, managed care health plan, and grant revenue for Fiscal Year 2021-22 to support these programs and services.

If approved, today's actions would authorize the acceptance of grant funding, authorize the Clerk of the Board to execute revenue agreements upon receipt, and authorize the Agency Director, Health and Human Services Agency to pursue future funding opportunities. These actions support the County's *Live Well San Diego* vision by ensuring the County will continue to receive federal, State, and other funding to administer needed programs and services for older adults and persons with disabilities.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Full Cost Recovery, which requires full cost recovery of grants and revenue contracts.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, the following revenue agreements:
 - California Department of Aging Agreements
 - o Area Plan Agreement (AP-2122-23)
 - o Health Insurance Counseling and Advocacy Program (HI-2122-23)
 - o Title V Senior Employment Program (TV-2122-23)
 - o CalFresh Healthy Living (SP-2122-23)
 - o CalFresh Expansion (CF-2122-23)

- o Financial Alignment (FA-2122-23)
 - o Dignity at Home Fall Prevention (FP-2122-23)
 - o Medicare Improvements for Patients and Providers Act (MI-2122-23)
 - Multipurpose Senior Services Program (MS-2122-07), which will include agreements with the following health plans:
 - o Aetna
 - o Blue Shield of California Promise Health Plan (formerly known as Care 1st)
 - o Community Health Group
 - o Health Net
 - o Kaiser Permanente
 - o Molina
 - o United Healthcare
 - San Diego Gas & Electric (Cool Zones program)
 - Fee for Service Contracts
 - Veterans Administration San Diego Healthcare System (Veteran Directed Home and Community Based Service Program)
 - San Diego State University Research Foundation/Geriatric Workforce Enhancement Program
3. Authorize acceptance of the grant from the Corporation for National & Community Service for the Retired Senior and Volunteer Program (RSVP).
 4. Authorize the Clerk of the Board, subject to the approval of the Agency Director, Health and Human Services Agency or designee, to execute all required documents related to the revenue agreements in Recommendations 2 and 3, including any extensions, amendments or revisions thereto that do not materially impact either the program or the funding level.
 5. Authorize the Agency Director, Health and Human Services Agency or designee, to pursue future funding opportunities for the purpose of obtaining financial assistance for programs serving older adults and persons with disabilities.
 6. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENTS.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-22 Operational Plan in the Health and Human Services Agency (HHSA). If approved, this request will result in no change in costs and revenue in Fiscal Year 2020-21 and costs of \$21,236,504 and revenue of \$20,701,946 in Fiscal Year 2021-22. The funding sources are:

- State General Fund, Federal Medicaid Program;
- Titles III, V, and VII of the Older Americans Act;
- Federal and State HICAP funds;
- Federal SNAP-ED/CalFresh - Healthy Living, U.S. Department of Health and Human Services;

- Health plans and other healthcare entities;
- San Diego Gas & Electric;
- Veterans Administration San Diego Healthcare System;
- San Diego State University Research Foundation; and
- Corporation for National & Community Service.

A waiver of Board Policy B-29 is requested because the funding does not offset all costs. B-29 costs are \$534,558 for Fiscal Year 2021-22 and will be funded with existing General Purpose Revenue allocated for these programs. The public benefit for providing these services, which allow older adults and those with disabilities to remain safely in their homes and access resources, far outweighs these costs. 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. 21-059, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENTS.

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

- 14. SUBJECT: AUTHORIZE COMPETITIVE SOLICITATION FOR SECURITY GUARD SERVICES FOR HEALTH AND HUMAN SERVICES AGENCY FACILITIES (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Health and Human Services Agency (HHSA) contracts for security guard services to ensure secure environments for County employees and clients at HHSA facilities. The current contract expires on June 30, 2022, and HHSA needs to ensure that this critical service continues uninterrupted.

Today's action requests the San Diego County Board of Supervisors to authorize the Director of the Department of Purchasing and Contracting to issue a competitive solicitation for security guard services for HHSA facilities. This action supports the County's *Live Well San Diego* vision and contributes to safe communities by providing customers and staff with a safe environment.

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 security guard services for Health and Human Services Agency (HHSA), and upon successful negotiations and determination of a fair and reasonable price, award a contract for a term of one year, with four option years, and up to an additional six months if needed,

and to amend the contract as needed to reflect changes to services and funding allocations, subject to the availability of funds and approval of the Director, Health and Human Services Agency.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan of the Health and Human Services Agency (HHSa). If approved, this request will result in estimated costs and revenue of up to \$11,500,000 in Fiscal Year 2022-23. The funding sources are various federal and State revenue available for administration of health and human services programs and Realignment. 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 continued the item to May 18, 2021, on Consent.

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

15. **SUBJECT: AUTHORIZE A-87 EXCEPTION TO COMPETITIVE PROCUREMENT FOR CONTRACT WITH THE SAN DIEGO STATE UNIVERSITY RESEARCH FOUNDATION FOR TRAINING SERVICES (DISTRICTS: ALL)**

OVERVIEW

The San Diego State University Research Foundation (SDSURF) has had an established partnership with the County of San Diego (County) Health and Human Services Agency (HHSa), Child Welfare Services (CWS) since 1996. The SDSURF provides culturally responsive training services focusing on safety, permanency, and the well-being of families. CWS currently contracts with SDSURF for the training needs of its workforce to deliver a series of core, advanced, and specialized training courses to CWS.

The SDSURF is contracted with the California Department of Social Services (CDSS) to provide the required Common Core initial training for newly hired CWS social workers. The SDSURF serves the counties of Imperial, Orange, Riverside, San Bernardino, and San Diego and provides workforce development to over 7,000 public child welfare staff in the region. The SDSURF's working relationship with the CDSS, as the contracted provider for the State-mandated training based on State-wide practice standards and child welfare competencies, uniquely positions them to provide comprehensive trainings, activities, knowledge, skills, and values necessary to support CWS staff to perform their jobs as administrators of the foster care program and improve outcomes for children and families in CWS. The SDSURF qualifies for a single source contract to provide educational services pursuant to the San Diego County Board of Supervisors Policy (Board) A-87, Competitive Procurement:

Section 2.B.: The procurement is for educational services from a nonprofit institution.

The current contract expires on June 30, 2021. Today's action requests the Board to authorize the Director, Department of Purchasing and Contracting to enter into negotiations, on behalf of CWS with SDSURF, for training services to support efforts to develop a well-trained and prepared workforce that is culturally responsive to the needs of the community. This action supports the County's *Live Well San Diego* vision by furthering efforts to support a well-trained and prepared workforce that is culturally sensitive to the needs of the community to ensure youth, individuals, and families are living healthy, safe, and thriving.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code section 401, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with San Diego State University Research Foundation, and upon successful negotiations and a determination of fair and reasonable price, award a contract for training services, for the period of up to one year and up to four option years, and up to six additional months if needed, subject to the availability of funds; and to amend the contract as required to reflect changes in services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-22 Operational Plan of the Health and Human Services Agency. If approved, this request will result in no change in costs and revenue in Fiscal Year 2020-21 and estimated costs and revenue of \$1,100,000 in Fiscal Year 2021-22. The funding sources are Social Services Administrative Revenue and Realignment. 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

16. **SUBJECT: AUTHORIZE COMPETITIVE SOLICITATION FOR VISITATION, TRANSPORTATION, AND FAMILY VISIT COACHING SERVICES (DISTRICTS: ALL)**

OVERVIEW

San Diego County is on a path to a family-strengthening, prevention-focused infrastructure intended to enhance supportive services for families to help keep children safely at home. Over the past 10 years, as a result of federal and State legislation and statutory changes focused on keeping children with their families and preventing child maltreatment, the County of San Diego (County) Health and Human Services Agency, Child Welfare Services (CWS) has experienced a 39% reduction in the number of youth in foster care. As of January 2020, there were 2,338 children ages 0-21 in out-of-home care. CWS's goal for children who are removed from their families and unable to safely remain in their home is to work with the family to mitigate risk and return children to their parents as quickly and safely possible.

