

May 10, 2022

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,
SAN DIEGO COUNTY FLOOD CONTROL DISTRICT, HOUSING AUTHORITY OF THE
COUNTY OF SAN DIEGO, COUNTY OF SAN DIEGO IN-HOME SUPPORTIVE
SERVICES PUBLIC AUTHORITY, SAN DIEGO COUNTY SANITATION DISTRICT, SAN DIEGO
COUNTY FIRE PROTECTION DISTRICT, COUNTY OF SAN DIEGO SUCCESSOR AGENCY TO
THE COUNTY OF SAN DIEGO REDEVELOPMENT AGENCY
REGULAR MEETING
MEETING AGENDA
TUESDAY, MAY 10, 2022, 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.

- B. Invocation was led by Bishop Cornelius Bowser, founding pastor of Charity Apostolic Church.

- C. Pledge of Allegiance was led by Marisol McBride's 3rd grade class from Veterans Elementary School.

- D. Presentation or Announcement of Proclamations and Awards:

Chair Nathan Fletcher presented a proclamation declaring May 10, 2022, to be San Diego Sheriff's Search and Rescue Day throughout the County of San Diego.

Chair Nathan Fletcher and Vice-Chair Nora Vargas presented a proclamation declaring May 8, 2022 through May 14, 2022, to be National Nurses Week throughout the County of San Diego.

Vice-Chair Nora Vargas presented a proclamation declaring May 10, 2022 to be Dia de las Madres Day throughout the County of San Diego.

Supervisor Joel Anderson presented a proclamation declaring May 15, 2022 through May 21, 2022, to be EMS Week throughout the County of San Diego.

Supervisor Terra Lawson-Remer presented a proclamation declaring May 11, 2022, to be Ocean Beach Farmers Market Day throughout the County of San Diego.

Supervisor Terra Lawson-Remer and Supervisor Jim Desmond presented a proclamation declaring May 9, 2022 through May 15, 2022, to be Asian Business Association Small Business Week throughout the County of San Diego.

Supervisor Jim Desmond presented a proclamation declaring May 10, 2022, to be County of San Diego Peace Officers Day 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 26, 2022.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of April 26, 2022.

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

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

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

Board of Supervisors' Agenda Items

Category	#	Subject
Public Safety	1.	ADMINISTRATIVE ITEM: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: NOTICED PUBLIC HEARING: DISTRICT ATTORNEY - AN ORDINANCE ADDING ARTICLE LXIV TITLED DISTRICT ATTORNEY AND NEW SECTION 955 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S BUREAU OF INVESTIGATION MILITARY EQUIPMENT USE POLICY
	2.	SAN DIEGO COUNTY FIRE - ADOPT A PROPERTY TAX EXCHANGE RESOLUTION RELATING TO THE RAMONA MUNICIPAL WATER DISTRICT AND SAN DIEGO COUNTY FIRE PROTECTION DISTRICT REORGANIZATION
Health and Human Services	3.	SUPPORTING CARE COORDINATION FOR JUSTICE-INVOLVED INDIVIDUALS THROUGH FUNDING AND INTEGRATED DATA INFRASTRUCTURE

4. AUTHORIZE AGREEMENT WITH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) FOR YOUTH TRANSPORTATION AND APPLICATION FOR FUTURE FUNDING OPPORTUNITIES
[FUNDING SOURCE: AMERICAN RESCUE PLAN ACT FUNDING ALLOCATED DIRECTLY TO THE COUNTY OF SAN DIEGO]
5. ADOPT RESOLUTION FOR, AND AUTHORIZE ACCEPTANCE OF, OLDER ADULT SERVICES REVENUE AGREEMENTS AND GRANTS FOR FISCAL YEAR 2022-2023, AND AUTHORIZATION TO PURSUE FUTURE FUNDING OPPORTUNITIES FOR PROGRAMS SERVING OLDER ADULTS AND PERSONS WITH DISABILITIES
[FUNDING SOURCE: STATE GENERAL FUND, FEDERAL MEDICAID PROGRAM; TITLES III, V, AND VII OF THE OLDER AMERICANS ACT; OLDER AMERICANS ACT AMERICAN RESCUE PLAN; 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]
6. AUTHORIZATION TO ACCEPT FUNDING TO ADDRESS SEXUALLY TRANSMITTED DISEASES AND APPLY FOR FUTURE FUNDING OPPORTUNITIES
[FUNDING SOURCE: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, SEXUALLY TRANSMITTED DISEASES CONTROL BRANCH STATE LOCAL ASSISTANCE FUNDING; HEALTH REALIGNMENT]
7. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC PAYMENT
8. PROMOTING GOVERNMENT TRANSPARENCY:
IMPROVING ACCESS TO INFORMATION, LANGUAGE SERVICES, REMOTE TECHNOLOGY, AND COMMUNITY ENGAGEMENT
9. PROMOTING CIVIC ENGAGEMENT THROUGH
BOARDS, COMMITTEES, AND COMMISSIONS

Financial and
General
Government

10. NEIGHBORHOOD REINVESTMENT PROGRAM & COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 2)
[FUNDING SOURCES: GENERAL PURPOSE REVENUE AND TRANSIENT OCCUPANCY TAX REVENUES]
11. COMMUNITY ENHANCEMENT AND NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 1)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE AND THE AMERICAN RESCUE PLAN ACT]
12. APPROVAL OF ADDITIONAL CAPITAL PROJECTS FOR FISCAL YEAR 2022-2023
[FUNDING SOURCE: GENERAL FUND UNASSIGNED FUND BALANCE]
13. GENERAL SERVICES - APPROVAL OF LEASE AMENDMENT FOR THE DISTRICT ATTORNEY'S FAMILY JUSTICE CENTER AT 1050 LOS VALLECITOS BOULEVARD, SAN MARCOS
[FUNDING SOURCE: PROPOSITION 172 SPECIAL REVENUE FUND]
14. ACCEPTANCE AND APPROPRIATION OF FEDERAL COMMUNITY PROJECT FUNDS
[FUNDING SOURCE: FEDERAL COMMUNITY PROJECTS AS ADMINISTERED BY THE UNITED STATES SMALL BUSINESS ADMINISTRATION (SBA)]
(4 VOTES)
15. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE TO PROVIDE FOR THE LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)
16. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AMENDMENTS TO THE COMPENSATION ORDINANCE
(4/26/2022 - First Reading; 5/10/2022 - Second Reading)

Appointments

17. APPOINTMENTS: VARIOUS

Communications
Received

18. COMMUNICATIONS RECEIVED

- | | | |
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| Health and
Human Services | 19. | RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS IN RESPONSE TO THE LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY, AUTHORIZE A COMPETITIVE SOLICITATION RELATED TO THE COUNTY OF SAN DIEGO'S COVID-19 RESPONSE, AND ADOPT A RESOLUTION AUTHORIZING TELECONFERENCED PUBLIC MEETINGS [FUNDING SOURCE: CARES ACT, CORONAVIRUS RELIEF FUND (CRF) REVENUE, GENERAL FUND BALANCE, REALIGNMENT, FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FUNDS, AND PROGRAM REVENUES AVAILABLE FOR RESPONSE EFFORTS; CENTERS FOR DISEASE CONTROL AND PREVENTION SAN DIEGO COVID-19 HEALTH DISPARITIES PROJECT GRANT, EPIDEMIOLOGY AND LABORATORY CAPACITY ENHANCING DETECTION EXPANSION GRANT, AND THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH IMMUNIZATION LOCAL ASSISTANCE GRANT] |
| Financial and
General
Government | 20. | RECEIVE THE FISCAL REVENUE ANALYSIS OF THE COMMERCIAL CANNABIS INDUSTRY REPORT AND DRAFT CANNABIS BUSINESS TAX ORDINANCE |
| Closed Session | 21. | CLOSED SESSION |
| Public
Communication | 22. | PUBLIC COMMUNICATION |

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

OVERVIEW

On April 26, 2022 (29), the Board of Supervisors took action to further consider and adopt the Ordinance on May 10, 2022.

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

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

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

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

**RECOMMENDATION(S)
DISTRICT ATTORNEY**

If, on April 26, 2022, the County of San Diego Board of Supervisors takes action as recommended, then on May 10, 2022, consider and adopt (second reading):

AN ORDINANCE ADDING NEW ARTICLE LXIV TITLED DISTRICT ATTORNEY AND NEW SECTION 955 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S BUREAU OF INVESTIGATION MILITARY EQUIPMENT USE POLICY.

EQUITY IMPACT STATEMENT

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 10789 (N.S.), entitled: AN ORDINANCE ADDING NEW ARTICLE LXIV TITLED DISTRICT ATTORNEY AND NEW SECTION 955 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES FOR APPROVAL OF THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S BUREAU OF INVESTIGATION MILITARY EQUIPMENT USE POLICY.

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

- 2. SUBJECT: SAN DIEGO COUNTY FIRE - ADOPT A PROPERTY TAX EXCHANGE RESOLUTION RELATING TO THE RAMONA MUNICIPAL WATER DISTRICT AND SAN DIEGO COUNTY FIRE PROTECTION DISTRICT REORGANIZATION (DISTRICT: 2)**

OVERVIEW

On December 14, 2021, the Ramona Municipal Water District (RMWD) Board of Directors voted to divest and transfer fire and emergency medical services within their district to the San Diego County Fire Protection District (SDCFPD).

On February 8, 2022 (1), the SDCFPD Board of Directors adopted a resolution in support of the RMWD resolution and directed County staff to take all necessary actions to transfer responsibility for fire protection and emergency medical services from the RMWD to the SDCFPD.

Section 99 (b)(6) of the Revenue and Taxation Code requires the Board of Supervisors to adopt a property tax exchange resolution before the Local Agency Formation Commission can consider jurisdictional changes. Pursuant to Board Policy B-45, Property Tax Exchanges Resulting from Jurisdictional Changes, Planning & Development Services serves as the lead department for all property tax exchange negotiations. The Board of Supervisors may waive this policy to allow the SDCFPD to negotiate directly with the RMWD to determine an equitable exchange of property tax on this proposed reorganization.

