

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, JUNE 4, 2024, 10:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order Of Business

A. REGULAR SESSION: Meeting was called to order at 10:05 a.m.

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

B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.

C. Invocation was led by Pastor Marshela Salgado-Solorio of University Christian Church.

D. Pledge of Allegiance was led by Mother Kathleen Harmon.

E. Presentations or Announcement of Proclamations and Awards:

Chairwoman Nora Vargas presented a proclamation declaring June 4, 2024, to be Jennifer Ekstein Day throughout the County of San Diego.

Supervisor Jim Desmond presented a proclamation declaring June 4, 2024, to be San Luis Rey Band of Luiseno Indians Day throughout the County of San Diego.

Supervisor Monica Montgomery Steppe presented a proclamation declaring June 19, 2024, to be Juneteenth Day throughout the County of San Diego.

Supervisor Monica Montgomery Steppe presented a proclamation declaring June 4, 2024, to be San Diego County Fair Day throughout the County of San Diego.

F. 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.

G. Approval of the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of May 21, 2024; and, the Group Budget Presentation Special meetings of May 14, 2024 and May 16, 2024.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular meeting of May 21, 2024; and the Group Budget Presentation Special Meetings of May 14, 2024 and May 16, 2024.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- H. Consent Calendar
- I. Discussion Items
- J. 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.	DISTRICT ATTORNEY - REQUEST TO CONTRACT WITH STATE OF CALIFORNIA VICTIM COMPENSATION BOARD AND ACCEPTANCE OF RESOLUTION FOR JOINT POWERS PROGRAM [FUNDING SOURCES: CALIFORNIA VICTIM COMPENSATION BOARD AND EXISTING GENERAL-PURPOSE REVENUE BUDGETED IN THE DISTRICT ATTORNEY'S OFFICE]
	2.	DISTRICT ATTORNEY - REVISIONS TO MEMORANDUM OF UNDERSTANDING AND RENEWAL OF REGIONAL AUTO THEFT TASK FORCE AGREEMENT [FUNDING SOURCE: FEES COLLECTED PURSUANT TO CALIFORNIA VEHICLE CODE SECTION 9250.14]
Health and Human Services	3.	AUTHORIZE A SINGLE SOURCE CONTRACT WITH EXODUS RECOVERY, INC. TO PROVIDE BEHAVIORAL HEALTH SERVICES WITHIN THE TRI-CITY PSYCHIATRIC HEALTH FACILITY [FUNDING SOURCES: REALIGNMENT AND SHORT-DOYLE MEDI-CAL]
Financial and General Government	4.	SUPPORTING OUR FOSTER CARE YOUTH
	5.	ADMINISTRATIVE ITEM: SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: ORDINANCES AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION AND AMENDING ADMINISTRATIVE CODE SECTIONS 125, 125.1 AND 496 (5/21/24 - First Reading; 6/4/24 - Second Reading, unless the ordinance is modified on second reading)

6. GENERAL SERVICES - APPROVAL TO ISSUE A VARIANCE TO COUNTY FLOOD DAMAGE PREVENTION ORDINANCE FOR THE NEW COUNTY ANIMAL SHELTER PROJECT AND CEQA FINDINGS
7. GENERAL SERVICES - APPROVAL AND AUTHORIZATION TO ADVERTISE AND AWARD FOR CONSTRUCTION MANAGER AT RISK CONTRACT FOR JACUMBA FIRE STATION 43 AND RELATED CEQA FINDINGS
[FUNDING SOURCES: GENERAL FUND FUND BALANCE, OTHER SERVICES TO GOVERNMENTAL AGENCIES AND GENERAL PURPOSE REVENUE]
8. GENERAL SERVICES - APPROVAL OF FIRST AMENDMENT TO LEASE AGREEMENT FOR HEALTH AND HUMAN SERVICES AGENCY, 3160 CAMINO DEL RIO SOUTH, SAN DIEGO, AND NOTICE OF EXEMPTION
[FUNDING SOURCE: REALIGNMENT]
9. APPROVAL OF THE CONFLICT-OF-INTEREST CODES FOR SAN DIEGO COUNTY SHERIFF'S DEPARTMENT AND SANTEE-LAKESIDE EMERGENCY MEDICAL SERVICES AUTHORITY
10. APPOINTMENTS: VARIOUS
11. COMMUNICATIONS RECEIVED
12. CREATING A REGIONAL COMMUNITY ACTION PLAN TO ADDRESS FOOD JUSTICE FOR THE COUNTY OF SAN DIEGO REGION
13. ESTABLISHING AN AD HOC SUBCOMMITTEE ON TRANSFORMATIVE TECHNOLOGIES AND ARTIFICIAL INTELLIGENCE
14. STOP THE PROPOSED TWO CENT STATE GAS TAX INCREASE
15. RECEIVE AND APPROVE AN AMENDMENT TO THE FISCAL YEARS 2023-2026 MENTAL HEALTH SERVICES ACT THREE-YEAR PROGRAM AND EXPENDITURE PLAN AND ESTABLISH APPROPRIATIONS TIED TO THE EAST REGION CRISIS STABILIZATION UNIT
[FUNDING SOURCE: MENTAL HEALTH SERVICES ACT CAPITAL FACILITIES FUNDS, OPIOID SETTLEMENT FUNDS, AND INSTITUTIONAL CARE HOSPITAL REVENUE]
(4 VOTES)

Health and
Human Services

Financial and
General
Government

Health and
Human Services

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| | 16. | RECEIVE AND APPROVE THE MENTAL HEALTH SERVICES ACT ANNUAL UPDATE FOR FISCAL YEAR 2024-25
[FUNDING SOURCE: MHSA] |
| Financial and
General
Government | 17. | APPROVAL OF THE DELIVERY AND EXECUTION OF RELATED FINANCING DOCUMENTS FOR THE REFUNDING CERTIFICATES OF PARTICIPATION FOR THE EDGEMOOR SKILLED NURSING FACILITY, SERIES 2024 |
| | 18. | APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER AND APPROVAL OF EMPLOYMENT AGREEMENT |
| | 19. | EMERGENCY AIR QUALITY AND IMPROVEMENT RELIEF: PROCUREMENT OF AIR PURIFIERS RELATED TO THE TIJUANA RIVER POLLUTION CRISIS |
| Closed Session | 20. | CLOSED SESSION |
| Financial and
General
Government | 21. | APPROVAL OF ADJUSTMENT OF TEMPORARY ASSIGNMENT COMPENSATION AND BENEFITS FOR THE ACTING CHIEF ADMINISTRATIVE OFFICER |
| Public Safety | 22. | SHERIFF - CONTRACT WITH THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION FOR HOUSING INCARCERATED PERSONS AT STATE FIRE CAMPS
[FUNDING SOURCE: REVENUE FROM THE STATE OF CALIFORNIA, LOCAL REVENUE FUND 2011, COMMUNITY CORRECTIONS SUBACCOUNT] |
| | 23. | SHERIFF - REQUEST TO ISSUE A COMPETITIVE SOLICITATION FOR A HYBRID CLOUD-BASED LAW ENFORCEMENT MESSAGE SWITCHING COMPUTER (MSC) SYSTEM |
| | 24. | SHERIFF - LAW ENFORCEMENT AGREEMENT WITH RINCON BAND OF LUISENO INDIANS
[FUNDING SOURCE: REVENUE FROM THE RINCON BAND OF LUISENO INDIANS (RINCON)] |
| Public
Communication | 25. | NON-AGENDA PUBLIC COMMUNICATION |

1. SUBJECT: DISTRICT ATTORNEY - REQUEST TO CONTRACT WITH STATE OF CALIFORNIA VICTIM COMPENSATION BOARD AND ACCEPTANCE OF RESOLUTION FOR JOINT POWERS PROGRAM (DISTRICTS: ALL)

OVERVIEW

The District Attorney's Victim/Witness Assistance Program provides state-mandated services for crime victims, including crisis intervention, counseling, community resources and referrals, court accompaniment, and orientation to the criminal justice system. The Joint Powers Program (JP) is one component of the Victim/Witness Assistance Program. The California Victim Compensation Board (CalVCB) administers the Joint Powers Program in part through the JP contract, previously approved by the Board on May 12, 2015 (1). JP is responsible for processing CalVCB applications submitted by crime victims for eligible crime-related losses.

Today's request is to enter into agreement S24-001 with CalVCB and adopt a resolution for the term of July 1, 2024, through June 30, 2027. The JP contract will annually provide an estimated \$595,000 over a three-year term. This contract ensures the continuation of critical services to assist victims of violent crime and family members.

This is also a request to waive Board Policy B-29 and authorize the District Attorney, and/or her designee, to sign all required or related grant documents through July 31, 2030, including agreements for the financial administration and distribution of funds, and any annual extensions, amendments, and/or revisions thereof that do not materially impact either the grant terms or funding level. A waiver of B-29 is requested due to annual program costs exceeding available funding. The District Attorney's Office certifies that these activities would be worthy of County funding in the absence of external funding.

**RECOMMENDATION(S)
DISTRICT ATTORNEY**

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 for grants, as this grant program does not recover full cost.
2. Authorize the District Attorney to review and sign the Joint Powers agreement S24-001 with the California Victim Compensation Board for an estimated annual amount of \$595,000 for the term of July 1, 2024, through June 30, 2027, including any extensions, amendments, and revisions thereof that do not materially impact either the program or funding level.
3. Authorize the District Attorney, and/or her designee, this year and through July 31, 2030, to review and sign all Joint Powers required or related documents with California Victim Compensation Board, including agreements for the financial administration and distribution of funds, and any annual extensions, amendments, and/or revisions thereof that do not materially impact either the grant terms or funding level.

4. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE DISTRICT ATTORNEY'S JOINT POWERS AGREEMENT WITH THE CALIFORNIA VICTIM COMPENSATION BOARD.

EQUITY IMPACT STATEMENT

The District Attorney's Office seeks to ensure equitable access to information and services for all San Diego communities, to include victims and their families who intersect with the criminal justice system. To advance fairness and equity, the District Attorney's Office is committed to culturally competent and trauma informed services for individuals and families harmed by crime. As part of the District Attorney's ongoing dedication to public safety, the actions in this Board Letter would ensure continuity of local victim support and services to facilitate equitable outcomes for persons harmed throughout San Diego's communities.

SUSTAINABILITY IMPACT STATEMENT

The proposed action contributes to the County of San Diego's Sustainability Goals of community engagement and just and equitable access to services and resources. The District Attorney's public safety resources strengthen both formal and informal support networks for victims of crime, enhancing individual and community resilience. Locally leveraging resources provided by the Joint Powers program will support the operation of the District Attorney's Victim/Witness Assistance Program to stabilize and support victims and families from the trauma and monetary loss caused by crime.

FISCAL IMPACT

Funds for this request are included in the Fiscal Years 2024-26 CAO Recommended Operational Plan for the District Attorney's Office. If approved, this request will result in estimated annual program cost of \$950,000 for the Joint Powers contract. The funding sources are the California Victim Compensation Board (\$595,000) and existing General Purpose Revenue budgeted in the District Attorney's Office (\$355,000). 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 Vargas, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-048, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE DISTRICT ATTORNEY'S JOINT POWERS AGREEMENT WITH THE CALIFORNIA VICTIM COMPENSATION BOARD.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

2. **SUBJECT: DISTRICT ATTORNEY - REVISIONS TO MEMORANDUM OF UNDERSTANDING AND RENEWAL OF REGIONAL AUTO THEFT TASK FORCE AGREEMENT (DISTRICTS: ALL)**

OVERVIEW

On December 14, 1993 (4), the Board of Supervisors (Board) approved a Memorandum of Understanding (MOU) that established the San Diego County Regional Auto Theft Task Force (RATT). The mission of RATT is to effectively investigate and prosecute vehicle theft in the San Diego region. That MOU also appointed the District Attorney's Office as financial administrator of RATT and the estimated \$3 million annual budget to manage reimbursement to participating law enforcement agencies and includes provisions for full cost recovery. The funding source is vehicle license fees collected pursuant to California Vehicle Code Section 9250.14.

