

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, JUNE 28, 2022, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

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

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

(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, pursuant to Resolution No. 22-072, adopted June 14, 2022.)

- B. Invocation was led by Dr. Saad Eldegwy, Imam of the Islamic Center of San Diego, East County Campus.

- C. Pledge of Allegiance was led by Mirlette Montes-Martinez, 3rd Grader, McMillan Elementary School.

- D. Presentations or Announcement of Proclamations and Awards:

Chair Nathan Fletcher presented a proclamation declaring June 28, 2022, to be Dr. Toluwalase Ajayi Day throughout the County of San Diego.

Chair Nathan Fletcher and Vice-Chair Nora Vargas presented a proclamation declaring June 28, 2022, to be Office of Military & Veterans Affairs Day throughout the County of San Diego.

Supervisor Joel Anderson presented a proclamation declaring June 28, 2022, to be Judge Joseph P. Brannigan Day throughout the County of San Diego.

Supervisor Jim Desmond presented a proclamation declaring June 28, 2022, to be North County African American Women's Association Day throughout the County of San Diego.

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

- F. Approval of the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of June 14, 2022; and, Budget Hearings of June 13, 2022 and June 16, 2022.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of June 14, 2022; and, Budget Hearings of June 13, 2022 and June 16, 2022.

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

G. Consent Calendar

H. Discussion Items

I. Board Member Committee Updates. This is an opportunity for Members of the Board to provide informational updates on their committee assignments. No action may be taken.

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

Board of Supervisors' Agenda Items

Category	#	Subject
Public Safety	1.	SHERIFF - ACCEPTANCE OF DONATION TO THE SHERIFF'S POWAY STATION FOR THE SENIOR VOLUNTEER PATROL PROGRAM [FUNDING SOURCE: DONATION FROM THE CITY OF POWAY]
Health and Human Services	2.	AUTHORIZE ACCEPTANCE OF TITLE V MATERNAL AND CHILD HEALTH BLOCK GRANT ALLOCATION [FUNDING SOURCES: TITLE V MATERNAL AND CHILD HEALTH SERVICES BLOCK GRANT AND BLACK INFANT HEALTH STATE GENERAL FUND ALLOCATIONS; REALIGNMENT]
	3.	AUTHORIZATION TO ACCEPT TUBERCULOSIS CONTROL AND TREATMENT AND REFUGEE HEALTH ASSESSMENT SERVICES FUNDING, AUTHORIZATION TO APPLY FOR ADDITIONAL TUBERCULOSIS TREATMENT AND CONTROL AND REFUGEE HEALTH ASSESSMENT SERVICES FUNDING OPPORTUNITIES [FUNDING SOURCES: FEDERAL GRANT FUNDS FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND STATE GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH; REALIGNMENT]

4. AUTHORIZATION TO ACCEPT COMMUNITY CARE EXPANSION PRESERVATION PROGRAM: OPERATING SUBSIDY PAYMENT AND CAPITAL PROJECTS FUNDS AND SUBMIT IMPLEMENTATION PLANS TO THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES [FUNDING SOURCES: STATE GENERAL FUND AND STATE FISCAL RECOVERY FUNDS ESTABLISHED BY THE AMERICAN RESCUE PLAN ACT; REALIGNMENT]

5. AUTHORIZE COMPETITIVE SOLICITATIONS, APPROVAL OF THE COMMUNITY INVESTMENT AGREEMENT WITH BLUE SHIELD OF CALIFORNIA PROMISE HEALTH PLAN, AND AMENDMENT TO EXTEND AN EXISTING BEHAVIORAL HEALTH SERVICES CONTRACT [FUNDING SOURCES: MENTAL HEALTH SERVICES ACT (MHSA), SHORT-DOYLE MEDI-CAL (SDMC), CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CALWORKS), DRUG MEDI-CAL (DMC), PROJECT FOR ASSISTANCE IN TRANSITION FROM HOMELESSNESS (PATH), SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA), BLUE SHIELD OF CALIFORNIA PROMISE HEALTH PLAN, AND REALIGNMENT; MHSA, SDMC, SHORT-DOYLE MEDI-CAL, CALWORKS, DMC, PATH, AND SAMHSA, AND REALIGNMENT; MHSA, SDMC, AND REALIGNMENT; ONE-TIME FUNDING FROM BLUE SHIELD OF CALIFORNIA PROMISE HEALTH PLAN; REALIGNMENT]

6. RECEIVE SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFY ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE SAN DIEGO COUNTY LIBRARY; ACCEPT GRANT AWARDS AND ESTABLISH APPROPRIATIONS [FUNDING SOURCES: TWO GRANTS FROM THE CALIFORNIA STATE LIBRARY AND A CASH MATCH AND IN-KIND COST FROM THE AVAILABLE PRIOR YEAR COUNTY LIBRARY FUND FUND BALANCE]
(4 VOTES)

7. RESOLUTION AMENDING THE BOARD OF SUPERVISORS JULY 2022 REGULAR MEETING CALENDAR

8. COMMUNITY ENHANCEMENT PROGRAM AND NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 4) [FUNDING SOURCES: GENERAL PURPOSE REVENUE AND THE AMERICAN RESCUE PLAN ACT]

Land Use and Environment

Financial and General Government

9. COMMUNITY ENHANCEMENT & NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 5)
[FUNDING SOURCES: AMERICAN RESCUE PLAN ACT, TRANSIENT OCCUPANCY TAX REVENUES AND GENERAL PURPOSE REVENUE]
10. NEIGHBORHOOD REINVESTMENT PROGRAM GRANT (DISTRICT: 1)
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
11. NEIGHBORHOOD REINVESTMENT AND COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 3)
[FUNDING SOURCES: GENERAL PURPOSE REVENUE]
12. COUNTY TECHNOLOGY OFFICE AND ASSESSOR/RECORDER/COUNTY CLERK - APPOINTMENT OF SUSAN GREEN AND CAROL MULLAN TO RETIREE REHIRE POSITIONS
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
13. APPROVAL OF THE CONFLICT-OF-INTEREST CODE FOR THE PUBLIC AGENCIES SELF-INSURANCE SYSTEM
14. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AMENDMENTS TO THE COMPENSATION ORDINANCE AND ADMINISTRATIVE CODE RELATING TO THE RATIFIED TENTATIVE AGREEMENTS FOR EMPLOYEE BARGAINING UNITS - AE, CL, FS, HS, MM, PR, PS, RN, SS, AND SW REPRESENTED BY SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221 (SEIU), CM AND CR REPRESENTED BY THE ASSOCIATION OF SAN DIEGO COUNTY EMPLOYEES (ASDCE), AM, AS AND DA REPRESENTED BY THE DEPUTY DISTRICT ATTORNEYS ASSOCIATION (DDAA), PD AND PM REPRESENTED BY THE PUBLIC DEFENDER ASSOCIATION OF SAN DIEGO COUNTY (PDA), CC AND CS REPRESENTED BY THE SAN DIEGO DEPUTY COUNTY COUNSELS ASSOCIATION (SDDCCA) AND FOR SPECIFIED UNREPRESENTED EMPLOYEES -CE, CEM, EM, MA, NA, NE, NM, NR, NRT, NS AND UM (6/14/2022 - First Reading; 6/28/2022 - Second Reading)
15. AUTHORIZE CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS

16. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ADOPT AN ORDINANCE CREATING A SAN DIEGO COUNTY ARTS
AND CULTURE COMMISSION AND IMPLEMENTING
RECOMMENDATIONS TO EXPAND ARTS AND CULTURE IN SAN
DIEGO COUNTY
- Appointments 17. APPOINTMENTS: VARIOUS
- Communications Received 18. COMMUNICATIONS RECEIVED
- Public Safety 19. RECOMMENDATIONS TO ENHANCE HUMAN TRAFFICKING
PREVENTION AND SERVICE COORDINATION; AUTHORIZE A
PROCUREMENT FOR PEER SUPPORT NAVIGATION
20. ADDRESSING ANTICIPATED SHORTAGES OF PUBLIC SAFETY
OFFICERS IN THE SAN DIEGO REGION UPDATE
21. AN ORDINANCE REPEALING PROVISIONS OF THE SAN DIEGO
COUNTY CODE OF REGULATORY ORDINANCES RELATING TO
AMUSEMENT DEVICES AND ESTABLISHMENTS
- Health and Human Services 22. DECLARING ILLICIT FENTANYL A PUBLIC HEALTH CRISIS
- Financial and General Government 23. NOTICED PUBLIC HEARING:
GENERAL SERVICES - HOLD HEARING TO CONSIDER
EXERCISING THE RIGHT TO PURCHASE AN APPROX. 18.49-ACRE
CALTRANS PARCEL IN NORTH COUNTY FOR FUTURE PUBLIC
SAFETY FACILITY - PARCEL MAP DD22136-01-03
24. COUNTY OF SAN DIEGO FISCAL YEAR 2022-23 ADOPTED BUDGET
RESOLUTION FOR COUNTY FAMILY OF FUNDS, ENTERPRISE
FUNDS AND INTERNAL SERVICE FUNDS AND PRIOR YEAR
ENCUMBRANCES
(4 VOTES)
25. ADOPTION OF THE FISCAL YEAR 2022-23 BUDGET FOR THE
COUNTY SERVICE AREAS, COMMUNITY FACILITIES DISTRICTS,
CERTAIN MAINTENANCE DISTRICTS AND PERMANENT ROAD
DIVISIONS
(4 VOTES)
26. OCEANSIDE UNIFIED SCHOOL DISTRICT 2022 GENERAL
OBLIGATION BONDS, ELECTION OF 2008, SERIES G AND 2022
GENERAL OBLIGATION REFUNDING BONDS