Today's request is for the Board of Supervisors to waive Board Policy B-45 to allow the SDCFPD to negotiate directly with RWMD on the property tax exchange and adopt a resolution transferring future property tax revenue related to the reorganization of fire and emergency medical services from the RMWD to the SDCFPD.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that adoption of the proposed property tax exchange resolution is not subject to the California Environment Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b)(4) because the proposed action involves government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.
2. Waive Board Policy B-45 and allow the San Diego County Fire Protection District to negotiate with the Ramona Municipal Water District instead of the Department of Planning and Development Services and to achieve an equitable exchange of property tax on this proposed reorganization.
3. Adopt a Resolution entitled: RESOLUTION REGARDING PROPERTY TAX EXCHANGE RELATIVE TO THE RAMONA MUNICIPAL WATER DISTRICT – SAN DIEGO COUNTY FIRE PROTECTION DISTRICT REORGANIZATION (Attachment A).

EQUITY IMPACT STATEMENT

Today's proposed property tax exchange resolution supports the reorganization of fire and emergency medical services, which is intended to increase the level of services for the residents of Ramona and surrounding communities with no additional cost to the residents. The agreed upon reorganization will allow for the Ramona Municipal Water District to focus on water, sewer, and park services, while allowing the San Diego County Fire Protection District to use existing funding sources to provide a more robust and better coordinated level of service to Ramona and the entire district.

FISCAL IMPACT

Because a reorganization of services won't take effect until Fiscal Year 2022-23 and a property tax shift won't take effect until Fiscal Year 2023-24, there is no fiscal impact in Fiscal Year 2021-22 and a separate agreement with the Ramona Municipal Water District (RMWD) will ensure necessary funding in Fiscal Year 2022-23. For Fiscal Year 2022-23, the San Diego County Fire Protection District (SDCFPD) will receive revenue from a fire benefit fee, ambulance transport fees and a direct transfer of property tax revenue from the RMWD.

If approved by the Board of Supervisors (Board), this resolution will result in transfers of Annual Tax Increment attributable to the County General Fund for service areas within the RMWD (Attachment A) and will transfer future property tax revenue from the RMWD to the SDCFPD. If the reorganization is approved by the San Diego Local Agency Formation Commission (San Diego LAFCO) and the Board of Equalization takes action in December 2022, the tax revenue in FY 2023-24 would be \$1.8 million of base property revenue, with 4.5% annual growth. In addition, today's action includes 1.5% annual growth and base revenue transferring from the County General Fund to the SDCFPD beginning in FY 2023-24, for a total of 6%. The 6% aligns with the December 8, 2020 (1) Board direction to set the annual tax increment to 6% for all the tax rates in the current SDCFPD boundary area. The proposed Property Tax Exchange is subject to San Diego LAFCO approval. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-050, entitled: RESOLUTION REGARDING PROPERTY TAX EXCHANGE RELATIVE TO THE RAMONA MUNICIPAL WATER DISTRICT – SAN DIEGO COUNTY FIRE PROTECTION DISTRICT REORGANIZATION.

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

3. **SUBJECT: SUPPORTING CARE COORDINATION FOR JUSTICE-INVOLVED INDIVIDUALS THROUGH FUNDING AND INTEGRATED DATA INFRASTRUCTURE (DISTRICTS: ALL)**

OVERVIEW

People who are incarcerated face significant health challenges including higher rates of physical and behavioral health issues. There are well documented adverse health consequences of our carceral system including the impact that the social and environmental conditions have on one's physical and psychological well-being. This makes access to health care an imperative for justice-involved populations. However, incarceration results in decreased use of preventive health care. At least 80% of justice-involved individuals are eligible for Medi-Cal, but Medicaid is suspended while someone is incarcerated, and thus, makes continuity of care and access upon re-entry challenging.

California Advancing and Innovating Medi-Cal (CalAIM) envisions a future of Medi-Cal where there is enhanced coordination, integration, and information exchange among managed care plans (MCPs); physical, behavioral, community-based, and social service providers; and county agencies. Section 1115 of the Social Security Act gives the Secretary of U.S. Health and Human Services authority to approve experimental, pilot, or demonstration projects that are likely to assist in promoting the objectives of the Medicaid program. The purpose of these demonstrations, which give states additional flexibility to design and improve their programs, is to exhibit and evaluate state-specific policy approaches to better serve Medicaid populations. In June 2021, the California Department of Health Care Services (DHCS) requested a five-year renewal of components of the Medi-Cal 2020 Section 1115 demonstration, which serves as an essential component of the CalAIM initiative.

The goal of CalAIM is to improve health outcomes and advance equity for Medi-Cal beneficiaries and other low-income people in the state. It is a multifaceted initiative, and seeks to take a population health, person-centered approach to providing services. One important component of CalAIM is centered on services and supports for justice-involved adults and youth. These initiatives help California address poor health outcomes, including disproportionate risk of illness and accidental death, among justice-involved Medi-Cal eligible individuals as they re-enter their communities.

To that end, the state has recognized the importance of information-sharing and integrated data infrastructure across public safety, health, and social service providers, as essential for care coordination. AB 133 added Section 14184.102 to the Welfare and Institutions Code which permits the sharing of health, social services, housing, and criminal justice information, records, and other data with counties under guidance to be issued by the department of health care services. Additionally, 45 CFR § 164.506 expressly permits the sharing of protected health information by a covered entity for the treatment activities of another health care provider. Today's action recognizes that there are opportunities and challenges at the local, state and federal levels related to policy, funding, legal, compliance and regulation, and infrastructure. To address them, we must first identify what they are.

On October 19th (3), the Board approved action to pursue a data-driven approach to public safety and identify service gaps across the delivery system. Examples included interventions across the sequential intercept model such as pre-trial detention; post-trial alternative sentencing; behavioral health facilities, treatments, and services; and services and housing for people experiencing homelessness.

On February 8, 2022 (11), the County identified a challenge in coordinating care across health, justice, and social service sectors without data integration. The County does not currently have any one individual or department who oversees justice-involved individual level data governance across the enterprise. Instead, data management occurs in various silos, with no overarching plan for leveraging data across program or service boundaries. For the county to be positioned to manage health information exchange portals, regulatory requirements, and care management we must create a data integration strategy and pursue funding to develop the infrastructure needed to receive, aggregate, and integrate information across groups and services. Furthermore, the County plays a vital role in efforts to facilitate the broader

exchange of health-related information with a goal of robust, regional Community-Information Exchange and Health-Information Exchange (HIE). This supportive role helps ensure that the critical data related to services provided outside of County payment or contract jurisdiction is also available for accurate and effective person-centered care coordination to support health equity throughout the care continuum, including justice involved.

RECOMMENDATION(S)

SUPERVISOR TERRA LAWSON-REMER

1. Direct the Chief Administrative Officer to report back in 180 days with a proposed data management structure for efforts related to recommendation 2 and report back in 90 days to provide a baseline status on the efforts related to recommendation 2.
2. Direct the Chief Administrative Officer to develop a proposal and plan to advance Data Management/Governance, Integration, County Programmatic Data Sharing, Regional Community Information Exchange Utilization and Regional Health-Information Exchange Utilization relevant for justice-involved individuals, including person-specific longitudinal data for the continuum of care across the sequential intercept model and return within 270 days with a report on potential opportunities and challenges at the local, state and federal levels including, but not limited to, policy, funding, legal, compliance and regulation, and infrastructure. Today's recommendation asks the County to take an initial step towards data integration and improved management to support justice-involved individuals receive support and services, across and among law enforcement, correctional agencies, community and health information exchanges, health plans, health and behavioral health providers, social service providers, health-care providers outside County payment or contract jurisdictions, and other entities as relevant. Data Management and Governance should include subject matter experts working with stakeholders and community members to guide data analysis and interpretation.
3. Direct the Chief Administrative Officer to pursue and accept local, state, and federal funding, such as Providing Access and Transforming Health (PATH) funding under CalAIM, and other related future funding opportunities, to support Public Safety Group, Health and Human Services Agency, and Land Use and Environment Group efforts for health care and social service data interoperability and integration efforts and for justice-involved populations. Priorities for funding proposals may be informed by report backs, contractor analyses, working groups, and advisory bodies related to the Board's previous action on Data-Driven Approaches to Public Safety. Funding may also support foundational infrastructure for participating in and advocating for utilization of the regional health information exchange as a vital element in the care continuum. Completion of recommendations 1 and 2 does not preclude pursuing funding applications.
4. Direct the Chief Administrative Officer to provide status updates on these recommendations to the Board of Supervisors every 180 days.

EQUITY IMPACT STATEMENT

The health needs of justice-involved individuals do not start and end in jail, but flow from community services received prior to interactions with the criminal-legal system and after release. People who are incarcerated are disproportionately people of color and have lower incomes. Statistically, compared to the general population, justice-involved individuals have higher rates of chronic and infectious diseases, serious mental illness, and substance use disorders. Therefore, coordinating care through shared data systems as someone traverses the complex healthcare system can not only improve individual health, but may also impact community health and health equity goals. There has been extensive research on the adverse health impact of incarceration policies, disparities in health for incarcerated individuals, and the system's impact on long-term health and social consequences. The impact that coordination of services can have on reducing inequities and improving population health is clear, and thus is the need for the data infrastructure for effective implementation. Funding is available at the state for this endeavor and San Diego must actively pursue it.