This is a request for authorization to execute, upon receipt, a revised MOU that updates procedures and guidelines for operation of RATT, for the period beginning July 1, 2024 and ending June 30, 2030.

The State of California requires a reimbursement agreement to be executed for California Highway Patrol (CHP) participation on the Regional Auto Theft Task Force. This is also a request to authorize the District Attorney to execute a reimbursement agreement with the CHP related to their participation in RATT. The pending agreement will provide the CHP with an estimated \$505,000 per year to fund three (3) officers assigned to the task force. The initial agreement period is from July 1, 2024, through June 30, 2026.

This is also a request to authorize the District Attorney, and/or her designee, to execute RATT reimbursement agreements with the CHP for the period of July 1, 2024 through June 30, 2030, provided there are no material changes to the terms and funding levels. If authorized, the District Attorney will return to the Board of Supervisors for authorization to appropriate any awarded funds as necessary.

**RECOMMENDATION(S)
DISTRICT ATTORNEY**

1. Approve and authorize the District Attorney, and/or designee, to review and execute, upon receipt, a revised MOU for the San Diego County Regional Auto Theft Task Force, with updated operational guidelines for the period beginning July 1, 2024 and ending June 30, 2030.
2. Authorize the District Attorney, and/or designee, to approve mid-year service level changes, amendments and/or revisions to the San Diego County Regional Auto Theft Task Force MOU for the period of July 1, 2024 and ending June 30, 2030.
3. Approve and authorize the District Attorney to review and execute the Regional Auto Theft Task Force reimbursement agreement with the California Highway Patrol, estimated at \$505,000 annually, for the period of July 1, 2024, through June 30, 2026, including any extensions, amendments, and/or revisions thereof that do not materially impact either the program or funding level.

4. Authorize the District Attorney, and/or designee, from July 1, 2024 through June 30, 2030, to review and execute all required or related Regional Auto Theft Task Force documents, including agreements for the financial distribution of funds, and any annual extensions, amendments, and/or revisions thereof that do not materially impact either the program or funding level.

EQUITY IMPACT STATEMENT

The District Attorney's Office is constitutionally responsible for the investigation and prosecution of all criminal violations of state law and county ordinances and seeks to ensure an equitable and transparent justice system for all San Diego communities. To advance fairness and equity, the District Attorney's Office is committed to implementing countywide intervention strategies, which include investigation and prosecution of vehicle theft. As part of the District Attorney's ongoing dedication to public safety, the actions in this Board Letter would mobilize local law enforcement agencies to facilitate equitable outcomes throughout San Diego's communities.

SUSTAINABILITY IMPACT STATEMENT

The proposed action contributes to the County of San Diego's sustainability goals of safety by mobilizing local law enforcement agencies, facilitating a local and coordinated response, to enhance the overall prosecutorial process. To prevent, prosecute, and protect San Diego communities from harm, the District Attorney's Office's coordination of local resources not only increases organizational capacity, but it leads to positive social and economic enhancements that contribute to overall regional sustainability.

FISCAL IMPACT

Funds for this request are included in the Fiscal Years 2024-26 CAO Recommended Operational Plan for the District Attorney's Office. If approved, this request will result in annual costs and revenue of approximately \$3 million, including \$505,000 in Fiscal Years 2024-25 and 2025-26 salary and benefits costs for three (3) officers assigned to the task force. The funding source is fees collected pursuant to California Vehicle Code Section 9250.14. There will be no General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

3. **SUBJECT: AUTHORIZE A SINGLE SOURCE CONTRACT WITH EXODUS RECOVERY, INC. TO PROVIDE BEHAVIORAL HEALTH SERVICES WITHIN THE TRI-CITY PSYCHIATRIC HEALTH FACILITY (DISTRICTS: ALL)**

OVERVIEW

In California, counties are responsible for administering specialty mental health and substance use services for residents eligible for Medi-Cal. In this capacity, the County of San Diego (County) Health and Human Services Agency (HHSA), Behavioral Health Services (BHS) serves as the Specialty Mental Health Plan. To ensure access to quality care that meets the needs of Medi-Cal beneficiaries in San Diego County, BHS is required to maintain a local network of behavioral health services and providers.

In 2018, Tri-City Healthcare District (Tri-City) suspended its behavioral health unit (BHU) and crisis stabilization unit (CSU). Through a series of actions since 2018, the San Diego County Board of Supervisors (Board) supported the development of a 16-bed psychiatric health facility (PHF) to be jointly funded by the County and Tri-City on vacant land located at the Tri-City Medical Center in Oceanside, California. It is anticipated that Tri-City PHF will alleviate pressure on local hospital emergency departments by referring clients with psychiatric needs to the optimal treatment setting and will complement the three CSUs providing crisis care in the North County. Today's action requests the Board authorize a single source contract with Exodus Recovery, Inc. to provide services within the Tri-City PHF.

Today's action supports the County 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 through further strengthening the continuum of behavioral health services in San Diego County.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with Exodus Recovery, Inc. and subject to successful negotiations and determination of a fair and reasonable price, award a contract for clinical behavioral health services within the Tri-City Psychiatric Health Facility, for an Initial Term of up to five years, with five 5-year Options for a total of thirty years in alignment with Exodus sublease agreement with Tri-City Healthcare District, and up to an additional six months, if needed, and to amend the contract as needed to reflect changes to requirements and funding, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.

EQUITY IMPACT STATEMENT

The County of San Diego Health and Human Services Agency, Behavioral Health Services (BHS) functions as the specialty mental health plan for Medi-Cal eligible residents within San Diego County with serious mental illness, and the service delivery system for Medi-Cal eligible residents with substance use disorder care needs. As a regional steward of public health, BHS

must ensure that services address the social determinants of health by being accessible, capable of meeting the needs of a diverse population, and equitably distributed to those most in need. BHS utilizes a population health approach, evidence-based practices, robust data analysis, and input from consumers, community-based providers, healthcare organizations, and other stakeholders to identify community needs and design services that are impactful, equitable, and yield meaningful outcomes for clients.

Establishing inpatient behavioral health services within the newly constructed Tri-City Psychiatric Health Facility (PHF) in Oceanside will increase capacity of critical behavioral health care in North County. These new PHF services will provide inpatient care to Medi-Cal eligible adults and others, improving access to critical crisis care for vulnerable adults who are experiencing a behavioral health crisis.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed action aligns with the County of San Diego (County) Sustainability Goal #2, to ensure equitable access to County services. Establishing inpatient care services within North County prioritizes equitable access to essential behavioral health inpatient services for Medi-Cal eligible adults, enabling those in need of higher levels of care to be connected to care in close proximity to where they reside.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2024-26 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs and revenue of approximately \$9.3 million in FY 2024-25 and \$9.3 million in FY 2025-26 for behavioral health services within Tri-City Psychiatric Health Facility. The funding sources are Realignment and Short-Doyle Medi-Cal. There will be no change in net County General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

4. SUBJECT: SUPPORTING OUR FOSTER CARE YOUTH (DISTRICTS: ALL)

OVERVIEW

As of February 2024, nearly 2,300 children utilized San Diego County Child Welfare Services, with 1,909 youth ages 21 years of age and under participating in the County's foster care system. Our Child Welfare system has improved the lives of youth and their families through recent initiatives including enhanced adoption efforts, reunification, expanded parent-child interaction therapy and counseling, building a kin first culture, and investments in fatherhood engagement and visitation efforts. The County has also committed to ensuring that foster youth who are

entitled to survivorship benefits from the Social Security Administration (SSA) receive the full amount of those financial benefits when they reach a certain age and exit the foster care system.

In California, youth can elect to remain in foster care up to the age of 21. Over 85% of San Diego youth choose to remain in care until this age. Unfortunately, it is estimated that 25% of foster youth will become homeless the day they exit the system, with 40%-50% of former foster youth becoming homeless within eighteen months of leaving. Studies show that approximately 50% of the homeless population spent time in foster care. These statistics demonstrate the overrepresentation of former foster youth within the homeless population and their susceptibility of falling into homelessness.

By ensuring SSA survivor benefits are protected and made available to foster youth when exiting the foster care system, counties can help reduce these numbers by ensuring that foster youth have access to funds they can use in transitioning to an independent life.

Foster youth, particularly those whose parents are deceased, do not have the same access to resources and support as non-foster youth. Fortunately, the Social Security Administration will typically provide minors without living parents or legal guardian's monthly survivorship benefits. However, when a youth enters foster care, placement agencies and municipalities have historically received available benefits on behalf of the youth, using these funds to pay for their care and needs. This practice places this vulnerable population at a disadvantage by denying them funds they could otherwise use to begin their life independent of the foster care system.

In April 2023, San Diego County ended this practice when the Aid to Families with Dependent Children-Foster Care (AFDC-FC) stopped counting SSA income against a foster care grant and using these funds to pay for their needs. Accrued SSA benefits now remain in a reserve account for the youth until they turn 18 years old.

Today's action recommends the Board of Supervisors adopt a position of support for Assembly Bill 2906 (Bryan). If enacted into law, AB 2906 would result in the following:

1. Require all California counties to screen and begin applying for SSA benefits within 60 days of a child's entry into care
2. Notify youth recipients and their attorneys when benefits are applied for/received
3. Engage youth in planning for conserved funds
4. Ensure funds are used for a child's unmet current needs or conserved for their foreseeable future needs, and monitor annual accounting of use of funds
5. Provide financial counseling or training to new representative payees on establishing proper accounts to preserve eligibility/managing/disbursing funds

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND AND SUPERVISOR JOEL ANDERSON

Direct the Chief Administrative Officer to express the County's support for Assembly Bill 2906, consistent with Board Policy M-2.

EQUITY IMPACT STATEMENT

Foster youth are among the most vulnerable in our community. The enactment of AB 2906 will help ensure that foster youth throughout the State receive the same benefits and resources as non-foster care youth. This legislation is supported by the People’s Association of Justice Advocates, a non-profit organization with the mission to empower citizens with lived experience to meaningfully address societal issues impacting them by introducing policy and legislative change to improve those conditions. The legislation is also supported by the University of San Diego Children’s Advocacy Institute, a non-profit organization that works to improve the lives of children, with a focus on improving foster care systems and enhancing resources that are available to youth aging out of foster care.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to support AB 2906 would contribute to the County of San Diego Sustainability Goal of providing just and equitable access for underserved populations.

FISCAL IMPACT

There is no fiscal impact associated with today’s actions to support AB 2906. 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 Vargas, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- 5. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
ORDINANCES AMENDING THE COMPENSATION ORDINANCE AND
ESTABLISHING COMPENSATION AND AMENDING
ADMINISTRATIVE CODE SECTIONS 125, 125.1 AND 496 (5/21/24 -
FIRST READING; 6/4/24 - SECOND READING, UNLESS THE
ORDINANCE IS MODIFIED ON SECOND READING)
(DISTRICTS: ALL)**

OVERVIEW

On May 21, 2024 (11), the Board of Supervisors took action to further consider and adopt the Ordinances on June 4, 2024.

The Compensation Ordinance enacted by the Board of Supervisors establishes procedures for compensating County of San Diego employees. The Department of Human Resources provides recommendations for changes to the Compensation Ordinance based on legislative changes, environmental factors, and organizational changes to provide and retain a skilled, adaptable, and diverse workforce. Today’s actions reflect the compensation ordinance and administrative code changes to accomplish this goal.

Today’s recommendations are for the Board to approve the introduction of the ordinances (first reading) to amend the Compensation Ordinance and the Administrative Code. If the Board takes action as recommended, then on June 4, 2024, staff recommends the Board adopt the ordinances (second reading). If the proposed ordinances are altered on June 4, 2024, then on that date a subsequent meeting date will be selected for the adoption of the ordinances.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Approve the adoption of the Ordinances (second reading):

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.

AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE SECTIONS 125, 125.1 AND 496.

If the proposed ordinance(s) are altered on June 4, 2024, then on that date a subsequent meeting date will be selected for adoption of the ordinance(s).

EQUITY IMPACT STATEMENT

The Department of Human Resources is committed to assuring that equity is considered in classification and compensation. Today’s recommendations provide amendments to the compensation ordinance and administrative code that will assist the County of San Diego to provide and retain a skilled, adaptable, and diverse workforce for County departments and enables the County to deliver superior services to the residents and visitors of the County of San Diego.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions amending the compensation ordinance and administrative code aligns with the County of San Diego’s Sustainability Goals by promoting sustainable economic growth for our community. The proposed actions included in this letter provide just and equitable wages and benefits.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2024-25 CAO Recommended Operational Plan in the impacted departments. The estimated fiscal impact in future years is comprised of net increases in ongoing base and supplemental pay, including various premiums. If approved, this request will result in an incremental increase in total estimated ongoing costs as identified in the following table. Due to the timing of implementation, the fiscal impact of the recommended actions in the current Fiscal Year 2023-24 is not significant and was not included in the table below. There will be no change in net General Fund cost and no additional staff years.

<i>in millions</i>		FY 24-25	FY 25-26
A	Base salary and benefit increases	\$ 1.79	\$ 1.59
B	Total Ongoing Cost (incremental increase)	\$ 1.79	\$ 1.59
C	Total Cost	\$ 1.79	\$ 1.59

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Noting for the record that, prior to the Board taking action, the Clerk read a statement into the record regarding the summary of recommendations on the salary and compensation paid in the form of fringe benefits for the Director County Fire, Director Office of Economic Development and Governmental Affairs, Director Office of Emergency Services and the Executive Director of the Citizens Law Enforcement Review Board; ON MOTION of Supervisor Vargas, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent, and adopted Ordinance No. 10910 (N.S.), entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION; and, Ordinance No. 10911 (N.S.), entitled: AN ORDINANCE AMENDING ADMINISTRATIVE CODE SECTIONS 125, 125.1 AND 496.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- 6. SUBJECT: GENERAL SERVICES - APPROVAL TO ISSUE A VARIANCE TO COUNTY FLOOD DAMAGE PREVENTION ORDINANCE FOR THE NEW COUNTY ANIMAL SHELTER PROJECT AND CEQA FINDINGS (DISTRICT: 2)**

OVERVIEW

On July 13, 2021 (34), the County approved the construction of the New County Animal Shelter Project (Project), a 21,000-square-foot facility in Santee. The new \$37.5M facility will offer animal intake and care during local disaster events, will serve as an emergency response deployment hub, and will facilitate adoptions, spay/neuter efforts, and vaccinations of animals. Construction is expected to begin this summer.

A small portion of the Project site falls within a Federal Emergency Management Agency (FEMA)-mapped floodplain. As such, the Project must comply with federal, State, and local requirements for building in a floodplain. The local requirements for this location are set forth in the County of San Diego's (County) Flood Damage Prevention Ordinance (FDPO), which is more stringent than the federal requirements. The FDPO requires that the Project obtain an approval letter from FEMA before construction can commence (called a Conditional Letter of Map Revision, or CLOMR) and another approval letter from FEMA before the facility can be occupied (a Letter of Map Revision, or LOMR). These letters can take up to a year to obtain and would significantly delay both the start of construction and the use of the new facility.

The FDPO allows the Board of Supervisors (Board) to issue variances from the FDPO's requirements provided certain conditions are met. The Department of General Services conducted a detailed analysis and has determined that the Project qualifies for a variance, primarily because it will comply with all safe building requirements for construction in a floodplain, and the benefit to the community, especially during local disasters, warrants the expedited process.

The recommendation before the Board today is to issue a variance from the FDPO, allowing construction to begin this summer and allowing for the facility to be used once construction is complete. Issuing such a variance will result in avoiding construction delays and costs ranging from \$600,000 to \$2,500,000 while still ensuring all safe building requirements are met for construction in a floodplain.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Mitigated Negative Declaration (MND) for the County Animal Shelter Project SCH No. 2020120258 dated June 28, 2021, on file with the Clerk of the Board, has been completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein, on file with the Department of General Services, before approving the project; and
2. Find that there are no substantial changes in the project or in the circumstances under which the project will be undertaken that involve significant new environmental impacts which were not considered in the previously adopted MND dated June 28, 2021, or the second addendum thereto dated May 10, 2024, and that there is no substantial increase in the severity of previously identified significant effects, and that no “new information of substantial importance,” as that term is used in CEQA Guidelines Section 15162(a)(3), has become available since the MND was adopted; and
3. Adopt the attached Resolution entitled: “A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A VARIANCE UNDER COUNTY CODE OF REGULATORY ORDINANCES SECTIONS 811.601 AND 811.602 FOR THE PROPERTY LOCATED AT 452 RIVERVIEW PARKWAY, SANTEE, CA 92071,” making the findings required by Sections 811.601 & 811.602 of the San Diego County Flood Damage Prevention Ordinance (FDPO) and granting the New County Animal Shelter Project a variance to allow noncompliance with FDPO Sections 811.403(d)(1)-(2) and 811.503(b)(2)-(3).

EQUITY IMPACT STATEMENT

The New County Animal Shelter Project facility will offer neuter, spay, and vaccination options at more affordable rates than private veterinarians for pet owners in the unincorporated area. This will help lower income residents afford quality pet care, ensuring access for all through a fully optimized health and social service delivery system. Additionally, the completion of the project will ensure more animals are vaccinated and that a greater number of animals will be housed in a facility that meets modern safety requirements for the animals, care staff, and public. These results will enhance quality of life in our communities.

SUSTAINABILITY IMPACT STATEMENT

The New County Animal Shelter Project (Project) will implement low-impact-development standards and use sustainable design principles, practices, and performance. The Project will obtain a minimum of Leadership in Energy and Environmental Design Gold certification and achieve Zero Net Energy (ZNE). ZNE is defined as a building which has extremely

energy-efficient end uses and on-site renewable annual energy production greater than its annual energy consumption. The Project's design will incorporate energy-efficient technologies and use building automation systems to monitor and control energy use.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation to approve a variance to the County Flood Damage Prevention Ordinance for the New County Animal Shelter Project. There will be no change in net General Fund cost and no additional staff years.

If the variance is not approved, this project would experience three to twelve months of delay. According to the California Construction Cost Index (CCCI), last year's construction prices inflated at 9.4%. A three-to-twelve-month delay translates to an estimated cost of \$600,000 to \$2,500,000.

BUSINESS IMPACT STATEMENT

The New County Animal Shelter Project would result in the creation of jobs and economic opportunities in San Diego County in connection with the planning, construction, and maintenance of the project.

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-049, entitled: A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A VARIANCE UNDER COUNTY CODE OF REGULATORY ORDINANCES SECTIONS 811.601 AND 811.602 FOR THE PROPERTY LOCATED AT 452 RIVERVIEW PARKWAY, SANTEE, CA 92071.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- 7. **SUBJECT: GENERAL SERVICES - APPROVAL AND AUTHORIZATION TO ADVERTISE AND AWARD FOR CONSTRUCTION MANAGER AT RISK CONTRACT FOR JACUMBA FIRE STATION 43 AND RELATED CEQA FINDINGS (DISTRICT: 2)**

OVERVIEW

The proposed Jacumba Fire Station 43 Project (Project) includes the construction of a one story, approximately 8,000 square-foot fire station located along Old Highway 80 near Brawley Avenue on a five-acre portion of APN: 660-150-18-00, in the Jacumba Specific Plan Area. The property is currently owned by BayWa r.e. Development Land Holdco LLC, (BayWa). Pursuant to County of San Diego Code of Administrative Ordinance Section 73 Acquisition of Interests in Real Property by Purchase or Gift, the County of San Diego (County) and BayWa have executed a donation agreement, whereby the County has an exclusive right to take ownership of the land at any time in the next 12 months with an option to extend the term of the agreement for an additional 12 months.

The new fire station will include 3 apparatus bays, a lobby, an office, six double dormitory rooms, restrooms, a kitchen, a dining room, a day room, a gym, parking spaces and ancillary support features. Sitework will include parking, septic system, water wells, four 10,000-gallon above-ground water storage tanks, a large storm water collection system, a hose rack, a generator, and other miscellaneous items. The project will comply with Title 24 sustainability requirements set forth by the State of California, which are design features intended to illicit a more sustainable future. The project will meet Zero Net Energy requirements, include the option for public art, will be designed with 30% of embodied carbon reduction, and will attain Leadership in Energy and Environmental Design Gold certification.

Today's request is for the Board to authorize the Department of Purchasing and Contracting to advertise a Construction Manager at Risk (CMAR) contract for the new Jacumba Fire Station 43 and award Phase I, Pre-construction Services. A CMAR provides preconstruction services (like oversight on the progress of the design team and ensuring the design is constructable within the budget) to develop efficient, cost-effective design and construction phasing. Approval to advertise for the preconstruction services for the proposed new Jacumba Fire Station would enable design of a modern and safe facility for employees and members of the community. Upon completion of California Environmental Quality Act (CEQA) review staff will return to the Board for authority to award Phase 2, Construction Services of the contract and adoption of the applicable CEQA document.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Jacumba Fire Station 43 project action is not subject to the California Environmental Quality Act (CEQA) at this time pursuant to Sections 15004 and 15378 of the State CEQA Guidelines.
2. Authorize the Director, Department of Purchasing and Contracting, to take any action authorized by Article XXIII, Section 401, et seq. of the Administration Code and Public Contract Code Section 20146 to advertise a Construction Manager at Risk (CMAR) contract for the Jacumba Fire Station 43 and award Phase I, Pre-construction Services.
3. Designate the Director, Department of General Services, as the County officer responsible for administering the CMAR contract for the pre-construction services of Jacumba Fire Station 43 project and authorize the Director, Department of General Services to execute any and all documents necessary for the implementation of the CMAR contract.

EQUITY IMPACT STATEMENT

The San Diego County Fire Protection District provides services that aim to protect every person's right to life, liberty, and security of person and strives for equitable outcomes in our communities. The approval to advertise and award for the pre-construction services for the proposed new Jacumba Fire Station would result in the design of a modern and safe facility for employees and members of the community. To ensure equity, inclusionary contracting criteria will be incorporated into the source selection process.

SUSTAINABILITY IMPACT STATEMENT

The new Jacumba Fire Station project will implement low impact development standards and use sustainable design principles, practices, and performance. The project will obtain a minimum of Leadership in Energy and Environmental Design Gold certification and achieve Zero Net Energy (ZNE). ZNE is defined as a building which has extremely energy efficient end uses and on-site renewable annual energy production which is greater than the annual energy consumption. The design will incorporate energy efficient technologies and use a Building Automation Systems to monitor and control the energy use.

FISCAL IMPACT

There is no direct fiscal impact as a result of today’s requested actions. If approved, this request will result in a Construction Manager at Risk contract for the Jacumba Fire Station Project. Funds of \$17,400,000 are included in Fiscal Year 2023-24 Operation Plan in the Capital Outlay Fund for Capital Project 1022910, Jacumba Fire Station. The funding sources are General Fund fund balance (\$150,000), Other Services to Governmental Agencies (\$250,000) and General Purpose Revenue (\$17,000,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The County intends to award a Construction Manager at Risk (CMAR) contract to the proposer that offers the best value to the County. The County determines which proposer offers the best value by comparing proposals on several factors. One factor will be small, local, and disadvantaged business participation. The CMAR will be required to make a specific and measurable commitment to local, small, and disadvantaged business participation for the project.