CWS has provided visitation services to parents and children in out-of-home care since 2005, and in 2012, began expanding services to include transportation, in order to support frequent and consistent quality visits that aid in attachment while children are in out-of-home care. Through partnerships with various community providers, CWS has provided visitation, transportation, and family visit coaching services to parents and children in out-of-home care to strengthen families and support a safe and timely reunification. The current visitation, transportation, and family visit coaching services contracts expire on December 31, 2021.

On August 2, 2011 (7), the San Diego County Board of Supervisors (Board) authorized a competitive solicitation for visitation and transportation services. Today's action requests the Board to authorize the Director, Department of Purchasing and Contracting to issue a competitive solicitation for visitation, transportation, and family visit coaching services. This action will improve reunification outcomes for children and parents and advance the County's *Live Well San Diego* vision by ensuring families are provided with family strengthening services and supports, and that all children and families are healthy, safe, and thriving.

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 visitation, transportation, and family visit coaching services, and upon successful negotiations and determination of a fair and reasonable price, award a contract(s) for the period of up to one year and up to four option years, and up to six additional months if needed, subject to the availability of funds; and to amend the contract(s) as needed to reflect changes in services and funding allocation, subject to the approval of the Agency Director, Health and Human Services Agency.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-22 Operational Plan of the Health and Human Services Agency. If approved, this request will result in no change in costs and revenue in Fiscal Year 2020-21 and estimated costs and revenue of \$1,700,000 in Fiscal Year 2021-22. The funding sources are Social Services Administrative Revenue and Realignment. 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

17. SUBJECT: AUTHORIZE COMPETITIVE SOLICITATION FOR COMMUNITY SERVICES FOR FAMILIES PROGRAM (DISTRICTS: ALL)

OVERVIEW

Since September 2004, through contracts with nonprofits, the County of San Diego (County) Health and Human Services Agency (HHSA), Child Welfare Services (CWS), has provided a continuum of family support services to prevent families from entering into the child welfare services system, or ensure that children receiving child welfare services are able to live in safe, permanent families and maintain their connections to their school and community.

The Community Services for Family (CSF) program provides primary and secondary prevention services through home-based parenting education/information, parent education classes, needs assessments, and referrals for other needed services. The objectives of the CSF program are child safety, child-well-being, stable living environments, and permanency. Services are provided region-wide in each of the six HHSA service delivery regions, with community-based services provided primarily in underserved communities where the risk of child maltreatment has been shown to be the highest due to poverty, substance abuse, domestic violence, and other risk factors.

On January 6, 2015 (9), the San Diego County Board of Supervisors (Board) authorized a competitive solicitation for the CSF Program. The current contracts expire on December 31, 2021. Today's action requests the Board to authorize the Director, Department of Purchasing and Contracting to issue a competitive solicitation in accordance with Section 401, Article XXIII of the County Administrative Code for the procurement of the CSF program for the period of up to one year and up to four option years, and up to six additional months if needed, subject to the availability of funds, and to amend the contract(s) as needed to reflect changes in services and funding allocation, subject to the approval of the Agency Director, HHSA.

This action supports the County's *Live Well San Diego* vision by providing community-based family strengthening services and supports that ensure children and families are healthy, safe, thriving.

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 the Community Services for Families Program, and upon successful negotiations and determination of a fair and reasonable price, award a contract(s) for the period of up to one year and up to four option years, and up to six additional months if needed, subject to the availability of funds; and to amend the contract(s) as needed to reflect changes in services and funding allocation, subject to the approval of the Agency Director, Health and Human Services Agency.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-22 Operational Plan of the Health and Human Services Agency. If approved, this request will result in no change in costs and revenue in Fiscal Year 2020-21 and estimated costs and revenue of \$6,740,000 in Fiscal Year 2021-22. The funding sources are Social Services Administrative Revenue and Realignment. 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

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

OVERVIEW

On April 6, 2021 (12), the Board of Supervisors took action to further consider and adopt the Ordinance on May 4, 2021.

Today's actions request 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 Public Health Services (PHS), Behavioral Health Services (BHS) and Medical Care Services Division (MCSD). The Board last approved revisions to HHSA's fees and rates on April 9, 2019 (06).

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. In accordance with Board Policy B-29 (Fees, Grants, and Revenue Contracts-Department Responsibility for Cost Recovery), HHSA 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 116 HHSA 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 2021-22.

Today's request requires two steps: on April 6, 2021, it is requested that the Board consider an Ordinance amending sections of the San Diego County Administrative Code related to HHSA fees. If the Board takes the actions as recommended, then on May 4, 2021, the proposed Ordinance will be brought back to the Board for consideration and adoption.

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt (second reading):

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

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2020-22 Operational Plan in the Health and Human Services Agency (HHSA) but will be incorporated in the Fiscal Year 2021-22 CAO Recommended Operational Plan in the HHSA. If approved, this request will have no impact in Fiscal Year 2020-21 and will result in an estimated increase in revenue of \$306,797 in Fiscal Year 2021-22. There is 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 Desmond, the Board of Supervisors took action as recommended, adopting Ordinance No. 10722 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE XV-B OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE, RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES.

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

19. **SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA
MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF
REPUBLIC SERVICES, INC., IN AN AGGREGATE AMOUNT NOT TO
EXCEED \$703,700,000 (DISTRICTS: 1,4,5)**

OVERVIEW

The County has received a request from the California Municipal Finance Authority ("CMFA" 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 \$703,700,000 (the "Obligations"), for the benefit of Republic Services, Inc., a corporation duly organized and existing under the laws of the State of Delaware, and/or affiliates thereof (collectively, the "Borrower"). The Borrower has applied for the financial assistance of the Authority. The proceeds of the Obligations will be allocated to several projects located in various cities across California. The projects to be financed or refinanced in the County, to which a maximum principal amount of \$118,500,000 in Obligations will be allocated, include: (i) Otay Landfill, 1700 Maxwell Road, Chula Vista,

CA, (ii) Allied Waste Services of San Diego, 8364 Clairemont Mesa Blvd, San Diego, CA, (iii) Sycamore Landfill, 8514 Mast Boulevard, Santee, CA (iv) Borrego Landfill, 2449 Palm Canyon Drive, Borrego Springs, CA, and (v) Ramona Landfill, 20630 Pamo Road, Ramona, CA. The proceeds of the Obligations for the facilities located in the County of San Diego will be used to finance and/or refinance certain capital projects to include site improvements, construction and acquisition of equipment. The other facilities located outside of the County of San Diego will be subject to a separate board hearing in the jurisdiction in which the respective facility resides.