FISCAL IMPACT

There is no fiscal impact associated with this action. There may be future fiscal impacts associated with future recommendations. Any such recommendations would return to the Board for approval with identified costs and resource needs.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

4. **SUBJECT: AUTHORIZE AGREEMENT WITH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) FOR YOUTH TRANSPORTATION AND APPLICATION FOR FUTURE FUNDING OPPORTUNITIES (DISTRICTS: ALL)**

OVERVIEW

On June 8, 2021 (3), the San Diego County Board of Supervisors (Board) took critical action in advancing support to vulnerable San Diego residents impacted by the COVID-19 pandemic and approved the framework for the use of American Rescue Plan Act (ARPA) funding including approval of ARPA funding for no-cost transportation to youth. The COVID-19 pandemic brought forward a magnitude of economic and social impacts for many families, especially underserved communities of color. Lower-income families who disproportionately rely on public transportation have been significantly impacted by the lack of reliable transportation. As communities move toward economic recovery, there is a deep awareness that affordable and accessible transportation stimulates environments, connects people to employment, education, and extracurricular opportunities, and is critical to the economy's recovery.

Today's action requests the Board to authorize the County of San Diego Health and Human Services Agency (HHSA) to execute an agreement with the San Diego Association of Governments to support the Youth Opportunity Pass pilot program providing no-cost transportation to youth aged 18 years and younger in San Diego County, with an emphasis on youth impacted by the COVID-19 pandemic, for the period of May 20, 2022 through June 30, 2023, and to execute any subsequent amendments thereto. Additionally, today's action requests the Board to transfer appropriations of \$1,500,000 from the Finance Other, General Miscellaneous Expense, Other Charges, appropriated for the Senior & Youth Services component of the ARPA funds, to HHSA, Services & Supplies for the no-cost transportation to all youth aged 18 and under in San Diego County and to authorize HHSA to apply for any additional funding opportunity announcements, if available, to support safe and reliable transportation for youth.

This item supports the County of San Diego's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by making commuting more inclusive by providing increased access and equitable opportunities to transportation.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Agency Director, Health and Human Services Agency, upon successful negotiations, to execute an agreement with the San Diego Association of Governments to support a program for no-cost transportation to all youth aged 18 and under in San Diego County for the period of May 20, 2022 through June 30, 2023, and to execute any subsequent amendments thereto.
2. Transfer appropriations of \$1,500,000 from the Finance Other, General Miscellaneous Expense, Other Charges, appropriated for the Senior & Youth Services component of the ARPA funds, to the Health and Human Services Agency, Services & Supplies for the no-cost transportation to all youth aged 18 and under in San Diego County.
3. Authorize the Agency Director, Health and Human Services Agency, to apply for any additional funding opportunity announcements, if available, to support safe and reliable transportation for youth.

EQUITY IMPACT STATEMENT

The COVID-19 pandemic created significant economic impacts for many families, especially in communities of color. Families experienced additional stressors, such as job loss, reduction in income, and risk of homelessness. Concrete supports including transportation in times of need are vital to recovery and wellbeing. Transportation facilitates social connectedness and is a critical factor that influences people's health and the wellbeing of a community. Lower-income families who disproportionately rely on public transportation have been significantly impacted by the lack of reliable transportation. Research indicates that minorities and low-income households account for 63 percent of transit riders nationwide. A recent

analysis found that essential workers account for about 36 percent of total transit passengers in the United States. Studies show that during the COVID-19 pandemic, most of the essential workers that must go to their workplace are non-white and have low incomes. Low-income and historically marginalized groups tend to be more reliant on public transportation and are most affected due to the lack of other transportation modes.

Public transportation provides communities with affordable means of mobility, offering individuals greater opportunities to enhance themselves, provide for their families, and achieve wellbeing. For transit-dependent youth, accessible and reliable transportation boosts mobility and supports essential commutes to schools and education centers, increases opportunities to participate in extracurricular activities to enhance well-being, and access to employment, training, and internships to help achieve self-sufficiency.

To maximize community resources and outcomes, the County of San Diego (County) will support the collaborative Youth Opportunity Pass effort to provide unlimited free transit to youth aged 18 years and under in San Diego County. The priority population will include youth impacted by the COVID-19 pandemic identified by the California Healthy Places Index and in areas that are 60 percent or below the median income. Public transportation facilitates economic growth, social connectedness, and opportunities for all residents. Providing no-cost transportation to youth improves the quality of life for youth and advances the County's work toward a more equitable and inclusive region.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2021-2023 County of San Diego Operational Plan. If approved, this request will result in costs and revenue of \$1,500,000 in FY 2021-22. The funding source for this request is the American Rescue Plan Act funding allocated directly to the County of San Diego. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

5. SUBJECT: ADOPT RESOLUTION FOR, AND AUTHORIZE ACCEPTANCE OF, OLDER ADULT SERVICES REVENUE AGREEMENTS AND GRANTS FOR FISCAL YEAR 2022-2023, AND AUTHORIZATION TO PURSUE FUTURE FUNDING OPPORTUNITIES FOR PROGRAMS SERVING OLDER ADULTS AND PERSONS 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 well-being of older adults and persons with disabilities. The County of San Diego (County) Health and Human Services Agency, Aging & Independence Services serves as the region's federally designated Area Agency on Aging and administers these programs. On May 4, 2021 (13), the Board approved the Fiscal Year 2021-22 revenue agreements to fund various programs supporting older adults and persons with disabilities, allowing them to remain safely in their homes and access needed community resources. These services support the goals and objectives established in Aging & Independence Services' 2020-2024 Area Plan which was approved by the Board on July 7, 2020 (7). Additionally, these services align with the Aging Roadmap, the County's regional plan to ensure that the region has programs and communities that equitably support the needs and celebrate the contributions of all older adults in San Diego County. 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 \$27,323,290 of federal, State, managed care health plan, and grant revenue for Fiscal Year 2022-23 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 vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that are most vulnerable, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by ensuring the County will continue to receive federal, State, and other funding to administer needed programs and services for older adults and persons with disabilities. Additionally, today's action supports the Board's strategic initiatives, by upholding practices that align with community priorities and improve transparency and trust while maintaining good fiscal management of County resources.

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 & AP-2223-23)

- o Health Insurance Counseling and Advocacy Program (HI-2122-23 & HI-2223-23)
 - o Title V Senior Employment Program (TV-2122-23 & TV-2223-23)
 - o CalFresh Healthy Living (SP-2223-23)
 - o CalFresh Expansion (CF-2223-23)
 - o Financial Alignment (FA-2223-23)
 - o Dignity at Home Fall Prevention (FP-2223-23)
 - o Medicare Improvements for Patients and Providers Act (MI-2223-23)
 - o Multipurpose Senior Services Program (MS-2223-07)
 - 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
 - University of California San Diego - Dementia Aware
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.

EQUITY IMPACT STATEMENT

There are approximately 959,000 San Diegans over the age of 55, and by 2030, that number is expected to grow to more than 1.1 million. San Diego County's over-85 population is projected to diversify and grow faster than any other age group. The County of San Diego (County) Health and Human Services Agency, Aging & Independence Services (AIS) provides a wide array of services to meet the needs of this growing population and ensure the welfare of older adults, caregivers, and persons with disabilities. To ensure that AIS is sufficiently meeting the needs of the community, AIS will continue to seek community input and feedback through public hearings held annually during the development of the Area Plan, a planning document required by the California Department of Aging to receive Older Americans Act funds. Community input and collaboration is also obtained through Age Well San Diego teams, comprised of community members, experts and County staff to develop and

implement goals in five priority areas of the Aging Roadmap. Today's recommendations will allow the County to continue administering vital programs and services for older adults and persons with disabilities, improving the quality of life for equity-seeking groups of all ages to include, black, indigenous, and people of color (BIPOC), women, people with disabilities, immigrants, and the LGBTQ+ community.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs of \$28,022,737 and revenue of \$27,323,290 in Fiscal Year 2022-23. The funding sources are:

- State General Fund, Federal Medicaid Program;
- Titles III, V, and VII of the Older Americans Act;
- Older Americans Act American Rescue Plan;
- 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 \$699,447 for Fiscal Year 2022-23 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. 22-051, 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

6. SUBJECT: AUTHORIZATION TO ACCEPT FUNDING TO ADDRESS SEXUALLY TRANSMITTED DISEASES AND APPLY FOR FUTURE FUNDING OPPORTUNITIES (DISTRICTS: ALL)

OVERVIEW

Surveillance data demonstrates that the incidence of reportable bacterial sexually transmitted diseases (STDs) have been increasing in San Diego County since 2003, with significant increases in the last several years. Between 2000-2019, cases of syphilis, gonorrhea, and chlamydia have increased by 3,130%, 190.8%, and 115.7%, respectively. While STD cases and rates decreased in 2020, most likely due to decreases in STD screening during the COVID-19 pandemic, STDs continue to be a major public health concern.

On December 10, 2019 (11), the San Diego County Board of Supervisors (Board) authorized acceptance of the California Department of Public Health (CDPH) Sexually Transmitted Diseases Control Branch State Local Assistance funding, for the period of July 1, 2019 through June 30, 2024, in the amount of \$1,292,090. This funding supports STD intervention activities, prevention, outreach, education, and surveillance. On March 25, 2022, the County of San Diego (County) received notification from CDPH that an additional \$370,080 in STD Control Branch State Local Assistance funding would be provided for the remainder of this fiscal year, ending June 30, 2022, and retroactive to July 1, 2021. Additionally, similar increases are anticipated for the next two fiscal years through June 30, 2024, subject to revision of the formula used by CDPH STD Control Branch to determine funding allocations to local health jurisdictions.

Today's action requests the Board authorize acceptance of approximately \$1,110,240 in additional funding to support core STD prevention and control activities in San Diego County. Additionally, today's action requests the Board to authorize the Agency Director, Health and Human Services Agency, to apply for additional funds for STD testing and prevention resources.