Examples of such local participation include partnering with local organizations, local apprentice programs, local employment resource centers, and workforce community outreach programs. The CMAR must also comply with the Board Policy B-39a, Veteran Owned Business and Disabled Veterans Business Enterprise (DVBE) program, which requires at least three percent DVBE participation.

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- 8. **SUBJECT: GENERAL SERVICES - APPROVAL OF FIRST AMENDMENT TO LEASE AGREEMENT FOR HEALTH AND HUMAN SERVICES AGENCY, 3160 CAMINO DEL RIO SOUTH, SAN DIEGO, AND NOTICE OF EXEMPTION (DISTRICT: 4)**

OVERVIEW

The Health and Human Services Agency’s (HHS) Behavioral Health Services has occupied two suites located at 3160 Camino Del Rio South in San Diego since 2019. The suites serve as training space for behavioral health staff and partner organizations. Behavioral Health Services will be consolidating their operations to one suite to allow Medical Care Services and its pharmacy program to relocate from the Health Services Complex.

The leases for both suites expire on June 30, 2024, and there are no options to extend the terms. Staff from General Services have negotiated a lease amendment that will combine the two leases, extend the term by five years, and require the landlord to make County directed tenant improvements for pharmacy operations. Today's request is for Board of Supervisors approval of the amendment.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed lease 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 proposed lease amendment for premises located at 3160 Camino Del Rio South, Suite 100 & B112, San Diego, California.

EQUITY IMPACT STATEMENT

It is anticipated that the proposed lease amendment for the Health and Human Services Agency, Medical Care Services, will have a positive impact on the community by ensuring access for all through a fully optimized health and social service delivery system.

SUSTAINABILITY IMPACT STATEMENT

Implementing effective sustainability objectives is crucial to ensuring safe and healthy communities and contributing to the overall success of the region. The approval of this lease amendment is appropriate as it supports the County's Strategic Initiative of Sustainability to ensure the capability to respond to the immediate needs for individuals, families, and the region.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2024-2025 CAO Recommended Operational Plan for the Health and Human Services Agency (HHSA). If approved, this request will result in estimated costs and revenue of \$171,684 with a 3.5% annual rent adjustment to go into effect July 2025. Funds for the remaining contract term will be included in future years' operational plans for HHSA. The funding source is Realignment. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

RECUSED: Lawson-Remer

9. SUBJECT: APPROVAL OF THE CONFLICT OF INTEREST CODES FOR SAN DIEGO COUNTY SHERIFF’S DEPARTMENT AND SANTEE-LAKESIDE EMERGENCY MEDICAL SERVICES AUTHORITY (DISTRICTS: ALL)

OVERVIEW

The Board of Supervisors serves as the Code Reviewing Body for any local agency, other than cities, with jurisdiction wholly within the County, pursuant to Government Code Section 82011. The recommended action would approve the proposed amendment to the Conflict of Interest codes for San Diego County Sheriff’s Department and Santee-Lakeside Emergency Medical Services Authority.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Approve the Conflict of Interest codes for San Diego County Sheriff’s Department and Santee-Lakeside Emergency Medical Services Authority.

EQUITY IMPACT STATEMENT

County government includes standing and special boards, commissions, committees and task forces formed to advise the Board of Supervisors and County staff on issues and policies and to serve as links to the community. Boards, commissions and committees provide an inter-relationship between the residents and the government of the County and as such must provide transparent, bias-free decision-making. The Board of Supervisors serves as the Code Reviewing Body for any local agency, other than cities, with jurisdiction wholly within the County, pursuant to Government Code Section 82011. Under the California Political Reform Act, a public official has a disqualifying conflict of interest in a governmental decision if it is foreseeable that the decision will have a financial impact on their personal finances or other financial interests. In such cases, there is a risk of biased decision-making that could sacrifice the public’s interest in favor of the official’s private financial interests. To avoid actual bias or the appearance of possible improprieties, the public official is prohibited from participating in the decision.

The recommended action would approve the amended Conflict of Interest codes submitted by San Diego County Sheriff’s Department and Santee-Lakeside Emergency Medical Services Authority. The Conflict of Interest code in this Board Letter enables the County of San Diego to provide transparency and accountability to individual residents, ensuring equitable operations of the government that are free from undue influence.

SUSTAINABILITY IMPACT STATEMENT

Under the Political Reform Act, all public agencies are required to adopt a Conflict of Interest code that designates positions that are required to file the Statement of Economic Interests (Form 700). Conflict of Interest codes must be maintained as updated and accurate to ensure that necessary public officials report their personal financial interests. These required filings provide public transparency about possible conflicts of interest and to ensure governmental decisions are made in the best interest of the public. This Board Letter supports the County of San Diego’s sustainability goal of, “Engaging the community to partner and participate in decisions that impact their lives and communities and transparently share results of outcomes.”

FISCAL IMPACT

The funding source for administration of this task is included in the Fiscal Year 2023-2024 Adopted Budget for the Clerk of the Board of Supervisors.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

10. 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”.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON

Waive Board Policy A-74, “Citizen Participation in County Boards, Commissions, and Committees,” and re-appoint Barry Bardack to the GILLESPIE FIELD DEVELOPMENT COUNCIL, Seat No. 1 to complete the current term, and immediately start a new term to expire December 31, 2028.

SUPERVISOR MONICA MONTGOMERY STEPPE

Appoint Jerisha Rutlin to the COUNTY OF SAN DIEGO BEHAVIORAL HEALTH ADVISORY BOARD, to Seat No.14 from Seat No.15 for a term to expire April 30, 2027.

Appoint Judith Yates to the COUNTY OF SAN DIEGO BEHAVIORAL HEALTH ADVISORY BOARD, to Seat No. 15 for a term to expire April 30, 2027.

Appoint Amanda Berry to the COUNTY OF SAN DIEGO BEHAVIORAL HEALTH ADVISORY BOARD, to Seat No.16 from Seat No. 14 for a term to expire June 4, 2027.

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.

SUSTAINABILITY IMPACT STATEMENT

The County of San Diego has over one hundred boards, commissions, committees, and task forces that serve as voice in the County government. Advisory bodies are an essential role in resident engagement that allow citizens to participate on issues relating to the welfare and quality of life in the County. They are fundamental to the County of San Diego’s ability to navigate complex and dynamic policy challenges, are a conduit to the County Bureaucracy, and a broker to community voice. This board letter supports the County of San Diego Sustainability Goal No.1 by “encourage[ing] people and diverse stakeholders to partner and participate in decisions that impact their lives and communities.”

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

11. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW

Board Policy A-72, Board of Supervisors Agenda and Related Process, authorizes the Clerk of the Board to prepare a Communications Received for Board of Supervisors' Official Records.

Routine informational reports, which need to be brought to the attention of the Board of Supervisors yet not requiring action, are listed on this document. Communications Received documents are on file in the Office of the Clerk of the Board.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Note and file.

EQUITY IMPACT STATEMENT

N/A

SUSTAINABILITY STATEMENT

This board letter is a list of documents received by the Clerk of the Board of Supervisors and/or Board of Supervisors from other entities, other county departments, the public, and internal documents presented to the Clerk of the Board of Supervisors or the Board of Supervisors. This contributes to the overall sustainability of the county by engaging the community in meaningful ways and promote an environment that provides equitable access opportunities for public engagement.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

12. SUBJECT: CREATING A REGIONAL COMMUNITY ACTION PLAN TO ADDRESS FOOD JUSTICE FOR THE COUNTY OF SAN DIEGO REGION (DISTRICTS: ALL)

OVERVIEW

Access to healthy foods affects a person’s nutrition, health, dental, physical and mental well-being, longevity and quality of life. Unfortunately, many communities, particularly those in low-income areas or rural regions, lack access to affordable and nutritious food options, which can lead to disparities in health outcomes. Healthy food options are vital in ensuring that individuals can lead a healthy life and reduce the risk of chronic diseases such as obesity, diabetes, heart disease, and certain cancers. The Centers of Disease Control (CDC) report that in 2022 702,880 individuals, or 21.4%, have died because of diseases of the heart and 101,209, or 3.1%, have died because of diabetes. In 2020 cancer, heart disease and stroke, diabetes, and lung disease caused 45% of all deaths in San Diego County. Healthy food options are vital in ensuring that individuals can lead a healthy life and reduce the risk of chronic diseases such as obesity, diabetes, heart disease, and certain cancers.

Studies have shown that without access to healthy and affordable food, individuals may consume foods that are higher in calories and lower in nutritional value. Healthy food choices in food retailers and food service settings give people the autonomy over their diets, rather than having the choice made because of access. Beyond healthy food options, food access involves other aspects of healthy living such as transportation and proximity. Unfortunately, differences in food access vary across race, ethnicity, and socioeconomic status further reinforcing health disparities between communities. Grocery chains often determine that they will not be profitable in low-income or low-density areas, leaving low-income and rural residents to travel longer distances to shop for groceries or buy from expensive outlets, like convenience stores or fast-food restaurants.

The United States Department of Agriculture (USDA) defines a food desert as an area with limited access to affordable and nutritious food, particularly in low income neighborhoods, low-income census tracts where residents lack easy access to a supermarket or large grocery store, areas with a poverty rate greater than or equal to 20% or a median family income not exceeding 80% of the median family income in urban areas, or 80% of the statewide median family income in nonurban areas, and census tracts where at least 33% or 500 people of the

population live 1 mile (10 miles for rural areas) from a large grocery store or supermarket. Per the US Department of Agriculture's (USDA) Food Access Research Atlas, approximately 25 percent of all census tracts in San Diego County are food deserts.

As the County of San Diego continues to work to address food insecurity, which is a household-level economic and social condition of limited or uncertain access to adequate food, and food deserts in the region it is vital that we work with partners and stakeholders who have been working to address these issues. There are numerous Community Base Organizations (CBOs), non-profit, and organizations that are working tirelessly to reach a food secure region. Today's board actions will contribute to increasing healthy food access throughout the region by ensuring we are continuing to foster a collaborative network between the County of San Diego and stakeholders, service providers, community leaders, local farmers, and other governmental agencies working to address food insecurity.

Through a collaborative effort, we can identify gaps in service needs and barriers for low-income and disadvantaged communities' access to healthy and locally grown food. This collaborative approach ensures that interventions are tailored to address specific challenges faced by different communities. These policy actions foster collaboration, accountability, and resource mobilization, laying the groundwork for sustainable solutions to improve food access and reduce food insecurity in San Diego County.

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS AND SUPERVISOR MONICA MONTGOMERY STEPPE

1. Direct the Interim Chief Administrative Office, or designee, to return back within 150 days with recommendations for Board consideration:
 - a) Convene a regional summit of stakeholders, service providers, community leaders, local farmers, and other governmental agencies.
 - b) The recommendations should include creation of a community action plan which would include staff recommendations for the County of San Diego to implement. This action plan should also provide a clear path informed by best practices and include continued community engagement to further understand the gaps in service needs and barriers for low income and disadvantaged communities' access to healthy and locally grown food.
2. Direct the Interim Chief Administrative Office, or designee to provide a 90-day report back, on the status of the regional summit, community action plan, and next steps.

EQUITY IMPACT STATEMENT

Low-income and rural people in the United States may have limited access because of their distance to affordable food options. Black, Indigenous, and people of color (BIPOC) experience the highest rates of poverty, food insecurity, and diet related illness. BIPOC communities also experience significant disparities in farm, business, and land ownership, limiting opportunities for community wealth building, power, and leadership. Prior research shows that food insecurity varies based on demographic characters. Black and Hispanic people, immigrants, and people with disabilities are more likely to be impacted by food insecurity. In 2021 in San Diego County, 10.2% of residents were enrolled in Supplemental Nutrition Assistance Program (SNAP) with

20.2% of enrollees being Black or African American, 17.1% Native Hawaiian and Pacific Islander, 15.7% Hispanic or Latino, and 12.5% of Some Other Race. In comparison, only 5.8% of the enrollees were White. Enrollment in SNAP was also higher among immigrants compared to non-immigrants and people with reported disabilities compared to people without reported disabilities. By identifying County programs and establishing ongoing revenue streams, we are ensuring that we are building healthier and stronger communities.