The Authority is authorized to assist in financing for nonprofit public benefit organizations or for-profit corporations with a public benefit project wishing to issue revenue obligations, including the Borrower. In order to initiate such a financing, the Borrower is asking the County of San Diego, a member jurisdiction in which the project resides to: (1) conduct a public hearing to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code; and (2) approve the Authority's issuance of the 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 SOLID WASTE DISPOSAL REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$703,700,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION, INSTALLATION, REHABILITATION, IMPROVEMENT AND/OR EQUIPPING OF SOLID WASTE DISPOSAL FACILITIES BY REPUBLIC SERVICES, INC. AND CERTAIN AFFILIATES THEREOF, AND CERTAIN OTHER MATTERS RELATING THERETO.

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:

This item was continued to May 18, 2021 at the request of the Chief Administrative Officer.

**20. SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF MULTIFAMILY HOUSING REVENUE OBLIGATIONS
BY THE CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY FOR THE BENEFIT OF FAIRFIELD
PARK CREST LP, IN AN AGGREGATE AMOUNT NOT TO EXCEED
\$38,000,000 (DISTRICT: 4)**

OVERVIEW

The County has received a request from the California Statewide Communities Development Authority ("CSCDA" 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 multifamily housing revenue obligations in an aggregate principal amount not to exceed \$38,000,000 (the "Obligations"), for the benefit of Fairfield Park Crest LP (the "Borrower"). The Borrower has applied for the financial assistance of the Authority to: finance or refinance the acquisition, rehabilitation and development of a multifamily rental housing project located at 4552 Logan Avenue, San Diego, California ("Project").

The Authority is authorized to assist in financing for nonprofit public benefit organizations or for-profit corporations with a public benefit project wishing to issue revenue obligations, including the Borrower. In order to initiate such a financing, the Borrower is asking the County of San Diego, a member jurisdiction in which the project resides to: (1) conduct a public hearing to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code; and (2) approve the Authority's issuance of the 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 STATEWIDE
COMMUNITIES DEVELOPMENT AUTHORITY MULTIFAMILY HOUSING
REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO
EXCEED \$38,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING
THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF
PARK CREST APARTMENTS.

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:

This item was continued to May 18, 2021 at the request of the Chief Administrative Officer.

21. **SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA
MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF LA
MAESTRA FAMILY CLINIC, INC., IN AN AGGREGATE AMOUNT
NOT TO EXCEED \$15,000,000 (DISTRICTS: 1, 2, 4)**

OVERVIEW

The County has received a request from the California Municipal Finance Authority ("CMFA" or "Authority") to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority's issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$15,000,000 (the "Bonds"), for the benefit of La Maestra Family Clinic, Inc. (the "Borrower"), a California nonprofit, public benefit corporation. The Borrower has applied for the financial assistance of the Authority to: (a) prepay an outstanding taxable loan which was incurred to finance a health clinic at 4066, 4074, 4082 Fairmount Avenue, in San Diego, California, (b) finance improvements to the Fairmount Building, (c) finance the acquisition and renovation of a building at 205-217 Highland Avenue, National City, California, and (d) refinance the acquisition and finance the renovation of a building at 181 Rea Avenue in El Cajon, California.

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

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

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 AUTHORIZING AND APPROVING THE FINANCING TO BE
UNDERTAKEN BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR
THE BENEFIT OF LA MAESTRA FAMILY CLINIC, INC. IN AN AGGREGATE
AMOUNT NOT TO EXCEED \$15,000,000 FOR THE PURPOSE OF FINANCING
AND REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT**

AND EQUIPPING OF HEALTH CLINICS AND CERTAIN OTHER MATTERS
RELATING THERETO.

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:

This item was continued to May 18, 2021 at the request of the Chief Administrative Officer.

22. **SUBJECT: NOTICED PUBLIC HEARING:
ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
FINANCE AND GENERAL GOVERNMENT GROUP FEES AND
RATES RELATING TO THE ASSESSOR/RECORDER/COUNTY
CLERK AND COUNTY COUNSEL (DISTRICTS: ALL)**

OVERVIEW

On April 6, 2021 (13), the Board of Supervisors took action to further consider and adopt the Ordinance on May 4, 2021.

Today's actions request that the Board of Supervisors review and approve amendments to Article IV-A of the San Diego County Administrative Code related to fees for the Assessor/Recorder/County Clerk and a resolution relating to rates for County Counsel.

Today's recommended ordinance and resolution represent a comprehensive package that seeks to support the Finance and General Government Group 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. Over the past several months, the Finance and General Government Group reviewed a total of five fees, resulting in various new fees and proposed adjustments 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 2021-22.

Today's actions include introducing an Ordinance amending Article IV-A of the San Diego County Administrative Code (first reading) so that it can be acted upon at the May 4, 2021 meeting (second reading) and adopt a resolution approving attorney and paralegal rates for the County Counsel.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Submit ordinance for further Board consideration and adoption (second reading):
AN ORDINANCE TO AMEND SECTIONS 86.1, 86.5, AND 86.10 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES TO ADD FEES FOR DOCUMENT COPIES PROVIDED BY ELECTRONIC MAIL BY THE RECORDER AND COUNTY CLERK.

FISCAL IMPACT

Funds for these proposed rates are not included in the Fiscal Year 2021-22 CAO Recommended Operational Plan for ARCC and County Counsel. If approved, the proposed fees will ensure full cost recovery for services provided. The proposed fee package for ARCC will ensure full cost recovery for services provided and is projected that \$32,085 of ARCC's funding will come from these fees. If approved, the proposed hourly rate for the Office of County Counsel's attorneys and paralegals will ensure full cost recovery for services provided, and it is projected that \$3,845,812 of County Counsel's funding will come from revenue generated from the hourly billable services provided to clients. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

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

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 10723 (N.S.), entitled: AN ORDINANCE TO AMEND SECTIONS 86.1, 86.5, AND 86.10 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES TO ADD FEES FOR DOCUMENT COPIES PROVIDED BY ELECTRONIC MAIL BY THE RECORDER AND COUNTY CLERK.

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

23. SUBJECT: FRAMEWORK FOR THE FUTURE: CREATING AN OFFICE OF LABOR STANDARDS AND ENFORCEMENT (DISTRICTS: ALL)

OVERVIEW

The COVID-19 pandemic has only highlighted the need for robust worker protections for essential workers. During the pandemic, many essential workers in industries that San Diegans relied on to function were put in difficult positions by bad actor employers. Essential workers needed to bring home a paycheck but had limited opportunities. My office heard directly from community partners and individuals about workers who continued going to work under unsafe conditions, in locations that were not following public health guidelines, or for employers who refused to pay full wages or honor mandated sick time. These workers and their families should never be put in these positions.

While the pandemic has heightened the plight of essential workers, we know that San Diego working families were already struggling before the pandemic. Greater protection and involvement from the County of San Diego can help address these concerns.