Because there is significant overlap between HIV and STDs, this item supports the County's Getting to Zero initiative by linking residents who are vulnerable to HIV and STDs to testing and prevention resources, as well as ensuring that residents living with diagnosed HIV and STDs are linked to care and treatment services. This item also supports the County's *Live Well San Diego* vision by building better health for our residents through education, prevention, and intervention to interrupt transmission of disease.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires prior approval of grant applications and full-cost recovery of grants.
2. Authorize the acceptance of approximately \$1,110,240 from the California Department of Public Health STD Control Branch for the period of July 1, 2021 through June 30, 2024, for State Local Assistance Funding, and authorize the Clerk of the Board to execute all required grant documents, upon receipt, including any annual extension, amendments or revisions that do not materially impact or alter the services or funding level.

3. Authorize the Agency Director, Health and Human Services Agency, to apply for additional funding opportunity announcements, if available for STD testing and prevention resources.

EQUITY IMPACT STATEMENT

STDs disproportionately impact communities of color (particularly Black/African-American residents), youth, and gay, bisexual, and other men who have sex with men. The County of San Diego (County) was a recipient of community engagement funds from the Health Resources and Services Administration from March 1, 2019 through February 28, 2021. These community engagement efforts focused on Black/African American gay and bisexual men who have sex with men, Latino gay and bisexual men who have sex with men, and transgender persons. Members of these communities, providers and other key stakeholders, were interviewed and convened in a community advisory body to develop a three-year action plan to address STDs and HIV in these disproportionately impacted communities. Currently, the County is receiving community engagement funding that is focusing on the STD and HIV needs of women and youth of all ethnicities. A similar two-year process is occurring to fully understand the needs of these populations and to develop an action plan.

If approved, today's action will increase funding available for County programs that support persons vulnerable to or diagnosed with STDs and prevent STD complications such as congenital syphilis. It also will increase funding for community organizations to increase awareness of STDs and access to prevention, testing, and treatment services in affected communities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2022-23 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, today's action will result in annual costs of \$371,856 and revenue of \$370,080 starting in FY 21-22 through FY 23-24, for a total cost of \$1,115,568 and total revenue of approximately \$1,110,240. The funding sources are California Department of Public Health, Sexually Transmitted Diseases Control Branch State Local Assistance funding. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These costs which will not be recovered are estimated at an annual cost of \$1,776, for a total unrecovered cost of \$5,328. The funding source for these costs is Health Realignment. The public benefit for providing these services far outweighs these costs. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

**7. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF
SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED
TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC
PAYMENT (DISTRICTS: ALL)**

OVERVIEW

On April 26, 2022 (35), the Board of Supervisors took action to further consider and adopt the Ordinance on May 10, 2022.

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

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC PAYMENT.

EQUITY IMPACT STATEMENT

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10790 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC PAYMENT.

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

8. **SUBJECT: PROMOTING GOVERNMENT TRANSPARENCY: IMPROVING ACCESS TO INFORMATION, LANGUAGE SERVICES, REMOTE TECHNOLOGY, AND COMMUNITY ENGAGEMENT (DISTRICTS: ALL)**

OVERVIEW

On December 7, 2021 (12), the Board of Supervisors unanimously approved recommendations from the Transparency Committee to investigate actions that could be taken to increase transparency and ease of access to County information in five subject areas and to bring back specific proposals to update policies, practices, and procedures for subsequent Board consideration. Following Board direction, the Transparency Committee and County staff worked together to identify actions to increase transparency and accessibility throughout the County enterprise.

The proposed changes to the County's policies and practices developed as part of this process include five actions that can currently be taken by County staff and five additional actions requiring Board direction. The initiatives being taken by County staff include the creation of a centralized Public Records Act system and dedicated support team, establishment of a two-year County email auto-delete policy, development of an enhanced archived public records system, improvement to County interpretation and translation services, training and support, and dedication of County resources to enhance community engagement. We are also recommending additional Board direction to enhance the public's ability to access County public meetings which will include an analysis of all public meetings and resources and processes necessary to stream/record/post meeting proceedings online at a centralized location. Finally, we are recommending that staff conduct an assessment of community engagement within County programs and identify opportunities for improved collaboration with the public.

These proposed changes reflect the County's commitment to ensuring public trust and fostering a system of transparency, openness, public participation, and collaboration. With these transparency recommendations complete, we propose to sunset the Transparency Committee.

RECOMMENDATION(S)

VICE-CHAIR NORA VARGAS AND SUPERVISOR JOEL ANDERSON

Direct the Chief Administrative Officer to:

1. Ensure all public meetings currently being recorded are posted to appropriate County websites for ease of access and multimedia publication and report back to the Board within nine months.
2. Conduct a comprehensive analysis of all County public meetings and the resources and processes necessary to stream/record/post meeting proceedings online at a centralized location and report back to the Board within nine months.
3. Identify the methods and processes needed to promote the community's ability to view public meetings online and to enhance meeting participation, including feedback from impacted and underrepresented communities and report back to the Board within nine months.
4. Develop and conduct an assessment of community engagement within County programs and report back to the Board within nine months on the number of stakeholders, programs engaged, and opportunities for improved collaboration.
5. With the tasks completed, the Ad Hoc Transparency Committee is dissolved.

EQUITY IMPACT STATEMENT

All communities are entitled to a transparent and accountable government. To ensure County decisions and policies are based on community engagement and broad public input, it is vital that all communities, including those who have been historically underserved, have the ability to easily access accurate information and to provide their input to the County. Facilitating access to County information and removing barriers, such as language barriers, will foster a transparent and accountable government that works for all, including communities historically lacking in access to government.

FISCAL IMPACT

There is no fiscal impact associated with today's recommended actions though they may result in future fiscal impacts. Staff will return to the Board for consideration and approval of any such impacts.

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: PROMOTING CIVIC ENGAGEMENT THROUGH BOARDS, COMMITTEES, AND COMMISSIONS (DISTRICTS: ALL)

OVERVIEW

The County of San Diego has over 100 boards, committees, commissions, and task forces that serve in an advisory capacity to the Board of Supervisors and County staff. Some of these boards, committees, and commissions (BCCs) make decisions on behalf of the Board and others serve as a bridge to the community. Examples include the Assessment Appeals Boards, Citizens Law Enforcement Review Board, Community Planning Groups, Parks Advisory Committee, and Social Services Advisory Board.

These Boards and Commissions serve a vital role, and the purpose of today's action is to strengthen their ability to serve our community.

This action builds on the County's current efforts to assess BCCs for diversity of appointees and update the application process to be more accessible. The recommendations herein call for an assessment of diversity, language accessibility, and the availability of sufficient staff support required for their success. Furthermore, this action advances a concerted effort to improve civic engagement through participation on the County's BCCs. The effort will include actions to improve outreach and accessibility of the application and onboarding process to lower barriers to entry, as well as the creation of a standard training and onboarding process.

On January 12, 2021 (9), the Board of Supervisors (BOS) supported actions to ensure transparency and open government in San Diego County. Under the County's Framework for the Future, the foundation for County operations must be transparent, participatory, and collaborative. The County's BCCs are a prime example of where we can improve in all three principles. I urge your support for this proposal.

RECOMMENDATION(S)

SUPERVISOR TERRA LAWSON-REMER

1. Approve amendments to Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," to codify the recommendations in this Board Letter. In general, the revisions reflect the following: a clarification on nomination authority, orientation for new appointees, and an enhanced Sunset Review assessment.
2. Direct the Chief Administrative Officer to develop a baseline assessment of the diversity of appointees, language accessibility, transparency efforts, and staff time. The assessment shall include recommendations as necessary to address gaps, shortcomings, and room for improvement in alignment with the County's new strategic plan. This baseline will be used to inform subsequent Sunset Review assessments.

3. Direct the Chief Administrative Officer to work with staff to develop a Code of Conduct for all appointees that promotes civil discourse including, but not limited to the Board's previously adopted Rules of Procedure and conduct described in the "Code of Civil Discourse" from the National Conflict Resolution Center. Staff shall return back to the Board of Supervisors for approval within 120 days and the approved Code of Conduct shall be included in the Orientation in A-74 Section E.5.
4. Direct the Chief Administrative Officer to work with departments to develop an outreach strategy to encourage civic participation and transparency with a particular focus on youth and underrepresented populations.
5. Direct the Chief Administrative Officer to implement all recommendations and return back to the Board of Supervisors with the baseline assessment, outreach strategy and report within nine months.

EQUITY IMPACT STATEMENT

BCCs are a mechanism for civic engagement. Racial and socioeconomic disparities exist across the nation in voter participation and public engagement. Trends show that white people, older adults, and people with higher incomes and education levels vote at higher rates and are more likely to be reflected in elected officials. The disparity continues when we consider that the residents who need policies to support them are less likely to receive support through representation. A 2019 review by the RAND Corporation found that civic engagement, through voting or other activities such as membership in civic organizations is associated with better health outcomes. Civic participation is a key issue in the social and community context domain of Healthy People 2030, an initiative to improve health and well-being through data-driven national objectives. The proposed action will reduce process barriers, evaluate the diversity of representation, and invest in the outreach necessary to encourage civic participation among underrepresented groups.

FISCAL IMPACT

There is no fiscal impact associated with today's recommended actions though they may result in future fiscal impacts. Staff will return to the Board for consideration and approval of any such impacts.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors continued the item to May 24, 2022.

