

June 23, 2020

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, JUNE 23, 2020, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. REGULAR SESSION – Regular Meeting was called to order at 9:01 a.m.

PRESENT: Supervisors Greg Cox, Chairman; Jim Desmond, Vice-Chairman; Dianne Jacob; Kristin Gaspar; Nathan Fletcher; also, Andrew Potter, Clerk of the Board of Supervisors.

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

- B. Invocation was led by Pastor Jim Heidrick from Firewheel Church.

- C. Pledge of Allegiance was led by Chairman Greg Cox.

- D. Presentation or Announcement of Proclamations and Awards:
Chairman Greg Cox and Supervisor Nathan Fletcher presented a proclamation declaring June 23, 2020, to be Robert Kard Day throughout the County of San Diego.

Supervisor Nathan Fletcher presented a proclamation declaring June 23, 2020, to be The Racial Justice Coalition of San Diego Day throughout the County of San Diego.

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

- F. Approval of the Statement of Proceedings/Minutes for the meeting of June 2, 2020.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of June 2, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- G. Formation of Consent Calendar

- H. Discussion Items

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

Board of Supervisors' Agenda Items

Category	#	Subject
Public Safety	1.	DISTRICT ATTORNEY - REQUEST TO ADOPT A RESOLUTION FOR A CONTRACT WITH THE STATE OF CALIFORNIA VICTIM COMPENSATION BOARD FOR THE FUNERAL/BURIAL AND DOMESTIC VIOLENCE RELOCATION EMERGENCY FUND [FUNDING SOURCES: CALIFORNIA VICTIM COMPENSATION BOARD AND EXISTING GENERAL PURPOSE REVENUE FOR THE UNREIMBURSED ADMINISTRATIVE SUPPORT COSTS]
	2.	SHERIFF - RATIFICATION OF APPLICATION FOR THE CALIFORNIA DEPARTMENT OF JUSTICE SEXUAL ASSAULT EVIDENCE SUBMISSION GRANT PROGRAM
Health and Human Services	3.	NOTICED PUBLIC HEARING: AMENDMENT TO FISCAL YEAR 2019-20 ANNUAL PLAN; ACCEPTANCE OF CARES ACT FUNDING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SOLUTIONS GRANT AND THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM; AMENDMENT TO CITIZEN PARTICIPATION PLAN; AND A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE FISCAL YEAR 2020 EMERGENCY SOLUTIONS GRANT CORONAVIRUS PROGRAM [FUNDING SOURCES: STATE ESG-CV AND FISCAL YEAR 2019-20 HUD ENTITLEMENTS GRANT AWARDS: COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SOLUTIONS GRANT (ESG), HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)]

4. RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE COVID-19 PANDEMIC, AND ESTABLISH APPROPRIATIONS TO SUPPORT PROPOSED ACTIONS
[FUNDING SOURCE: COMBINATION OF FEDERAL AND STATE STIMULUS REVENUE, INCLUDING CARES ACT FUNDING, AND PROGRAM REVENUES, AND GENERAL FUND FUND BALANCE]
(4 VOTES)
5. AUTHORIZATION TO APPLY FOR AND ACCEPT FUNDING FOR THE TRANSITIONAL HOUSING PROGRAM AND ADOPT A RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF ALLOCATION AWARD UNDER THE TRANSITIONAL HOUSING PROGRAM
6. APPROVE THE CHILD AND FAMILY STRENGTHENING ADVISORY BOARD OF SAN DIEGO COUNTY FISCAL YEAR 2019-2020 CHILDREN'S TRUST FUND FUNDING PROPOSAL
[FUNDING SOURCE: AB 2994 CHILDREN'S TRUST FUND]
7. AUTHORIZATION TO ACCEPT HIV/AIDS SERVICES GRANT FUNDING AGREEMENTS
[FUNDING SOURCES: RYAN WHITE PART A AND PART A MINORITY AIDS INITIATIVE REVENUE FROM THE HEALTH RESOURCES AND SERVICES ADMINISTRATION; EXISTING HEALTH REALIGNMENT ALLOCATED FOR THESE PROGRAMS]
8. SERVICES AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT
[FUNDING SOURCE: AIR POLLUTION CONTROL DISTRICT FUND AVAILABLE PRIOR YEAR FUND BALANCE]
9. NOTICED PUBLIC HEARING:
APPROVAL OF THE CONFLICT OF INTEREST CODE FOR R.E. BADGER WATER FACILITIES FINANCING AUTHORITY
10. NOTICED PUBLIC HEARING:
GENERAL SERVICES - RAMONA INTERGENERATIONAL COMMUNITY CAMPUS - ACQUISITION OF APPROXIMATELY 7.86 ACRES OF UNIMPROVED LAND (ANTHONY C. RUSSELL TRUST) (05/19/2020 - SET HEARING; 06/23/2020 - HOLD HEARING)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]

Land Use and Environment

Financial and General Government

11. NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA
MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT
OF MERCY HOUSING CALIFORNIA 88 L.P., IN AN
AGGREGATE AMOUNT NOT TO EXCEED \$50,000,000
12. FOSTERING ACADEMIC SUCCESS IN EDUCATION
13. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 1)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
(4 VOTES)
14. COST SHARING AGREEMENT WITH THE CITY OF SAN
DIEGO TO RE-OPEN REGIONAL LAKES AND RESERVOIRS
[FUNDING SOURCE: CARES ACT CORONAVIRUS
RELIEF FUND (CRF) FUNDING]
(4 VOTES)
15. NEIGHBORHOOD REINVESTMENT AND COMMUNITY
ENHANCEMENT PROGRAM GRANTS (DISTRICT: 5)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
(4 VOTES)
16. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 2)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
(4 VOTES)
17. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 3)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
(4 VOTES)
18. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 4)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
(4 VOTES)
19. GENERAL SERVICES - REVISED CAPITAL
IMPROVEMENT NEEDS ASSESSMENT - FISCAL YEARS
2020/21-2024/25
20. SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
GENERAL OBLIGATION BONDS (ELECTION OF 2008,
SERIES 2020E AND ELECTION OF 2016, SERIES 2020B)
21. SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
2020 GENERAL OBLIGATION REFUNDING BONDS

- 22. SERVICES AGREEMENT BETWEEN THE LOCAL AGENCY FORMATION COMMISSION AND THE COUNTY OF SAN DIEGO
[FUNDING SOURCE: COST RECOVERY REVENUE VIA DIRECT BILLING FROM LAFCO AS A RESULT OF EXECUTED AGREEMENT FOR SERVICES RENDERED BY THE COUNTY]
- 23. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: AMENDMENTS TO THE COMPENSATION ORDINANCE AND ADMINISTRATIVE CODE (6/2/2020 - FIRST READING; 6/23/2020 - SECOND READING)
- Communications Received 24. COMMUNICATIONS RECEIVED
- Appointments 25. APPOINTMENTS: VARIOUS
- Financial and General Government 26. A BETTER WAY TO RESPOND TO BEHAVIORAL HEALTH CRISES: COUNTYWIDE MOBILE CRISIS RESPONSE TEAMS
- 27. FIGHTING FOR COMMUNITIES OF COLOR:
ESTABLISHING AN OFFICE OF EQUITY AND RACIAL JUSTICE
- 28. INCREASING INDEPENDENCE AND STRENGTHENING OVERSIGHT OF THE CITIZENS' LAW ENFORCEMENT REVIEW BOARD
- Closed Session 29. CLOSED SESSION
- Public Communication 30. PUBLIC COMMUNICATION

1. SUBJECT: DISTRICT ATTORNEY - REQUEST TO ADOPT A RESOLUTION FOR A CONTRACT WITH THE STATE OF CALIFORNIA VICTIM COMPENSATION BOARD FOR THE FUNERAL/BURIAL AND DOMESTIC VIOLENCE RELOCATION EMERGENCY FUND (DISTRICTS: ALL)

OVERVIEW

The Victim/Witness Assistance Program provides mandatory and optional services to crime victims, which include crisis intervention, counseling, community resources and referrals, court accompaniment and orientation to the criminal justice system. The Victim Compensation Program is one component of the Victim/Witness Assistance Program. The California Victim Compensation Board (CalVCB) administers the Victim Compensation Program in part through the Funeral/Burial and Domestic Violence Relocation Emergency Fund Contract. This contract, previously approved by the Board June 20, 2017 (5), provides assistance to victims with certain emergency needs such as relocation and funeral/burial arrangements.

This is a request to adopt a resolution, as requested by CalVCB, for the Funeral/Burial and Domestic Violence Relocation Emergency Fund (FBDVR) and for the contract term of July 1, 2020 through June 30, 2023. The FBDVR contract will provide an estimated \$330,000 in annual funding over the three-year term. If approved, this request will support the District Attorney's Victim Compensation Program which serves those citizens who have been victims of crime.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grants, and Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for revenue contracts.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S FUNERAL/BURIAL AND DOMESTIC VIOLENCE RELOCATION EMERGENCY FUND AGREEMENT WITH THE CALIFORNIA VICTIM COMPENSATION BOARD.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 CAO Recommended Operational Plan for the District Attorney's Office. Receipts are deposited and held in a trust fund for the sole purpose of the agreement and are used to disburse payments to victims and their families. If approved, this request will result in program cost and revenue estimated at \$337,100 each fiscal year. The funding sources are the California Victim Compensation Board (\$330,000) and existing General Purpose Revenue for the unreimbursed administrative support costs (\$7,100). 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 Jacob, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, adopting Resolution No. 20-070 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE SAN DIEGO COUNTY DISTRICT ATTORNEY'S FUNERAL/BURIAL AND DOMESTIC VIOLENCE RELOCATION EMERGENCY FUND AGREEMENT WITH THE CALIFORNIA VICTIM COMPENSATION BOARD.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

2. **SUBJECT: SHERIFF - RATIFICATION OF APPLICATION FOR THE CALIFORNIA DEPARTMENT OF JUSTICE SEXUAL ASSAULT EVIDENCE SUBMISSION GRANT PROGRAM (DISTRICTS: ALL)**

OVERVIEW

On May 11, 2020, the California Department of Justice (CA DOJ) released the Sexual Assault Evidence Submission (SAES) Grant Program. The SAES Grant Program is a result of the Budget Act of 2019, which appropriated \$2 million to assist local jurisdictions with the impact of Senate Bill 22, which retroactively obligated the testing of all sexual assault evidence kits for DNA analysis from January 1, 2016 to present, within 120 days from the date of submission.