27. SECOND CONSIDERATION, APPROVAL AND ADOPTION OF AN ORDINANCE ESTABLISHING A TAX ON CANNABIS BUSINESS ACTIVITIES WITHIN THE COUNTY, ADOPTION OF A RESOLUTION CALLING FOR AN ELECTION ON THE ORDINANCE, AND OTHER ACTIONS NECESSARY TO PLACE THE ORDINANCE ON THE NOVEMBER 2022 GENERAL ELECTION BALLOT (6/14/2022 - First Reading; 6/28/2022 - Second Reading)
(4 VOTES)

Closed Session 28. CLOSED SESSION

Public
Communication 29. PUBLIC COMMUNICATION

1. SUBJECT: SHERIFF - ACCEPTANCE OF DONATION TO THE SHERIFF'S POWAY STATION FOR THE SENIOR VOLUNTEER PATROL PROGRAM (DISTRICTS: ALL)

OVERVIEW

County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, permit the acceptance of gifts and donations by the administrative heads of each department in the County, subject to approval by the Board of Supervisors. This is a request to approve the acceptance of a \$90,914 donation from the City of Poway to the Sheriff's Poway Station for the Senior Volunteer Patrol program.

RECOMMENDATION(S)

SHERIFF

1. In accordance with County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, accept monetary donation of \$90,914 from the City of Poway for the Senior Volunteer Patrol program.
2. Authorize the Chair of the Board of Supervisors to sign a letter of appreciation on behalf of the Board of Supervisors and the County of San Diego to the City of Poway.

EQUITY IMPACT STATEMENT

In accordance with the regional *Live Well San Diego* vision, the San Diego County Sheriff's Department Senior Volunteer Patrol program is party to a Memorandum of Understanding (MOU) between the County of San Diego, through its Health and Human Services Agency (HHSA) Aging & Independence Services (AIS) and San Diego County Sheriff's Department - Volunteer Services. The Sheriff's Senior Volunteer Patrol program provides an opportunity for civic engagement and service delivery for those seniors seeking to stay active in their communities. By accepting the donation, the County keeps the Senior Volunteer Patrol program funded and able to include seniors, a vulnerable segment of our communities, in community engagement. Their involvement enhances the community's protection from crime, availability of emergency medical services and fire response, community preparedness, and regional readiness to a disaster. In addition, the Senior Volunteer Patrol program allows the seniors to participate in the wellness and safety of their fellow community members. One particular initiative that the Sheriff's Senior Volunteer Patrol delivers is the You Are Not Alone (YANA) program. YANA is an outreach program where Senior Volunteer Patrols conduct weekly welfare and well-being checks on elderly, disabled, and isolated residents of the County of San Diego living in Sheriff's jurisdictions.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2021-22 Operational Plan for the Sheriff's Department. If approved, this request will approve the acceptance of a donation and result in Fiscal Year 2021-22 costs and revenue of \$90,914. The funding source is a donation from the City of Poway. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

2. SUBJECT: AUTHORIZE ACCEPTANCE OF TITLE V MATERNAL AND CHILD HEALTH BLOCK GRANT ALLOCATION (DISTRICTS: ALL)

OVERVIEW

Since 1998, the San Diego County Board of Supervisors (Board) has authorized agreements with the California Department of Public Health (CDPH) Maternal, Child, and Adolescent Health (MCAH) Division to accept Title V Maternal and Child Health (MCH) Block Grant and Black Infant Health (BIH) State General Fund allocations. Most recently, on August 6, 2019 (10), the Board authorized allocation agreements for three years to accept MCH funding.

Today's action requests the Board to authorize acceptance of Title V MCH Block Grant funding and BIH State General Fund funding from the CDPH for the term of July 1, 2022 through June 30, 2023 in the amount of \$1,345,415 and anticipated subsequent annual allocations of \$1,345,415 through June 30, 2025, for a cumulative total of \$4,036,245. This funding supports State-mandated Maternal, Child, and Family Health Services programs designed to improve the health of mothers, children (including children with special health care needs), adolescents, and their families. Authorization is also requested to apply for any additional funds that might be used to provide preventive health care and early intervention and treatment programs for at-risk women, children, and families in San Diego County.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by improving access to quality health care for mothers, infants, children, adolescents, and families.

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 \$1,345,415 in grant funds from the California Department of Public Health, Maternal, Child, and Adolescent Health Division for Title V Maternal and Child Health Block Grant and Black Infant Health State General Fund allocation for the period of July 1, 2022 through June 30, 2023 and anticipated subsequent annual allocations of \$1,345,415 through June 30, 2025, for a cumulative total of \$4,036,245, and authorize the Clerk of the Board to execute all required grant documents, upon receipt, including any annual extensions, amendments, or revisions that do not materially impact or alter the services or funding level.
3. Authorize the Agency Director, Health and Human Services Agency to apply for any additional funding opportunity announcements, if available, to address preventive health care and early intervention and treatment programs for at-risk women, children, and families in San Diego County.

EQUITY IMPACT STATEMENT

In San Diego County, African-American birthing persons and families experience higher rates of fetal and infant loss, and preterm and low birthweight births compared to Caucasians. Hispanics are more likely to have Medi-Cal as their expected principal payor for delivery than other race/ethnic groups. The County of San Diego Health and Human Services Agency, Public Health Services Maternal, Child, and Adolescent Health (MCAH) Team within the Maternal, Child, and Family Health Services (MCFHS) Branch, works to address inequities in maternal and infant health outcomes and to ensure access to quality prenatal and postpartum health care and family support services through community partnerships and collaborations. This work aligns with the resolution adopted by the San Diego County Board of Supervisors on January 12, 2021 (8), which acknowledged racism as a public health crisis and must continue to fully address the public health impacts of racial injustice.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2022-23 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, today's actions will result in costs of \$1,363,178 and revenue of \$1,345,415 in FY 2022-23, costs of \$1,379,013 and revenue of \$1,345,415 in FY 2023-24 and costs of \$1,395,285 and revenue of \$1,345,415 in FY 2024-25. The funding sources are the Title V Maternal and Child Health Services Block Grant and Black Infant Health State General Fund allocations. Funds for subsequent years will be incorporated into future operational plans. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These unrecovered costs are estimated at \$17,763 for FY 2022-23, \$33,598 for FY 2023-24 and \$49,870 for FY 2024-25. The funding source for these costs is Realignment. The public benefit for providing these services far outweighs the B-29 unrecoverable costs. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

3. **SUBJECT: AUTHORIZATION TO ACCEPT TUBERCULOSIS CONTROL AND TREATMENT AND REFUGEE HEALTH ASSESSMENT SERVICES FUNDING, AUTHORIZATION TO APPLY FOR ADDITIONAL TUBERCULOSIS TREATMENT AND CONTROL AND REFUGEE HEALTH ASSESSMENT SERVICES FUNDING OPPORTUNITIES (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) provides tuberculosis (TB) prevention and control services through a combination of federal, State, and local funding. Since 1982, the Centers for Disease Control and Prevention (CDC) has awarded the County federal funds under a non-competitive Tuberculosis Control Cooperative Agreement to fund the cost of County personnel and other items that support TB surveillance and control. Since 1999, the San Diego County Board of Supervisors (Board) has authorized grants with the California Department of Public Health (CDPH) and the CDC for TB control, treatment and refugee health assessment services.

Today's action seeks the Board to authorize acceptance of funds and authorize the Clerk of the Board, upon receipt, to execute documents related to the following grants:

- TB Control Cooperative Grant from the CDC for the term January 1, 2023 through December 31, 2023, for approximately \$2,000,000;
- TB treatment and control funding from the CDPH for the term July 1, 2022 through June 30, 2023, for approximately \$900,000; and
- Refugee Health Assessment Program Fee for Service Agreement, Refugee Health Prevention Program Agreement, and Asylum Seeker Health Surveillance and Linkage to Care from the CDPH for the term October 1, 2022 through September 30, 2023, for approximately \$1,400,000.