Labor laws are a mix of federal, state and local laws and regulations, but there is no countywide local government entity to assist workers and employers in navigating this complicated system. That is why I am proposing the creation of an Office of Labor Standards and Enforcement (OLSE) to be housed within the Finance and General Government Group (FG3). The County has taken limited action in protecting working families, the economic backbone of our communities, but it certainly has a role to play. It is imperative that workers be treated fairly and that employers follow all local, state, and federal laws related to employment. The County can provide a central location to provide education and resources to employers and workers alike, conduct research and data collection on worker issues, and could take on additional enforcement measures to protect workers.

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER

1. Direct the Chief Administrative Officer to establish within the Finance and General Government Group, an Office of Labor Standards and Enforcement including: a Director of the Office of Labor Standards and Enforcement and additional staff support and resources, as appropriately classified by the Department of Human Resources, including county counsel with appropriate expertise in this area, and refer \$1.1 million dollars to budget for consideration during the Fiscal Year 2021-22 budget deliberations and adoption.
2. Direct the Chief Administrative Officer to return to the Board within 120 days and report back on the overall scope, roles and responsibilities of the Office of Labor Standards and Enforcement, and number of staff and type of positions needed for initial execution of the following duties including, but not limited to:
 - a. Providing a central location for questions and connection to resources for workers across San Diego County.
 - b. Engaging business and community partners in education and outreach on important issues related to workers.
 - c. Acting as the County expert on worker issues, including data collection and research initiatives, in order to better understand regional workplace issues including trends, gaps in services, and potential policies that would further goals of protecting and advancing fair and safe workplaces for all.
 - d. Reporting back annually to the Board of Supervisors on the data analysis and research that the Office has undertaken with policy recommendations to consider.
 - e. Exploring the creation of a workplace justice fund that could provide resources to workers who are seeking justice on a workplace issue and need assistance.
 - f. Determination of additional ways the County can participate in enforcement of state and local laws and regulations impacting workers within the County's jurisdictional boundaries, including, but not limited to:
 - i. Enforceable fines and penalties.
 - ii. Ability to collect judgments.
 - iii. Assisting workers in obtaining full restitution.

- iv. Injunctions against employers that do not comply.
- v. Development of protocols for denial, suspension, or revocation of licenses, permits or County contracts of employers who repeatedly violate labor standards.
- g. Coordinating with other County departments and offices that monitor and enforce County contracting requirements and expenditure of County funds, including the Office of Ethics and Compliance and the Department of General Services.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2020-2021 Operational Plan, and there is no fiscal impact associated with this request in Fiscal Year 2020-2021. If approved, Fiscal Year 2021-2022 costs and funding required to staff and maintain the functions of the new Office of Labor Standards and Enforcement are estimated to be \$1.1 million with a projected staffing impact of 5 FTEs, based on similar offices performing this function in other jurisdictions. This request will be referred to budget for consideration during Fiscal Year 2021-2022 budget deliberations and adoption. The preliminary recommended funding source would be General Purpose Revenue, but will eventually be determined by program design, duration, and available funding.

BUSINESS IMPACT STATEMENT

The Office of Labor Standards and Enforcement would be a resource for workers and business owners alike to get clarity and information about laws and regulations related to businesses in San Diego County and would take steps to ensure that employers are treating workers fairly.

ACTION:

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

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

24. SUBJECT: SUPPORTING H.R. 1280, THE GEORGE FLOYD JUSTICE IN POLICING ACT (DISTRICTS: ALL)

OVERVIEW

On May 25, 2020, George Floyd was brutally murdered on a Minneapolis, Minnesota street by Minneapolis police officer Derek Chauvin. The murder of George Floyd, an unarmed Black man, at the hands of police, and the events surrounding his death captured and highlighted the fear and deep distrust that Black, Indigenous, Latino, Asian American Pacific Islander, and all people of color have of law enforcement and the racial inequities and disparities that exist across the United States.

George Floyd's murder was a catalyst for a movement of people across the world demanding an end to police brutality, systemic racism and calling for substantive reforms. To address the deep-rooted reforms needed within law enforcement, shortly after the murder in 2020 Representative Karen Bass of California, Representative Jerrold Nadler of New York, Senator Cory Booker of New Jersey and then-Senator Kamala Harris of California introduced H.R.

7120, the George Floyd Justice in Policing Act. The George Floyd Justice in Policing Act seeks to hold police accountable, end racial profiling, change the culture of law enforcement, and build trust between law enforcement and communities by addressing racism and bias. While H.R. 7120 did not move in the 116th Congress, the bill was reintroduced as H.R. 1280 in February 2021 in the 117th Congress and passed the United States House of Representatives in March as the trial of Derek Chauvin was set to begin.

Today's action will direct the Chief Administrative Officer to express the County's support for H.R. 1280, the George Floyd Justice in Policing Act, consistent with Board Policy M-2.

RECOMMENDATION(S)
CHAIR NATHAN FLETCHER

Direct the Chief Administrative Officer to express the County's support for H.R. 1280, the George Floyd Justice in Policing Act, consistent with Board Policy M-2.

FISCAL IMPACT
N/A

BUSINESS IMPACT STATEMENT
N/A

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

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

**25. SUBJECT: ADVOCATING FOR RENTAL ASSISTANCE FLEXIBILITY AND
THE CREATION OF A SHALLOW (SHORT-TERM) RENT
SUBSIDY PROGRAM (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego is currently administering an Emergency Rent and Utilities Assistance Program for the distribution of over \$107 million of federal funds to help eligible households in qualifying areas who have been financially impacted by the COVID-19 pandemic. The program provides payment assistance for renters in need who can't afford to pay their rent and utilities to their landlords. It has reduced the need to divert limited resources from other household expenses and maintained housing stability for low-income renters who have experienced COVID-19-related loss of income. This program has also enabled landlords to seek reimbursement for back rent owed by their tenants and up to 3-month prospective rent relief as well.

**Only \$27.5 Million Out of \$107 Million Dollars Projected for Awards Based On
Current Applications**

Because a portion of these federal funds are provided to the County through the state, the County is required to comply with the requirements of Senate Bill 91 when administering this funding. Although federal guidelines permit landlords to collect 100

percent of the rent they are owed by their tenants, SB 91 guidelines present several limitations including the limiting of reimbursements to landlords on rental arrears to 80 percent. It's clear given the limited amount of funds that have been applied for that the current system that is in place has not been effective in aiding and reaching residents and landlords. In addition to the County's Rent and Utilities Assistance Program, the Cities of San Diego and Chula Vista also manage their own similar relief programs. Just as all other eligible jurisdictions, the County elected option B when selecting a program which requires commitment and expenditure of funds in a narrow time frame. Each of the three respective rental programs in the region are required to expend all of the state block grant funds provided to them by the state by August 1, 2021. We are also required to obligate 65 percent of the funds by June 1, 2021. The County of San Diego Emergency Rental Assistance Program administrators reported that the County currently has \$52 million dollars of funds remaining that have not yet been applied for by landlords or their tenants. They also report that of the \$55 million applied for, that only \$27.5 million dollars of the program's funds are projected to be distributed based on eligibility and other factors, leaving \$79.5 million dollars remaining.