This is a request to ratify the submission of a grant application to the California Department of Justice (CA DOJ) for the SAES grant program for the project period July 1, 2020 through June 30, 2022. The ratification request is due to the three-week notice that crime labs received from the CA DOJ, from grant proposal solicitation to the submission of the application.

RECOMMENDATION(S)

SHERIFF

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. Ratify the Sheriff's submission of the grant application for the Sexual Assault Evidence Submission (SAES) grant program to the California Department of Justice (CA DOJ) in the amount of \$226,650 for the project period July 1, 2020 through June 30, 2022.

FISCAL IMPACT

There is no fiscal impact associated with submitting this grant application. If the grant is awarded, the Sheriff's Department will return to the Board for authorization to accept and appropriate awarded grant funds estimated to not exceed \$226,650. If awarded, the grant would recover all direct costs but will not include costs associated with administrative overhead and support. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

3. **SUBJECT: NOTICED PUBLIC HEARING:
AMENDMENT TO FISCAL YEAR 2019-20 ANNUAL PLAN;
ACCEPTANCE OF CARES ACT FUNDING FOR THE COMMUNITY
DEVELOPMENT BLOCK GRANT, EMERGENCY SOLUTIONS
GRANT AND THE HOUSING OPPORTUNITIES FOR PERSONS
WITH AIDS PROGRAM; AMENDMENT TO CITIZEN
PARTICIPATION PLAN; AND A RESOLUTION OF THE BOARD OF
SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING
THE ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS
FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT FOR THE FISCAL YEAR 2020
EMERGENCY SOLUTIONS GRANT CORONAVIRUS PROGRAM
(DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) administers four U.S. Department of Housing and Urban Development (HUD) funded “entitlement” programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and, on behalf of the City of San Diego, the Housing Opportunities for Persons with AIDS (HOPWA) program. As a recipient of HUD funding, the County is required to develop an Annual Plan that identifies specific projects to be funded through the entitlement programs during the upcoming fiscal year based on that year’s program allocations. The County also administers funding provided by the State of California through the State Emergency Solutions Grant (State ESG) program.

The Fiscal Year 2019-20 Annual Plan, which was approved by the San Diego County Board of Supervisors (Board) on April 9, 2019 (3) and that is being amended today, included specific projects and recommendations which represented a wide range of services and projects that supported community revitalization and affordable housing for low-income residents and persons with special needs. The Board also approved the FY 2020-21 Annual Plan on April 7, 2020 (2). However this funding will take effect after July 1, 2020 and does not affect HUD allocated funds for FY 2019-20.

In March 2020, the World Health Organization declared the COVID-19 outbreak a pandemic and President Trump declared a national emergency.

On March 27, 2020 Present Trump signed into law the Coronavirus Aid, Relief, and Economic Security (CARES) Act. As a result of the CARES Act funding, HUD has allocated funding to local jurisdictions for the CDBG, ESG and HOPWA FY 2019-20 Programs. HUD has added the suffix CV (representing Coronavirus) to distinguish these additional funds. The State of California will also allocate the state portion of its ESG-CV award to local jurisdictions.

Today's requested actions require a public notice, public hearing and a minimum five-day public comment period, allowing the public to view and comment on the draft Annual Plan Amendment. The public comment period began on June 18, 2020 and ends on June 23, 2020. The Annual Plan Amendment will be adjusted to reflect any appropriate revisions as a result of public testimony and final funding amounts announced by HUD.

The Board's approval today would authorize the Fiscal Year 2019-20 Annual Plan Amendment project funding and memorialize the steps taken to engage the public and stakeholders in planning, reporting and program administration. Today's actions support the County's *Live Well San Diego* vision by ensuring low-income residents have access to suitable living environments as well as to enhance the quality of life for residents by encouraging decent and affordable housing.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive public testimony and approve the proposed Fiscal Year 2019-20 Annual Plan Amendment outlining the proposed use of CARES Act Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) Program funds for submittal to HUD.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE FISCAL YEAR 2020 STATE EMERGENCY SOLUTIONS GRANT CORONAVIRUS PROGRAM.
3. Authorize the Agency Director, Health and Human Services Agency or designee, in consultation with the Department of Purchasing and Contracting, to issue Notices of Funding Availability, publish notices, award contracts and execute agreements, amend existing contracts as needed to reflect changes to services and funding, execute certification forms, prepare and execute all necessary documents for the submittal, regulatory processing and implementation, and take any other actions necessary as required by HUD for the Fiscal Year 2019-20 Annual Plan Amendment, as well as any future CARES Act supplemental funding, following the completion of environmental processing and HUD release of funds, as applicable.
4. In accordance with Section 401 et seq. of the County Administrative Code and where determined appropriate, authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for the Fiscal Year 2019-20 CARES Act CDBG, ESG, and HOPWA grant funds, including any future CARES Act supplemental funding issued by HUD, and upon successful negotiations and determination of a fair and reasonable price award contracts, and if needed to amend contracts as required to reflect changes to services and funding or services requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency, or designee.

5. Authorize the Agency Director, Health and Human Services Agency or designee to adjust the amount of funding to projects identified within the Fiscal Year 2019-20 Annual Plan Amendment, to include any supplemental CARES Act funding issued by HUD, as necessary to reflect the actual entitlement grant amounts when they are distributed by HUD.
6. Authorize the amendment of the Citizen Participation Plan to reflect the waiver of the 30-day public comment period and reduce it to five days and to reflect local grantee discretion in publishing the public notices as provided by HUD in order to mitigate effects brought upon by the COVID-19 pandemic.
7. Authorize the Agency Director, Health and Human Services Agency or designee, to apply for Fiscal Year 2020-21 State of California ESG-CV grant funds of up to \$2,100,000.
8. Authorize the Agency Director, Health and Human Services Agency or designee, in consultation with the Department of Purchasing and Contracting, to accept, if awarded, Fiscal Years 2020-21 State of California ESG-CV grant funds, and issue Notices of Funding Availability; publish notices; award contracts; execute agreements; amend existing contracts as needed to reflect changes to services and funding; execute certification forms; prepare and execute all necessary documents for the submittal, regulatory processing and program implementation; and take any other actions necessary as required by the State of California for projects funded with State of California ESG-CV program funds.

FISCAL IMPACT

Funds for this request will be included in the Fiscal Year 2020-22 CAO Recommended Operational Plan for the Health and Human Services Agency (HHS). If approved and awarded, this request will result in estimated costs and revenue of \$13,619,986 in Fiscal Year 2020-21.

The funding sources for these requests are anticipated to be \$2,100,000 in State ESG-CV and \$11,519,986 Fiscal Year 2019-20 HUD entitlements grant awards: Community Development Block Grant (CDBG) - \$2,509,524, Emergency Solutions Grant (ESG) - \$8,327,800, Housing Opportunities for Persons with AIDS (HOPWA) - \$682,662.

Upon award of the FY 2020-21 State ESG-CV funds, HHS will return to the Board to establish appropriations, if necessary. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The proposed recommendations will have a positive impact on the business community. Many of the recommended projects will be implemented by nonprofit organizations selected through competitive bid processes.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 20-071 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE FISCAL YEAR 2020 STATE EMERGENCY SOLUTIONS GRANT CORONAVIRUS PROGRAM.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

4. **SUBJECT: RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE COVID-19 PANDEMIC, AND ESTABLISH APPROPRIATIONS TO SUPPORT PROPOSED ACTIONS (DISTRICTS: ALL)**

OVERVIEW

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

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

The County continues to make significant efforts to slow the spread of COVID-19. Today's action requests the Board of Supervisors (Board) receive an update on the local COVID-19 response. It is also recommended that the Board take any other action necessary to address the COVID-19 pandemic emergency response. Additionally, if approved, today's actions would establish appropriations of \$30,000,000 for Services and Supplies to support efforts associated with the COVID-19 emergency response. Today's proposed actions support the County's *Live Well San Diego* vision by protecting the health of residents against the COVID-19 pandemic.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

3. Establish appropriations of \$30,000,000 in Health and Human Services Agency, Services and Supplies, to support efforts associated with the COVID-19 emergency response including public health and medical services, testing, surveillance, temporary housing assistance, sanitation, and food distribution services. The funding source is a combination of federal and State stimulus revenue, including CARES Act funding, and program revenues, and General Fund fund balance. (4 VOTES)
4. Take any other action necessary to address the COVID-19 pandemic emergency response.

FISCAL IMPACT

Fiscal Year 2019-20 costs of response efforts associated with the COVID-19 emergency response including public health and medical services, testing, surveillance, temporary housing assistance, sanitation, food distribution services, allocations to the 17 cities that did not receive direct CARES Act funds, child care vouchers, and other related costs are estimated to be approximately \$130 million. The funding source is a combination of federal and State stimulus revenue, including CARES Act funding, and program revenues, and General Fund fund balance.

BUSINESS IMPACT STATEMENT

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

ACTION 4.1:

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

AYES: Cox, Jacob, Gaspar, Desmond

NOES: Fletcher

ACTION 4.2:

ON MOTION of Supervisor Desmond, seconded by Supervisor Gaspar, the Board of Supervisors directed the Chief Administrative Officer to prepare a letter for the Chair's signature to the Governor of California that requests guidance on the opening of the following: wedding receptions, hotel meetings and conferences, and privately planned events, as well as reiterate in the letter that the County has previously requested guidance on additional openings for churches at full distancing capacity, theme parks, street fairs, playgrounds, and team competitions. The reopenings would be subject to the approval of the local Public Health Officer.