Additionally, today's action requests the Board to authorize the Agency Director, Health and Human Services Agency, to apply for additional tuberculosis treatment and control and refugee health assessment services funding opportunities.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by building a better service delivery system to reduce the spread of disease and improve health outcomes in San Diego County, and to promote 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 grant applications and full-cost recovery of grants.
2. Authorize the acceptance of approximately \$2,000,000 in grant funds from the Centers for Disease Control and Prevention for the period of January 1, 2023 through December 31, 2023, for tuberculosis control and treatment services, and authorize the Clerk of the Board, upon receipt, to execute all required grant documents, including any annual extensions, amendments and/or revisions that do not materially impact the services or funding level.
3. Authorize the acceptance of approximately \$900,000 in grant funds from the California Department of Public Health for the period of July 1, 2022 through June 30, 2023, for tuberculosis control and treatment services, and authorize the Clerk of the Board, upon receipt, to execute all required grant documents, including any annual extensions, amendments, and/or revisions that do not materially impact the services or funding level.
4. Authorize the acceptance of approximately \$1,400,000 in grant funds from the California Department of Public Health for the period of October 1, 2022 through September 30, 2023, for the Refugee Health Assessment Program, Refugee Health Prevention Program, and Asylum Seeker Health Surveillance and Linkage to Care to provide refugee health assessment services, and authorize the Clerk of the Board, upon receipt, to execute all required grant documents, including any annual extensions, amendments and/or revisions that do not materially impact the services or funding level.
5. Authorize the Agency Director, Health and Human Services Agency, to pursue future funding opportunities to fund efforts that build capacity and enhance programs for prevention, early detection, care, and treatment needs of those impacted by tuberculosis, and ultimately elimination of tuberculosis as a public health threat.

EQUITY IMPACT STATEMENT

Today's action enhances equity access to prevention, testing, and treatment of a preventable communicable disease for the most vulnerable populations in San Diego County. Tuberculosis (TB) disproportionately impacts underserved communities, with high burden areas coinciding with southern and central geographic regions of San Diego County that receive low health equity scores. The majority of persons diagnosed with TB in San Diego County in 2021 were born outside the U.S. (72%). The highest proportion of new cases occurred in Hispanics (60%), followed by Asian/Pacific Islanders (31%). Of the new TB cases born in the U.S., 77% were Hispanic. Additional risk factors include drug use (11%), homelessness (8%), and incarceration (5%). In order to support these populations, programs in the Tuberculosis Control and Refugee Health Services Branch of the County of San Diego, Health and Human Services Agency (HHS) Public Health Services department, are focused on providing and expanding equitable access to TB and refugee healthcare, and supporting all individuals regardless of race, ethnicity, or immigration status. An important program demonstrating the commitment to equity care is the discounted and free screening and treatment program for uninsured and underserved populations.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs of \$4,100,000 and estimated revenue of \$3,000,000 for Fiscal Year 2022-23 and estimated costs of \$1,900,000 and estimated revenue of \$1,300,000 for Fiscal Year 2023-24. The funding sources are federal grant funds from the Centers for Disease Control and Prevention and State grant funds from the California Department of Public Health. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These unrecovered costs are estimated \$1,100,000 for Fiscal Year 2022-23 and \$600,000 for Fiscal Year 2023-24. The funding source for these costs will be Realignment. The public benefit for providing these services far outweighs the B-29 unrecoverable 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 Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent.

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

4. **SUBJECT: AUTHORIZATION TO ACCEPT COMMUNITY CARE EXPANSION PRESERVATION PROGRAM: OPERATING SUBSIDY PAYMENT AND CAPITAL PROJECTS FUNDS AND SUBMIT IMPLEMENTATION PLANS TO THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (DISTRICTS: ALL)**

OVERVIEW

In an effort to support the well-being of those with behavioral health conditions, the San Diego County Board of Supervisors (Board) and the County of San Diego (County), Health and Human Services Agency (HHSA) remain committed to investing in services to meet the needs of this vulnerable population. In alignment with this commitment, County HHSA, Behavioral Health Services (BHS) continues to pursue funding opportunities to enhance and expand access to critical mental health and substance use disorder prevention, engagement, and treatment services.

In 2021, legislation authorized the Department of Health Care Services to establish the Behavioral Health Continuum Infrastructure Program (BHCIP) and award approximately \$2.1 billion to construct, acquire, and expand properties and invest in mobile crisis infrastructure related to behavioral health. Subsequently, the Community Care Expansion (CCE) program was established allocating \$805 million of the BHCIP funding for the acquisition, construction, and rehabilitation to preserve and expand adult and senior care facilities that serve Supplemental Security Income/State Supplementary Payment (SSI/SSP) and Cash Assistance Program for Immigrants (CAPI) applicants, including those who are experiencing or at risk of homelessness.

Approximately \$570 million of the CCE funding is available statewide for capital expansion projects, including acquisition, construction, and rehabilitation of residential care settings through the CCE Capital Program, and approximately \$195 million will be allocated through the CCE Preservation Program to qualified grantees through a non-competitive, direct-to-county allocation process to immediately preserve and avoid the closure of licensed residential adult and senior care facilities serving the intended population. The CCE Preservation Program funds are overseen by the California Department of Social Services (CDSS). The timeline, eligible uses, program guidelines, and eligibility for the CCE Capital Expansion Program are separate and distinct from the CCE Preservation Program, which is before you today.

The CCE funding opportunities are designed to address the following state priorities:

- Invest in behavioral health and community care options that advance racial equity
- Seek geographic equity of behavioral health and community care options
- Address urgent gaps in the care continuum for people with behavioral health conditions, including seniors, adults with disabilities, and children and youth
- Increase options across the life span that serve as an alternative to incarceration, hospitalization, homelessness, and institutionalization
- Meet the needs of vulnerable populations with the greatest barriers to access, including people experiencing homelessness and justice involvement
- Ensure care can be provided in the least restrictive settings to support community integration, choice, and autonomy
- Leverage county and Medi-Cal investments to support ongoing sustainability
- Leverage the historic State investments in housing and homelessness

On June 10, 2022, the CDSS released the CCE Preservation Program Notice of Funding Availability (NOFA) allocating \$12,456,386 of non-competitive funding to the County to support the preservation of licensed residential adult and senior care facilities. The allocation includes \$3,346,842 in Operating Subsidy Payment (OSP) funding to subsidize existing licensed residential adult and senior care facilities to avoid closure due to potential or projected operating deficits. It also allocates \$9,109,544 for Capital Projects (CP) to make physical repairs or upgrades that support facility compliance with licensing standards to avoid closure. A 10 percent local match, equivalent to \$910,954, is required to utilize CP funds. Counties receiving an allocation must accept or decline the OSP and/or CP funds by July 15, 2022.

Approval of today's recommended actions will:

- Authorize the acceptance of one-time CCE Preservation Program funding, inclusive of OSP and CP funding.
- Authorize the Agency Director, Health and Human Services Agency, or designee to develop and submit Implementation Plans for OSP and CP Preservation Funds to CDSS, as specified in the NOFA.
- Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full-cost recovery of grants.

Staff will return to the Board at a future date to seek further authority to issue competitive solicitations or notices of funding availability, execute agreements and establish appropriations, as needed.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by providing inclusive services that yield better outcomes and opportunities for underrepresented communities. Additionally, CCE Preservation Program funding supports the sustainability component of the County's Framework for Ending Homelessness by maintaining housing stability through financial investments to preserve existing adult and senior care SSI/SSP and CAPI applicants, including those who are experiencing or at risk of homelessness.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the acceptance of \$12,456,386 of one-time Community Care Expansion (CCE) Preservation Program funding, including Operational Subsidy Payment (OSP) funding of \$3,346,842 and Capital Projects (CP) funding of \$9,109,544, and authorize the Agency Director, Health and Human Services Agency, or designee to execute all required documents, upon receipt, including any annual extensions, amendments, or revisions that do not materially impact or alter the services or funding level.
2. Authorize the Agency Director, Health and Human Services Agency, or designee to develop and submit the Implementation Plans for the CCE Preservation Program for the Operating Subsidies Payment and Capital Projects funds to California Department of Social Services, as specified in the Notice of Funding Availability.
3. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full-cost recovery of grants.

EQUITY IMPACT STATEMENT

The vision of the County of San Diego Health and Human Services Agency, Behavioral Health Services (BHS) is to build a system in which mental health and substance use services are equitably and regionally distributed, and accessible to all individuals and families within the region who are in need. In pursuit of this goal BHS is committed to pursuing funding sources which will support the provision of services to vulnerable and underserved populations.

Today's actions will allow BHS to accept new funding to support the preservation of existing services and infrastructure, including licensed residential adult and senior care facilities that serve low-income individuals who receive Supplemental Security Income/State Supplementary Payments and Cash Assistance Program for Immigrants applicants, and support individuals who are experiencing or at risk of homelessness.

The Community Care Expansion Preservation funding will bolster support to address the statewide shortfall of adult and senior care facilities that meet the unique needs of low-income seniors and individuals experiencing homelessness with behavioral health needs, ensuring that an already vulnerable population receives the care and support they need and contributing to reductions in local health disparities.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2022-23 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will have no change in costs and revenues in Fiscal Year (FY) 2022-23 and will result in estimated total costs of approximately \$13.4 million and revenues of \$12.5 million in FY 2023-24 through FY 2026-27, which includes funding for Operational Subsidy Payments and Capital Projects. The funding sources are State General Fund and State Fiscal Recovery Funds established by the American Rescue Plan Act.