The San Diego Housing Commission recently wrote to the Secretary of California's Business, Consumer Services and Housing Agency, requesting several updates and changes to the state guidelines to provide more flexibility for local Emergency Rental Relief Programs. The Housing Commission's request recommended increasing from 80 to 100 percent the amount landlords could collect in rental arrears owed to them and allowing payment of 100 percent of prospective rent owed, instead of limiting this amount to 25 percent. The County of San Diego's Emergency Rental Assistance Program would greatly benefit from this additional flexibility to our rental program, as would the City of San Diego and the City of Chula Vista's programs.

Rental Relief for Recently Homeless(Transitional)

On April 6, 2021, the Board of Supervisors approved a conceptual framework for allocating American Rescue Plan Act (ARPA) funds the County anticipates receiving. Included in this plan was an allocation of \$85 million to fund homelessness services. Homelessness services are a key expenditure category of the ARPA funds and specifying use of these funds to individuals who are newly experiencing homelessness, couch-surfing or living in their car, would provide critical relief for thousands of individuals. In its Homeless Crisis Response System report from 2020, the Regional Task Force on the Homeless found the number of first-time homelessness in the County increased from 2,326 in 2019 to 4,152 in 2020, a 79 percent jump. The previous year saw a 6 percent decrease from 2018. Among households, first-time homelessness increased from 1,910 to 3,450 in 2020, up 81 percent.

Based on economic data we can deduce that these numbers are largely pandemic induced. Many individuals are experiencing transitional homelessness due to job loss, unemployment and other economic impacts. Based on averages pulled from current rental assistance applications, the projected cost for payment assistance that would help these transitionally homeless households is \$7 million. Consequently, allocating money to a specific program designed to help this population would enable these individuals to quickly get back into a home and to pay their rent during this trying time. Although the County's Emergency Rental Assistance Program will provide payment assistance to thousands of qualified applicants, those families that have been evicted or

displaced from their homes and are currently living in a hotel, car or with a family member are excluded from the program. A shallow (short-term) rental subsidy program provides a range of short-term to long-term rental subsidy to participants in order to help them achieve housing stability and prevent homelessness or reentry into homelessness. The subsidies are considered “shallow” compared to traditional “deep” subsidies such as those provided by Housing Choice Vouchers and Permanent Supportive Housing (PSH) because they provide a lower level of assistance, often based on a set monthly amount. Shallow rental subsidies are particularly effective for recently rehoused or unstably housed households living in high-cost rent environments, those experiencing fluctuations in income and employment, those on housing waitlists, and those on a fixed income that need a small amount of rental assistance but not the level of support provided through Rapid Rehousing (RRH).

The creation of such a program would allow those households who are experiencing transitional homelessness due to financial impacts from COVID-19, that do not qualify for the County’s Emergency Rental Assistance Program, to receive temporary financial assistance for getting back into a unit. The population focus would include those households that are living in hotel or motels that have been temporarily or permanently displaced from their primary residence or are without a permanent residence elsewhere. Currently, all three Emergency Rental Assistance programs in the County have reported that a lack of applications have been submitted over the course of many weeks, both from renters and landlords. Numbers have shown that the need for rental assistance is undoubtedly apparent in the region through high unemployment rates and vocalization from several struggling groups. However certain groups- a large population of landlords in particular - are unaware that the programs are live and accepting applications.

Greater Outreach to Inform Potential Applicants as Needed

The unincorporated areas of the County lack sufficient broadband and technological access needed to take advantage of the online application process. An enhanced and coordinated awareness effort and ensuring options for those who don’t have access to proper internet connections, would allow more individuals in the region to become aware of the assistance programs. Although the County’s ERAP website has translatable abilities with the application portal featuring multiple languages, constituents’ access to applications and awareness of the program could still be enhanced by expanded outreach to groups whose native language is not English and are indirectly excluded from groups where much of the current outreach is occurring. Efforts could be extended to actions such as providing mail notification to every landlord in the County system, as well as enhanced coordination with various radio stations to publicize the Emergency Rental Assistance Programs.

Today’s action would direct the CAO to request that the State of California update the State Guidelines to maximize the expenditure and impact of federal funds allocated through SB 91 to help landlords and low-income families experiencing financial hardship due to the ongoing COVID-19 pandemic. This action would also allocate \$10 million from the framework of anticipated ARPA funds, with assurance from the CAO that the County of San Diego would seek to adopt the most flexible option for administration of the dollars and future funds the County is to receive for rental assistance from ARPA through HUD. Upon approval of the adjusted framework and the receipt of ARPA

guidelines, action would additionally direct the CAO to design a shallow rent subsidy program for those experiencing transitional homelessness.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON

1. Direct the Chief Administrative Officer to call upon the State to provide Option B partners (local jurisdictions participating in the Senate Bill 91 rental assistance program) flexibility to:
 - a. Pay all rental payments owed, including prospective rent;
 - b. Streamline the review process and to additionally;
 - c. Allow payment of 100 percent of rental arrears owed instead of 80 percent;
 - d. Allow payment of 100 percent of prospective rent owed instead of 25 percent;
 - e. Allow up to 15 months of rent assistance regardless of rent type (arrears or prospective);
 - f. Allow utility payments to be issued to the tenant if the utility provider declines to accept a payment;
 - g. Remove restrictions on which months can be considered for rental arrears and which can be considered for prospective rent. Currently, April through June 2021 can only be categorized as prospective rent, with payments limited to 25 percent; and
 - h. Allow three months of prospective rent based on three months from the date the application is processed.
 - i. Change obligation and expenditure deadlines to coincide with the U.S Department of the Treasury deadlines
2. Direct the Chief Administrative Officer to allocate a minimum of \$10 million dollars in ARPA funds of the framework's slated \$85 million dollars for homeless services for the creation of a (short-term) Shallow Rent Subsidy program and associated administrative costs
3. Direct the Chief Administrative Officer to return within 60 days with a Shallow Rent Subsidy Program design upon approval of ARPA framework and receipt of federal expenditure guidelines
4. Direct the Chief Administrative Officer to expend all current and future rental relief program funds under the new and flexible guidelines upon successful advocacy efforts to change SB91 guidelines to reflect federal guidelines
5. To the extent authorized by law, direct the Chief Administrative Officer to allocate additional funds in the forthcoming ARPA framework for expanded outreach and for the exploration of ways to enhance the awareness efforts that are taking place for the Emergency Rent and Utility Assistance Program with a focus on:

- a. rural communities;
 - b. the landlord community through mail notification to every landlord address in the County system;
 - c. those experiencing transitional homelessness
 - d. households with limited English proficiency
 - e. households living in hotel or motels that have been temporarily or permanently displaced from their primary residence or are without a permanent residence elsewhere, subject to program rules and regulations
6. Direct the Chief Administrative Officer to advocate, as needed, for legislative remedies needed to achieve the items listed in the above recommendations

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. Funds for the Emergency Rent and Utilities Assistance Program are included in the Fiscal Year 2020-21 Operational Plan of the Health and Human Services Agency. The recommendations related to this program would provide additional flexibility in spending the funds that have been allocated. There is no immediate fiscal impact for the recommendations around the American Rescue Plan Act of 2021 (ARPA) funding framework, as funds for the ARPA framework are not yet appropriated. Once final federal guidance on ARPA is released, it will be reviewed to ensure alignment with the proposed framework and staff will return back to the Board to appropriate funds as needed. 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 Anderson, seconded by Supervisor Fletcher, the Board of Supervisors withdrew the item at the request of Supervisor Anderson.