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

**10. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM & COMMUNITY
ENHANCEMENT PROGRAM GRANTS (DISTRICT: 2)**

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON

1. Allocate \$70,000 from the Neighborhood Reinvestment Program budget (Org 15655) to The Camp Lockett Event and Equestrian Facility for a Mobile Concession Trailer for community events at their facility at 799 Forrest Gate Rd, Campo, CA 91906.
2. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15655) to EJE Academies to be used toward equipment, supplies, and accessories such as blood pressure cuffs, thermometers and cleaning and sterilizing products for the EJE Academies community health center at 851 S. Johnson Ave. El Cajon, CA 92020.
3. Allocate \$85,878 from the Neighborhood Reinvestment Program budget (Org 15655) to Saddles in Service for the minor expansion and improvement of the Saddles in Service facility located at 6476 Japatul Highlands, Alpine, CA 91901.
4. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15655) to Miramar National Cemetery Support Foundation to construct seating at the Armed Forces Memorial Amphitheater at Miramar National Cemetery.
5. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15655) to Padre Dam Municipal Water District for Santee Lakes Picnic Revitalization Project to upgrade and repair its facility at 9310 Fanita Parkway, Santee, CA 92071.
6. Allocate \$36,000 from the Neighborhood Reinvestment Program budget (Org 15655) to San Diego Blood Bank to help acquire a Trima Accel Automated Blood Collection System (Trima System) at 776 Arnele Ave, El Cajon, CA 92020
7. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15655) to the American National Red Cross for the Replacement Disaster Service vehicle / Chevy Silverado to be used in San Diego County.
8. Allocate \$5,000 from the Neighborhood Reinvestment Program budget (Org 15655) to AMVETS Department of California Service Foundation for their AMVETS Welcome Home Program to help acquire home furnishings for veterans in need of assistance in San Diego County.
9. Allocate \$84,803 from the Neighborhood Reinvestment Program budget for the Boys & Girls Clubs of Greater San Diego (Org 15655) for soccer field turf replacement at the Conrad Prebys Branch located at 622 E Street, Ramona, CA 92065

10. Allocate \$50,000 from the Neighborhood Reinvestment Program (Org 15655) budget to Grossmont Hospital Foundation for the Sharp Grossmont's Behavioral Health Hospital Healing Environment Project to help renovate facilities at 5555 Grossmont Center Drive La Mesa, CA 91942.
11. Allocate \$150,000 from the Neighborhood Reinvestment Program budget (Org 15655) to Centro de Salud de la Comunidad de San Ysidro, Inc. to help fund the Alpine Family Medicine Behavioral Health Renovation Project which will pay to renovate and expand clinic facilities at 1620 Alpine Blvd, Alpine, CA 91901
12. Allocate \$168,600 from the Neighborhood Reinvestment Program budget (Org 15655) to the Chaldean Community Council to fund their community center remodel and acquire media equipment for use at the community center located at 405 E. Lexington Avenue, El Cajon, CA 92020.
13. Allocate \$38,500 from the Neighborhood Reinvestment Program budget (Org.15655) to the James C. Hardin - Reid C. Chamberlain Veterans Civic Memorial Association, Inc. El Cajon, California to renovate and make improvements to their facility and property in El Cajon located at 136 Chambers Street, El Cajon, CA.
14. Allocate \$78,500 from the Neighborhood Reinvestment Program budget (Org 15655) to the Lake Cuyamaca Recreation & Park District for the installation of playground equipment at the park facilities they operate at 15027 Highway 79, Julian, CA.
15. Allocate \$130,000 from the Neighborhood Reinvestment Program budget (Org 15655) to Carter-Smith, Post No. 5867, Veteran of Foreign Wars of the United States dba American Veterans Lakeside Post 534 for building upgrades, repairs, and improvements at 12650 Lindo Lane, Lakeside, San Diego County 92040.
16. Allocate \$5,000 from the Neighborhood Reinvestment Program budget (Org 15655) to the Julian Woman's Club for window replacement, gutter addition and quilt racks at 2607 "C" Street, Julian, CA 92036.
17. Allocate \$175,000 from the Neighborhood Reinvestment Program budget (Org 15655) to the PFC Archie G. McArthur Post No. 3783, Veterans of Foreign Wars of the United States for renovation and improvement to the building located at 2247 Kelly Ave in Ramona, CA.
18. Allocate \$4,500 from the Community Enhancement Program budget (Org 12900) to Julian Arts Guild for gallery rent and operating expenses such as internet access, display products, advertising (posters/flyers/online), and cleaning supplies.
19. Find that each of the proposed grants has a public purpose.

20. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to agreements with the organizations awarded grants establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
21. Find that the allocations to the Saddles in Service, Miramar National Cemetery Support Foundation, Padre Dam Municipal Water District, Boys & Girls Clubs of Greater San Diego, Grossmont Hospital Foundation, Centro de Salud de la Comunidad de San Ysidro, Inc., Chaldean Community Council, James C. Hardin - Reid C. Chamberlain Veterans Civic Memorial Association, Inc. El Cajon, California, Lake Cuyamaca Recreation & Park District, Carter-Smith, Post No. 5867, Veteran of Foreign Wars of the United States dba American Veterans Lakeside Post 534, Julian Woman's Club, and PFC Archie G. McArthur Post No. 3783, Veterans of Foreign Wars of the United States are exempt from review under the California Environmental Quality Act (CEQA) by Sections 15301 and 15303 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

We recognize that the systemic impacts that inequitable policies may create for residents in San Diego County. Find that these proposed allocations of funds are intended to improve the quality of life throughout the County by providing funds for nonprofits whose work addresses inequities, promotes a better quality of life and improves outcomes that align with the vision of our county. Organizations were chosen based on their location or the demographics they serve with a focus on organizations that serve vulnerable community members, youth events and inclusive community events. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach and programs. Their supporting documents were reviewed as well as impact reports and community testimony.

FISCAL IMPACT

Funds for the grant allocations are included in the Fiscal Year 2021-22 Operational Plan for the Neighborhood Reinvestment Program (Org 15655) and the Community Enhancement Program (Org 12900). The fiscal impact of these recommendations is \$1,197,281 from the Neighborhood Reinvestment Program budget (Org 15655) and \$4,500 from the from the Community Enhancement Program budget (Org 12900) totaling \$1,201,781. The funding sources are General Purpose Revenue and Transient Occupancy Tax Revenues.

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

**11. SUBJECT: COMMUNITY ENHANCEMENT AND NEIGHBORHOOD
REINVESTMENT PROGRAM GRANTS (DISTRICT: 1)**

OVERVIEW

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

RECOMMENDATION(S)

VICE-CHAIR NORA VARGAS

1. Allocate \$20,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to Girls Rising to support mentorship programs aimed at addressing the economic impact of the COVID-19 pandemic on at-risk girls by providing funding towards their Mentor Program, Career Day, and STEM workshop activities that would help foster interest and skills in science, technology, engineering, arts, mathematics, and future career paths for girls in at-risk communities. These events and activities were postponed due to events exacerbated by the COVID-19 pandemic.
2. Allocate \$100,000 from the Community Enhancement American Rescue Plan Program budget (Org 12905) to MANA de San Diego to support academic achievement and professional development programs and events aimed at addressing the economic impact of the COVID-19 pandemic by providing funding towards Hermanitas Youth Mentorship & Leadership activities, their Tias Program, their Latina Success Leadership Program, as well as support for staff and administrative costs such as rent and insurance that were exacerbated by the COVID-19 pandemic.
3. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650) to Heaven's Windows towards the purchase of a refrigerated van to be used for the delivery of meals to program sites supported by the Child Nutrition Program.
4. Find that each of the proposed grants has a public purpose and that those grants awarded using American Rescue Act Program funds are needed to address a negative economic or public health impact of the COVID-19 pandemic.
5. Authorize the Office of Financial Planning to enter into agreements and make minor amendments to agreements that do not change the purpose or amount of the grant to organizations awarded funds.
6. Waive Board Policy B-58 to the extent necessary to allow for the allocation of Community Enhancement American Rescue Plan Program funds for more than fifty percent (50%) of the organization's current fiscal year operating budget for Bonita Melodrama Teatro Pastorela awarded on 04/26/2022 (20).

EQUITY IMPACT STATEMENT

We recognize that the systemic impacts that inequitable policies may create for residents in San Diego County. Find that these proposed allocations and amendment of funds are intended

to improve the quality of life throughout the County by providing funds for non-profits and local agencies whose work addresses inequities, promotes quality of life and improves outcomes that align with the vision of our county. Organizations and agencies were chosen based on their location or the demographics they serve with a focus on organizations and agencies that focus on vulnerable community members, youth and senior events, and other inclusive community events. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach, and programs. Their supporting documents were reviewed as well as impact reports and community testimony.

FISCAL IMPACT

Funds for these grant requests are included in the Fiscal Year 2021-22 Operational Plan for Community Enhancement ARPA Program budget (Org 12905) and Neighborhood Reinvestment Program budget (Org 15650). The fiscal impact of these recommendations is \$120,000 from the Community Enhancement ARPA Program budget (Org 12905) and \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650) totaling \$170,000. The funding sources are General Purpose Revenue and the American Rescue Plan Act. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

12. SUBJECT: APPROVAL OF ADDITIONAL CAPITAL PROJECTS FOR FISCAL YEAR 2022-2023 (DISTRICTS: 1, 2, 3, 5)

OVERVIEW

On March 1, 2022 (16), the Capital Improvement Needs Assessment prioritizing capital projects for Fiscal Years 2022-2027 was approved and referred to the Chief Administrative Officer (CAO) for funding and timelines for implementation of individual projects. At that time, the CINA included several priority projects recommended for funding in Fiscal Year 2022-23. Since then, additional funding has been identified to allow the initiation of design, environmental and construction toward six capital projects, currently planned for Fiscal Year 2023-2024 or later, in Fiscal Year 2022-2023: Lindo Lake Improvements (Phase II), San Luis Rey River Park (SLRRP) Acquisition and Improvement, Mira Mesa Epicentre, Stelzer Ranger Station Renovation, Sweetwater Bike Skills Park Restrooms, and Tijuana River Valley Regional Park Active Recreation and Community Park. Today's action requests the Board of Supervisors approve modifications to the Capital Improvement Needs Assessment (CINA) prioritizing capital projects for Fiscal Years 2022-2023 as filed with the Clerk of the Board and refer them to the Chief Administrative Officer for funding and timelines for implementation. Upon approval, the funding associated with these projects will be included in the Fiscal Year 2022-2023 CAO Recommended Operational Plan Change Letter.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the approval and referral of these projects to the Chief Administrative Officer for timing and funding determinations is not an approval of a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15352 and 15378(b)(4)).
2. Approve the modifications to the Capital Improvement Needs Assessment (CINA) prioritizing capital projects for Fiscal Years 2022-2023 as filed with the Clerk of the Board and refer them to the Chief Administrative Officer for funding and timelines for implementation.