Funding for this program will be included in future Operational Plans upon California Department of Social Services approval of the Community Care Expansion Preservation Implementation plan and receipt of final award. A waiver of Board Policy B-29 is requested because the funding does not offset all costs due to the 10 percent local match requirement of approximately \$0.9 million in FY 2023-24 through FY 2026-27. The funding source for these costs is Realignment. The public benefit of these projects far outweighs the B-29 unrecoverable costs. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

5. SUBJECT: AUTHORIZE COMPETITIVE SOLICITATIONS, APPROVAL OF THE COMMUNITY INVESTMENT AGREEMENT WITH BLUE SHIELD OF CALIFORNIA PROMISE HEALTH PLAN, AND AMENDMENT TO EXTEND AN EXISTING BEHAVIORAL HEALTH SERVICES CONTRACT (DISTRICTS: ALL)

OVERVIEW

The County of San Diego (County), Health and Human Services Agency Behavioral Health Services department provides a comprehensive array of community-based mental health and substance use disorder services to people of all ages through County-operated facilities and contracts with local public and private agencies to vulnerable populations, including individuals who are experiencing homelessness, individuals with justice involvement, and children and youth with complex behavioral health conditions.

Approval of today's recommended actions authorizes competitive solicitations to support critical behavioral health services; a competitive solicitation for new community-based crisis stabilization services with co-located sobering services; approval of the community investment agreement with Blue Shield of California Promise Health Plan; and an amendment to extend an existing behavioral health services contract.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by upholding practices that align with community priorities and improve transparency and trust while maintaining good fiscal management. Additionally, the programs and services outlined provide critical treatment and housing services to individuals with complex behavioral health conditions, including those who are experiencing homelessness and justice involvement, aligning with the Services, Treatment and Outreach and Emergency/Interim Housing/Resources domains of the County's Framework for Ending Homelessness.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for behavioral health services listed below, and upon successful negotiations and determination of a fair and reasonable price, award contracts for an Initial Term of up to one year, with four 1-year Options, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program, funding or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.
 - a. Assertive Community Treatment Services
 - b. BridgeWays Services
 - c. California Work Opportunity and Responsibility to Kids (CalWORKs) Behavioral Health Centers

- d. Comprehensive Assessment and Stabilization Services
 - e. Crisis Action and Connection Program
 - f. Mental Health Clubhouse Services
 - g. Short-Term and Bridge Housing
 - h. Substance Use Residential Treatment Services for Adults
2. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue a competitive solicitation for behavioral health services community based crisis stabilization services which will include co-located sobering services, and upon successful negotiations and determination of a fair and reasonable price, award a contract for an Initial Term of up to one year, with six 1-year Options, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program, funding or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.
 3. Approve the acceptance of the Community Investment Agreement executed by the Chief Administrative Officer with Blue Shield of California Promise Health Plan and acceptance of additional funds in the amount of \$500,000 and authorize any amendments thereto, provided terms, conditions, and funding are not materially impacted to build upon the County of San Diego Behavioral Health Services San Diego Care Coordination pilot.
 4. Authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of fair and reasonable price, to amend contract #565966 with Med Corp Distribution dba California Mobile Kitchens extending the contract term up to June 30, 2023, and to increase funding to correspond with fixed monthly rental fees and associated costs, for a revised total amount not to exceed \$396,339 for Mobile Kitchen, Refrigeration and Generator Rental Services; subject to the availability of funds; and amend the contract as required in order to reflect changes to services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.

EQUITY IMPACT STATEMENT

The County of San Diego (County) Health and Human Services Agency Behavioral Health Services (BHS) serves as the specialty mental health plan for Medi-Cal eligible residents within San Diego County who are experiencing serious mental illness or serious emotional disturbance, and the service delivery system for Medi-Cal eligible residents with substance use disorder care needs. As a steward of public health for the region, BHS must ensure that the services offered through County-operated and contracted programs address the social determinants of health by being accessible, capable of meeting the needs of a diverse population, and with the intent to equitably distribute services to those most in need.

In support of these efforts, BHS utilizes a population health approach, along with evidence-based practices, robust data analysis to identify need and design services that are impactful, equitable, and yield meaningful outcomes for clients. This includes facilitating ongoing engagement and input from the community, stakeholders, consumers, family members, community-based providers, and healthcare organizations through formal and informal convenings, along with cross-collaboration with other County departments and community partners. Additionally, through the establishment of the Community Experience Partnership and the recent launch of the Behavioral Health Equity Index, in collaboration with the University of California, San Diego, BHS is leading the development of a tool for measuring behavioral health equity which will be used to inform program planning, siting of services, and allocation of resources in a way that supports the most pressing community needs.

If approved, today's action will award contracts for services that improve access to treatment and care for populations who are underserved by social and behavioral health resources, including individuals experiencing homelessness, individuals with justice involvement, as well as children and youth with complex behavioral health needs.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2022-23 CAO Recommended Operational Plan in the Health and Human Services Agency (HHS). If approved, today's recommendations will result in approximate costs and revenue of \$0.9 million in FY 2022-23 and \$47.8 to \$63.7 million in FY 2023-24. The funding sources are Mental Health Services Act (MHSA), Short-Doyle Medi-Cal (SDMC), California Work Opportunity and Responsibility to Kids (CalWORKs), Drug Medi-Cal (DMC), Project for Assistance in Transition from Homelessness (PATH), Substance Abuse and Mental Health Services Administration (SAMHSA), Blue Shield of California Promise Health Plan, and Realignment. Funds for subsequent years will be incorporated into future operational plans. There will be no change in net General Fund cost and no additional staff years.

Recommendation #1: Authorization to Issue Competitive Solicitations

If approved, this request will result in no change in costs and revenue in FY 2022-23 and estimated costs and revenue ranging from \$47.8 to \$63.7 million in Fiscal Year 2023-24. The funding sources are MHSA, SDMC, Short-Doyle Medi-Cal, CalWORKs, DMC, PATH, and SAMHSA, and Realignment. Funds for subsequent years will be incorporated into future operational plans. There will be no change in net General Fund cost and no additional staff years.

Recommendation #2: Authorization to Issue Competitive Solicitation for Community-Based Crisis Stabilization Services with Co-Located Sobering Services

If approved, this request will result in minimal fiscal impact in FY 2022-23 and FY 2023-24 for planning and design efforts to support the development of the new facility. Costs for crisis stabilization and sobering services, which are expected to begin in FY 2025-26, will be dependent on the final design, service model, and service capacity available within the footprint of new facility. The funding sources are MHSA, SDMC, and Realignment. Funds for subsequent years will be incorporated into future operational plans. There will be no change in net General Fund cost and no additional staff years.

Full implementation of these services will result in the optimization of federal revenue, along with efficiencies in other service delivery areas, including reductions in inpatient, psychiatric care, and unnecessary law enforcement involvement.

Recommendation #3: Approval of the Community Investment Agreement with Blue Shield of California Promise Health Plan and Acceptance of Additional Funds

If approved, this request will result in estimated one-time costs and revenue of \$0.5 million in FY 2022-23. The funding source is one-time funding from Blue Shield of California Promise Health Plan. There is no change in net General Fund and no additional staff years.

Recommendation #4: Authorization to Extend and Amend Contract Mobile Kitchen, Refrigeration and Generator Rental Services

If approved, this request will result in estimated costs and revenue of \$0.4 million in FY 2022-23. The funding source is Realignment. There will be no change in net General Fund and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

6. **SUBJECT: RECEIVE SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFY ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE SAN DIEGO COUNTY LIBRARY; ACCEPT GRANT AWARDS AND ESTABLISH APPROPRIATIONS (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Library (County Library) operates 33 branches, two bookmobiles, and five 24/7 Library-To-Go kiosks. The County Library serves over one million residents across all unincorporated communities and the cities of Del Mar, El Cajon (& Fletcher Hills), Encinitas (& Cardiff-by-the-Sea), Imperial Beach, La Mesa, Lemon Grove, Poway, Solana Beach, San Marcos, Santee, and Vista. Programs at County Library branches are free, well curated, and culturally enriching spaces where everyone feels welcomed. County libraries provide customers with opportunities to learn new technologies, help people connect to social services such as CalFresh and MediCal, sponsor art exhibits for emerging artists, offer Chair Yoga and Tai Chi classes for seniors, provide free meals and after school snacks to students, and support transition to civilian life for veterans.

From time-to-time, individuals, service groups, and businesses offer gifts and donations to our County Library. Gifts and donations help expand important services and programs to the public as well as the opportunity to purchase additional library materials and supplies to accommodate the diverse population of the region. To accommodate the use of gifts and donations across the County, Administrative Code Section 66, Acceptance of Gifts, and Board of Supervisors (Board) Policy A-112, Acceptance, and Use of Gifts and Donations, permit the administrative head of each department of the County to accept gifts and donations that do not exceed \$5,000 in value. These gifts and donations are subject to ratification by the Board and require a semi-annual report to the Board on accepted gifts and donations.