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

26. **SUBJECT: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO EXERCISING THE COUNTY'S POLICE POWER TO PROHIBIT RESIDENTIAL EVICTIONS WITHOUT JUST CAUSE AND TO ENACT A MORATORIUM ON CERTAIN RESIDENTIAL RENT INCREASES (DISTRICTS: ALL)**

OVERVIEW

The World Health Organization has declared a worldwide pandemic of the COVID-19 disease, also known as "novel coronavirus." As of March 22, 2021, there are 268,160 confirmed cases and 3,498 deaths in San Diego County.

The need to limit the spread of the virus has limited business operations and the region's unemployment rate has reached unprecedented heights. According to the San Diego Association of Governments (SANDAG), the unemployment rate in San Diego County reached an estimated 30.1% in May 2020, with disproportionately high unemployment rates in Black and Latinx communities. The economic reality posed by COVID-19 impacts the ability of residents and businesses to pay rent. While our region moves cautiously to reopen in a safe manner, the economic impacts will continue to be felt by San Diego residents. Many businesses have been permanently closed or partially reopened at reduced capacity. As such, full recovery is a long time away and relief is needed.

San Diego County issued a Local Health Emergency on February 14, 2020, which was followed by a State of Emergency from the California Governor on March 4, 2020. The Governor issued Executive Order N-28-20 on March 16, 2020 which provided local jurisdictions with the authority to enact moratoriums to prevent residential and commercial evictions based on impacts related to the COVID-19 virus. On August 21, 2020 Governor Newsom signed Assembly Bill No. 3088 which provided California renters unable to pay rent due to COVID-19-related financial distress certain temporary eviction protections until January 31, 2021. On January 29, 2021 Governor Newsom signed Senate Bill 91, which extended statewide eviction protections for California renters until June 30, 2021.

The current statewide renter protections offer only a limited range of protections and, due to the Local Health Emergency, San Diego County can extend stronger protections that will protect renters in all jurisdictions within the County.

RECOMMENDATION(S)
VICE-CHAIR NORA VARGAS

Adopt the Ordinance:

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO EXERCISING THE COUNTY'S POLICE POWER TO PROHIBIT RESIDENTIAL EVICTIONS WITHOUT JUST CAUSE AND TO ENACT A MORATORIUM ON CERTAIN RESIDENTIAL RENT INCREASES.

FISCAL IMPACT
N/A

BUSINESS IMPACT STATEMENT

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

ACTION 26.1:

A motion was introduced by Supervisor Lawson-Remer, seconded by Supervisor Fletcher, to adopt the Ordinance with the following amendments:

- Amend Section 2(b) to include the following language "For the purposes of this ordinance, "imminent health and safety" shall include: repeated, prolonged, severe, and documented patterns of public nuisance that threatens imminent health or safety, or threatening neighbors with imminent harm to person, and proven cases of felony criminal activity occurring on the property. However, the consumption or possession of alcohol, marijuana, or any other illegal controlled substances would not constitute just cause for eviction."

- o Amend Section 3(c)(4) to state: "Take any other action in reliance on a notice of termination of tenancy or attempt to induce a tenant to vacate based on such a notice."
- o Amend Section 4 to add a bullet point (e) that states "The Chief Administrative Officer is authorized to create a process under which the Chief Administrative Officer may waive the provisions of this Section if a landlord can factually demonstrate that this Ordinance applies to the landlord and that the Ordinance would prevent the landlord from receiving a fair rate of return on the landlord's investment, based on a reasonable expectation at the time investment was made."
- o Amend Section 3 to add a bullet point (l) that states "This Section does not apply in cases where: (1) the property owner(s) is moving back into their primary residence if it was their primary residence before, or (2) for active military families. The landlord has the burden of proof that this exemption applies throughout the term of the ordinance. No landlord may invoke this exception for more than one unit for the duration of this ordinance and should not be used to displace a household that has a disabled family member or minor children."
- o The title is amended to add the word "URGENCY" before "ORDINANCE."
- o Section 1(hh) is added to read: "This ordinance is necessary for the immediate preservation of the public peace, health, and safety as described in subdivision (d) of Government Code section 25123."
- o Section 10(a) is amended to read: "Pursuant to Government Code Section 25123, subdivision (d), this measure is declared to be an urgency ordinance, to take effect and be in force immediately upon its passage by 4 or more votes."

AYES: Vargas, Lawson-Remer, Fletcher

NOES: Anderson, Desmond

(Motion failed due to lack of required affirmative votes.)

ACTION 26.2:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended adopting Ordinance No. 10724 (N.S.), entitled: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO EXERCISING THE COUNTY'S POLICE POWER TO PROHIBIT RESIDENTIAL EVICTIONS WITHOUT JUST CAUSE AND TO ENACT A MORATORIUM ON CERTAIN RESIDENTIAL RENT INCREASES.

AYES: Vargas, Lawson-Remer, Fletcher

NOES: Anderson, Desmond

27. **SUBJECT: SUPPORT THE PROTECTING THE RIGHT TO ORGANIZE (PRO) ACT OF 2021 (DISTRICTS: ALL)**

OVERVIEW

The Federal *Protecting the Right to Organize (PRO) Act of 2021* provides a generational opportunity for the labor movement. The current pandemic has exacerbated the fact that the American economy is not working for most Americans. While corporations and the wealthy have captured the rewards of a growing economy, working families and middle-class Americans are continuously being left behind. From 1980 to 2017, average incomes for the bottom 90 percent of households increased just 1.1 percent, while average incomes for the wealthiest 1 percent increased more than 184 percent.

The PRO Act is a landmark worker empowerment, civil rights, and economic stimulus legislation, and an essential part of any plan to build back better from the COVID-19 pandemic and recession. Additionally, the PRO Act protects the basic right to join a union by introducing meaningful, enforceable penalties for companies that violate worker's rights, expanding workers' collective bargaining rights and closing loopholes that corporations use to exploit workers, and strengthening workers' access to fair union elections and requiring corporations to respect the results.

This Board letter calls for support of the PRO Act as it stands to greatly increase economic opportunity in America and empower workers through free and fair choice on whether to form a union, ensure workers can reach a first contract quickly after a union is recognized, end employers' practice of punishing striking workers by hiring permanent replacements, and hold corporations accountable with real penalties for illegally retaliating against workers who organize. Through the expansion of collective bargaining under the PRO Act there will be increases in pay and protections for women, people of color, immigrants, and the LGBTQ community to build back better by increasing worker power and rebuilding our economy fairly for all.