AYES: Cox, Jacob, Gaspar, Desmond

NOES: Fletcher

5. SUBJECT: AUTHORIZATION TO APPLY FOR AND ACCEPT FUNDING FOR THE TRANSITIONAL HOUSING PROGRAM AND ADOPT A RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF ALLOCATION AWARD UNDER THE TRANSITIONAL HOUSING PROGRAM (DISTRICTS: ALL)

OVERVIEW

According to the 2019 WeAllCount fact sheet released by the Regional Task Force on the Homeless, San Diego County is home to at least 1,552 homeless youth. The number of homeless youth has increased significantly from the 928 found in the 2018 WeAllCount Annual Report. When left without support or resources, young adults between the ages of 18 to 24 can face significant barriers to finding safe, affordable homes. As a result, many of these youth are at risk of falling into homelessness.

On June 27, 2019, Governor Newsom signed California Senate Bill (SB) 80 to help reduce homelessness among foster care youth. SB 80 provides \$8 million dollars in funding annually to county child welfare services agencies to reduce youth homelessness through the expansion of transitional housing. On February 7, 2020, the County of San Diego, Health and Human Services Agency, Child Welfare Services (CWS) was notified that it was eligible for \$480,000 of these funds. The California Department of Housing and Community Development issued an Allocation Acceptance form in March 2020 to access the funding. The current total Transitional Housing Program (THP) contract amount is \$5,743,897 which provides services and supports to approximately 650 youth to help them find safe and affordable homes and reduce their risk of falling into homelessness. The addition of the proposed total Fiscal Year 2019-20 funding allocation of \$480,000 will augment the services provided to the youth currently in the program.

Today's action requests the Board of Supervisors to accept \$480,000 for the THP in funding allocated to CWS for the anticipated funding period of Fiscal Year 2020-21. This item supports the *Live Well San Diego* vision by furthering efforts to improve outcomes for youth entering adulthood from the foster care system and avoid youth homelessness.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the application for and acceptance of \$480,000 in Transitional Housing Program funds from the California Department of Housing and Community Development, for the anticipated funding period of Fiscal Year 2020-21 to reduce youth homelessness, and authorize the Agency Director, Health and Human Services Agency, to execute all required allocation award documents, including all amendments thereto.
2. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO AUTHORIZE APPLICATION FOR AND ACCEPTANCE OF THE COUNTY ALLOCATION AWARD UNDER THE TRANSITIONAL HOUSING PROGRAM.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations in Fiscal Year 2019-20. Funds for this request will be included in the Fiscal Year 2020-21 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of \$480,000 for the Transitional Housing Program (THP) in Fiscal Year 2020-21 based on State funding for the THP. 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-072 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO AUTHORIZE APPLICATION FOR AND ACCEPTANCE OF THE COUNTY ALLOCATION AWARD UNDER THE TRANSITIONAL HOUSING PROGRAM.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

6. **SUBJECT: APPROVE THE CHILD AND FAMILY STRENGTHENING ADVISORY BOARD OF SAN DIEGO COUNTY FISCAL YEAR 2019-2020 CHILDREN'S TRUST FUND FUNDING PROPOSAL (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Board of Supervisors (Board) is committed to enhancing the County of San Diego's (County) ability to prevent and respond to child abuse and neglect. On March 26, 2019 (11), the Board of Supervisors adopted Ordinance No. 10598 (N.S.) repealing and replacing provisions in the County Administrative Code to create the Child and Family Strengthening Advisory Board (CFSAB) of San Diego County. The CFSAB absorbed the duties of the Child Abuse Prevention Coordinating Council (CAPCC), and serves as a platform for cross-sector collaboration and transparent monitoring of the San Diego County child welfare system, including oversight and planning responsibilities for the AB 2994 Children's Trust Fund (CTF) to ensure the safety and well-being of children and families.

The CTF is used to fund nonprofits or public institutions of higher learning for comprehensive, integrated, collaborative community-based responses to child abuse prevention, interventions, and treatment service needs that are not entitlement programs. Monies in the CTF come from birth certificate receipts, license plate fees, child maltreatment court restitution fines, Community-Based Child Abuse Prevention funds and grants, gifts, or bequests from private sources.

Today's item requests approval of the AB 2994 Children's Trust Fund Funding Proposal for Fiscal Year 2019-20 of \$1,050,000. This action supports the County's *Live Well San Diego* vision by coordinating and streamlining services to strengthen families and protect children at risk of abuse and neglect and by promoting programs aimed at creating healthy, safe and thriving communities.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

1. Approve the AB 2994 Children's Trust Fund Funding Proposal for Fiscal Year 2019-20.
2. Authorize the Agency Director, Health and Human Services Agency, to approve expenditures in accordance with the Fiscal Year 2019-20 Children's Trust Fund Funding Proposal.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-21 Operational Plan for the Health and Human Services Agency. If approved, this request will result in costs and revenue of \$1,050,000 in Fiscal Year 2019-20. The funding source is the AB 2994 Children's Trust Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

7. SUBJECT: AUTHORIZATION TO ACCEPT HIV/AIDS SERVICES GRANT FUNDING AGREEMENTS (DISTRICTS: ALL)

OVERVIEW

For 30 years the San Diego County Board of Supervisors (Board) has authorized grants and agreements with the U.S. Department of Health and Human Services Health Resources and Services Administration to provide a variety of care and treatment services to persons living with HIV. These funding sources include the Ryan White HIV/AIDS Treatment Extension Act of 2009 (RWTEA) Part A and the RWTEA Part A Minority AIDS Initiative (MAI). Today's action requests that the Board accept this ongoing source of grant funding.

The RWTEA Part A and RWTEA Part A MAI comprise the single largest federal funding source for HIV services received by the County of San Diego (County). The one-year grant term is March 1, 2020 through February 28, 2021. The RWTEA Part A funding is \$10,641,448, and the RWTEA Part A MAI funding is \$773,149, for a total of \$11,414,597. This funding will continue to support medical treatment, mental health treatment, substance use disorder treatment, temporary housing assistance, and other critical services for persons living with HIV.

This item supports the County's Getting to Zero initiative by funding services that help people living with HIV remain in care and achieve viral suppression. Research has demonstrated that persons who have achieved viral suppression are not able to transmit HIV to others sexually. This item also supports the *Live Well San Diego* vision by building better health through providing access to high quality HIV care and treatment services that lead to improved physical and behavioral health which promotes a healthy, safe, and thriving region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires prior approval of revenue agreement applications and full-cost recovery of grants.
2. Authorize the acceptance of \$10,641,448 and \$773,149 in grant funds from the Health Resources and Services Administration for the period of March 1, 2020 through February 28, 2021, for Ryan White Part A and Part A Minority AIDS Initiative respectively, and authorize the Clerk of the Board to execute all required grant documents, upon receipt, including any annual extensions, amendments and/or revisions thereto that do not materially impact or alter the services or funding level.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-21 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs of \$3,855,000 and revenue of \$3,804,866 in Fiscal Year 2019-20 and estimated costs of \$7,710,000 and revenue of \$7,609,731 in Fiscal Year 2020-21. The funding sources are Ryan White Part A and Part A Minority AIDS Initiative revenue from the Health Resources and Services Administration. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These costs are estimated at \$50,134 for Fiscal Year 2019-20 and \$100,269 for Fiscal Year 2020-21. The funding source for these costs will be existing Health Realignment allocated for these programs. The public benefit for providing these services far outweighs these costs. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

8. **SUBJECT: SERVICES AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Air Pollution Control District (APCD) is an independent local air pollution control district pursuant to the California Health and Safety Code. The APCD is a separate legal entity but has functioned operationally within the organizational structure of the County and has received services from County officers and employees. California Assembly Bill 423 (Gloria, 2019), amended the California Health and Safety Code to require the composition of the APCD Board to include County, City and public members as of March 1, 2021. Because of the change in the composition of the APCD Board, on March 1, 2021, the APCD will cease to be part of the County organizational structure. The County and the APCD wish to memorialize the performance and payment of services provided by the County currently and those that will be provided after March 1, 2021.

Today's proposed action would authorize the Chief Administrative Officer to execute the services agreement with the APCD.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Authorize the Chief Administrative Officer, or designee, to execute the services agreement with the San Diego Air Pollution Control District for services provided by the County of San Diego.

FISCAL IMPACT

Funds and staffing for this request will be included in the Fiscal Year 2020-21 CAO Recommended Operational Plan in the Finance and General Government Group and Air Pollution Control District. If approved, this request will result in costs and revenue of \$1,223,681 in Fiscal Year 2020-21. The costs are related to services provided by County Counsel, Auditor & Controller, Department of Human Resources, County Technology Office and other County departments to the APCD and allocated through the A-87 Cost Allocation Plan. The funding source is Air Pollution Control District Fund available prior year fund balance. There will be no change in net General Fund cost. Implementation of AB 423 also will require an estimated 5.0 additional staff years in the APCD beginning in Fiscal Year 2020-21 and will be included in future Operational Plans.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

9. **SUBJECT: NOTICED PUBLIC HEARING:
APPROVAL OF THE CONFLICT OF INTEREST CODE FOR R.E.
BADGER WATER FACILITIES FINANCING AUTHORITY
(DISTRICTS: ALL)**

OVERVIEW

The Board of Supervisors serves as the Code Reviewing Body for any local government, other than cities, with jurisdiction wholly within the County, per Government Code Section 82011. The recommended action would approve the proposed amendment of the Conflict of Interest Code submitted by the R.E. Badger Water Facilities Financing Authority.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Approve the amended Conflict of Interest Code of the R.E. Badger Water Facilities Financing Authority.

FISCAL IMPACT

The funding source for administration of this task is included in the Fiscal Year 2019-20 Adopted Budget for the Clerk of the Board of Supervisors. This review requires minor costs, which may be recoverable from the State of California.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

10. **SUBJECT: NOTICED PUBLIC HEARING:
GENERAL SERVICES - RAMONA INTERGENERATIONAL
COMMUNITY CAMPUS - ACQUISITION OF APPROXIMATELY 7.86
ACRES OF UNIMPROVED LAND (ANTHONY C. RUSSELL TRUST)
(05/19/2020 - SET HEARING; 06/23/2020 - HOLD HEARING)
(DISTRICT: 2)**

OVERVIEW

On May 19, 2020 (12), the Board of Supervisors set a Hearing for June 23, 2020.