SUSTAINABILITY IMPACT STATEMENT

Today's actions contribute to the County of San Diego's Sustainability Goals of engaging the community in meaningful ways and continually seek stakeholder input to foster inclusive and sustainable communities and providing just and equitable access to County services by investing in building resilience to vulnerable populations in partnerships with communities, and protecting the health and wellbeing of everyone in the region by expanding the market for healthy, sustainable, and local food for communities who have long been underserved and may be affected by the impacts of living in a food desert or having other barriers like income or transportation access.

FISCAL IMPACT

There is no fiscal impact associated with today's recommended actions through they may result in future fiscal impacts. Staff will return to the Board of Supervisors for consideration and approval of any such impacts. At this time, there will be no change in the net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- 13. SUBJECT: ESTABLISHING AN AD HOC SUBCOMMITTEE ON TRANSFORMATIVE TECHNOLOGIES AND ARTIFICIAL INTELLIGENCE (DISTRICTS: ALL)**

OVERVIEW

Recent advances in Artificial Intelligence (AI) and related transformative technologies are creating exciting opportunities to grow San Diego region's economy and improve the lives of its residents. At the same time, local governments across the country are facing increasingly difficult decisions about how to respond to the challenges posed by Generative AI and robotics integrated with AI, as these systems are different from previous automation technologies by behaving like agents of their own, leading to fear about job losses, security vulnerabilities and fraud.

Information technology and telecommunication services are a significant way the public interacts with the County of San Diego (County) and how the County staff interacts with the public and with each other. Over the past few years, technology has been rapidly evolving, including the introduction of ChatGPT, a Generative AI application that became the most downloaded application in history. The ever-evolving and changing information technology and telecommunication landscape also includes cloud-based applications and other rapidly advancing cloud-based technologies, and potentially significant threats to County information and telecommunication systems through ongoing and worldwide cyber-attacks.

Since information technology and telecommunications are rapidly changing along with AI advancements, and are critical to the County's ability to effectively perform its duties, we are requesting the Board's approval of an *ad hoc* subcommittee consisting of two Board members to better understand and leverage transformative technologies including, but not limited to, AI to make County services more responsive, efficient, and accessible to all. This subcommittee would develop appropriate recommendations and actions on AI-related policies, review new technology procurements and data initiatives that involve an AI system, and review the governance for proactively managing and monitoring new AI advancements. This subcommittee would also evaluate the County's current technology and telecommunication needs and how they are provided, and provide input to the Chief Administrative Officer which will then be used to recommend to the Board ways the County should meet its future information technology and telecommunications needs.

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS AND SUPERVISOR JOEL ANDERSON

1. Establish an *ad hoc* subcommittee of the Board and appoint Chairwoman Vargas and Supervisor Anderson to serve on the subcommittee for the following purposes, including but not limited to:
 - a. Receive and review information from County staff and others on the currency of the County's information technology and telecommunication systems, the County's provision of information technology and telecommunication services, including the use of artificial intelligence (AI); and on strategies for monitoring and managing advances in transformative technologies and AI;
 - b. Provide input to the Chief Administrative Officer on current and future information technology and telecommunication needs, services and strategies, including the use of AI; and on how advances in AI, smart robotics, information technology and telecommunication services could be aligned with the Board's strategic objectives.
2. Direct the Chief Administrative Officer to report back to the Board by February 2025 with appropriate recommendations and actions for the Board to take, incorporating the *ad hoc* subcommittee's input, after which the *ad hoc* subcommittee will be concluded. These recommendations may include AI-related policies, new technology procurements and data initiatives that involve an AI system, and the governance for proactively managing and monitoring new AI advancements.

EQUITY IMPACT STATEMENT

Information technology and telecommunication services are a significant way the public interacts with the County of San Diego, and the increased proliferation of Artificial Intelligence has the potential for impacting County services and programs. The creation of an ad hoc committee of the Board allows for consideration of the equity impacts of these technological advances with community input.

SUSTAINABILITY IMPACT STATEMENT

N/A

FISCAL IMPACT

There is no fiscal impact associated with this request. There will be no change in net General Fund cost and no additional staff years. There may be fiscal impacts associated with future related recommendations, which staff would return to the Board for consideration and approval.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

14. SUBJECT: STOP THE PROPOSED TWO CENT STATE GAS TAX INCREASE (DISTRICTS: ALL)

OVERVIEW

Residents of San Diego County continue to grapple with rising costs on just about everything they pay for. We have some of the highest utility costs in the nation, out-of-control housing costs and inflation keeping the prices up on goods and services everywhere, particularly at the grocery store. But perhaps none of these are felt more acutely and regularly than the high cost of gas. For most of us, there is no way of avoiding this expense in our daily lives, and there are extremely limited options for finding cheaper prices at competing retailers.

The average price of gas in California is hovering around a staggering \$5.40 per gallon, according to recent data from AAA. Compare this to the national average of roughly \$3.66. Not only is this insulting and unjustifiable to residents of San Diego County, but it's also simply unsustainable for many middle and low-income families. The disparity between what we pay for gas compared to the rest of the country is driven largely by California's current gas tax of 57.9 cents per gallon - again, the highest in the nation.

With the rising cost of living across all facets of our lives - with no end in sight - it is absurd that the State of California is moving forward with *another* increase to the gas tax. Effective July 1, 2024, it is planned to rise by an additional two cents, bringing the total tax per gallon to nearly 60 cents. As a county we should not stand for this; we already pay the most tax of any state for

gasoline. If the state is in need of more funding, they need to reflect inward and make the necessary adjustments to their budget, rather than raising taxes that continue to break the backs of ordinary people.

Today's action would request an immediate pause to the proposed two cent gas tax increase. By supporting this proposal, the Board of Supervisors can advocate for San Diegans and businesses, particularly in the unincorporated areas that would be disproportionately burdened by paying more in taxes for the same amount of gas.

RECOMMENDATION(S)
SUPERVISOR JIM DESMOND

Direct the Interim Chief Administrative Officer (CAO) to draft a letter to the Governor and San Diego County's state legislative delegation requesting to immediately halt any proposed increase in the State of California's gas tax.

EQUITY IMPACT STATEMENT

Most San Diegans and businesses in the unincorporated County rely on personal automobiles as their primary mode of transportation. Though there's a strong push from the state and federal government for the adoption of electric and other low-emission vehicles, many San Diegans are unable to afford them or may not want them in the first place. Increases to the gas tax disproportionately burden middle and low-income families. Requesting an immediate pause to the planned two cent increase to the gas tax gives us an opportunity to provide a little breathing room for families already trying to make ends meet throughout the county.

SUSTAINABILITY IMPACT STATEMENT

The County of San Diego (County)'s commitment to sustainability requires us to consider the long-term consequences of our actions on the environment, economy and social well-being of our communities. Many families throughout San Diego County are struggling to afford already obscenely high gas prices. It is the County's responsibility to ensure communities are given opportunities to thrive in all aspects of life. This must include being able to afford the basics, including reasonably priced gasoline.

FISCAL IMPACT

There is no fiscal impact associated with today's recommendation. There will be no change in net General Fund cost and no additional staff years. A pause to the proposed increase in gas tax should not be used as justification to negatively affect local governments' need to fund programs for road maintenance and repairs, such as the Department of Public Works' "Road to 70" program. Instead, the state should be working to address root causes of inflation that's driving higher constructions costs, rather than continuously increasing taxes.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors directed the Interim Chief Administrative Officer (CAO) to draft a letter to the Governor and San Diego County’s state legislative delegation requesting to immediately halt any proposed increase in the State of California’s gas tax and ask the Governor and San Diego County’s state legislative delegation to work on collaborative efforts to halt the tax, working with oil companies to keep prices from going up.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond
NOES: Lawson-Remer

- 15. SUBJECT: RECEIVE AND APPROVE AN AMENDMENT TO THE FISCAL YEARS 2023-2026 MENTAL HEALTH SERVICES ACT THREE-YEAR PROGRAM AND EXPENDITURE PLAN AND ESTABLISH APPROPRIATIONS TIED TO THE EAST REGION CRISIS STABILIZATION UNIT (DISTRICTS: ALL)**

OVERVIEW

The Mental Health Services Act (MHSA) provides ongoing dedicated funding for critical mental health programs that serve people with serious mental illness or serious emotional disturbance. MHSA has five distinct components including Prevention and Early Intervention, Community Services and Supports, Innovation, Workforce Education and Training, and Capital Facilities and Technological Needs.

As required by the California Welfare and Institutions Code, counties must complete a three-year plan and subsequent annual updates for MHSA-funded programs inclusive of all programs and expenditures. The most recent MHSA Three-Year Plan for Fiscal Years (FY) 2023-24 through 2025-26 was approved by the San Diego County Board of Supervisors (Board) on June 13, 2023 (22) and was subsequently submitted to the Mental Health Oversight and Accountability Commission (MHOAC) and the Department of Health Care Services (DHCS).

Today’s action requests the Board receive and approve an amendment to the MHSA Three-Year Plan, which would transfer \$10,000,000 of Community Services and Supports funds to the Capital Facilities and Technological Needs component in FY 2023-24 for the development and construction of the East Region Crisis Stabilization Unit (CSU), and to submit the amendment to the MHOAC and DHCS, if approved by the Board. Additionally, today’s action would also establish appropriations of \$23,300,000 tied to the East Region CSU based on the use of MHSA, resulting from the proposed amendment to the MHSA Three-Year Plan, and various other funding sources. This increase of appropriations would be offset by cancelling existing appropriations of \$22,550,000 tied to the CSU, based on Other State and Health Grant Funding due to a grant award not received. The balance of the proposed appropriations would be funded by Opioid Settlement Funds and Institutional Care Hospital Revenue. If approved, the East County CSU total project budget will be \$28,750,000.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive and approve the Amendment to the Fiscal Years 2023-26 Mental Health Services Act Three-Year Plan and authorize the Agency Director, Health and Human Services Agency, to submit the Amendment to the Mental Health Services Oversight and Accountability Commission and the Department of Health Care Services.
2. Establish appropriations of \$23,300,000 in the County Health Complex Fund, for Capital Project 1024603, East Region Crisis Stabilization Unit based on Opioid Settlement Funds (\$9,800,000), Mental Health Services Act Capital Facilities funds (\$10,000,000), and Institutional Care Hospital Revenue (\$3,500,000); and cancel appropriations of \$22,550,000 of Other State and Health Grant Funding. **(4 VOTES)**

EQUITY IMPACT STATEMENT

The proposed amendment to the Mental Health Services Act (MHSA) Three-Year Plan advances the County of San Diego (County) vision of building a mental health system where services are equitable and accessible to all individuals and families in need across the region, including people with co-occurring substance use disorders. Utilizing MHSA funds to further support construction of a new Crisis Stabilization Unit (CSU) will provide accessible mental health services and substance use services to meet the needs in East Region. In 2022, the Healthy Places Index identified El Cajon as an area of high need where additional health and social resources might positively impact the community. Additionally, Department of Health Care Services data from June 2023 indicates El Cajon has a relatively high volume of Medi-Cal customers and a high density of current County Behavioral Health Services (BHS) clients who would qualify for and can directly benefit from this type of facility in the East Region.

The new CSU will be responsive to the unmet need for crisis services in the region, where some zip codes have experienced rates of mental health emergency calls in excess of 400 encounters per 10,000 population annually, filling a critical gap in the care continuum. The lack of local behavioral health crisis services disproportionately impacts San Diego County's Black and Hispanic clients with serious mental illness. Demographic data collected by County Health and Human Services Agency, Public Health Services and BHS indicate that, while individuals self-identifying as Black and Hispanic represent only 5.9% and 27% of the East Region, they account for 14% and 30% of crisis and emergency service utilization among East County residents. Providing regional access to crisis stabilization services will allow Black and Hispanic residents within the East Region to access the care they need more quickly and within their own communities.