RECOMMENDATION(S)

VICE-CHAIR NORA VARGAS

Direct the Chief Administrative Officer to express the County's support of H.R. 842 titled, Protecting the Right to Organize Act of 2021, in accordance to Board Policy M-2.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

**28. SUBJECT: GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT
GENERAL OBLIGATION BONDS, (ELECTION OF 2012, SERIES
2021C) AND THE 2021 GENERAL OBLIGATION REFUNDING
BONDS (DISTRICT: 2)**

OVERVIEW

General Obligation Bonds, Election of 2012, Series 2021C

A bond election was held in the Grossmont-Cuyamaca Community College District, County of San Diego, California ("District") on November 6, 2012, at which at least 55% of the voters casting ballots authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$398,000,000 ("Proposition V Authorization"). The Board of the District ("District Board") has issued or caused to be issued approximately \$206,000,000 aggregate principal amount of general obligation bonds under the Proposition V Authorization over two series of bonds. On March 16, 2021, the District Board authorized the issuance of the Series 2021C bonds under the Proposition V Authorization in an aggregate principal amount not to exceed \$100,000,000 to be designated as the "Grossmont-Cuyamaca Community College District General Obligation Bonds, Election of 2012, Series 2021C" ("Series 2021C"). Following the issuance of the Series 2021C GO Bonds there will be approximately \$92,000,000 remaining of the Proposition V Authorization.

2021 General Obligation Refunding Bonds

A bond election was held in the Grossmont-Cuyamaca Community College District, County of San Diego, California ("District") on November 5, 2002, at which at least 55% of the voters casting ballots authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$207,000,000 ("Proposition R Authorization"). On May 29, 2003, the District issued General Obligation Bonds, Election of 2002, Series 2003A in an aggregate principal amount of \$55,000,000 as part of Proposition R Authorization. On August 27, 2013, the District issued General Obligation Bonds, Election of 2012, Series 2013A in an aggregate principal amount of \$80,000,000 as part of Proposition V Authorization. The District also issued the 2013 General Obligation Refunding Bonds in an aggregate principal amount of \$5,470,000 to refund the then-outstanding Series 2003A Bonds (the 2013 Refunding Bonds and together with Series 2013A Bonds, called the "Prior Bonds"). On March 16, 2021, the District Board authorized the issuance of the refunding bonds in an aggregate principal amount not to exceed \$68,275,000 to be designated as the "Grossmont-Cuyamaca Community College District 2021 General Obligation Refunding Bonds" ("2021 GO Refunding Bonds") to refund all or a portion of the Prior Bonds.

Today's recommendation will request adoption of two resolutions for the issuance of the Series 2021C GO Bonds and 2021 GO Refunding Bonds. The resolutions include authorizing the District to issue and sell 2021C GO Bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent, executing a Paying Agent and Investment Management Agreement and directing the Auditor and Controller to maintain the tax roll for the 2021C GO Bonds and 2021 GO Refunding Bonds.

RECOMMENDATION(S)
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 GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT TO ISSUE AND SELL BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.
2. Adopt a resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT RELATING TO REFUNDING BONDS OF THE GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

FISCAL IMPACT

The Series 2021C GO Bonds and 2021 GO Refunding Bonds will be general obligations of the District to be paid from ad valorem property taxes levied within the boundaries of the Grossmont -Cuyamaca Community College District, and do not constitute an obligation of the County.

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 the following:

Resolution No. 21-060, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT TO ISSUE AND SELL BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS; and,

Adopting Resolution No. 21-061, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT RELATING TO REFUNDING BONDS OF THE GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT, DIRECTING THE

COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

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

**29. SUBJECT: NEIGHBORHOOD REINVESTMENT AND COMMUNITY
ENHANCEMENT PROGRAM GRANTS (DISTRICT: 4)**

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR NATHAN FLETCHER

1. Allocate \$12,385 from the Neighborhood Reinvestment Program budget (Org 15665) to Climate Action Campaign for the purchase of office equipment to accommodate new staff and COVID-19 needs.
2. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15665) to San Diego County Bicycle Coalition to provide funds to start the initial architectural design work for the Bike Center Project building renovations at 191 Cushing Road, San Diego, CA 92106, soft demo cost and other redesign work.
3. Allocate \$40,000 from the Neighborhood Reinvestment Program budget (Org 15665) to The Clarity Foundation for one-time costs for the implementation of a Salesforce CRM System to improve their technology infrastructure.
4. Allocate \$91,831 from the Community Enhancement Program budget (Org 12900) to Center on Policy Initiatives to support We All We Got San Diego Mutual Aid for the salaries of two part-time staff members who manage and operate their programs to provide family food deliveries and weekly food distributions to community members who are most impacted by COVID-19 in San Diego County.
5. Allocate \$30,000 from the Community Enhancement Program budget (Org 12900) to Climate Action Campaign to support the salary of a Justice, Equity, Diversity, and Inclusion Organizer.
6. Find that the grant awards described above have a public purpose.
7. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to existing agreements with the organizations awarded Neighborhood Reinvestment Program funds and Community Enhancement Program funds establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grant.

8. Find that the grant identified in Recommendation No. 2 is exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$67,385 from the Neighborhood Reinvestment Program budget (Org 12900) and \$121,831 from the Community Enhancement Program budget (Org 15665) totaling \$189,216. Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the Neighborhood Reinvestment Program (Org 15665) and Community Enhancement Program (Org 12900). The funding source is General Purpose Revenue and Transient Occupancy Tax Revenues. These actions will not result in the addition of staff years or other costs.

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

30. **SUBJECT: GENERAL SERVICES - AUTHORIZATION TO ADVERTISE AND AWARD CONSTRUCTION MANAGER AT RISK CONTRACTS (DISTRICTS: ALL)**

OVERVIEW

On January 1, 2014, the California Legislature authorized counties to utilize the Construction Manager at Risk (CMAR) delivery method for projects in excess of \$1 million. In September 2016 the Board of Supervisors authorized the County to award CMAR contracts up to \$10 million for a period of 5 years. Since then, the Department of General Services, in collaboration with the Department of Purchasing and Contracting, has developed and implemented the CMAR procurement method. This procurement method provides an improved method of handling selected projects, primarily those funded by the Major Maintenance Improvement Plan (MMIP) Program. CMAR allows closer collaboration between the contractor and designer, which is a proven fundamental value of the CMAR procurement concept and allows alignment of project delivery schedules with client department requirements earlier in the process. The CMAR delivery method is a best practice industry standard used as an alternative to low bid contracting.

The Board of Supervisors is requested to authorize the Director, Department of Purchasing and Contracting to advertise and award CMAR contracts for various projects up to \$10 million pursuant to Public Contract Code Section 20146.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that today's 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, for a period of five years, to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code and Public Contract Code Section 20146 to advertise and award Construction Manager at Risk contracts for various projects up to \$10 million.
3. Designate the Director, Department of General Services, and the Director, Parks and Recreation, as the County officers responsible for administering the awarded Construction Manager at Risk contracts, as appropriate.

FISCAL IMPACT

There is no direct fiscal impact as a result of today's requested action. Funding for Construction Manager at Risk contracts is budgeted by departments for specific project requests and in the Major Maintenance Improvement Plan. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

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

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors continued this item to May 18, 2021, at the request of the Chief Administrative Officer, on Consent.

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

31. **SUBJECT: AMENDMENTS TO THE COMPENSATION ORDINANCE (5/4/2021 - First Reading; 5/18/2021 - 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 two (2) new job classifications in the Unclassified Service; 2) amending compensation for one (1) classification in the Unclassified Service; 3) changing bargaining unit for one (1) classification in the Unclassified Service; 4) changing class characteristics and compensation for one (1) classification from the Classified Service to the Unclassified Service; 5) retitling one (1) classification; and 6) amending various sections of the Compensation Ordinance.