Since October 1999, the community of Ramona has been pursuing the concept of creating a Ramona Intergenerational Community Campus (RICC) to accommodate senior housing, Family Resource Live Well Center, new Ramona Library, senior center, and other community facilities, along with connectivity of the RICC to the proposed Santa Maria Creek Greenway Park.

In 2003 and 2008, the County of San Diego (County) acquired a 6.78-acre parcel and a 0.52-acre parcel to form the RICC site, which partially fronts Main Street between 12th Street and 13th Street in Ramona. The RICC site is improved with the 21,500-square foot Ramona Library which was completed in 2011. In 2017, the Board of Supervisors (Board) approved an Exchange Agreement and Joint Escrow with the California Department of Transportation pursuant to which two additional parcels on the corner of 12th Street and Main Street are in the process of being acquired as part of a land exchange. County staff has identified approximately 7.86 acres of property adjacent to the RICC site that is available for purchase. The property is located between 12th Street and 13th Street and is identified as Assessor's Parcel Numbers 281-182-17 and 281-182-18 (Property). On February 25, 2020, the County entered into an Option Agreement, Purchase and Sale Agreement, and Joint Escrow Instructions with the Anthony C. Russell Trust for the purchase of the Property at the appraised value of \$2,100,000.

Today's request is that on May 19, 2020, the Board set a hearing for June 23, 2020, to consider the acquisition of the Property and direct the Clerk of the Board to provide public notice of the hearing. If the Board takes the recommended actions for May 19, 2020, then on June 23, 2020 after making the necessary findings, the Board is requested authorize the acquisition of the Property from the Anthony C. Russell Trust for the appraised value of \$2,100,000. The total fiscal impact of this request result in total acquisition costs of \$2,130,500 (\$2,100,000 for the acquisition of the referenced parcels and \$30,500 for escrow and title fees, staff costs to process purchase, and due diligence costs related to the proposed acquisition).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed acquisition of APNs 281-182-17 and 281-182-18 is not subject to CEQA because it does not commit the County to a definite course of action with respect to construction of any project per CEQA Guidelines sections 15352 and 15004(b)(2)(A), which allows agencies to designate a preferred site for CEQA review and enter into land acquisition agreement when the agency has conditioned the agency’s future use of the site on CEQA compliance. There are no development plans currently in place for the site, and any potential impacts would be too speculative to analyze at this point. The Board of Supervisors hereby conditions any future use of the site upon CEQA review and compliance.
2. Authorize the Director, Department of General Services to exercise the option to purchase approximately 7.86 acres of land identified as Assessor’s Parcel Numbers 281-182-17 and 281-182-18 from the Anthony C. Russell Trust for the appraised value of \$2,100,000.
3. Authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for Capital Project 1022936, Ramona Intergenerational Community Campus (RICC). If approved, this request will result in total acquisition costs of \$2,130,500 (\$2,100,000 for the acquisition of Assessor Parcel Number’s 281-182-17 and 281-182-18 and \$30,500 for escrow and title fees, staff costs to process purchase, and due diligence costs related to the proposed acquisition). The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

11. **SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA
MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF
MERCY HOUSING CALIFORNIA 88 L.P., IN AN AGGREGATE
AMOUNT NOT TO EXCEED \$50,000,000 (DISTRICT: 4)**

OVERVIEW

The County has received a request from the California Municipal Finance Authority (“CMFA” or “Authority”) to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority’s issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$50,000,000 (the “Bonds”), for the benefit of Mercy Housing

Calwest (the "Sponsor"), on behalf of Housing California 88 L.P., a California limited partnership, or another entity created by the Sponsor or an affiliate of the Sponsor (such limited partnership or other entity being referred to herein as the "Borrower"). The Borrower has applied for the financial assistance of the Authority to finance and refinance the acquisition, rehabilitation, improvement and equipping of a 223-unit multifamily rental housing facility for low-income seniors (the "Project"), to be located in the County of San Diego, at 1551 Third Avenue, San Diego, California.

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000 TO FINANCE THE ACQUISITION AND REHABILITATION OF A MULTIFAMILY RENTAL HOUSING FACILITY FOR LOW-INCOME SENIORS FOR THE BENEFIT OF MERCY HOUSING CALIFORNIA 88 L.P., AND CERTAIN OTHER MATTERS RELATING THERETO.

FISCAL IMPACT

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

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 20-073 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000 TO FINANCE THE ACQUISITION AND REHABILITATION OF A MULTIFAMILY RENTAL HOUSING FACILITY FOR LOW-INCOME SENIORS FOR THE BENEFIT OF MERCY HOUSING CALIFORNIA 88 L.P., AND CERTAIN OTHER MATTERS RELATING THERETO.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

12. SUBJECT: FOSTERING ACADEMIC SUCCESS IN EDUCATION (DISTRICT: 1)

OVERVIEW

Findings from the Midwest Evaluation of the Adult Functioning of Former Foster Youth (Midwest Study), the largest longitudinal study of young people aging out of foster care and transitioning to adulthood suggests that, on average, only 58 percent of foster youth finish high school by age 19, compared to about 87 percent of the general population. In San Diego County, 48 percent of foster youth graduate, compared to 82 percent of the general population. Not only are youth failing to graduate, the socioemotional self-sufficiency of these youth is often significantly impacted due to their experiences in the child welfare system. While all children may encounter adverse childhood experiences, youth in foster care disproportionately face complex or developmental trauma. Foster youth have endured multiple adverse childhood experiences including the abuse, neglect or abandonment that brought them into the child welfare system; being removed from their families; and repeated home and school placement changes while in the system. This increased incidence of trauma among foster youth has developmental repercussions that impact foster youth in school and as older adults.

The deficits in mental health, social skills, behavior, learning, and memory created by trauma unsurprisingly lead to poor outcomes for students in schools that do not specifically address the impact of trauma. In some cases, social skills or mental health issues may be preventing youth from making progress. Complex trauma experienced by youth in foster care make it difficult to identify exactly which factors are creating obstacles to educational achievement. Overall, studies have associated trauma with decreased reading ability, lower grade-point average, increased school absences, failing grades, decreased rates of high school graduation and behavioral problems in school. These negative behavioral factors increase the risk that youth will become involved with the juvenile justice system.

That is why I announced in my *State of the County Address* in February 2020, the launch of a new pilot called Fostering Academic Success in Education (FASE) that with today's approval, would create an infrastructure that supports collaborative, coordinated wraparound supports for youth in the child welfare system that enables them to achieve educational success in high school, post-secondary education and beyond. The pilot will proactively engage partnering agencies, schools, and community-based organizations to support youth and their families with critical health and social supports on school sites. Coordinated collaboration between all agencies involved in caring for the youth will be key to the success of this three-year pilot.

Partners will develop best practices at the conclusion of this pilot and expand the model to other schools in the district and other regions countywide.

RECOMMENDATION(S)
CHAIRMAN GREG COX

1. Authorize the Chief Administrative Officer, or designee, to execute a Memorandum of Agreement with the San Diego County Office of Education and the Sweetwater Union High School District for the Fostering Academic Success in Education (FASE) pilot program.
2. Direct the Chief Administrative Officer to report back to the Board of Supervisors quarterly on the progress of the pilot.

FISCAL IMPACT

There is no fiscal impact associated with the agreement/MOA to proactively engage partnering agencies, schools, and community-based organizations to support youth and their families with critical health and social supports on school sites. This pilot will leverage pre-existing staff positions. 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**13. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 1)**

OVERVIEW

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

RECOMMENDATION(S)
CHAIRMAN GREG COX

1. Establish appropriations of \$38,366 in the Neighborhood Reinvestment Program budget (Org 15650) based on the return of unused funds from prior year allocations, so they can be allocated to other projects. **(4 VOTES)**
2. Allocate \$5,000 from the Neighborhood Reinvestment Program budget (Org 15650) to The Otay Mesa Chamber of Commerce to fund a new Customer Relationship Management (CRM) tool for digital and remote efficiencies in reaching out to members.
3. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the Maritime Museum Association of San Diego to fund the construction of a new walkway as a safer entry to the museum.

4. Allocate \$35,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the National City Public Library to fund laptops to be loaned by the Literacy Department to individuals needing access to technology and information.
5. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the South County Economic Development Council to fund an updated online portal to serve as a one-stop shop for business retention and attraction.
6. Allocate \$7,500 from the Neighborhood Reinvestment Program budget (Org 15650) to the Players Philanthropy Fund, working with the 86 Foundation, to provide hand sanitizer and travel-size bottles for the sanitizer for seniors and low-income individuals and families during the COVID-19 pandemic.
7. Allocate \$12,060 from the Neighborhood Reinvestment Program budget (Org 15650) to Harmonium, Inc. to fund a website redesign and toward the creation of a new brochure.
8. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the Voices of Our City Choir, Inc. to fund meals and other operational expenses due to the COVID-19 pandemic.
9. Allocate \$9,382 from the Neighborhood Reinvestment Program budget (Org 15650) to the American Academy of Pediatrics, California Chapter 3 to provide books for the Reach Out and Read San Diego Program to promote childhood literacy.
10. Allocate \$24,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the San Diego County Medical Society Foundation, doing business as Champions For Health, to provide operational and strategic planning and to fund Project Access, a program offering free specialty healthcare for the uninsured or very low-income patients.
11. Allocate \$100,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the Department of Planning and Development Services (Org 49820) to prepare options to streamline the environmental review process for renewable energy projects.
12. Transfer appropriations of \$100,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to the County Department of Planning and Development Services (Org 49820), Services and Supplies, to prepare options to streamline the environmental review process for renewable energy projects.
13. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15650) to Friendships for Hope, Inc. to fund a new refrigerated truck used to transport food for families in need during the COVID-19 pandemic.
14. Amend the purpose of the 5/19/20 (13) Neighborhood Reinvestment Program allocation of \$25,000 to YMCA of San Diego County to provide supplies, materials and operational expenses to improve safety during the COVID-19 pandemic. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
15. Find that the grant awards described above each have a public purpose.

16. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment Program funds to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
17. Find that the grant identified in Recommendation No. 2 is exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.
18. Waive Board Policy B-72 to allow for allocation of Neighborhood Reinvestment Program funds to the Voices of Our City Choir, Inc. and YMCA of San Diego County to allow for the payment of operational expenses during the COVID-19 pandemic, and to allow the San Diego County Medical Society Foundation to complete strategic planning and other activities necessary to deliver healthcare to the uninsured and very low-income patients as part of Project Access.

FISCAL IMPACT

The fiscal impact of these recommendations is \$272,942. Funds for these requests are included in the Fiscal Year 2019-20 Operational Plan for the Neighborhood Reinvestment Program (Org 15650). The funding source is General Purpose Revenue. These actions will result in the addition of no staff years and no additional costs.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- 14. SUBJECT: COST SHARING AGREEMENT WITH THE CITY OF SAN DIEGO TO RE-OPEN REGIONAL LAKES AND RESERVOIRS (DISTRICTS: ALL)**

OVERVIEW

In mid-May, due to the progress being made locally with Covid-19, the City of San Diego began re-opening its lakes and reservoirs. Lake Murray, Lake Miramar and Lower Otay were the first lakes open to the public, however San Vicente, El Capitan, Hodges, Sutherland and Barrett were not opened up at that time.

Although some progress has been made, there has been a growing interest from the boating and fishing community to re-open all the region's lakes and reservoirs. Unfortunately, the cost to do so has significantly increased because of the need to implement health and safety measures to protect the public during this pandemic.

In an effort to serve the entire region, a proposal has been crafted for a one-time, six-month cost sharing agreement of the costs to implement Covid-19 related measures that are necessary to re-open all the lakes and reservoirs currently owned and operated by the City of San Diego. During the next six months, it is anticipated that the City will implement a new fee schedule so that revenue from users can sustain operations and keep the lakes open after the six-month term of the agreement.

RECOMMENDATION(S)

SUPERVISOR DIANNE JACOB AND VICE-CHAIRMAN JIM DESMOND:

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) according to Sections 15060(c)(3) and 15378(b)(4) and (5) of the State CEQA Guidelines because the actions are fiscal and organizational activities that do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, or a direct or indirect physical change in the environment.
2. Establish appropriations of \$265,000 in Finance Other Countywide General Expense, Contribution to Other Agencies, to provide funding to the City of San Diego to offset COVID-19 related costs, including staffing and increased sanitation, required to reopen lakes including El Capitan, Sutherland, Barrett, San Vicente and Hodges. **(4 VOTES)**
3. Authorize the Chief Administrative Officer or designee to negotiate a cost-sharing agreement with the City of San Diego for the reopening of its lakes and, upon successful negotiations, execute the agreement and any amendments to the agreement.

FISCAL IMPACT

Funds for this request are not included in the FY 2019-2020 Operational Plan. If approved, this request will result in costs and revenue of \$265,000. The funding source is CARES Act Coronavirus Relief Fund (CRF) funding. 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

15. **SUBJECT: NEIGHBORHOOD REINVESTMENT AND COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 5)**

OVERVIEW

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

RECOMMENDATION(S)

VICE-CHAIRMAN JIM DESMOND

1. Establish appropriations of \$5,993 in the Neighborhood Reinvestment Program budget (Org 15670) based on the return of unused funds from prior year allocations so they can be allocated to other projects. **(4 VOTES)**
2. Allocate \$6,894 from Neighborhood Reinvestment Program budget (Org 15670) to the American Academy of Pediatrics, California Chapter 3 to purchase children's books for the Reach Out & Read literacy program in District 5.
3. Allocate \$16,000 from Neighborhood Reinvestment Program budget (Org 15670) to Borrego Springs Chamber of Commerce to replace evaporative cooling systems located at 786 Palm Canyon Drive, Borrego Springs, CA 92004.
4. Allocate \$3,500 from Neighborhood Reinvestment Program budget (Org 15670) to the Foundation for Women Warriors for the one-time cost to purchase a new website to allow woman veterans to access services and resource information.
5. Allocate \$25,000 from Neighborhood Reinvestment Program budget (Org 15670) to Interfaith Community Services, Inc. for the purchase of technology infrastructure needs including a file server, print server, backup domain controller server, computers, laptop, monitor, docking station and carrying case.
6. Allocate \$4,800 from Neighborhood Reinvestment Program budget (Org 15670) to The Jewish Collaborative, San Diego to fund a park bench table combo, swing set with safety matting and folding chairs.
7. Allocate \$25,000 from Neighborhood Reinvestment Program budget (Org 15670) to the Palomar Mountain Fire Safe Council Foundation to purchase fire gel home kits, dumpsters and wood chipping equipment to provide neighborhood fire risk reduction.
8. Amend the purpose of the 6/19/19 (17) Community Enhancement Program budget (12900) allocation of \$10,000 to the Evening Optimist Club of Valley Center to include trailer equipment such as a refrigerator and freezer for event use. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
9. Amend the purpose of the 6/19/19 (17) Community Enhancement Program budget (12900) allocation of \$5,000 to the Valley Center Band Boosters to include musical instruments used by Band and Choir programs. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
10. Find that the grants have a public purpose.
11. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with these organizations establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.

12. Find that the allocations identified in Recommendation Nos. 3 and 6 are exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$81,194. Funds for this request are included in the Fiscal Year 2019-2020 Operational Plan for the Neighborhood Reinvestment Program (Org 15670). The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

16. **SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 2)**

OVERVIEW

Funding for the Neighborhood Reinvestment Program (NRP) is included in the Fiscal Year 2019-2020 Operational Plan in order to further public purposes throughout San Diego County.

RECOMMENDATION(S)

SUPERVISOR DIANNE JACOB

1. Establish appropriations of \$90,568 in the Neighborhood Reinvestment Program budget (org 15655) based on the return of unused funds from prior year allocations so they can be allocated to other projects. **(4 VOTES)**
2. Allocate \$38,042 from the District Two Neighborhood Reinvestment Program (org 15655) to the Boys & Girls Clubs of Greater San Diego for the replacement of the roof at the Sulpizio Family Branch in Poway.
3. Allocate \$50,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Julian Union High School District for the replacement of the gymnasium roof at the Julian High School campus.
4. Allocate \$173,581 from the District Two Neighborhood Reinvestment Program (org 15655) to Steele Canyon High School for the resurfacing of the track and the purchase of new visitor bleachers.
5. Find that the grant awards described above have a public purpose.

6. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment Program funds establishing terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
7. Find that the grant identified in Recommendation Nos. 2-4 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$261,623. Funds for these requests are included in the Fiscal Year 2019-2020 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). The funding source is General Purpose Revenue. These actions will result in the addition of no new staff years and no additional costs.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**17. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 3)**

OVERVIEW:

Neighborhood Reinvestment Program funding assists non-profit organizations and governmental entities in providing essential services to citizens of San Diego County. Reinvesting taxpayer money in worthwhile organizations is a benefit to the citizens and communities of San Diego County.

RECOMMENDATION(S)

SUPERVISOR KRISTIN GASPAR

1. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15660) to A Step Beyond (ASB) to develop and implement a new website to enhance the use of their website as a marketing tool, a platform where people new to their organization can learn about all they do and who they serve.
2. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Assistance League of Greater San Diego to purchase shoes, clothing, school supplies, and hygiene kits to support their Operation School Bell and Kuddles for Kids programs that assist underserved children in the community.
3. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Just In Time for Foster Youth to help fund anticipated housing needs of transition age foster youth in the County of San Diego due to the COVID-19 crisis.

4. Allocate \$21,450 from the Neighborhood Reinvestment Program budget (Org 15660) to Project Cornerstone, Inc. to purchase tools, safety glasses, safety vests, hard hats, gloves, printing of flyers, banners, and brochures to help support their high school workforce development program Building Our Future Construction Workforce.
5. Allocate \$5,000 from the Neighborhood Reinvestment Program budget (Org 15660) to San Diego Mountain Biking Association to purchase hand tools to support their volunteer trail work events countywide.
6. Allocate \$17,300 from the Neighborhood Reinvestment Program budget (Org 15660) to San Diego North Economic Development Council to fund the acquisition of their 2nd Annual North County Indicators Report that drives regional dialogue about how they can continue to make North County San Diego more prosperous and economically inclusive while continuing to protect the qualities that make North County unique and special.
7. Allocate \$20,393 from the Neighborhood Reinvestment Program budget (Org 15660) to zero8hundred, Inc. to fund the purchase of the redesign and implementation of a new website and Client Resource Management (CRM) system.
8. Establish appropriations of \$61,073 in the Neighborhood Reinvestment Program budget (Org 15660) based on the return of rescinded grants and unused portions of prior year allocations so the funds can be allocated to other projects. **(4 VOTES)**
9. Find that the grant awards described above have a public purpose.
10. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment funds establishing terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.