Moreover, a stakeholder engagement Community Program Planning process is required by MHSA funding, through which counties gather input from a diverse range of stakeholders regarding the needs of unserved and underserved populations. BHS maintains regular contact with the public through interactive councils and advisory boards to inform program planning and form recommendations for the utilization of MHSA funds. As required by statute, a public review and comment period and subsequent public hearing are required for amendments to the MHSA plan. From March 5 and through April 4, 2024, the draft amendment was sent to stakeholders and posted for public comment on the BHS website; and on April 4, 2024, a public hearing took place at the County Behavioral Health Advisory Board meeting.

SUSTAINABILITY IMPACT STATEMENT

Today’s proposed action aligns with the County of San Diego (County) Sustainability Goal #2, which seeks to ensure equitable access to County services. Amending the Mental Health Services Act Three-Year Plan supports the County priority of improving access to crisis care specifically within the East Region of San Diego County.

FISCAL IMPACT

Recommendation 1

There is no fiscal impact associated with this recommendation. This action will result in an amendment to transfer Community Services and Supports funds of \$10,000,000 to the Capital Facilities and Technological Needs within the existing Mental Health Services Act (MHSA) plan for Fiscal Year (FY) 2023-24, with no net financial impact to overall plan. There will be no change in net General Fund cost and no additional staff years.

Recommendation 2

Funds for this request are partially included in the FY 2023-24 Operational Plan for the County Health Complex Fund, for Capital Project 1024603. If approved, this request will cancel appropriations of \$22,550,000 based on previously planned grant funds that were not awarded and will establish new appropriations resulting in one-time estimated costs and revenues of \$23,300,000 in the County Health Complex Fund, for Capital Project 1024603, East Region Crisis Stabilization Unit (CSU). The funding sources include Mental Health Services Act Capital Facilities funds (\$10,000,000), Opioid Settlement Funds (\$9,800,000), and Institutional Care Hospital Revenue (\$3,500,000). As part of this recommendation, Opioid Settlement Funds will be utilized to fund the CSU based on October 10, 2023 (13) Board action that allocated a one-time investment of \$7,500,000 to support the East Region Recovery Bridge Center (RBC) which will now be redirected to the East Region CSU. Current year projected Opioid Settlement Framework activities savings of \$2,300,000 will also be redirected, for a total of \$9,800,000 in Opioid Settlement Funds allocated to the East Region CSU. Estimated total project costs for the approximately 14,000 square foot crisis stabilization unit is \$28,750,000. 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 Vargas, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- 16. **SUBJECT: RECEIVE AND APPROVE THE MENTAL HEALTH SERVICES ACT ANNUAL UPDATE FOR FISCAL YEAR 2024-25 (DISTRICTS: ALL)**

OVERVIEW

The Mental Health Services Act (MHSA) provides ongoing dedicated funding to counties to address a broad continuum of mental health service needs, including prevention, early intervention, system development, technology, and training to effectively support the public

mental health system. MHSA programs provide services for children and their families, transition age youth, adults, and older adults, with an emphasis on individuals who are unserved or underserved. MHSA is comprised of five components, including 1) Community Services and Supports; 2) Prevention and Early Intervention; 3) Innovation; 4) Workforce Education and Training; and 5) Capital Facilities and Technological Needs.

County of San Diego, Behavioral Health Services is in the second year of implementing the MHSA Three-Year Program and Expenditure Plan for Fiscal Years (FY) 2023-24 through 2025-26 (Three-Year Plan), previously approved by the San Diego County Board of Supervisors (Board) on June 13, 2023 (22). The MHSA FY 2024-25 Annual Update (Annual Update) includes budget and programmatic changes to the Three-Year Plan. The Annual Update includes MHSA funding of \$299.7 million in FY 2024-25. It also includes \$400,000, dedicated to the California Mental Health Services Authority, to continue participation in statewide prevention and early intervention campaigns and local initiatives. A majority of services outlined in the Annual Update are a continuation of programs previously approved by the Board in the Three-Year Plan. As mandated by the MHSA, the Three-Year Plan and Annual Update require Board approval prior to submission to the California Mental Health Services Oversight and Accountability Commission (MHSOAC) and the Department of Health Care Services (DHCS).

Today's action requests the Board receive and approve the Annual Update and to submit to the MHSOAC and the DHCS, if approved. Today's action also supports the County vision of a just, sustainable, and resilient future for all, specifically for 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.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Receive and approve the Mental Health Services Act Annual Update for Fiscal Year 2024-25 and authorize the Agency Director, Health and Human Services Agency, to submit the Annual Update to the California Mental Health Services Oversight and Accountability Commission and the Department of Health Care Services.

EQUITY IMPACT STATEMENT

The vision of the Mental Health Services Act (MHSA) is to build a system in which mental health services are equitable and accessible to all individuals and families within the region who are in need. According to 2021 data from the California Department of Healthcare Access and Information, Black or African American residents experienced higher emergency department rates of serious mental illness, self-inflicted injury/suicide attempt, and substance related disorders, compared to others. Additionally, according to the California Health Interview Survey, conducted by University of California Los Angeles in 2022, nine percent of San Diegans reported experiencing serious psychological distress in the past month. However, higher percentages of serious psychological distress were reported by residents who live below 200% of the federal poverty level, had a history of incarceration, or identified as Black or African American, Hispanic/Latino, Asian, or multiracial, compared to others.

MHSA funding provides individuals, who are experiencing serious mental illness, serious emotional disturbance, or have co-occurring substance use disorders, including those with opioid use disorder, with timely access to quality behavioral health care that is responsive to their cultural and linguistic needs. County of San Diego (County), Behavioral Health Services (BHS) serves a diverse range of vulnerable, unserved, and underserved low-income populations who include, but are not limited to, all age groups, individuals experiencing homelessness, LGBTQ+, Black or African American, Indigenous, and People of Color. Behavioral health services offered through County-operated and contracted programs address the social determinants of health by being accessible, capable of meeting the needs of a diverse population, and with the intent to equitably distribute services to those most in need.

In support of these efforts, BHS utilizes a population health approach, along with evidence-based practices and robust data analysis to identify needs and design services that are impactful, equitable, and yield meaningful outcomes for clients. This includes facilitating community engagement forums to solicit input from the community, stakeholders, consumers, family members, community-based providers, and healthcare organizations through formal and informal convenings, along with cross-collaboration with other County departments and community partners.

SUSTAINABILITY IMPACT STATEMENT

Mental Health Services Act (MHSA) programs support the County of San Diego (County) Sustainability Goal #1 to engage the community in meaningful ways and seek stakeholder input to foster inclusive and sustainable communities. County, Behavioral Health Services engages the community through the Community Planning Process, advisory boards, and stakeholder engagements to collaborate and encourage community and diverse range of stakeholders to partner and participate in decisions that impact their lives and communities.

Additionally, MHSA programs support the County Sustainability Goal #2 to provide just and equitable access through the regional distribution of services by allowing chronically unserved and underserved communities and individuals with behavioral health conditions to receive care near where they live. Services are provided at County locations, as well as through community-based providers to ensure care is geographically dispersed throughout the region.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2024-26 CAO Recommended Operational Plan for the Health and Human Services Agency. If approved, this request will result in estimated Mental Health Services Act (MHSA) costs and revenues of approximately \$299.7 million in FY 2024-25, inclusive of \$400,000 dedicated to the California Mental Health Services Authority, to continue participation in statewide prevention and early intervention campaigns and local initiatives. The funding source is MHSA. 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 Vargas, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

17. **SUBJECT: APPROVAL OF THE DELIVERY AND EXECUTION OF RELATED FINANCING DOCUMENTS FOR THE REFUNDING CERTIFICATES OF PARTICIPATION FOR THE EDGEMOOR SKILLED NURSING FACILITY, SERIES 2024 (DISTRICTS: ALL)**

OVERVIEW

Pursuant to Board Policy B-65, Long-Term Obligation Financial Management Policy, the County continually reviews its outstanding long-term financial obligations and seeks opportunities to refinance these obligations when economically advantageous pursuant to the Refunding Policy of the County Debt Advisory Committee. Current market conditions have created an opportunity to lower annual lease payments related to the \$93,750,000 County of San Diego Refunding Certificates of Participation (2014 Edgemoor and RCS Refunding) (“2014 COPs”). Currently, \$44,360,000 of the 2014 COPs are outstanding.

Today’s recommendations will direct County staff to refund the outstanding 2014 COPs through the issuance of the Certificates of Participation, Series 2024 COPs (“2024 Refunding COPs”) on a current refunding basis, so long as market conditions allow for a refunding that meets the requirements stated in the County’s Debt Advisory Committee Refunding Policy: 1) a minimum net present value (“NPV”) savings target of 3% of Refunded Par; 2) a minimum of \$1 million of NPV savings; and 3) annual cash flow savings of at least \$100,000. Today’s recommendations will also approve the forms of the documents necessary to execute the refunding.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt the Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF A SITE LEASE, A FACILITY LEASE, A TRUST AGREEMENT, AN ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, APPROVING THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2024 (EDGEMOOR REFUNDING), AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH CERTIFICATES AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS RELATED THERETO.

EQUITY IMPACT STATEMENT

Approval of the 2024 Refunding COPs for the Edgemoor Distinct Part Skilled Nursing Facility (“Edgemoor Skilled Nursing Facility”) will generate savings and the potential to reallocate resources to benefit the overall Edgemoor Skilled Nursing Facility operations. This facility

provides critical skilled nursing care to the most vulnerable adults across the region, including individuals who are experiencing or at risk of homelessness, reduces local health disparities across the region and provides advance care for vulnerable populations.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports sustainability through economy, equity and health/wellbeing through overall estimated reduction in costs resulting from issuance of the 2024 Refunding COPs for the Edgemoor Skilled Nursing Facility, that could allow for reallocation of available operational resources to maintain fiscal stability and ensure long-term solvency.

FISCAL IMPACT

Funds for the debt service payments for the 2014 COPs are included in the Fiscal Year 2023-24 Operational Plan and the Fiscal Year 2024-25 CAO Recommended Operational Plan and will be included in future Operational Plans based on General Purpose Revenue. If approved, the Board's approval of the 2024 Refunding COPs will result in budgetary savings to benefit the General Fund beginning in Fiscal Year 2025-26. Based on current market conditions, the proposed 2024 Refunding COPs are estimated to generate principal and interest payment savings of approximately \$1.4 million annually beginning in Fiscal Year 2025-26, which equates to \$7.2 million in total cash flow savings over the remaining term of the outstanding 2014 COPs and \$2.2 million of present value savings (5.0% of refunded par). The 2024 Refunding COPs would reach final maturity in Fiscal Year 2030. The actual amount of savings will be determined based on interest rates at the time of sale of the 2024 Refunding COPs. The 2024 Refunding COPs will be awarded to the purchaser presenting the lowest interest rate in accordance with the Notice Inviting Bids as of the time of sale.

While the annual lease payments associated with the existing COPs are secured by the General Fund, the portion of the lease payments related to the 2006 COPs and the Facility-related component of the 2005 COPs is offset by revenue from the County Edgemoor Development Fund, which in turn receives an approximately 48% offset from the State pursuant to Section 14105.26 of the Welfare and Institutions Code relating to Medi-Cal provider reimbursement ("SB 1128"). The aforementioned savings would, in effect, be shared with the State.

The Resolution authorizes a not to exceed amount for the 2024 Refunding COPs of \$35.0 million. Pursuant to SB 450, a good faith estimate of the finance charge of the 2024 Refunding COPs which includes the costs of issuance (rating agencies, special counsel, disclosure counsel, municipal advisor, title insurance, etc.) and underwriter's discount is \$553,142. If approved, the County will only complete the transaction if it meets the requirements of the County's Refunding Policy at the time of the COPs sale.