During the period of July 1, 2021, to December 31, 2021, donations totaled \$95,102.67. Of the total amount, \$87,033.50 was in cash donations and \$8,069.17 in non-cash donations. A portion of the cash donations received (\$84,750.00) was matched by the Library Fund budget through the Dollar-for-Dollar Donation Matching Program. The matching fund program was created by the Board, to give donors a sense of pride for taking part in the growth of their local County Library. Donations received during this reporting period were used to purchase library materials, such as books and eBooks and equipment for library branches and to support programs, like the Summer Learning Program. The Summer Learning Program is a countywide library event held yearly during the months of June through August. The program offers prizes to participants for reading books and completing activities. This program is also designed to encourage people of all ages to engage in reading and participate in activities that bring the community together.

In addition to the semi-annual report, the Board is being asked to accept grant funds that were awarded to the County Library (\$210,125) for Fiscal Year 2021-22 by the California State Library (State Library). The State Library is a public research institution that serves as a resource to support local governments and their libraries. The first grant of \$167,954 is for the Mobile Outreach Zero-Emission Vehicle project from the Stronger Together: Improving Library Access grant program. The funds will be used to purchase electric vehicles for the County Library's mobile fleet in an effort to reduce the County's carbon footprint. The purchase of Zero-Emission Vehicles is in accordance with our County's 2018 Climate Action Plan and Regional Decarbonization Framework goals to reduce greenhouse gas emissions from the County's vehicle fleet and it also supports the vehicle electrification goals of the Electric Vehicle Roadmap. As part of the grant requirement to match funds for the Zero-Emission Vehicle project, the County Library will also contribute \$379,096 in cash match and in-kind costs, bringing the total funds for the Zero-Emission Vehicle project to \$547,050.

The second grant of \$42,171 is for County Library's Adult Literacy Services from the Library Literacy Services grant program. County Library applies for the California Library Literacy Service grant annually, which funds services and materials for adult learners. Adults can take classes on computer literacy, prepare for their GED, or develop English literacy. This grant will be used to purchase books and materials, software, IT support, and supplies for all our branches. There is no matching requirement for the Library Literacy Service Program at this time. In total, the Board will be asked to accept and establish appropriations for a total of \$589,221.

Today's proposed actions are to accept the County Library's Report of Gifts and Donations for the period of July 1, 2021, to December 31, 2021, to ratify the acceptance of those gifts and donations by the County Library totaling \$95,102.67; and to accept and establish appropriations for two grant funds from the California State Library and available prior year County Library Fund fund balance, totaling \$589,221. Today's action also authorizes the Chair of the Board of Supervisors to sign a letter of appreciation to the donors whose donations exceed \$5,000.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) because it is not a project as defined in Section 15378(b)(5) of the CEQA Guidelines because it involves organizational or administrative governmental activities that will not result in direct or indirect physical changes in the environment.
2. In accordance with Administrative Code Section 66, Acceptance of Gifts, and Board of Supervisors (Board) Policy A-112, Acceptance and Use of Gifts and Donations, accept the San Diego County Library Report of Gifts and Donations for the period of July 1, 2021, through December 31, 2021.
3. In accordance with Administrative Code Section 66 and Board Policy A-112, ratify the acceptance of gifts for \$95,102.67 received from July 1, 2021, through December 31, 2021, from donations that exceeded \$5,000.
4. Accept the Mobile Outreach - Zero Emission Vehicle project \$167,954 grant award from the California State Library and establish appropriations of \$547,050 in the County Library Fund, Salaries & Benefits for cash match and in-kind costs, Services & Supplies for supplies and materials and Other Charges for vehicle purchase, based on a grant from the California State Library Mobile Outreach - Zero Emission Vehicle grant program (\$167,954) and available prior year County Library Fund fund balance (\$379,096).
(4 VOTES)
5. Accept the California Library Literacy Services \$42,171 grant award from the California State Library and establish appropriations of \$42,171 in the County Library Fund, Services & Supplies, based on a grant from the California State Library Literacy Services grant program. **(4 VOTES)**
6. Authorize the Chair of the Board of Supervisors to sign letters of appreciation on behalf of the County of San Diego to donors listed in Attachment B.

EQUITY IMPACT STATEMENT

The acceptance of grant funds and donations will allow for the purchase of library materials, such as books and eBooks, equipment for library branches and the bookmobiles to support programs that encourage participants of all ages to engage in reading and participate in activities that bring the community together. Specialized services within the zero-emission bookmobiles will serve as an extension of what will also be available at County library branches.

Grants and donations allow the County Library to provide additional supplies and services to youth, families, and communities to encourage the sharing of experiences, cultural traditions, and resources to strengthen a sense of belonging. Gifts and donations received are monitored and publicly disclosed in accordance with all County policies. Expenditures are internally tracked by the County Library to ensure transparency and accountability of donations and gifts received and to provide for the equitable distribution of resources.

FISCAL IMPACT

Funds for this request were not included in the Fiscal Year (FY) 2021-22 Operational Plan for the San Diego County Library (County Library) Fund. If approved, these requests would result in current year costs and revenue of \$589,221. The funding sources are two grants from the California State Library (\$210,125) and a cash match and in-kind cost (\$379,096) from the available prior year County Library Fund fund balance. There will be no change in net General Fund cost and no additional staff years San Diego County Library (County Library) received \$95,102.67 in cash and non-cash donations exceeding \$5,000 in value between July 1, 2021, and December 31, 2021. Of these donations, \$84,750.00 qualified for an equal amount of matching funds from the County Library at the request of the donors, which was completed in the Fiscal Year 2021-22 based on available prior year County Library Fund fund balance.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

7. **SUBJECT: RESOLUTION AMENDING THE BOARD OF SUPERVISORS JULY 2022 REGULAR MEETING CALENDAR (DISTRICTS: ALL)**

OVERVIEW

On November 16, 2021 (9), the Board of Supervisors (Board) adopted the meeting calendar for the 2022 calendar year. To meet operational needs, it is necessary to amend the 2022 Regular Meeting calendar to add a regular meeting on July 20, 2022.

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER

Adopt the resolution: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AMENDING THE 2022 BOARD OF SUPERVISORS REGULAR MEETING CALENDAR.

EQUITY IMPACT STATEMENT

In accordance with the Ralph M. Brown Act, the Board takes actions and deliberates at open meetings, which provide an opportunity to the public to participate in County government. Adding another meeting to the 2022 calendar will allow the County to conduct additional business in order to provide services more effectively to all residents within the County.

FISCAL IMPACT

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-095, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AMENDING THE 2022 BOARD OF SUPERVISORS REGULAR MEETING CALENDAR.

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

8. SUBJECT: COMMUNITY ENHANCEMENT PROGRAM AND 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)

CHAIR NATHAN FLETCHER

1. Allocate \$23,886 from the Neighborhood Reinvestment Program budget (Org 15665) to Veterans of Foreign Wars Post 1512 Foundation to help renovate and improve the Post's facilities at 6873 Federal Blvd, Lemon Grove, CA by, among other things, replacing doors, upgrading, and improving kitchen facilities, and repairing or replacing Air Conditioning equipment.
2. Allocate \$11,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Mission Edge San Diego to support the MAKE Café social enterprise to provide funds for a mobile beverage cart and kitchen appliances such as a blender, mixer, food pan carriers, blender shaft, a Glacier Blue Camchiller, a non-stick fry pan, edge paring knife, a silicone spoonula, vegetable peeler, thermometers, and spatulas. This will benefit the community by helping expand the menu, grow business success, and provide more technically demanding job skills for program participants from low-income, minority and refugee communities.

3. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Groundwork San Diego-Chollas Creek to help with a one-time purchase of equipment such as Hydroponics Tower Gardens, solar generator, storage cabinets, induction ovens, refrigerators, and supplies which will create a student-centered kitchen and learning center that serves middle school students and students on field trips. The program will support project-based learning within the framework of place-based climate action.
4. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Mission Trails Regional Park Foundation, Inc. to upgrade critically needed equipment for the MTRP Visitor Center by purchasing office equipment and furniture, display cases and shelving, and 50 cushioned folding chairs for events. Funds will support their mission by making Foundation staff more effective and efficient, improving visitors' experiences, and increasing fundraising activities.
5. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15665) to La Mesa Post 282, The American Legion, Department of California for facility repairs at 8118 University Avenue, La Mesa, CA that will, among other things, help remove and replace grass with gravel and succulents and remove the existing sprinklers and install new drip lines which will save water. Funds will also be used to repair and update the facility by, among other things, repairing stucco and improving the entrance facilities.
6. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15665) to San Diego State University Research Foundation to help support their Avenue for Success program to pay the cost of, among other things, draw string backpacks, outdoor educational wall posters and pole banners for college admission and financial aid campaign, custom tablecloths with the AFS logo, translation devices, iPads, and laptops. Funding will help provide student advising, college and career exposure, community service opportunities, and college persistence and completion support.
7. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Lakiba N. Palmer, Post No. 310, The American Legion, Department of California to help purchase laptops, printer, copier, and a scanner to help in the promotion, development, research, and support for homeless Veterans and Active-Duty Military with obtaining VA Benefits. Funds will also aid in feeding the homeless Veterans and needy in the community.
8. Allocate \$50,000 from the Community Enhancement Program ARPA budget (Org 12905) to San Diego Lesbian, Gay, Bisexual, Transgender Pride for upgrading staff equipment and office technology, increasing marketing and promotion of their annual Pride Parade and Festival, and covering the costs associated with necessary plumbing repair and maintenance in their facilities that they have not been able to address due to reduced income because of COVID-19.
9. Find that the proposed grants have a public purpose and that those grants awarded using American Rescue Act Program funds are needed to address a negative economic or public health impact of the COVID-19 pandemic.

10. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded grants establishing terms for receipt of the funds described above and making minor amendments to the agreements that are consistent with the general purposes of the grants but do not increase the grants.
11. Find that the allocation of funds to the Veterans of Foreign Wars Post 1512 Foundation, Groundwork San Diego-Chollas Creek, Mission Trails Regional Park Foundation, Inc., La Mesa Post 282, The American Legion, Department of California, and San Diego Lesbian, Gay, Bisexual, Transgender Pride are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

We recognize the systemic impacts that inequitable policies may create for residents in San Diego County. The proposed allocation of funds is intended to improve the quality of life throughout the County by providing funds to nonprofits whose work addresses inequities by providing services to all throughout the county. Organizations are chosen for funding based on their location or the demographics they serve with a focus on underserved communities that contain higher numbers of People of Color and LGBTQ+ people. Organizations chosen should work to promote a sense of belonging and utilize equity in their operations, outreach, and programs. Supporting documents were reviewed as well as impact reports and community testimony to verify the organization meets these goals.

FISCAL IMPACT

Funds for these grant allocation requests are partially included in the Fiscal Year 2021-2022 Operational Plan for the Community Enhancement ARPA Program (Org 12905) and Neighborhood Reinvestment Program (Org 15665). The fiscal impact of these recommendations is \$114,886 from the Neighborhood Reinvestment Program budget (Org 15665) and \$50,000 from the Community Enhancement ARPA Program budget (Org 12905) totaling \$164,886. The funding sources are General Purpose Revenue and the American Rescue Plan Act. There will be no change in net General Fund Cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

9. SUBJECT: COMMUNITY ENHANCEMENT & NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 5)

OVERVIEW

Community Enhancement and Neighborhood Reinvestment 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)

SUPERVISOR JIM DESMOND

1. Allocate \$58,000 from Community Enhancement American Rescue Plan Act Program budget (Org 12905) to the Fallbrook Center for the Arts, Inc. to address the economic impact of the COVID-19 pandemic on art programming to support the vitality of operations by providing funds for marketing, website, public art installations, art class supplies and gallery lighting cost for the facility located at 103 S. Main Ave, Fallbrook, CA 92028.
2. Allocate \$25,000 from Community Enhancement Program budget (Org 12900) to Murphy's Produce with Purpose to support the fresh produce food distribution in District 5 for individuals and families that are food insecure.
3. Allocate \$23,052 from Neighborhood Reinvestment Program budget (Org 15670) to the American Combat Veterans of War by providing challenge coins, shirts, ink, paper supplies, flyers, graduation clothing, belts, undergarments, shoes, laptops, storage cabinets and shelving to support the Veterans Moving Forward and Safe Outreach Program.
4. Allocate \$6,000 from Neighborhood Reinvestment Program budget (Org 15670) to the San Diego Ag in the Classroom to acquire the "Discover San Diego Agriculture-Climate Smart Agriculture" video for teachers to use as a classroom resource in San Diego County and for flyers, brochures and other printed items to increase awareness of the organization's mission.
5. Allocate \$27,000 from Neighborhood Reinvestment Program budget (Org 15670) to San Diego Habitat for Humanity, Inc. to help with one-time renovation cost to support the material and installation cost of concrete including lumbar, rebar, anchor bolts, visqueen and sand for a 10-unit affordable home project at 245 E. El Norte Parkway, Escondido, CA 92026.
6. Find that these grants have a public purpose and that those grants awarded using American Rescue Act Program funds are needed to address a negative economic or public health impact of the COVID-19 pandemic.
7. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded grants establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.

8. Find that the allocation to the Fallbrook Center for the Arts, Inc. and San Diego Habitat for Humanity, Inc. are exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

These proposed allocations of funds are intended to improve the quality of life throughout the County by providing funds for nonprofits whose work addresses inequities by providing services to all with an emphasis on underserved communities. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach and programs.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2021-2022 Operational Plan for the Community Enhancement ARPA Program budget (Org 12905), Community Enhancement Program budget (Org 12900) and the Neighborhood Reinvestment Program (Org 15670). The fiscal impact of these recommendations is \$58,000 from the Community Enhancement ARPA Program budget (Org 12905), \$25,000 from the Community Enhancement Program budget (Org 12900) and \$56,052 from the Neighborhood Reinvestment Program budget (Org 15670) totaling \$139,052. The funding sources are American Rescue Plan Act, Transient Occupancy Tax Revenues and 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 Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent.

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

**10. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANT
(DISTRICT: 1)**

OVERVIEW

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

RECOMMENDATION(S)

VICE-CHAIR NORA VARGAS

1. Allocate \$60,797 from the Neighborhood Reinvestment Program budget (Org 15650) to Sweetwater Union High School District towards the purchase of vans to provide transportation for students to after-school programs and activities.
2. Find that the proposed grant has a public purpose.

3. Authorize the Office of Financial Planning to enter into an agreement with the grantee and make minor amendments to the agreement that does not change the purpose or amount of the grant.

EQUITY IMPACT STATEMENT

We recognize the systemic impacts that inequitable policies may create for residents in San Diego County. Find that the proposed allocation of funds is intended to improve the quality of life of County residents by providing funds to a local agency whose work addresses inequities, promotes quality of life and improves outcomes that align with the vision of our county. The funded agency was chosen because the proposed grant will serve minority and low-income students by providing transportation to school events. Their supporting documents were reviewed as well as impact reports and community testimony.

FISCAL IMPACT

Funds for this grant request are included in the Fiscal Year 2021-22 Operational Plan for Neighborhood Reinvestment Program budget (Org 15650). The fiscal impact of this recommendation is \$60,797 from the Neighborhood Reinvestment Program budget (Org 15650). The funding source is General Purpose Revenues. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

11. SUBJECT: NEIGHBORHOOD REINVESTMENT AND COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 3)

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 TERRA LAWSON-REMER

1. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15660) to TransCanWork, Inc. to purchase laptops and monitors for 10 staff members. Funding will support improved services to the Transgender, Gender-nonbinary, Intersex community.
2. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15660) to La Jolla Community Center to support the installation of new sliding doors at 6811 La Jolla Boulevard, San Diego, CA. Funds will support a more accessible entrance for the demographic community that is served.

3. Allocate \$14,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Hillel of San Diego to support the renovation of an existing public park open to all located at 8976 Cliffridge Drive, La Jolla CA 92037 to pay for such things as the installation of torrey pine trees, water-wise irrigator to prevent runoff, public walkways, and outdoor lighting for public safety.
4. Allocate \$35,129 from the Neighborhood Reinvestment Program budget (Org 15660) to Helen Woodward Animal Center, to support the new Humane Education/Pet Encounter Therapy Complex for the facilities located at 6523 Helen Woodward Way, Rancho Santa Fe, CA. Funds will help create a state-of-the art facility that would meet the needs of children of all ages and provide a safe and comfortable habitat for therapy animals.
5. Amend the Neighborhood Reinvestment Program grant agreement, effective January 11, 2022 (6), which allocated \$11,000 to the Urban Corp of San Diego County to include A-Frames. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to amend the grant agreement accordingly.
6. Amend the Community Enhancement Program grant agreement, effective October 5, 2021 (18), which allocated \$15,000 to the Del Mar Community Connections to reflect a contract effective date of June 1, 2021. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to amend the grant agreement accordingly.
7. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to agreements with the organizations awarded grants establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
8. Find that the grants have a public purpose.
9. Find that the proposed allocations to the La Jolla Community Center, Hillel of San Diego, and Helen Woodward Animal Center are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

EQUITY IMPACT STATEMENT

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

FISCAL IMPACT

Funds for the grant allocation requests are included in the Fiscal Year 2021-22 Operational Plan for the Neighborhood Reinvestment Program (Org 15660). The fiscal impact of these recommendations is \$74,129 from the Neighborhood Reinvestment Program budget (Org 15660). The funding sources are General Purpose Revenue. The proposed amendments to existing Community Enhancement and Neighborhood Reinvestment Program grant agreements are to allow funding for additional items and do not change the amounts previously awarded. There will be no change in net General Fund cost and no additional staff years.