FISCAL IMPACT

The fiscal impact of these recommendations is \$114,143. Funds for these requests are included in the Fiscal Year 2019-20 Operational Plan for the Neighborhood Reinvestment Program (Org 15660). The funding source is General Purpose Revenue. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**18. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 4)**

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR NATHAN FLETCHER

1. Establish appropriations of \$107,701 in the Neighborhood Reinvestment Program budget (Org 15665) based on the return of unused funds from prior year allocations so they can be allocated to other projects. **(4 VOTES)**
2. Allocate \$5,218 from the Neighborhood Reinvestment Program budget (Org 15665) to Centro de Salud de la Comunidad de San Ysidro, Inc. to purchase one Colorox Total 360 Electrostatic Sprayer machine to sanitize and reduce the spread of COVID-19 at its medical clinics.
3. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15665) to the Lucky Duck Foundation to purchase food and water for distribution to unsheltered individuals experiencing homelessness within San Diego County.
4. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Mama's Kitchen to fund the purchase of refrigerators, freezers, cabinets, storage containers, and shelving to store food; and to purchase supplies such as depends, diapers, infant formula, toilet paper, toothpaste, sanitary pads, diapers, tissue paper, cleaning supplies, personal protective gear, and groceries for meal preparation, delivery, and distribution to individuals and families impacted by COVID-19 and increased staffing needs related to the crisis.
5. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Sharia's Closet to fund the purchase of gloves and masks, sanitizer and cleaners, diapers, and infant formula, as well as for operational expenses related to the distribution of clothes and supplies to underserved communities impacted by COVID-19.
6. Allocate \$82,493 from the Neighborhood Reinvestment Program budget (Org 15665) to University of San Diego to fund operational expenses and costs to support its Brink program in outreach and support to small businesses located in low and medium income neighborhoods to help them survive the economic impacts of COVID-19.
7. Amend the purpose of the 9/10/2019 (18) Neighborhood Reinvestment Program allocation of \$35,000 to the Chinese School of San Diego, to include face masks, automatic hand sanitizer dispensers, sanitizer gel, gloves, isopropyl alcohol, disinfecting wipes, interactive white boards, projectors, Acer laptops, upgraded computers and security cameras. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
8. Find that the grant awards described above have a public purpose.

9. Waive board policy B-72 to allow for allocation of Neighborhood Reinvestment Program funds to organizations listed under items 4, 5, and 6 to the extent it restricts support to non-profit corporations for personnel, office, services, and program costs.
10. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment Program funds establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grant.

FISCAL IMPACT

The fiscal impact of these recommendations is \$142,711 for the Neighborhood Reinvestment Program. Funds for these requests are included in the Fiscal Year 2019-20 Operational Plan for the Neighborhood Reinvestment Program (Org 15665). The funding source is General Purpose Revenue. These actions will not result in the addition of staff years or other costs.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

19. SUBJECT: GENERAL SERVICES - REVISED CAPITAL IMPROVEMENT NEEDS ASSESSMENT - FISCAL YEARS 2020/21-2024/25 (DISTRICTS: ALL)

OVERVIEW

On May 19, 2020, the Board of Supervisors (Board) approved the Capital Improvement Needs Assessment (CINA) for Fiscal Years 2020/21-2024/25 as recommended and directed the Chief Administrative Officer (CAO) to fund the Rock Mountain Detention Facility renovation project in Fiscal Year 2020/21. The Board also approved a motion directing the CAO to identify potential additional funding for CINA projects by the Board meeting on June 23, 2020 and requested that each Supervisor submit a prioritized list of limited projects to be included in the capital program should funding be available. The CINA has been revised to include an updated status for the Rock Mountain Detention Facility and the projects on the Supervisors' priority lists. Today's request would approve the Revised CINA Program and refer the program to the CAO to identify funding sources and develop timelines to implement individual projects.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Approve the Revised Capital Improvement Needs Assessment Program prioritizing County of San Diego capital projects for Fiscal Years 2020/21-2024/25, as filed with the Clerk of the Board, and refer it to the Chief Administrative Officer for funding and timelines for implementation of individual projects.

FISCAL IMPACT

There is no fiscal impact associated with approval of the Revised Capital Improvement Needs Assessment. Funding for individual projects would be approved in the Operational Plan or through standalone Board of Supervisors action.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, directing the Chief Administrative Officer to refer to budget \$12.5 million dollars for the Lakeside Equestrian Center and \$4.2 million dollars for the Julian Library Community Room.

AYES: Cox, Jacob, Gaspar, Fletcher

NOES: Desmond

20. SUBJECT: SOUTHWESTERN COMMUNITY COLLEGE DISTRICT GENERAL OBLIGATION BONDS (ELECTION OF 2008, SERIES 2020E AND ELECTION OF 2016, SERIES 2020B) (DISTRICT: 1)

OVERVIEW

On November 4, 2008, a bond election was held in the Southwestern Community College School District, County of San Diego, State of California ("District") at which the requisite 55% or more of the persons voting on the ballot measure ("Proposition R Authorization") voted to authorize the issuance and sale of \$389,000,000 principal amount of general obligation bonds of the District. Since the passage of Proposition R Authorization, the District issued and sold four series of bonds under the Proposition R Authorization in an aggregate principal amount of \$290,379,702. To date, approximately \$98,620,298 is remaining under Proposition R Authorization.

On November 8, 2016, a bond election was held in the Southwestern Community College School District, County of San Diego, State of California ("District") at which the requisite 55% or more of the persons voting on the ballot measure ("Proposition Z Authorization") voted to authorize the issuance and sale of \$400,000,000 principal amount of general obligation bonds of the District.

Since the passage of Proposition Z Authorization, the District issued and sold one series of bonds under the Proposition Z Authorization in an aggregate principal amount of \$140,000,000. To date, approximately \$260,000,000 is remaining under Proposition Z Authorization.

On June 9, 2020, the District authorized the issuance of the fifth series of bonds under Proposition R Authorization in an aggregate principal amount not to exceed \$55,000,000 to be designated as "Southwestern Community College District (San Diego County, California) General Obligation Bonds, Election of 2008, Series 2020E" ("Series 2020E GO Bonds") and the issuance of the second series of bonds under Proposition Z Authorization in an aggregate principal amount not to exceed \$110,000,000 to be designated as "Southwestern Community College District (San Diego County, California) General Obligation Bonds, Election of 2016, Series 2020B" ("Series 2020B GO Bonds").

Today's recommendation will request adoption of a resolution for issuance of the Series 2020E and Series 2020B GO Bonds. The resolution includes: authorizing the District to issue and sell Series 2020E and 2020B GO bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent, executing a Paying Agent and Investment Management Agreement and directing the Auditor and Controller to maintain the tax roll for the Series 2020E and 2020B GO Bonds.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt a Resolution Entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE SOUTHWESTERN COMMUNITY COLLEGE DISTRICT TO ISSUE AND SELL BONDS, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

FISCAL IMPACT

The Series 2020E and 2020B GO Bonds will be general obligations of the District to be paid from ad valorem property taxes levied within its boundaries, and do not constitute an obligation of the County.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-074 entitled: **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE SOUTHWESTERN COMMUNITY COLLEGE DISTRICT TO ISSUE AND SELL BONDS, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.**

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- 21. SUBJECT: SOUTHWESTERN COMMUNITY COLLEGE DISTRICT 2020 GENERAL OBLIGATION REFUNDING BONDS (DISTRICT: 1)**

OVERVIEW

A bond election was held in the Southwestern Community College District, County of San Diego, State of California ("District") on November 4, 2008. At this election, more than 55% of the qualified electors of the District voted for the issuance and sale of general obligation bonds of the District for various purposes in the maximum principal amount of

\$389,000,000 (“Proposition R Authorization”). Under Proposition R Authorization, the District has issued four series of bonds (Series A-D) for a total of \$290,379,702 leaving approximately \$98,620,298 available.

On June 16, 2011, the District issued its Southwestern Community College District General Obligation Bonds, Election of 2008, Series C in an aggregate principal amount of \$68,730,371.35 (“Series C Bonds”).

On June 9, 2020, the District Board adopted a resolution to authorize the issuance and sale of a series of General Obligations Refunding Bonds (“Southwestern Community College District 2020 General Obligation Refunding Bonds”) in an aggregate principal amount not to exceed \$60,000,000 to refund all or a portion of the Series C Bonds.

Today’s recommendation will authorize the Treasurer-Tax Collector to enter into a Paying Agent Agreement with the District and to formally direct the Auditor and Controller to maintain the tax roll for the Southwestern Community College District 2020 General Obligation Refunding Bonds (“Refunding Bonds”).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT RELATING TO 2020 GENERAL OBLIGATION REFUNDING BONDS OF THE SOUTHWESTERN COMMUNITY COLLEGE DISTRICT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

FISCAL IMPACT

The Refunding Bonds will be general obligations of the District to be paid from ad valorem property taxes levied within the boundaries of the Southwestern Community College District, and do not constitute an obligation of the County.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-075 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT RELATING TO 2020 GENERAL OBLIGATION REFUNDING BONDS OF THE SOUTHWESTERN COMMUNITY COLLEGE DISTRICT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

22. SUBJECT: SERVICES AGREEMENT BETWEEN THE LOCAL AGENCY FORMATION COMMISSION AND THE COUNTY OF SAN DIEGO (DISTRICTS: ALL)

OVERVIEW

The San Diego Local Agency Formation Commission (LAFCO) is a political subdivision of the State of California that is delegated regulatory and planning powers to coordinate and oversee the establishment, expansion, and organization of cities, towns, and special districts, as well as their municipal service areas. The County of San Diego ("County") provides various services to LAFCO to assist them in their work, and both entities would like to memorialize these services in an agreement. LAFCO approved the services agreement at its meeting on June 1, 2020. Today's proposed action would authorize the Chief Administrative Officer to execute the services agreement with the LAFCO.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Authorize the Chief Administrative Officer, or designee, to execute the services agreement with the Local Agency Formation Commission (LAFCO) for services the County of San Diego currently provides to LAFCO.

FISCAL IMPACT

Funds for this request will be included in the Fiscal Year 2020-21 CAO Recommended Operational Plan in various County departments. If approved, this request will result in costs and revenue of approximately \$320,106 in Fiscal Year 2020-21. Costs are related to services provided by various County departments to LAFCO as memorialized in the services agreement between Local Agency Formation Commission and the County. The funding source is cost recovery revenue via direct billing from LAFCO as a result of executed agreement for services rendered by the County. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**23. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
AMENDMENTS TO THE COMPENSATION ORDINANCE AND
ADMINISTRATIVE CODE (6/2/2020 - FIRST READING;
6/23/2020 - SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

On June 2, 2020 (18), the Board of Supervisors introduced the Ordinances for further Board consideration and adoption on June 23, 2020.