EQUITY IMPACT STATEMENT

Equity is incorporated throughout the capital project planning process and carried through to the design and execution of the capital project. Several factors are taken into consideration when adding a project, including customer service benefits and improving access to services; reducing operating costs and increasing our commitment to sustainability; fulfilling legally binding mandates; addressing life, safety and emergency issues; and improving quality of life for all county residents.

If approved and constructed, these capital projects will result in the planning, design and construction of infrastructure that will ultimately improve the equitable distribution of facilities that provide opportunities and services for some of the region's most vulnerable and under-served populations. Additionally, approval and construction of the capital projects would result in upgrades to and replacements of aged infrastructure, ensuring the County continues to improve access and remove barriers for persons of all abilities.

FISCAL IMPACT

If approved, today's recommendation will result in \$29.8 million of costs which will be reflected in the Fiscal Year 2022-23 CAO Recommended Operational Plan Change Letter. The funding source is General Fund Unassigned Fund Balance. Future project costs, including operations and maintenance, will be reflected in subsequent year operational plans.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

13. SUBJECT: GENERAL SERVICES - APPROVAL OF LEASE AMENDMENT FOR THE DISTRICT ATTORNEY'S FAMILY JUSTICE CENTER AT 1050 LOS VALLECITOS BOULEVARD, SAN MARCOS (DISTRICT: 5)

OVERVIEW

The County of San Diego (County) District Attorney's Office is the largest provider of victim services in the county, assisting approximately 15,000 crime victims annually. However, data indicates there are thousands of other crime victims that either report crime but are unable to access victim services or crime victims who do not report a crime but are nonetheless in need of such services.

On January 28, 2020 (13), the Board of Supervisors (Board) approved a lease for approximately 41,379 square feet of office space in a building located at 1050 Los Vallecitos Boulevard, San Marcos, for use as a Family Justice Center. This Family Justice Center provides support to victims in a regionalized one-stop facility where criminal justice and victim service providers are co-located to provide comprehensive services. On November 17, 2020 (23), the Board approved an amendment to expand the premises to provide for additional victim's services. The amendment was contingent upon the expansion space being available within 90 days of Board approval. The property owner was unable to meet the contingency and the amendment became void. The expansion space has since been made available and will allow for additional self-sufficiency programs and access to expanded legal services.

Staff from the Department of General Services has negotiated a lease amendment with the lessor, 1050 Los Vallecitos, LLC, that would add approximately 20,000 square feet to the premises, extend the term of the lease, provide one year of abated rent, provide for additional tenant improvement allowance, and add parking spaces. Today's request is for Board approval of the second amendment to the lease agreement.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed lease amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to state CEQA guidelines section 15301.
2. Approve and authorize the Director, Department of General Services, to execute the second amendment to lease agreement for space located at 1050 Los Vallecitos Boulevard in San Marcos.

EQUITY IMPACT STATEMENT

The mission of the District Attorney's (DA) office is to pursue equal and fair justice for all and to build safe neighborhoods in partnership with the communities they serve, by ethically prosecuting those who commit crimes protecting victims and preventing future harm. Approval of the proposed lease amendment will ensure access to victims and victim service providers and will allow for additional self-sufficiency programs and access to expanded legal services. Today's action will have a positive effect on the vulnerable population served by the DA's office.

FISCAL IMPACT

There is no fiscal impact in Fiscal Years 2021-22 and 2022-23. If approved, this request will result in costs and revenue of approximately \$364,434 in Fiscal Year 2023-24 for operating expenses based on an estimated expansion premises acceptance date of July 1, 2023. Funds will be included in future years operational plans for the District Attorney's Office. The funding source is Proposition 172 Special Revenue Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

14. SUBJECT: ACCEPTANCE AND APPROPRIATION OF FEDERAL COMMUNITY PROJECT FUNDS (DISTRICTS: ALL)

OVERVIEW

The revised 2021 Legislative Program was approved and adopted by your Board of Supervisors on January 26, 2021 (14). The revised 2021 Legislative Program included new abbreviated guiding principles and key legislative initiatives and priorities. Included in the revised Priorities section was new language and direction to "actively pursue all available funding to lift up and invest in our communities to ensure the San Diego region receives its fair share."

In the spring of 2021, the United States Congress announced the return of Community Project Funds, also known as Earmarks, for Federal Fiscal Year 2022 after more than a decade hiatus. In accordance with the direction provided with the approval of the revised 2021 Legislative Program, the County of San Diego applied for funding to support various programs and projects from our local Congressional Delegation. After a long budget process, the Federal Fiscal Year 2022 Omnibus Budget was signed into law on March 15, 2022. Included in that omnibus bill, was an item requested by the County of San Diego to Representative Sara Jacobs that provides the County, and sub-recipient Mission Driven Finance, \$1 million to create a childcare expansion fund for small childcare entities, both center-based and home-based, to competitively apply for funds to augment the costs of capital improvements and infrastructure needed to expand available childcare slots.

Today's requested action is to authorize the acceptance of these federal funds, authorize (Director) to execute all funding documents and agreements, establish appropriations, authorize entering into an agreement with Mission Driven Finance, as the sub-recipient of these funds, and waive Board Policy B-29 to allow the implementation of this program.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the acceptance of \$1,000,000 in funds from the United States Small Business Administration for the creation of a Childcare Expansion Fund.
2. Authorize the Chief Administrative Officer, or designee, to execute all required funding documents and agreements, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
3. Establish appropriations of \$1,000,000 in the Finance and General Government Group Executive Office (Org 32150), Services & Supplies, to implement and fund the Childcare Expansion Fund based on unanticipated revenue from the United States Small Business Administration **(4 VOTES)**
4. Authorize the Chief Administrative Officer, or designee, upon successful negotiations, to execute a grant agreement with Mission Driven Finance for the implementation of the Childcare Expansion Fund, and to amend the agreement as necessary.
5. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery.

EQUITY IMPACT STATEMENT

Throughout San Diego County, families are struggling to find and pay for childcare. Access and cost to quality childcare has been a long-standing issue. The COVID-19 Public Health Emergency exasperated the issue as many childcare facilities closed, staff were let go, and available slots were reduced to support social distancing. This caused a ripple of effect of reduced slots leading to an even greater demand and increase in cost. For an infant and toddler, full-time care can cost an average of \$16,000 to \$20,000 per year. The high costs alone force many working families to choose between childcare and healthy and nutritious food, which is not conducive to long-term success and healthy outcomes.

As the COVID-19 Public Health Emergency continues, the challenges and inequities continue as well. Across the nation, workforce challenges persist because many working families can't find or afford childcare. Working families have been forced to pay more and transport further away. This means more time traveling and less time with family and supporting a child's needs. Additional funding to expand childcare slots regionally is needed now more than ever. The investment made by the Fiscal Year 2022 Omnibus Budget on behalf of Representative Jacobs will significantly improve the number of childcare slots in San Diego County and support children and families who need and rely on quality childcare for sustained success and opportunities, which will lead to healthy outcomes.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2021-22 Operational Plan. If approved, this request will result in costs and revenue of \$1 million in Fiscal Year 2021-22. The funding source is federal Community Projects as administered by the United States Small Business Administration (SBA). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

15. **SUBJECT: ADMINISTRATIVE ITEM:**
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE TO PROVIDE FOR THE LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) (DISTRICTS: ALL)

OVERVIEW

On April 26, 2022 (34), the Board of Supervisors took action to further consider and adopt the Ordinance on May 10, 2022.

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

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

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Submit ordinance for further Board consideration and adoption on May 10, 2022 (second reading).

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO PROVIDE FOR THE LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW).

EQUITY IMPACT STATEMENT

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

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

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, adopting Ordinance No. 10791 (N.S.), entitled: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO PROVIDE FOR THE LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW).

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

16. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
AMENDMENTS TO THE COMPENSATION ORDINANCE (4/26/2022 -
First Reading; 5/10/2022 - Second Reading) (DISTRICTS: ALL)**

OVERVIEW

On April 26, 2022 (25), the Board of Supervisors took action to further consider and adopt the Ordinance on May 10, 2022.

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Submit ordinance for further Board consideration and adoption on May 10, 2022 (second reading).

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND
ESTABLISHING COMPENSATION.

EQUITY IMPACT STATEMENT

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

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

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

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

The LUEG has requested to retitle one classification in the Unclassified Service from Director, Office of Environmental, and Climate Justice to Chief Sustainability Officer (CSO). This classification will be responsible for administering the activities of the Office of Sustainability and Environmental Justice (OSEJ). In addition, the CSO will lead the establishment of the OSEJ and will increase the focus on and provide dedicated resources for regional sustainability initiatives such as the Regional Decarbonization Framework, addressing environmental justice issues, and working with communities and agencies at the local, state, and federal levels. The CSO will lead positions devoted to continuing the meaningful engagement that is a key factor in tackling the disparities faced by environmental justice communities in the unincorporated areas of the County and serving as a resource and ombudsperson for those communities in the region.

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

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

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10792 (N.S.), entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.

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

17. 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)**CHAIR NATHAN FLETCHER**

Appoint Mark Krasner as an alternate member to the ASSESSMENT APPEALS BOARD 3 (AAB), Seat No. 4, for a term to expire September 2, 2024.

SUPERVISOR JOEL ANDERSON

Appoint Angela May to the ALPINE COMMUNITY PLANNING GROUP, Seat No. 3, for a term to expire January 6, 2025.