Proposed action tied to the amendment of the Neighborhood Reinvestment Program and Community Enhancement Program contracts with Urban Corp of San Diego and Del Mar Community Connections (Recommendations 5 and 6) has no fiscal impact. This action only amends the purpose and contract effective date of a grants and does not affect the previously approved amount.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

- 12. SUBJECT: COUNTY TECHNOLOGY OFFICE AND ASSESSOR/RECORDER/COUNTY CLERK - APPOINTMENT OF SUSAN GREEN AND CAROL MULLAN TO RETIREE REHIRE POSITIONS (DISTRICTS: ALL)**

OVERVIEW

California Government Code section 7522.56 requires that the governing body of a public agency approve any appointment of a retiree being reemployed less than 180 days after that person's retirement date based on the employer's need to fill a critically needed position. Until recently, recently retired individuals were allowed to work as retiree-rehires without Board action because of the ongoing public health emergency. Beginning on July 1, 2022, retired County employees returning as retiree-rehires or who have already returned as retiree-rehires and who are within six months of their retirement date may only return or continue with the County if the Board approves their appointment.

Today's action is a recommendation to approve the continued temporary appointment of Susan Green to a retiree-rehire position in the County Technology Office and Carol Mullan to a retiree-rehire position in the Assessor/Recorder/County Clerk office, to complete highly complex information and technology work relating to the Integrated Property Tax System project and other systems.

**RECOMMENDATION(S)
ASSESSOR/RECORDER/COUNTY CLERK AND CHIEF ADMINISTRATIVE
OFFICER**

Pursuant to California Government Code section 7522.56, approve the continued appointment of Susan Green to a retiree-rehire position in the County Technology Office and Carol Mullan to a retiree-rehire position in the Assessor/Recorder/County Clerk office.

EQUITY IMPACT STATEMENT

The requested action supports the County's implementation of the Integrated Property Tax System project, which once completed, will allow for a more efficient and constituent supportive property assessment, assessment appeal, tax bill preparation and payment system.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 CAO Recommended Operational Plan for the County Technology Office and Assessor/Recorder/County Clerk. If approved, this request will result in estimated costs of \$72,000 for the County Technology Office and \$55,000 for the Assessor/Recorder/County Clerk which reflect a maximum of 120 workdays/960 hours for each retiree-rehire. 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 Fletcher, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended.

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

**13. SUBJECT: APPROVAL OF THE CONFLICT-OF-INTEREST CODE FOR THE
PUBLIC AGENCIES SELF-INSURANCE SYSTEM (DISTRICTS: ALL)**

OVERVIEW

The Board of Supervisors serves as the Code Reviewing Body for any local agency, other than city agencies, with jurisdiction wholly within the County, per Government Code Section 82011. The recommended action would approve the proposed amendments to the Conflict of Interest code of the Public Agencies Self-Insurance System (PASIS).

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

Approve the amended Conflict of Interest code of the Public Agencies Self-Insurance System (PASIS).

EQUITY IMPACT STATEMENT

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

The recommended action would approve the amendments to the Conflict of Interest code submitted by the Public Agencies Self-Insurance System (PASIS). The amendments to the Conflict of Interest code in this Board Letter enables the County of San Diego to provide transparency and accountability to individual residents, ensuring equitable operations of the government that are free from undue influence.

FISCAL IMPACT

The funding source for administration of this task is included in the Fiscal Year 2021-2022 Adopted Budget for the Clerk of the Board of Supervisors. These reviews require minor costs, which may be recoverable from the State of California.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

14. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
AMENDMENTS TO THE COMPENSATION ORDINANCE AND
ADMINISTRATIVE CODE RELATING TO THE RATIFIED
TENTATIVE AGREEMENTS FOR EMPLOYEE BARGAINING
UNITS - AE, CL, FS, HS, MM, PR, PS, RN, SS, AND SW
REPRESENTED BY SERVICE EMPLOYEES INTERNATIONAL
UNION, LOCAL 221 (SEIU), CM AND CR REPRESENTED BY THE
ASSOCIATION OF SAN DIEGO COUNTY EMPLOYEES (ASDCE),
AM, AS AND DA REPRESENTED BY THE DEPUTY DISTRICT
ATTORNEYS ASSOCIATION (DDAA), PD AND PM REPRESENTED
BY THE PUBLIC DEFENDER ASSOCIATION OF SAN DIEGO
COUNTY (PDA), CC AND CS REPRESENTED BY THE SAN DIEGO
DEPUTY COUNTY COUNSELS ASSOCIATION (SDDCCA) AND FOR
SPECIFIED UNREPRESENTED EMPLOYEES -CE, CEM, EM, MA,
NA, NE, NM, NR, NRT, NS AND UM (6/14/2022 - First Reading;
6/28/2022 - Second Reading) (DISTRICTS: ALL)**

OVERVIEW

On June 14, 2022 (11), the Board of Supervisors took action to further consider and adopt the Ordinances on June 28, 2022.

Today's actions reflect the compensation changes that have been negotiated with five of the County's Unions/Associations and compensation changes for the unrepresented employees. The County reached tentative agreements for three-year Memorandum of Agreements (MOA) with the Service Employees International Union, Local 221 (SEIU), the Association of San Diego County Employees (ASDCE), the Deputy District Attorneys Association (DDAA), the Public Defender Association of San Diego County (PDA), and the San Diego Deputy County Counsels Association (SDDCCA). The changes to the compensation ordinance and administrative code reflect the negotiated changes in salary and benefits for five of the County's Unions/Associations and the compensation changes for the unrepresented employees.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Submit ordinances for further Board consideration and adoption on June 28, 2022 (second reading).

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE SECTIONS AND ESTABLISHING COMPENSATION RELATING TO THE RATIFIED TENTATIVE AGREEMENTS WITH THE SEIU, ASDCE, DDAA, PDA, SDDCCA AND ESTABLISHING COMPENSATION RELATING TO SPECIFIED UNREPRESENTED EMPLOYEES.

AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE, SECTION 493, SAN DIEGO COUNTY BAR FEE, SECTION 494, JOB-REQUIRED LICENSES AND SECTION 495, TRANSPORTATION REIMBURSEMENT.

EQUITY IMPACT STATEMENT

Today's actions reflect the partnership between the County and the Unions/Associations to strengthen their relationship and work together to provide equitable salaries, implementation of equity increases and compensation that ensures recruitment, retention, and just and fair benefits. Today's actions also provide equitable salaries, and the implementation of equity increases for the unrepresented employees.

FISCAL IMPACT

Today's recommendations are estimated to result in ongoing costs and one-time costs. The estimated fiscal impact is comprised of ongoing base and supplemental pay net increases, including various premiums and equity adjustments, ongoing flex credit increases, and one-time monetary payments. Funding is partially included in the Fiscal Year 2022-24 CAO Recommended Operational Plan and additional adjustments will be recommended as part of the Fiscal Year 2022-24 Change Letter process.

The annual estimated fiscal impact is as follows:

<i>in millions</i>		FY22-23	FY23-24	FY24-25
A	Ongoing Base Salary and Benefit Increases	103.9	47.0	47.0
B	Ongoing Equity Increases	28.1	28.1	28.1
C	Ongoing Flex Credit Increases	4.4	8.8	8.8
D (A+B+C)	Total Ongoing Cost (incremental)	136.4	83.9	83.9
E	Total One-time Cost	47.1	13.5	0.0
F (D+E)	Total Cost	183.5	97.4	83.9

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Prior to the Board taking action, the Clerk of the Board of Supervisors read a statement into the record regarding the summary of recommendations on the salaries, salary schedules, and compensation paid in the form of fringe benefits for Executive Management, Non-Represented Administrators, and Unclassified Management Department Heads; ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10798 (N.S.), entitled:

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE SECTIONS AND ESTABLISHING COMPENSATION RELATING TO THE RATIFIED TENTATIVE AGREEMENTS WITH THE SEIU, ASDCE, DDAA, PDA, SDDCCA AND ESTABLISHING COMPENSATION RELATING TO SPECIFIED UNREPRESENTED EMPLOYEES; and, Ordinance No. 10799 (N.S.), entitled: AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE, SECTION 493, SAN DIEGO COUNTY BAR FEE, SECTION 494, JOB-REQUIRED LICENSES AND 495, TRANSPORTATION REIMBURSEMENT.

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

15. SUBJECT: AUTHORIZE CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS (DISTRICTS: ALL)

OVERVIEW

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

The County continues to make significant efforts to slow the spread of COVID-19. Today's actions request the San Diego County Board of Supervisors (Board) to adopt a resolution authorizing continuance of teleconferenced public meetings using simplified procedures. The Board will need to review and renew the findings at least every 30 days if it wishes to continue the authorization of teleconferenced public meetings using the simplified procedures. This action will also continue the County's commitment to transparency, open government, and the removal of traditional barriers to access and participation in government affairs.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt a resolution entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

EQUITY IMPACT STATEMENT

To continue the County's commitment to transparency and open government and remove traditional barriers to access and participation in government affairs, today's actions provide the mechanism to continue teleconferenced public meetings which will have a positive impact on the lives of Black, Indigenous, People of color, women, people with disabilities, immigrants, youth, the LGBTQ community, and economically disadvantaged.