The proposed amendments to the San Diego County Compensation Ordinance are part of the ongoing efforts to manage and maintain a skilled, adaptable and diverse workforce dedicated to sustaining operational excellence and serving the public. This action amends the Compensation Ordinance by amending one (1) section of the Compensation Ordinance.

Today's recommendations also amend Section 492 of the Administrative Code.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinances entitled:
AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND
ESTABLISHING COMPENSATION.

AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE, SECTION 492.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10673 (N.S.) entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION; and, Ordinance No. 10674 (N.S.) entitled: AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE, SECTION 492.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

24. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW

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

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

Note and file.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

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

OVERVIEW

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

RECOMMENDATION(S)

CHAIRMAN GREG COX

Appoint Daphyne Watson to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 17, for a term to expire on January 4, 2021.

Appoint Enrique Morones to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 18, for a term to expire on January 4, 2021.

Appoint Ryan Joseph Garcia to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 19, for a term to expire on January 4, 2021.

VICE-CHAIRMAN JIM DESMOND

Appoint Jeniene Domercq to the FALLBROOK COMMUNITY PLANNING GROUP, Seat No. 2, for a term to expire January 2, 2023.

Appoint Gwen Sanders to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 29, for a term to expire January 2, 2023.

Appoint Eleanor Evans to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 30, for a term to expire January 2, 2023.

Appoint Angel Ortiz Salazar to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 31, for a term to expire January 2, 2023.

Appoint Frank Creede to the SANTA FE IRRIGATION DISTRICT, Seat No. 1, for a term to expire December 4, 2020.

SUPERVISOR DIANNE JACOB

Appoint Kenya Taylor to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 20, for a term to expire on January 4, 2021.

Appoint Vincent Kattoula to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 21, for a term to expire on January 4, 2021.

Appoint Austin Jones to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 22, for a term to expire on January 4, 2021.

SUPERVISOR KRISTIN GASPAR

Appoint Regina Roberts to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 23, for a term to expire on January 4, 2021.

Appoint Shane Harris to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 24, for a term to expire January 4, 2021.

SUPERVISOR NATHAN FLETCHER

Appoint Carlos McCray to the ENVIRONMENTAL HEALTH ADVISORY BOARD, SAN DIEGO COUNTY, Seat No. 4, for a term to begin July 1, 2020 and expire July 1, 2023.

Appoint Nicole Murray-Ramirez to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 26, for a term to expire January 2, 2023.

Appoint Mohamed Taha Hassane to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 27, for a term to expire January 2, 2023.

Appoint Warsan Artan to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 28, for a term to expire January 2, 2023.

CHIEF ADMINISTRATIVE OFFICER

Appoint Bonnie Kenk to the CITIZENS' LAW ENFORCEMENT REVIEW BOARD (CLERB), Seat No. 2, for a term to begin July 1, 2020 and expire June 30, 2023.

Appoint Edward Collins to the CITIZENS' LAW ENFORCEMENT REVIEW BOARD (CLERB), Seat No. 3, for a term to begin July 1, 2020 and expire June 30, 2023.

Re-appoint Tim Ware to the CITIZENS' LAW ENFORCEMENT REVIEW BOARD (CLERB), Seat No. 4, for a term to begin July 1, 2020 and expire June 30, 2023.

Appoint F. Javier Salaiz to the CITIZENS' LAW ENFORCEMENT REVIEW BOARD (CLERB), Seat No. 5, for a term to begin July 1, 2020 and expire June 30, 2023.

Appoint Mikie Lochner to the HIV PLANNING GROUP, COUNTY OF SAN DIEGO, Seat No. 4, for a term to expire June 23, 2024.

Appoint Aaron M. Heier to the HIV PLANNING GROUP, COUNTY OF SAN DIEGO, Seat No. 26, for a term to expire June 23, 2024.

Appoint Kate Clark to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 3, for an indefinite term.

Appoint Caroline Dessert to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 4, for an indefinite term.

Appoint Rashid Essa to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 5, for an indefinite term.

Appoint Angela Elliott Santos to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 7, for an indefinite term.

Appoint Ellen Nash to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 8, for an indefinite term.

Appoint Samuel Tsoi to the HUMAN RELATIONS COMMISSION, LEON L. WILLIAMS SAN DIEGO COUNTY, Seat No. 9, for an indefinite term.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

26. **SUBJECT: A BETTER WAY TO RESPOND TO BEHAVIORAL HEALTH CRISES: COUNTYWIDE MOBILE CRISIS RESPONSE TEAMS (DISTRICTS: ALL)**

OVERVIEW

People with untreated mental illness are 16 times more likely to be killed during a police encounter than other civilians approached or stopped by law enforcement. This is further complicated for racial/ethnic, gender, and sexual minorities who often suffer from poor mental health outcomes due to multiple factors including inaccessibility of high quality mental health care services, cultural stigma surrounding mental health care, discrimination, and overall lack of awareness about mental health as cited by the American Psychiatric Association.

In 2018, throughout San Diego County, law enforcement responded to over 54,000 mental health related calls, which represents almost 150 calls a day throughout our region. In the last fiscal year, Psychiatric Emergency Response Teams responded to over 10,000 calls with about half of those resulting in transport to jail or the hospital.

According to a 2016 report by the U.S. Department of Justice, Black people with mental health conditions, particularly schizophrenia, bipolar disorders, and other psychoses are more likely to be incarcerated than people of other races.

Communities are demanding change and the time for action is now. Law enforcement is not the appropriate response to someone experiencing a mental health or substance use crises; instead, trained clinical professionals should be the ones to provide in-person assistance. To protect vulnerable San Diegans and to better respond to those in need, we must establish an alternative to dispatching law enforcement when an individual is having a behavioral health or substance use crisis.

I urge your support for fully funding an expedited rollout out of countywide Mobile Crisis Response Teams (MCRT) comprised of a trained clinician and peer support specialist that can be deployed through a community helpline or be mobilized by 9-1-1 dispatch.

RECOMMENDATION(S)

SUPERVISOR NATHAN FLETCHER

1. Direct the Chief Administrative Officer (CAO) to take all necessary steps to accelerate the creation and implementation of a phased in non-law enforcement Mobile Crisis Response Teams to respond to non-violent incidents countywide involving people with behavioral health crises.
2. Direct the CAO to partner with local law enforcement including the Sheriff and city police chiefs to develop protocols and training for 9-1-1 Emergency Services Dispatchers as well as patrol officers to guide decision making about when and how to transfer a non-violent behavioral health crisis 911 call or related encounter to Mobile Crisis Response Team.
3. Direct the CAO to create a helpline for the community to report non-violent behavioral health crises and community outreach campaign to educate the community on "When It's Appropriate to Call" non-law enforcement Mobile Crisis Response Team.
4. Direct CAO to recommend changes to the budget to fully support and execute a phased-in implementation of Mobile Crisis Response Teams countywide, and a community outreach campaign, including additional staff support to expedite implementation, and refer these changes to budget for consideration during the Fiscal Year 2020-21 budget deliberations and adoption.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2020-2021 Interim Operational Plan for the Health and Human Services Agency. If approved, Fiscal Year 2020-21 costs and funding required to implement phased-in Countywide Mobile Crisis Response Teams is not known at this time and will be referred to budget for consideration during the Fiscal Year 2020-21 budget deliberations and adoption. It is assumed that it will take more than 12 months to implement Mobile Crisis Response Teams countywide. When the program is operating at full capacity, the annual cost is estimated to be \$10,000,000.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Directing the Chief Administrative Officer to include the District Attorney in the development of the program; ON MOTION of Supervisor Fletcher, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

27. SUBJECT: FIGHTING FOR COMMUNITIES OF COLOR: ESTABLISHING AN OFFICE OF EQUITY AND RACIAL JUSTICE (DISTRICTS: ALL)

OVERVIEW

Recent events in America have sparked difficult and much-needed conversations surrounding race and racism. Many of us were forced to look introspectively and face challenging realities about our own biases. White people in America have unearned privileges that people of color in our nation do not. These privileges present themselves in situations where race becomes a determining factor in access to opportunity and the ability to have access to life, liberty and the pursuit of happiness.

Addressing these disparities through the lens racial of justice ensures we can begin to change inequities systematically. Racial inequities are prevalent in all communities--in some more than others--that is why a "one size fits all approach" is wrong.

There are clear differences between equity and equality. Equality is giving every person that "one size fits all approach" when they may need more resources, services or access. Equity is analyzing and evaluating the situation, community or individuals and coming up with an approach that will address their most urgent needs in a manner that allows them to be able to have resources, services or access without additional societal barriers put in front of them. We need to address this.

Establishing an Office of Equity and Racial Justice cannot solve all societal problems nor all of the disparities that exist our nation, but it can include people in County government and use their voices to help shape policy and inform budget processes. As we continue to plan our response to, and recovery from, COVID-19, we need to work with all residents in our region to ensure that our County is responding to each community appropriately and addressing their needs. Our County can and should collaborate and work with organizations and agencies to engage with trusted community organizations to ensure that we can work to establish more equitable programs, services and accessible resources to all.

I am asking for your support in directing the Chief Administrative Officer to establish an Office of Equity and Racial Justice, identify funding and staff resources to include in the upcoming budget and report back to the Board within 90 days on the structure, scope, roles and responsibilities of the newly established office, including, but not limited to, priorities and budget-making process, manage oversight of Human Relations Commission, collaborate with county departments and the community to streamline and enhance restorative justice practices. It is my belief that if we stay focused on these objectives, we can chip away at existing inequities in our region

RECOMMENDATION(S)

SUPERVISOR NATHAN FLETCHER

1. Direct the Chief Administrative Officer to recommend changes to the budget to establish an Office of Equity and Racial Justice including three full-time employee positions: a Director of the Office of Equity and Racial Justice, two community representatives, and additional staff support, and refer these changes to budget for consideration during the Fiscal Year 2020-21 budget deliberations and adoption.