There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, and adopted Resolution No. 24-050, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF A SITE LEASE, A FACILITY LEASE, A TRUST AGREEMENT, AN ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, APPROVING THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2024 (EDGEMOOR REFUNDING), AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH CERTIFICATES AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS RELATED THERETO.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

18. SUBJECT: APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER AND APPROVAL OF EMPLOYMENT AGREEMENT (DISTRICTS: ALL)

OVERVIEW

The Board of Supervisors is appointing a new Chief Administrative Officer who will start on June 14, 2024. Today's action approves the Board's appointment of and employment agreement with the Chief Administrative Officer.

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS

1. Appoint the Chief Administrative Officer.
2. Approve the Employment Agreement between the County of San Diego and the Chief Administrative Officer and authorize the Chair of the Board of Supervisors to execute the agreement.

EQUITY IMPACT STATEMENT

The County of San Diego promotes a culture of equity, belonging, and racial justice. We serve the needs of communities with diverse groups including Black, Indigenous, people of Color, LGBTQIA+, people with disabilities, people of low-income, the young, the older, immigrants, refugees and communities that have historically faced inequality and inequity. In addition, the County centers its budgetary efforts on equity through the continued implementation and operationalization of the Budget Equity Assessment Tool. The tool ensures there is a framework to use an equity lens to evaluate the development of the County's budget.

SUSTAINABILITY IMPACT STATEMENT

The County of San Diego is building a sustainable future for all. The County's strategic plan guides County activities to ensure sustainability as it relates to the region's economy, climate, environment, and communities. These collective efforts strengthen communities, ensure accountability, and protect public resources by aligning available resources through services and initiatives.

FISCAL IMPACT

Funds associated with this request are included in the Fiscal Year 2024-25 Operational Plan.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Noting for the record that Ebony Shelton was not present at the dais for this item, but was available for questions in the Chamber as a member of the audience; and noting for the record that, prior to the Board taking action, the Clerk read a statement into the record regarding the summary of recommendations on the salary and compensation paid in the form of fringe benefits for the Chief Administrative Officer; ON MOTION of Supervisor Vargas, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took the recommended actions to appoint Ebony Shelton as Chief Administrative Officer and approved the Employment Agreement between the County of San Diego and the Chief Administrative Officer and authorized the Chair of the Board of Supervisors to execute the agreement.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

**19. SUBJECT: EMERGENCY AIR QUALITY AND IMPROVEMENT
RELIEF: PROCUREMENT OF AIR PURIFIERS RELATED TO
THE TIJUANA RIVER POLLUTION CRISIS (DISTRICT: 1)**

OVERVIEW

For decades, South County communities have endured significant impacts from transboundary pollutants, including sediment, trash, and raw sewage that flow across the border into the Tijuana River Valley and neighboring areas like Imperial Beach and Nestor. The combination of inadequate, aging infrastructure and increasingly frequent climate-related emergencies has resulted in severe environmental, economic, and property damage from persistent cross-border sewage pollution and contaminated ocean waters.

Additionally, ambient odors have further diminished the quality of life for South County residents. According to the Air Pollution Control District (APCD), these odors, while posing minimal health risks in low quantities, can cause serious health issues in higher concentrations. The National Institute for Occupational Safety and Health reports that exposure to these compounds at high levels can lead to dizziness, headaches, insomnia, nausea, eye irritation, asthma, and other health problems.

In response to this crisis, the Board of Supervisors declared a local emergency on June 27, 2023, and directed staff to pursue all available federal and state funding sources. The Board also instructed staff to collaborate with federal, state, and local agencies, as well as stakeholders, to develop projects and innovative solutions to address the root causes of the pollution. On the other hand, APCD installed AQ Mesh sensors near the Tijuana River Valley in October of last year to monitor the different compounds that are being emitted into the air.

Today's actions aim to provide immediate relief from the Tijuana River crisis by seeking funding opportunities for the procurement of air purifiers to mitigate the odors caused by sewage flows. The County would make these air purifiers available to individuals impacted by the ambient odors. These short-term measures are part of a broader effort to alleviate the impacts on our communities while long-term solutions continue being developed.

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS

1. Waive Board Policy A-72 Agenda and Related Process, Section 2.k.ii, which establishes required timelines for review when preparing a Board letter.
2. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) because the recommended actions are administrative in nature and not a project as defined in CEQA Guidelines Section 15378(b)(5).
3. Direct the Interim Chief Administrative Officer to explore funding options for the procurement of air purifiers to address the odors and air pollutants from the Tijuana River Valley emergency.
4. Pursuant to Government Code section 26227, and subject to the availability of funding:
 - a. direct the Interim Chief Administrative Officer to establish a program to provide air purifiers to residents of the South County impacted by ambient odors;
 - b. find that such a program is necessary to meet the social needs of the population;
 - c. authorize the Director, Department of Purchasing and Contracting to procure air purifiers in support of such program; and
 - d. authorize the Interim Chief Administrative Officer, or designee, to take any other action necessary to implement and operate such a program.

EQUITY IMPACT STATEMENT

The communities closest to the San Diego International Border, including the communities of Imperial Beach, San Ysidro, Otay Mesa, and Tijuana River Valley are identified by SB 535 (2012) and CalEnviroScreen 4.0 as being Environmental Justice communities having high pollution burdens for impaired water bodies and elevated PM2.5, and poverty rates. The proposed efforts to explore funding options for the procurement of air purifiers will result in a positive impact on the residents affected by this crisis.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to explore funding opportunities for air purifiers will contribute to the health and well-being of South County residents, an underserved community, that has limited access to recreational activities due to the current pollution crisis affecting South County Beaches and protected areas.

FISCAL IMPACT

There is no fiscal impact associated with today's request. There may be future fiscal impacts based on recommendations from today's action and any such recommendations would return back for consideration and approval by the Board. Upon return by staff, funding for future costs will need to be identified by the department and will proceed once identified. At this time, 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 Vargas, seconded by Supervisor Anderson, the Board of Supervisors took the following actions:

1. Waived Board Policy A-72 Agenda and Related Process, Section 2.k.ii, which establishes required timelines for review when preparing a Board letter.
2. Found that the proposed actions are not subject to the California Environmental Quality Act (CEQA) because the recommended actions are administrative in nature and not a project as defined in CEQA Guidelines Section 15378(b)(5).
3. Directed the Interim Chief Administrative Officer to explore funding options for the procurement of air purifiers to address the odors and air pollutants from the Tijuana River Valley emergency with funding capped at \$100,000.
4. Pursuant to Government Code section 26227, and subject to the availability of funding:
 - a. directed the Interim Chief Administrative Officer to establish a program to provide air purifiers to residents of the South County impacted by ambient odors;
 - b. found that such a program is necessary to meet the social needs of the population;
 - c. authorized the Director, Department of Purchasing and Contracting to procure air purifiers in support of such program; and
 - d. authorized the Interim Chief Administrative Officer, or designee, to take any other action necessary to implement and operate such a program.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

20. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Pope, et al. v. County of San Diego, et al.;
United States District Court, Southern District Case No. 3:21-cv-01102-JO-MMP
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Bermudez and Minjares v. County of San Diego and Rojas;
San Diego Superior Court Case No. 37-2022-00002602-CU-PA-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Hilltop Group, Inc. v. County of San Diego;
San Diego Superior Court Case No. 37-2021-00023554-CU-TT-CTL

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
De Jong, et al. v. County of San Diego;
San Diego Superior Court Case No. 37-2022-00022592-CU-NP-CTL

ACTION:

Noting for the record that Closed Sessions matters were heard on June 5, 2024; County Counsel reported that for Closed Session, the Board of Supervisors took no reportable action.

**21. SUBJECT: APPROVAL OF ADJUSTMENT OF TEMPORARY ASSIGNMENT
COMPENSATION AND BENEFITS FOR THE ACTING CHIEF
ADMINISTRATIVE OFFICER (DISTRICTS: ALL)**

OVERVIEW

On January 9, 2024 (16), The Board of Supervisors appointed the Deputy Chief Administrative Officer, Sarah Aghassi, as the Acting Chief Administrative Officer (Acting CAO) while the Board was conducting a search for a new Chief Administrative Officer. The Board sought applicants for the acting position who were not planning to compete for the permanent role. In the new acting role, Ms. Aghassi's base salary was increased 10% from her existing base salary. This increase was based on a classification two steps below the chief administrative officer position. Typically, acting positions are one classification above the existing assignment. At the time of the appointment, the Acting CAO's compensation also did not include the other pay and benefits that the chief administrative officer position receives under the compensation ordinance. Today's action approves the adjustment of pay and benefits for the time that Ms. Aghassi serves as the Acting Chief Administrative Officer.

**RECOMMENDATION(S)
CHAIRWOMAN NORA VARGAS**

Approve adjustments to the pay and benefits for the Acting Chief Administrative Officer for the time served in the acting role, from January 10, 2024, to the time the Acting Chief Administrative Officer completes her temporary service in this role, as follows:

- Salary is set at \$383,240.
- Benefits include the benefits for the Chief Administrative Officer as defined in the County of San Diego Compensation Ordinance, including the automobile allowance under Section 496 of the County Administrative Code and the waiver of the vacation cap accrual, and the benefits which are authorized for all other executive management appointing authorities and not otherwise limited by law.
- County contribution of ten percent (10%) of salary, based on the salary as approved above, to a deferred compensation arrangement, payable on July 5, 2024. The County has authorized the contribution to the 457(b) Deferred Compensation Plan to the extent permitted by the applicable IRS limits, including catch up provisions. If the full County contribution cannot be made to the 457(b) Deferred Compensation Plan, then the remaining amount shall be contributed to the 401(a) Incentive Deferred Compensation Plan to the extent permitted by the applicable IRS limits. If the applicable IRS limits preclude the full amount of the County contribution to be made to the deferred compensation plans, such precluded amounts shall be forfeited. Whereby County

contribution is made to the 457(b) Deferred Compensation Plan, an amount of Additional Pay (also known as the concomitant employee tax liability disbursement) shall also be authorized in accordance with Compensation Ordinance Section 5.1.2(m)(5). The authorized Additional Pay shall be treated as wages for tax purposes and reported on Form W-2.

EQUITY IMPACT STATEMENT

The County of San Diego promotes a culture of equity, belonging, and racial justice. We serve the needs of communities with diverse groups including Black, Indigenous, people of Color, LGBTQIA+, people with disabilities, people of low-income, the young, the older, immigrants, refugees and communities that have historically faced inequality and inequity. In addition, the County centers its budgetary efforts on equity through the continued implementation and operationalization of the Budget Equity Assessment Tool. The tool ensures there is a framework to use an equity lens to evaluate the development of the County's budget.

SUSTAINABILITY IMPACT STATEMENT

The County of San Diego is building a sustainable future for all. The County's strategic plan guides County activities to ensure sustainability as it relates to the region's economy, climate, environment, and communities. These collective efforts strengthen communities, ensure accountability, and protect public resources by aligning available resources through services and initiatives.