Appoint Lisa "Chris" Anderson as a regular member to the ASSESSMENT APPEALS BOARD 4 (AAB), Seat No. 2, for a term to expire September 2, 2024.

Appoint Manuel Octavio Casanova Jr. to the BOULEVARD COMMUNITY PLANNING GROUP, Seat No. 1, for a term to expire January 6, 2025.

EQUITY IMPACT STATEMENT

County government includes standing and special citizen boards, commissions, committees and task forces formed to advise the Board of Supervisors and County staff on issues and policy and to serve as links to the community. Boards, commissions and committees provide an inter- relationship between the residents and the government of the County. The nominations in this Board Letter enable the County of San Diego to provide individual residents the opportunity to impart valuable insight and input into the operation of the government.

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

18. SUBJECT: COMMUNICATIONS RECEIVED**OVERVIEW**

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

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER
Note and file.

EQUITY IMPACT STATEMENT
N/A

FISCAL IMPACT
N/A

BUSINESS IMPACT STATEMENT
N/A

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

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

19. **SUBJECT: RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS IN RESPONSE TO THE LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY, AUTHORIZE A COMPETITIVE SOLICITATION RELATED TO THE COUNTY OF SAN DIEGO'S COVID-19 RESPONSE, AND ADOPT A RESOLUTION AUTHORIZING TELECONFERENCED PUBLIC MEETINGS (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, the Board is requested to take the following actions:

- Authorize a competitive solicitation for vaccination administration for communities.
- Adopt a resolution entitled RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

This item supports the County of San Diego's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by 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 Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for Vaccine Administration for Communities, and upon successful negotiations and determination of a fair and reasonable price, award contract/s for a term of one year, with four option years and up to an additional six months if needed, subject to availability of funds, and to amend the contract/s as needed to reflect changes to services and funding, subject to the approval of the Agency Director, Health and Human Services Agency.
4. Adopt a resolution entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

EQUITY IMPACT STATEMENT

The COVID-19 pandemic has had a significant impact on the lives of individuals, businesses, and communities across San Diego County. In order to support the most vulnerable, an equity lens was used to prioritize, when appropriate, the distribution of COVID-19 response and recovery-related federal, State, and local funding and resources based on a data-driven approach, identifying communities that have the highest need for support in relation to the number of positive COVID-19 cases.

Through press conferences and presentations at San Diego County Board of Supervisors meetings, the County of San Diego (County) has been able to disseminate critical information about the efforts being done to address and combat the COVID-19 pandemic to a wide audience, as well as providing a forum to receive public comment. To continue the County's commitment to transparency and open government and remove traditional barriers to access

and participation in government affairs, today's actions provide the mechanism to present an update on the current COVID-19 response efforts that have an impact on the lives of Black, Indigenous, People of color, women, people with disabilities, immigrants, youth, the LGBTQ community, and economically disadvantaged.

FISCAL IMPACT

It is estimated that through the end of fiscal year ending June 30, 2021, the County of San Diego (County) will have spent over \$680 million on overall COVID-19 response costs, excluding federally dedicated program funds for programs such as rental assistance and nutrition services. Funding sources for County response costs included an allocation of CARES Act, Coronavirus Relief Fund (CRF) revenue, General Fund Balance, Realignment, Federal Emergency Management Agency (FEMA) funds, and program revenues available for response efforts. Also, as of March 3, 2021, funds allocated through the American Rescue Plan Act (ARPA) are also available to fund County response efforts per direction from the San Diego County Board of Supervisors on June 8, 2020 (3). In Fiscal Year (FY) 2021-2022, the County will rely on ARPA funding dedicated for response costs, as well as other stimulus funds, program revenues, Realignment, and County General Fund Balance to cover response costs as needed. 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: Authorize Vaccine Administration for Communities Procurement

Funds for this request are included in the Fiscal Year 2022-23 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of approximately \$4,000,000 in Fiscal Year 2022-23. The funding sources are the Centers for Disease Control and Prevention San Diego COVID-19 Health Disparities Project grant, Epidemiology and Laboratory Capacity Enhancing Detection Expansion grant, and the California Department of Public Health Immunization Local Assistance Grant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

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

ACTION 19.1:

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

1. Received an update on the COVID-19 Response. (Ref. Board Letter Recommendation No. 1)

2. In accordance with Section 401, Article XXIII of the County Administrative Code, authorized the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for Vaccine Administration for Communities, and upon successful negotiations and determination of a fair and reasonable price, award contract/s for a term of one year, with four option years and up to an additional six months if needed, subject to availability of funds, and to amend the contract/s as needed to reflect changes to services and funding, subject to the approval of the Agency Director, Health and Human Services Agency. (Ref. Board Letter Recommendation No. 3)

AYES: Vargas, Lawson-Remer, Fletcher, Desmond

NOT PRESENT: Anderson

ACTION 19.2:

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

1. 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. (Ref. Board Letter Recommendation No. 2)
2. Adopted Resolution No. 22-052 entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953. (Ref. Board Letter Recommendation No. 4)

AYES: Vargas, Lawson-Remer, Fletcher

NOES: Desmond

NOT PRESENT: Anderson

20. SUBJECT: RECEIVE THE FISCAL REVENUE ANALYSIS OF THE COMMERCIAL CANNABIS INDUSTRY REPORT AND DRAFT CANNABIS BUSINESS TAX ORDINANCE (DISTRICTS: ALL)

OVERVIEW

On January 27, 2021 (4), the Board of Supervisors ("Board") considered an item related to the Framework for Our Future: Measures to Provide Economic Access and Equity in the Cannabis Industry. The Board directed the Chief Administrative Officer ("CAO") to explore, among other items, a cannabis taxation program. Today's item is specific to that taxation program. Also, on January 27, 2021 (4), the Board directed the CAO to explore implementation of a commercial cannabis ordinance, regulations, and programs with a social equity component for the unincorporated area, which the CAO will bring to the Board at a later date.

Over the past several months, County of San Diego ("County") staff, in conjunction with HdL Companies ("HdL"), the County's cannabis taxation program consultant, have developed a proposed cannabis taxation program.

The proposed cannabis taxation program includes a draft ordinance that imposes a business tax on businesses engaging in cannabis cultivation, retail sales, distribution, manufacturing, or processing of cannabis, or running testing laboratories. As written, this tax will be imposed only in the unincorporated area. The draft ordinance sets maximum tax rates and allows the actual tax rate to be set by the Board at a later date by ordinance or resolution. The Board may set varied rates based on various factors to the extent not prohibited by law. The draft ordinance also does not tax industrial hemp.

Today's recommendation is for the Board to receive the Fiscal Revenue Analysis of the Commercial Cannabis Industry Report (as provided by the County's cannabis tax consultant), receive the draft ordinance for the Board's consideration and input, and direct staff to return to the Board on June 14, 2022, with the necessary actions to place the cannabis business tax on the November 8, 2022, General Election ballot. Today's action would pass with a majority vote, but approval of the ordinance at a future Board meeting will require four votes.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive the Fiscal Revenue Analysis of the Commercial Cannabis Industry Report (Attachment A).
2. Receive and provide input on the attached draft Ordinance (Attachment B) entitled: AN ORDINANCE OF THE COUNTY OF SAN DIEGO, CALIFORNIA ADDING CHAPTER 4 (CANNABIS BUSINESS TAX) TO TITLE 2, DIVISION 2, OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES ESTABLISHING A TAX ON CANNABIS BUSINESS ACTIVITIES WITHIN THE COUNTY.
3. Direct the Chief Administrative Officer to return to the Board on June 14, 2022, with all actions necessary to place the Ordinance on the ballot for the November 8, 2022, General Election.

EQUITY IMPACT STATEMENT

A disproportionate number of Black, Indigenous, and People of Color (BIPOC) individuals remain incarcerated for the past criminalization of cannabis. As cannabis is legalized and permitted in San Diego County, the Board saw the need to create a Socially Equitable Cannabis Program to help guide the County's approach to this new potential revenue. On January 27, 2021 (4), the Board directed the CAO to develop a Socially Equitable Cannabis Program (Program) to include Zoning Ordinance and Regulatory Code amendments that allow for a variety of commercial cannabis uses, and a Social Equity Program to prioritize equity, access, and business opportunities to help rectify the injustices caused by the War on Drugs. Since that time, the Office of Equity and Racial Justice (OERJ) has initiated development of a comprehensive Social Equity Assessment, which has included several outreach sessions, to inform the Social Equity Program which will include a Program for Social Equity Entrepreneurs. In addition, Planning and Development Services (PDS) is developing the ordinance amendments and corresponding permitting system as directed. A Program Environmental Impact Report (PEIR) will also be prepared by PDS to evaluate the potential environmental impacts of the allowances within the future ordinance.

Specific to a cannabis taxation program, County staff and consultants engaged in three community outreach sessions where information was made available about cannabis history, market demand for cannabis, revenue generating strategies, future trends in cannabis, general tax ordinance structure and rates, and cannabis tax issues. Participants were given the opportunity to ask questions and provide comments about the topics discussed. For the three outreach sessions, there were 80 attendees. Social equity considerations were a common theme in the feedback received, with comments including concerns that too high or too many taxes could be cost prohibitive for social equity businesses, suggestions to invest future tax revenues into social equity businesses or communities most impacted by the past criminalization of cannabis, and a sentiment that addressing historic and current inequities, not generating revenue, should guide the development of the tax ordinance.