2. Direct the Chief Administrative Officer to return to the Board within 90 days and report back on the overall scope, roles and responsibilities of the Office of Equity and Racial Justice, including, but not limited to:
 - A. Engaging underserved communities and including them in setting County department priorities and budget-making process;

 - B. Administering the duties and responsibilities of the Human Relations Commission by providing staff support and facilitation of related meetings, activities, and membership;

 - C. Ensuring the involvement and participation of people of color in the contract source selection process;

 - D. Collaborating with County departments that administer restorative justice programs to report mutual activities, align best practices, identify barriers and gaps to ensure robust restorative practices throughout our region. And work alongside other jurisdictions in the region that have similar entities to ensure cohesion and avoid duplication of efforts;

 - E. Identifying state and federal grant opportunities to support the expansion of community-based restorative justice programs and activities, and in addition, set aside County funds for this purpose; and

 - F. Creating an outreach and engagement strategy targeting communities of color to ensure equitable application of County COVID-19 recovery efforts and include updates during other COVID-19 reports to the Board.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2020-21 Interim Operational Plan. If approved, Fiscal Year 2020-21 costs and funding required to staff and maintain the functions of the new Office of Equity and Racial Justice are estimated to be \$1.1 million and will be referred to budget for consideration during the Fiscal Year 2020-21 budget deliberations and adoption.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

A motion was made by Supervisor Fletcher, seconded by Supervisor Jacob, to adopt the recommendations.

A substitute motion was introduced.

ON MOTION of Supervisor Cox, seconded by Supervisor Desmond, the Board of Supervisors established the Office of Equity and Racial Justice, directed the Chief Administrative Officer to refer the formation of the San Diego County Office of Equity and Racial Justice to the Leon L. Williams Human Relations Commission to develop a mission statement for the Office, directed the Chief Administrative Officer to work with a consultant to assist with the development of the mission statement and seek community input, and requested the Chief Administrative Officer to report back to the Board on September 15, 2020, with a progress update and recommendations for staffing the Office.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**28. SUBJECT: INCREASING INDEPENDENCE AND STRENGTHENING
OVERSIGHT OF THE CITIZENS' LAW ENFORCEMENT REVIEW
BOARD (DISTRICTS: ALL)**

OVERVIEW

On May 25, 2020, George Floyd's name was added to the long list of Black Americans who have been unjustly killed by law enforcement. George Floyd's death has sparked a movement. A movement to raise the voices of Black Americans and reform policies that disproportionately target Black communities. Justice cannot wait.

Ensuring the independence and expanded authority of civilian law enforcement oversight groups is critical to advancing the course of just and equitable policies. Holding law enforcement accountable provides us with a clear path to prevent future unnecessary deaths and injustices.

San Diego County voters established the Citizens' Law Enforcement Review Board (CLERB) in 1990 to provide independent investigation and oversight of the Sheriff and Probation Departments. CLERB is composed of eleven volunteer board members nominated by the County's Chief Administrative Officer and appointed by the Board of Supervisors. In addition to the volunteer board members, five County employees support CLERB: an executive officer, three investigators and an administrative professional. CLERB has the power to subpoena witnesses and evidence for use in its investigations and employs its own independent investigators. CLERB provides an annual report, which summarizes the cases investigated, the policy recommendations made and tracking of the types of complaints received.

The County Charter directs CLERB to receive, review and investigate a wide variety of complaints regarding the conduct of peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department. CLERB is only authorized to review these actions if there has been a complaint submitted by a member of the public. CLERB also has the authority to review all deaths that occur in custody or in connection with the actions of peace officers or custodial officers employed by the County Sheriff's

Department or the Probation Department, regardless of whether a complaint has been filed. The Board of Supervisors may direct CLERB to undertake additional duties, by ordinance. CLERB has had its challenges in recent years. In 2017, 22 death cases were summarily dismissed because the investigations were not completed within the one-year limit on the review (outlined in Cal. Gov. Code § 3304). Over the years, CLERB has been chronically understaffed and subject to budget reductions.

In recent years, there has been a renewed emphasis on supporting and reforming CLERB and staffing has increased from one investigator to the current three investigators. According to the 2018 CLERB Annual Report, no cases were dismissed as a result of the expiration of the one-year time limitation on investigations.

CLERB serves an important role and improvement in three areas would make CLERB an even more valuable asset and a more effective body. I am proposing measures that would strengthen CLERB by ensuring its independence, increasing its oversight and expanding its authority.

I am asking that our Board direct the Chief Administrative Officer to initiate the required process for approval in order to: reassign CLERB functions to the Finance and General Government Group; request a revised nomination and selection process from CLERB to better incorporate community input and provide transparency; recommend changes to the budget for CLERB to ensure efforts are adequately supported; and return to this Board with an ordinance amendment that would give CLERB the authority to investigate incidents involving the use of a weapon, use of force causing great bodily injury, and use of force at First Amendment protests, without the need for a citizen complaint. Additionally, I am asking our Board to direct the CLERB Executive Officer to make an annual presentation to this body to summarize the activities from the year and present policy recommendations with context and explanations.

I urge your support for these proposals.

RECOMMENDATION(S)
SUPERVISOR NATHAN FLETCHER

1. Direct the Chief Administrative Officer to reassign CLERB functions and staff positions from the Public Safety Group of the County of San Diego to the Finance and General Government Group, effective July 1, 2020.
2. Direct the Chief Administrative Officer to request from CLERB a revised nomination and selection process that is more transparent to the public and incorporates community input as a part of the nomination and selection process.
3. Direct the Chief Administrative Officer to evaluate CLERB workload and responsibilities and, as appropriate, recommend changes to the budget for staffing, services and supplies to ensure the successful implementation of the recommendations in this board letter and the timely completion of all CLERB investigations, including those that are subject to the one-year timeline required by State law, and refer these changes to budget for consideration during the Fiscal Year 2020-21 budget deliberations and adoption.
4. Direct CLERB's Executive Officer to present CLERB's annual report to the Board of Supervisors within 60 days of CLERB's adoption of the yearly report.

5. Direct the Chief Administrative Officer to return to the Board within 60 days after the required process for approval with an ordinance amending Sec. 340.9 of the Code of Administrative Ordinances to reflect additions to CLERB's oversight role, including the following:
 - a. Authority to investigate any incidents involving the discharge of a weapon by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department;
 - b. Authority to investigate the use of force by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department resulting in great bodily injury.
 - c. Authority to investigate the use of force by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department at protests or other events protected by the First Amendment;
 - d. Removal of the requirement that a complaint must be filed for CLERB to invoke jurisdiction over non-death investigations.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2020-21 Interim Operational Plan for the Public Safety Group. If approved, recommendation 1 will transfer existing appropriations and related staffing from the Public Safety Group to the Finance and General Government Group and will result in no additional costs or revenues, and no staffing increases.

Fiscal Year 2020-21 costs and funding required to implement recommendation 3 are not known at this time and will be referred to budget for consideration during the Fiscal Year 2020-21 budget deliberations and adoption.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended adopting the following:

1. Directed the Chief Administrative Officer to reassign CLERB functions and staff positions from the Public Safety Group of the County of San Diego to the Finance and General Government Group, effective July 1, 2020.
2. Directed the Chief Administrative Officer to request from CLERB a revised nomination and selection process that is more transparent to the public and incorporates community input as a part of the nomination and selection process.

3. Directed the Chief Administrative Officer to evaluate CLERB workload and responsibilities and, as appropriate, recommend changes to the budget for staffing, services and supplies to ensure the successful implementation of the recommendations in this board letter and the timely completion of all CLERB investigations, including those that are subject to the one-year timeline required by State law, and refer these changes to budget for consideration during the Fiscal Year 2020-21 budget deliberations and adoption.
4. Directed CLERB's Executive Officer to present CLERB's annual report to the Board of Supervisors within 60 days of CLERB's adoption of the yearly report.
5. Directed the Chief Administrative Officer to return to the Board within 60 days after the required process for approval with an ordinance amending Sec. 340.9 of the Code of Administrative Ordinances to reflect additions to CLERB's oversight role, including the following:
 - a. Authority to investigate any incidents involving the discharge of a firearm by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department;
 - b. Authority to investigate the use of force by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department resulting in great bodily injury.
 - c. Authority to investigate the use of force by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department at protests or other events protected by the First Amendment.

AYES: Jacob, Gaspar, Fletcher, Desmond
 ABSENT: Cox

29. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
 (Paragraph (1) of subdivision (d) of Section 54956.9)
 County of San Diego v. Kirstjen Nielsen, et al.; United States District Court, Southern District, No. 19-cv-00631-L-AHG
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
 (Paragraph (1) of subdivision (d) of Section 54956.9)
 State of CA Dept. of Finance, et al. v. Commission on State Mandates, et al.; Sacramento County Superior Court No. 34-2010-80000604-CU-WM-GDS
- C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
 Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)

ACTION:

County Counsel reported that for Closed Session on Tuesday, June 23, 2020, the Board of Supervisors took the following actions:

Item 29A: County of San Diego v. Kirstjen Nielsen, et. al, with four Board members voting “AYE”, and Chairman Cox absent, directed County Counsel not to appeal the district court’s decision dismissing the County’s lawsuit challenging the federal government’s decision to terminate its safe release practice for asylum seekers.

Item 29B: State of California Department of Finance et. al. v. Commission on State Mandates, et. al., with four Board members voting “AYE”, and Chairman Cox absent, authorized County Counsel to appeal the trial court’s decision finding that two of the activities required by the 2007 stormwater permit are not reimbursable state mandates.

30. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Due to the COVID-19 emergency, public comments on non-agenda items were received electronically and read into the record. The following individuals submitted comments:

Christopher Garrett spoke to the Board requesting an audit of the County’s Planning and Development Services Department.

Mark Dillon submitted a comment responding to a letter from Golden Door Properties, LLC and its law firm, Latham & Watkins LLP.

Barbara Gordon and Helen McCormick submitted comments to the Board regarding flavored tobacco products.

ACTION:

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 4:40 p.m. in memory of Don Parent.

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

Consent: Caro
Discussion: Zurita

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

Approved by the Board of Supervisors, on Tuesday, July 7, 2020.



GREG COX
Chairman

Attest:



ANDREW POTTER
Clerk of the Board

06/23/2020