FISCAL IMPACT

Funds associated with this request are included in the fiscal year 2024-25 Operational Plan.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Noting for the record that, prior to the Board taking action, the Clerk read a statement into the record regarding the summary of recommendations on the salary and compensation paid in the form of fringe benefits for Acting Chief Administrative Officer; noting that an Errata was distributed and posted online that corrected the start date for the Acting Chief Administrative Officer to be January 10, 2024; and noting that Acting Chief Administrative Officer Sarah Aghassi was not present in the Chamber for this item; ON MOTION of Supervisor Vargas, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

22. SUBJECT: SHERIFF - CONTRACT WITH THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION FOR HOUSING INCARCERATED PERSONS AT STATE FIRE CAMPS (DISTRICTS: ALL)

OVERVIEW

On May 18, 2021 (2), the County of San Diego Board of Supervisors (Board) approved and authorized the execution of a three-year agreement with the California Department of Corrections and Rehabilitation (CDCR) for the housing of Incarcerated Persons (IPs) at State Fire Camps, which expires on June 30, 2024. This is an alternative custody program that aides in rehabilitation and reentry to the community and has been very effective, as IPs have contributed to the safety of the community by managing brush and fighting fires. In addition, this program has assisted the Sheriff in managing the jail population by annually increasing the number of both male and female IPs placed in the camps from 11 in 2013 to a monthly average of 70 in 2019. The IP population decreased in 2020 for COVID-19 prevention and the Sheriff's Department currently has no IPs assigned to the State Fire Camp, but it is the Department's intent to increase the participation rate moving forward.

Today's action requests the Board to authorize a three-year contract with CDCR for housing IPs at State Fire Camps for the period of July 1, 2024, through June 30, 2027, and an additional six months if needed.

A clerical error occurred during the regular docketing process that resulted in this item not being properly docketed, as planned, for the June 4, 2024 Board Meeting. The requested item must be placed on the June 4 Board Meeting agenda so the new contract can be negotiated and awarded prior to the expiration of the current agreement.

RECOMMENDATION(S)

SHERIFF

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with California Department of Correction and Rehabilitation; and, subject to successful negotiations and determination of a fair and reasonable price, award a contract for housing County incarcerated persons at State Fire Camps for the period of July 1, 2024 through June 30, 2027, and an additional six months if needed, and to amend the contract as needed to reflect changes to services and funding subject to approval of the Sheriff, that do not materially impact either the program or funding level.

EQUITY IMPACT STATEMENT

The Conservation (Fire) Camp Program run by the California Department of Corrections and Rehabilitation (CDCR) supports rehabilitation while providing valuable peer support, ethics, and skills to its participants. By contracting with the CDCR, the Sheriff's Department creates additional opportunities for able bodied Incarcerated Persons (IP) to serve their sentence in a way that benefits themselves and local communities. The Fire Camp Program is restorative justice in action as it aims to rebuild and strengthen the trust with nearby communities through projects that are carried out by IPs. This includes responding to local emergencies such as fires, floods, and other natural or manmade disasters. When not assigned to an emergency, IPs complete community service projects in areas close to their camp.

SUSTAINABILITY IMPACT STATEMENT

The actions proposed in today’s item contribute to the County of San Diego’s Sustainability Goals of providing just and equitable access and protecting the health and wellbeing of Incarcerated Persons (IPs) and local communities. Contracting with the California Department of Corrections and Rehabilitation (CDCR) allows IPs the opportunity to serve their sentence in a way that is productive, is an alternative to custody in a detention facility, and provides a benefit to the community. Additionally, the Fire Camp Program, provides IPs an opportunity to strengthen both their physical wellbeing and mental health, and has served as a reentry program that positively impacts local communities by keeping them safe from the potential catastrophes of natural disasters.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2024-25 CAO Recommended Operational Plan for the Sheriff’s Department. If approved, these recommendations would result in estimated costs of up to \$672,800 in Fiscal Year 2024-25. The funding source is revenue from the State of California, Local Revenue Fund 2011, Community Corrections Subaccount. Costs and revenues, estimated at \$2,491,558 annually for the remaining contract term, will be included in future year Operational Plans for the Sheriff’s Department and adjusted to reflect any necessary service level and funding changes. 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 Vargas, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- 23. **SUBJECT: SHERIFF - REQUEST TO ISSUE A COMPETITIVE SOLICITATION FOR A HYBRID CLOUD-BASED LAW ENFORCEMENT MESSAGE SWITCHING COMPUTER (MSC) SYSTEM (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Sheriff’s Department (Sheriff) is responsible for operating the region’s California Law Enforcement Telecommunications System (CLETS) Message Switching Computer (MSC) system. The CLETS MSC is a real-time mission critical system providing access to federal and State criminal justice information systems which allows law enforcement and public safety agencies to receive data on wants/warrants, restraining orders, missing persons, stolen vehicles, and individual criminal history records. The information contained in these systems allow law enforcement personnel to maintain public safety, enforce state statutes and court issued orders, assist in determining the legal status of property and provide critical time-sensitive life safety information when interacting with the public. Over 28 million messages were processed in 2023 by the region’s law enforcement and public safety agencies.

The current CLETS MSC system software and hardware, while still functional, have become technically obsolete and have reached their end-of-life support. There is a critical and urgent need to replace this outdated 20-year-old CLETS MSC system with a solution capable of meeting contemporary system requirements and can keep pace with rapidly evolving information systems including advancements in secure cloud computing within the law enforcement and public safety sector.

Today's action requests the County of San Diego Board of Supervisors (Board) to authorize a competitive solicitation to replace the existing CLETS MSC system with a Hybrid Cloud-based Software as a Service (SaaS) MSC system, which by design will be more secure and agile for implementing technological advancements, providing exceptional system resilience, and meeting the region's public safety needs of today and the future.

A clerical error occurred during the regular docketing process that resulted in this item not being properly docketed, as planned, for the June 4, 2024 Board Meeting. Board authority is needed to issue a competitive solicitation to replace the current system. Due to the critical nature of the system and the extended procurement process needed to procure such a system, the requested item must be placed on the June 4 agenda.

RECOMMENDATION(S)
SHERIFF

In accordance with Board Policy A-87, Competitive Procurement, and Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting, to issue a competitive solicitation for a Hybrid Cloud-based Law Enforcement Message Switching Computer System, including deployment of provisional systems as necessary for demonstration and evaluation, and upon successful negotiations and determination of a fair and reasonable price, award contracts for a term of one year, with up to four option years and up to an additional six months if needed, and to amend the contracts as needed to reflect changes to services and funding that are not material, subject to the approval of the Sheriff.

EQUITY IMPACT STATEMENT

The Message Switching Computer (MSC) allows regional law enforcement and public safety agencies to access sensitive criminal justice database systems and maintains the privacy rights of individuals while assisting with the investigations of crimes. It is critical to the delivery of justice on behalf of victims by assisting with the identification of individuals involved in the crimes committed. Investigating crimes and holding offenders accountable increases the overall safety of residents and visitors within San Diego County.

SUSTAINABILITY IMPACT STATEMENT

Approving the procurement of a new solution to replace the outdated Message Switching Computer (MSC) System is critical to criminal investigations and supports the County's Strategic Initiative of Sustainability to ensure safe and healthy communities and contributes to the overall success of the region.

FISCAL IMPACT

There is no fiscal impact associated with today’s requested action. Funds for this request are included in the Fiscal Years 2024-26 CAO Recommended Operational Plan for the Sheriff’s Department and the contracts are anticipated to be awarded in January 2025. After evaluating the proposals submitted to the Request for Proposal (RFP), the Sheriff’s Department will return to the Board, if needed, with any required recommendation for additional appropriations prior to contract award. 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 Vargas, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

24. SUBJECT: SHERIFF - LAW ENFORCEMENT AGREEMENT WITH RINCON BAND OF LUISENO INDIANS (DISTRICT: 2)

OVERVIEW

On March 3, 2015 (1), the Board of Supervisors (Board) authorized a revenue agreement between the County of San Diego, through the Sheriff’s Department, and the Rincon Band of Luiseno Indians (RINCON) for supplemental law enforcement services in and around their Indian Reservation for the period of April 1, 2015 through December 31, 2020. Due to ongoing negotiations, the agreement expired on June 30, 2017 and a new agreement was not entered into upon expiration. Sheriff and RINCON have now approved an updated agreement.

Today’s action requests the Board to approve and authorize the Clerk of the Board to execute, upon receipt, a five-year revenue agreement between the County of San Diego through the Sheriff’s Department, and RINCON, for supplemental law enforcement services in and around the Rincon Indian reservation for the period of July 1, 2023 to June 30, 2028.

A clerical error occurred during the regular docketing process that resulted in this item not being properly docketed, as planned, for the June 4, 2024 Board Meeting. Board approval is needed to approve and authorize the Clerk of the Board to execute the five-year revenue agreement. The requested item must be placed on the June 4 agenda to expeditiously authorize the revenue agreement which will allow for cost recovery for these services.

RECOMMENDATION(S)

SHERIFF

1. Approve and authorize the Clerk of the Board to execute, upon receipt, the five-year revenue agreement between the County of San Diego, through the Sheriff’s Department, and the Rincon Band of Luiseno Indians for supplemental law enforcement services in and around the Rincon Indian Reservation for the period July 1, 2023 through June 30, 2028.

2. Authorize the Sheriff or designee to execute all required contract documents, including mid-year service level changes, extensions, amendments, and/or revisions that do not materially impact the program or funding level.
3. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery that requires docketing Revenue Contracts with the Board at least 60 days prior to effective date of the contract.

EQUITY IMPACT STATEMENT

By contracting with the Rincon Band of Luiseno Indians for supplemental law enforcement services, the Sheriff's Department strives to provide a high standard of public safety service that is fair, effective, and culturally relevant for the Rincon Band of Luiseno Indians. The Sheriff's Department is committed to assisting the Rincon Band of Luiseno Indians improve access to justice for residents of the Rincon Indian Reservation and protecting the well-being of those living and visiting the reservation.

SUSTAINABILITY IMPACT STATEMENT

By engaging in a contract with the Rincon Band of Luiseno Indians, the Sheriff's Department furthers the equity aim of the County of San Diego's Sustainability Goal by providing quality public safety services that improve the quality of life for residents and visitors to the Rincon Indian Reservation. The Sheriff's Department contract with the Rincon Band of Luiseno Indians for supplemental law enforcement services promotes the County's Sustainability Goal of providing just and equitable access to County services and in particular building resilience in vulnerable populations in partnership with the community.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs and revenue of \$758,325. The funding source is revenue from the Rincon Band of Luiseno Indians (RINCON). Subsequent year costs and revenue for the remaining contract term will be included in future Operational Plans for the Sheriff's Department and will be adjusted to include any necessary service level changes, negotiated salary increases and other cost adjustments. In accordance with Board Policy B-29, the Sheriff's Department will achieve full cost recovery. RINCON will reimburse the County of San Diego for all actual costs over the proposed five-year revenue agreement for law enforcement services. 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 Vargas, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

25. SUBJECT: NON-AGENDA PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Purita Javier spoke to the Board regarding air pollution toxicity in her neighborhood.

Cesar Javier spoke to the Board regarding air pollution toxicity in his neighborhood.

Mark spoke to the Board regarding the United Nations agenda.

Oliver Twist spoke to the Board regarding immigration.

Gambler spoke to the Board regarding voting.

Terri-Ann Skelly spoke to the Board regarding the negative impacts of second-hand marijuana and tobacco use.

Jim Ellis spoke to the Board regarding cell phone addiction.

Barbara Gordon spoke to the Board regarding the costs of marijuana and tobacco use.

Peggy Walker spoke to the Board regarding the negative impacts of marijuana use and campaign contributions from marijuana businesses.

Megan Stuart spoke to the Board regarding the negative impacts of marijuana and nicotine use on infants.

Pam spoke to the Board regarding the Board of Supervisors' actions and the Board's Rules of Procedure.

Paul spoke to the Board regarding the First Amendment.

Audra spoke to the Board regarding immigration issues.

Consuelo spoke to the Board regarding government actions.

Becky Rapp spoke to the Board regarding the negative impacts of marijuana advertising.

Truth spoke to the Board regarding government censorship.

Ann Riddle spoke to the Board regarding the negative impacts of marijuana use.

Kevin Stevenson spoke to the Board regarding public comments.

Kathleen Lippitt spoke to the Board regarding the negative impacts of marijuana use.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 2:59 p.m. in memory of Joseph Shelton Camp Jr., Charlotte Fan, and Romelia Turner-Thompson.

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.