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 May 4, 2021, the Board takes action as recommended in item 1 then, on May 18, 2021 (second reading):
Submit ordinance for further Board consideration and adoption on May 18, 2021 (second reading).

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 Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action to further consider and adopt the Ordinance on May 18, 2021.

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

32. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Note and file.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

33. 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 A-77, "Appointments to Fill Vacancies and Cancellation of Election where Insufficient Nominations Filed Prior to Uniform District Election and Citizen Planning Group Election," and Board Policy I-1, "Planning and Sponsor Group Policies and Procedures."

RECOMMENDATION(S)

VICE CHAIR NORA VARGAS

Appoint Margarita Holguin to the COMMUNITY ACTION PARTNERSHIP ADMINISTERING BOARD, Seat No. 1, for a term to expire January 6, 2025.

Appoint Lei-Chala Wilson to the COUNTY HEARING OFFICERS, Seat No. 1, for a term to expire January 6, 2025.

Appoint Javier Alvarado to the PARKS ADVISORY COMMITTEE, SAN DIEGO COUNTY, Seat No. 2, for a term to expire January 6, 2025.

Appoint Deja Cabrera to the COMMISSION ON THE STATUS OF WOMEN AND GIRLS, Seat No. 2, for a term to expire January 6, 2025.

SUPERVISOR JOEL ANDERSON

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Rolland E. Slade to the CSA NO. 128 - SAN MIGUEL LOCAL PARK DISTRICT CITIZEN ADVISORY BOARD, Seat No. 7, for a term to expire January 6, 2025.

Appoint Andrew Paluczak to the FISH AND WILDLIFE ADVISORY COMMISSION, SAN DIEGO COUNTY, Seat No. 3, for a term to expire January 6, 2025.

Appoint Edward Stovin to the FISH AND WILDLIFE ADVISORY COMMISSION, SAN DIEGO COUNTY, Seat No. 4, for a term to expire January 6, 2025.

Appoint Barry Jantz to the HEALTH SERVICES ADVISORY BOARD (HSAB), Seat No. 4, for a term to expire January 6, 2025.

Appoint Kyle Hermann to the HISTORIC SITE BOARD, Seat No. 2, for a term to expire January 6, 2025.

Appoint William T. Everett to the JULIAN COMMUNITY PLANNING GROUP, Seat No. 3, for a term to expire January 6, 2025.

Appoint Rey E. Lyyjoki to the LAKESIDE COMMUNITY PLANNING GROUP, Seat No. 10, for a term to expire January 2, 2023.

Re-appoint Christopher Harms to the POTRERO COMMUNITY PLANNING GROUP, Seat No. 1, for a term to expire January 6, 2025.

Appoint Carol Lewis to the SOCIAL SERVICES ADVISORY BOARD, Seat No. 4, for a term to expire January 6, 2025.

Appoint Mitz Lee to the COMMISSION ON THE STATUS OF WOMEN AND GIRLS, Seat No. 3, for a term to expire January 6, 2025.

Appoint Robyn Nolin to the COMMISSION ON THE STATUS OF WOMEN AND GIRLS, Seat No. 4, for a term to expire January 6, 2025.

SUPERVISOR TERRA LAWSON-REMER

Re-appoint Madeleine Baudion to the COMMUNITY ACTION PARTNERSHIP ADMINISTERING BOARD, Seat No. 3, for a term to expire January 6, 2025.

Appoint Herminia Ramirez to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 24, for a term to expire January 6, 2025.

Appoint Kate Chasin to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 25, for a term to expire January 6, 2025.

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

34. SUBJECT: APPOINTMENT OF COUNTY COUNSEL AND APPROVAL OF EMPLOYMENT AGREEMENT (DISTRICTS: ALL)

OVERVIEW

After conducting a national search for the position of County Counsel the Board of Supervisors is appointing a new County Counsel effective June 30, 2021. Today's action approves the Board's employment agreement with the County Counsel.

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER

1. Direct the Clerk of the Board to read an oral summary of benefits for the County Counsel position before appointment, in compliance with Government Code Sections 3511.1 and 54953.
2. Appoint the County Counsel.

3. Approve the Employment Agreement between the County of San Diego and the County Counsel and authorize the Chair of the Board of Supervisors to execute the agreement.
4. Approve the introduction of the Ordinance (first reading), read title, and waive further reading of the Ordinance:
AN ORDINANCE APPROVING AN EMPLOYMENT AGREEMENT FOR THE
TERMS AND CONDITIONS OF THE EMPLOYMENT OF COUNTY COUNSEL.

If, on May 4, 2021, the San Diego County Board takes action as recommended, then on May 18, 2021, consider and adopt (second reading):
AN ORDINANCE APPROVING AN EMPLOYMENT AGREEMENT FOR THE TERMS
AND CONDITIONS OF THE EMPLOYMENT OF COUNTY COUNSEL.

FISCAL IMPACT

Funds associated with this request are included in the fiscal year 2020-21 Operational Plan.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Following the Clerk of the Board's reading of an oral summary of benefits for the County Counsel position before appointment, in compliance with Government Code Sections 3511.1 and 54953, ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action to further consider and adopt the Ordinance on May 18, 2021, on Consent.

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

35. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph 4 of subdivision (d) of Government Code section 54956.9: (Number of Cases - 1)
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Arthur Price, et al. v. County of San Diego, et al.; San Diego Superior Court Case No. 37-2020-00019535-CU-MC-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
John Benavidez v. County of San Diego, et al.; United States District Court, Southern District No. 3:18-cv-00558-CAB-AGS
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
L.R. v. Richard Fischer, et al.; San Diego Superior Court Case No. 37-2017-00047075-CU-MC-CTL

- E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Wendy Falsetto v. Richard Fischer, et al.; San Diego Superior Court Case No. 37-2018-00005805-CU-CR-CTL
- F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Jolene Fukushima v. County of San Diego, et al.; San Diego Superior Court Case No. 37-2020-00018334-CU-PA-CTL
- G. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Ronnie Sandoval v. County of San Diego, et al.; United States Court of Appeals for the Ninth Circuit, Docket No. 18-55289
- H. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)
- I. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.6)
Designated Representatives: Susan Brazeau, Brad Rankin
Employee Organizations and Unrepresented Employees: All

ACTION:

Closed Session matters were continued to the Board of Supervisors session on Wednesday, May 5, 2021.

36. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

David Maldonado provided comments to the Board regarding school closures.

Becky Rapp, Mark Wilcox, Carol Green, Barbara Gordon, Diana Grace, Ann Riddle and Kelley Davis provided comments to the Board regarding marijuana use.

Congressman Mike Levin provided comments to the Board regarding the American Rescue Plan.

Michelle Krug provided comments to the Board regarding the online request to speak form.

Kelly McCormick provided comments to the Board regarding tobacco use.

Bill Huff Tegan McClain, and Aly Hartmann provided comments to the Board regarding COVID restrictions.

Terry Ann Skelly provided comments to the Board regarding Planning Groups and marijuana businesses.

Kathleen Lippitt provided comments to the Board regarding the marijuana ordinance.

ACTION:

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 10:30 p.m.

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

Consent: Caro
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.

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Approved by the Board of Supervisors, on Tuesday, May 18, 2021.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board

05/04/2021