There is a great interest, at the County and in the community, in social equity issues to address the historic harms from the war on drugs. OERJ is planning to update the Board on the development of the Equity Assessment and a program for Social Equity Entrepreneurs at a later date. However, there are social equity implications in the taxation of cannabis that the Board may wish to consider in order to fully realize a Socially Equitable Cannabis Program. While specific recommendations are forthcoming in the Equity Assessment, a basic review of other jurisdictions in the state has revealed opportunities for advancing social equity through the taxation of cannabis. In the City of Oakland, the City Council adopted a tax rebate program that allows cannabis operators to receive tax rebates by retroactively lowering their business tax rate as a result of local hiring, purchasing equity products, providing employees with high wages and/or health benefits, or incubating social equity entrepreneurs. In the City of Long Beach, Equity Businesses who applied for an adult-use cannabis cultivation license may pay their first year's taxes on a monthly payment plan instead of the full payment that is usually required prior to issuance of a cannabis cultivation business license. Further, in the County of Sonoma, tax rates vary depending on the physical size of the operation. For instance, for outdoor cultivation, the County has designated four different cultivation license types (1C Specialty Cottage, 1 Specialty Outdoor, 2 Small, 3 Medium) based on maximum cultivation area per parcel (square feet or plant). The tax rate for each of these designations varies, ranging from \$1.12 per square foot for the smallest designation (1C Specialty Cottage) to \$2.25 per square foot for the largest designation (3 Medium). The draft tax ordinance proposes a general tax, meaning that it would not be imposed for a specific purpose. However, the Board could choose to appropriate general funds to social equity purposes at a later date.

The input from the community and from HdL is and will continue to be reviewed within the context of the findings of a comprehensive equity assessment as these are developed and finalized. The equity assessment will include an evaluation of the impact of the past criminalization of cannabis and cannabis law violations on local communities.

FISCAL IMPACT

There is no fiscal impact associated with today's recommendations. There will be no change in net General Fund cost and no additional staff years as a result of today's actions.

If the Board chooses to add this measure to the ballot, the County will incur approximately \$800,000 in increased costs to print and translate the measure, along with a portion of shared election-related costs that are already included in the Registrar of Voters' proposed budget. Funds for the estimated cost to conduct the election are included in the Fiscal Year (FY) 2022-23 CAO Recommended Operational Plan in the Registrar of Voters. There is no net General Fund cost and no additional staff years to add this measure to the ballot.

Additional costs will be incurred to administer the cannabis tax if the cannabis tax is approved by voters on the November 8, 2022, General Election. The funding source for additional costs will be determined by each affected department's funding structure and will be identified as follows:

Treasurer-Tax Collector

If a cannabis tax is approved by voters, there will be additional tax administration costs of \$262,000 for 2.00 additional staff years (\$130,000) in the Treasurer-Tax Collector to collect and deposit payments, to make one-time update to systems used for collections (\$50,000), for contract auditing services (\$42,000), and to gain access to the California Cannabis Authority Joint Powers Authority cannabis database to ensure accurate tax collection (\$40,000). These additional costs and staff years will be requested only after a cannabis tax is passed; the funding source for the additional costs will be included in future Operational Plans, pending identification, prior to returning back to the Board.

Auditor & Controller

If a cannabis tax is approved by voters, there will be additional tax administration costs of \$61,311 for 0.50 staff years in the Auditor & Controller Department to perform accounting, audit and financial reporting of the cannabis tax. These additional costs and staff years will be requested only after a cannabis tax is passed; the funding source for the additional costs will be included in future Operational Plans, pending identification, in future Operational Plans.

The overall estimated fiscal impact depends on a number of factors, including policy decisions by the Board, the number, type, and size of cannabis-related businesses, and the compliance of participating businesses. If a cannabis tax is passed, there is anticipated to be a net General Fund cost of \$262,000 and 2.00 additional staff years in Fiscal Year 2022-23 to administer a cannabis tax in the Treasurer-Tax Collector; in Fiscal Year 2023-24 there will be a net General Fund cost of \$61,311 and 0.50 additional staff years. Overall, there will be a net General Fund cost of \$323,311 and 2.50 additional staff years to administer a cannabis tax.

Annual estimates of the cannabis taxation program revenue range from \$2.9 million to \$5.6 million. However, annual revenue projections also depend on a variety of factors. These projections represent hypothetical future scenarios which will take time to develop and should not be assumed to be a first or second-year projection.

BUSINESS IMPACT STATEMENT

As of October 2021, the Board adopted ordinance amendments to allow the five existing cannabis dispensaries that were in operation prior to the County's 2017 prohibition on new medical facilities to continue operations and sell commercial medicinal and adult-use

cannabis. Currently, no new dispensaries or other cannabis operations are permitted under the existing ordinances. LUEG will bring forward additional items for the Board's for approving additional cannabis operations at a later date. If the Board approves, it is anticipated that the County would make commercial cannabis permits available to operators in the unincorporated area in spring-summer 2024. At that time, new permits could be issued to the following types of cannabis businesses: cultivators (including nurseries), distributors, manufacturers, retailers, and testing laboratories.

Cannabis businesses support a wide variety of other businesses that are not a part of the cannabis supply chain. Cultivators support garden supply stores, greenhouse manufacturers, irrigation suppliers, soil manufacturers, and a wide variety of contractors, including building and construction, lighting and electrical, HVAC, permitting, and engineering. Manufacturers support many of these same businesses, plus specialized tooling and equipment manufacturers, and product suppliers for hardware, packaging, and labeling. All these businesses support, and are supported by, a host of ancillary businesses, such as bookkeepers, accountants, tax preparers, parcel services, marketing and advertising agencies, personnel services, attorneys, mechanics, facilities maintenance, security services, and others. The cannabis business entrepreneur profits and the salaries paid to employees will move into the local economy, support stores, restaurants, car dealerships, contractors, home sales, and other businesses.

ACTION:

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

1. Received the Fiscal Revenue Analysis of the Commercial Cannabis Industry Report (Attachment A).
2. Received and provided input on the attached draft Ordinance (Attachment B) entitled: AN ORDINANCE OF THE COUNTY OF SAN DIEGO, CALIFORNIA ADDING CHAPTER 4 (CANNABIS BUSINESS TAX) TO TITLE 2, DIVISION 2, OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES ESTABLISHING A TAX ON CANNABIS BUSINESS ACTIVITIES WITHIN THE COUNTY.
3. Directed the Chief Administrative Officer to return to the Board on June 14, 2022, with all actions necessary to place the Ordinance on the ballot for the November 8, 2022, General Election.
4. Directed the Chief Administrative Officer to ensure that the ordinance allows the Board of Supervisors to have the option to tax cultivation on gross receipts or square footage.
5. Directed the Chief Administrative Officer to include a component in the ordinance related to crop failure mechanism in the cultivation market.
6. Directed the Chief Administrative Officer to identify the tax as a General Tax.
7. Directed the Chief Administrative Officer to clearly indicate that the Board will return at a later date to set the tax rates.

8. Directed the Chief Administrative Officer to specify that the General Tax will only apply to the unincorporated area.

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

21. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
The Estate of Nicholas Bils, et al. v. Aaron Russell, et al.; United States District Court, Southern District No. 3:20-cv-2481-H-BGS
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
K.C.A., et al. v. County of San Diego, et al.; United States District Court, Southern District No. 3:20-cv-2504-W-BLM
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Frankie Greer v. County of San Diego, et al.; United States District Court, Southern District No. 3:19-cv-378-GPC-AGS

ACTION:

County Counsel reported that for Closed Session on May 10, 2022, the Board of Supervisors took no reportable actions.

22. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Lana Cotton spoke to the Board regarding concerns about Brown Act violations.

Sarah Johnson spoke to the Board regarding the County's labor contract proposal.

Crystal Irving spoke to the Board regarding the County's labor contract proposal.

Alan C. spoke to the Board regarding Roe v. Wade.

Robert Cotton spoke to the Board regarding ordinances and resolutions.

Drucilla Willis spoke to the Board regarding the County's labor contract proposal.

Robyn Booker spoke to the Board regarding the County's labor contract proposal.

Terri Ann Skelly spoke to the Board regarding commercial cannabis businesses.

Michelle Krug spoke to the Board regarding the lack of accessibility to Board of Supervisors meetings and allowing speakers during proclamations.

Barbara Gordon spoke to the Board regarding the impacts of marijuana use on mental health.

Stacy Preve spoke to the Board regarding County vacancies.

Mike Borrello spoke to the Board regarding free speech.

Mary Babaki spoke to the Board regarding the impacts of industrial hemp operations.

Jason Robo spoke to the Board regarding County actions.

Christine Bauer spoke to the Board regarding staffing at the emergency department at Palomar Hospital.

Oliver Twist spoke to the Board regarding abortion.

Paul Henkin spoke to the Board regarding County actions and emergency declarations.

Juan Cruz spoke to the Board regarding financial equity.

Mark Dorian spoke to the Board regarding drugs in the country.

Consuelo Henkin spoke to the Board regarding authoritarianism.

Eleanor spoke to the Board regarding the pandemic not being real.

Peggy Walker spoke to the Board regarding a ban on flavored marijuana products.

Truth spoke to the Board regarding doulas and midwives.

Dean spoke to the Board regarding public access to meetings and negative impacts of the COVID-19 vaccine.

Nancy Nguyen spoke to the Board regarding encouraging the Board to fund \$20,000 for the Registrar of Voters to enhance language access to support Somali translations.

Judith Howell spoke to the Board regarding encouraging the Board to fund \$20,000 for the Registrar of Voters to enhance language access to support Somali translations.

Kandi Custodio-Tan spoke to the Board regarding encouraging the Board to fund \$20,000 for the Registrar of Voters to enhance language access to support Somali translations.

Cheryl Matney spoke to the Board regarding encouraging the Board to fund \$20,000 for the Registrar of Voters to enhance language access to support Somali translations.

Ann Riddle spoke to the Board regarding prevention messaging related to drug use.

Asma Abdi spoke to the Board regarding encouraging the Board to fund \$20,000 for the Registrar of Voters to enhance language access to support Somali translations.

ACTION:

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 7:02 p.m.

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

Consent: Vizcarra

Discussion: Zurita

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

Approved by the Board of Supervisors, on Tuesday, May 24, 2022.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board

05/10/2022