FISCAL IMPACT

There is no fiscal impact associated with the proposed action. 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 Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-096, entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

AYES: Vargas, Lawson-Remer, Fletcher

NOES: Anderson, Desmond

16. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ADOPT AN ORDINANCE CREATING A SAN DIEGO COUNTY
ARTS AND CULTURE COMMISSION AND IMPLEMENTING
RECOMMENDATIONS TO EXPAND ARTS AND CULTURE IN
SAN DIEGO COUNTY (DISTRICTS: ALL)**

OVERVIEW

On June 14, 2022 (20), the Board of Supervisors took action to further consider and adopt the Ordinance on June 28, 2022.

Arts and culture are the lifeblood of healthy, safe and thriving communities and an important part of economic and workforce development.

This Board has been supportive of efforts to elevate arts and culture in the region, recognizing the particular impact the COVID-19 pandemic has had on local organizations. In June 2021, the Board of Supervisors voted to approve a funding framework for the expenditure of received American Rescue Plan Act (ARPA) funds that included five million dollars to augment supervisorial Community Enhancement Funds in order to fund organizations related to arts and culture. And in August 2021, the Board of Supervisors supported our initiative that directed the Chief Administrative Officer (CAO) to report back within 90 days with an assessment of the County of San Diego's current role in arts and culture and recommendations on how to expand that role, especially with a lens towards equity in access to arts and culture and exploring the creation of a county arts agency.

Staff recommendations resulting from that direction were included in November 2021's memo titled "Reimagine Vibrant Communities Through Arts & Culture Report Back" (Attachment A, on file with the Clerk of the Board).

Today's actions seek to implement the 3 staff recommendations in that memo: 1) expanding and improving existing County programs, 2) addressing and improving equity in access to arts and culture, and 3) creating a San Diego County Arts and Culture Commission.

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER AND VICE-CHAIR NORA VARGAS

Submit ordinance for further Board consideration and adoption on June 28, 2022 (second reading).

AN ORDINANCE ADDING SAN DIEGO COUNTY ADMINISTRATIVE CODE ARTICLE IIIW SAN DIEGO COUNTY ARTS AND CULTURE COMMISSION.

EQUITY IMPACT STATEMENT

Equitable access to the arts is critical to a healthy, safe and thriving community. Recent research by the National Endowment for the Arts specifically highlights the importance of arts and cultural practices in promoting social cohesion and encouraging community well-being (<https://www.arts.gov/news/press-releases/2021/new-report-examines-role-arts-and-culture-fostering-social-cohesion-and-community-well-being>). Unfortunately, arts funding in the community has a history of imbalance that favors larger, more established institutions rather than funding more grassroots organizations. Additionally, arts and culture programs are often the first programs to get cut in schools or other settings due to limited funding sources, especially in communities of color. Low-income and communities of color have historically used arts and culture to navigate and survive systemic racism and oppression (<https://www.policylink.org/our-work/community/arts-culture>). To promote greater cultural diversity and inclusivity and empower historically disenfranchised communities, it is important to elevate the work of smaller, emerging artists from communities that have not had access to arts and culture resources.

FISCAL IMPACT

Funding for one (1) FTE to support arts and culture within the newly created Office of Economic Development and Government Affairs was included in the Fiscal Year 2022-24 CAO Recommended Operational Plan. There is no additional fiscal impact for today's request.

BUSINESS IMPACT STATEMENT

Arts and culture contribute greatly to the region's economy. In the last Arts and Economic Prosperity 5 Report, in the City of San Diego alone, an estimated \$1.1 billion was spent by the nonprofit arts and culture industry, which led to 35,914 jobs and about \$48 million in local government revenue. Increasing arts and culture opportunities creates new jobs, benefits existing and new organizations, and increases economic growth through spending of residents and tourists alike.

ACTION:

Noting for the record that an Errata was submitted that made minor typographical corrections to the Ordinance; ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10800 (N.S.), entitled: AN ORDINANCE ADDING SAN DIEGO COUNTY ADMINISTRATIVE CODE ARTICLE IIIW SAN DIEGO COUNTY ARTS AND CULTURE COMMISSION.

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

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

OVERVIEW

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

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER

Appoint Sheryl Mallory-Johnson to the COMMISSION ON THE STATUS OF WOMEN AND GIRLS, Seat No. 12, for a term to expire March 31, 2023.

Appoint Nadia Farjood to the COMMISSION ON THE STATUS OF WOMEN AND GIRLS, Seat No. 13, for a term to expire March 31, 2023.

SUPERVISOR JOEL ANDERSON

Appoint John Paul Sullivan to the ALPINE COMMUNITY PLANNING GROUP, Seat No. 8, for a term to expire January 2, 2023.

Appoint Roberto (Bob) D. Uribe to the FIRE PROTECTION DISTRICT (SDCFPD) FIRE ADVISORY BOARD, SAN DIEGO COUNTY, Seat No. 4, for a term to expire January 6, 2025.

SUPERVISOR JIM DESMOND

Appoint Nancy McRae to the BORREGO SPRINGS SPONSOR GROUP, Seat No. 8, for a term to expire January 2, 2023.

Appoint Hans Petermann to the WARNER SPRINGS COMMUNITY SPONSOR GROUP, Seat No. 1, for a term to expire January 6, 2025.

Appoint Nina Karavasiles to the WARNER SPRINGS COMMUNITY SPONSOR GROUP, Seat No. 2, for a term to expire January 2, 2023.

Appoint Pamela Nelson to the WARNER SPRINGS COMMUNITY SPONSOR GROUP, Seat No. 3, for a term to expire January 6, 2025.

Appoint Jessica Clabaugh to the WARNER SPRINGS COMMUNITY SPONSOR GROUP, Seat No. 4, for a term to expire January 2, 2023.

Appoint Rhonda Hill to the WARNER SPRINGS COMMUNITY SPONSOR GROUP, Seat No. 5, for a term to expire January 6, 2025.

Appoint Kathryn Fletcher to the WARNER SPRINGS COMMUNITY SPONSOR GROUP, Seat No. 6, for a term to expire January 2, 2023.

Appoint Robert D. Garcia to the WARNER SPRINGS COMMUNITY SPONSOR GROUP, Seat No. 7, for a term to expire January 6, 2025.

CHIEF ADMINISTRATIVE OFFICER

Appoint Ariana Federico Mondragon to the CITIZEN’S LAW ENFORCEMENT REVIEW BOARD (CLERB), Seat No. 9, for a term to begin July 1, 2022 and expire June 30, 2025.

Appoint Robert L. Brown Jr to the CITIZEN’S LAW ENFORCEMENT REVIEW BOARD (CLERB), Seat No. 11, for a term to begin July 1, 2022 and expire June 30, 2025.

EQUITY IMPACT STATEMENT

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

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

18. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Note and file.

EQUITY IMPACT STATEMENT

N/A

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

- 19. SUBJECT: RECOMMENDATIONS TO ENHANCE HUMAN TRAFFICKING PREVENTION AND SERVICE COORDINATION; AUTHORIZE A PROCUREMENT FOR PEER SUPPORT NAVIGATION (DISTRICTS: ALL)**

OVERVIEW

On January 25, 2022, (18) the Board of Supervisors (Board) directed the Chief Administrative Officer to work with Public Safety Group and Health and Human Services Agency departments to coordinate efforts and develop recommendations to prevent human trafficking and support survivors. Board direction included developing recommendations for a peer support navigator program, and a strategy to coordinate victim-centered, culturally competent and trauma-informed comprehensive survivor services; assessing current resources; drawing on stakeholder input; developing recommendations for raising awareness of human trafficking; and returning to the Board in 180 days with findings and recommendations.

Departmental representatives from the District Attorney’s office, the Public Defender, the Probation Department, Child Welfare Services, Behavioral Health Services, Public Health Services, the Sheriff’s Department, the Department of Homeless Solutions and Equitable Communities, the Office of Equity and Racial Justice, Self-Sufficiency Services, the Department of Purchasing and Contracting, and the County Communications Office met regularly to review current resources best practices, share expertise, and develop priority recommendations and actions. Recommendations in today’s item are informed by stakeholder and survivor input received through written online input and a well-attended virtual community forum.

Today’s request is to receive a presentation on and accept the recommendations for enhancing human trafficking prevention and service coordination. In addition, if approved, today’s action would authorize a procurement for a pilot peer support navigation program for survivors of human trafficking.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

1. Receive a presentation on Recommendations and Actions to Enhance Human Trafficking Prevention and Service Coordination.
2. Accept the Recommendations and Actions to Enhance Human Trafficking Prevention and Service Coordination.
3. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, subject to available funding, to issue a competitive solicitation for peer support navigation services for survivors of human trafficking, and/or amend existing contracts, and, upon successful negotiations and determination of a fair and reasonable price, award contracts for a term of up to one (1) year, with up to two one-year option periods and up to an additional six months if needed, subject to the approval by the Deputy Chief Administrative Officer for the Public Safety Group and, for existing contracts, the designated authority from the lead department, and to amend such contracts as needed to reflect changes to services and funding.

EQUITY IMPACT STATEMENT

Anyone can be a victim of human trafficking, but individuals disproportionately impacted include children in the child welfare and juvenile justice systems, including foster care, runaway and homeless youth; individuals who are Black; migrant laborers; LGBTQ+ individuals; victims of sexual abuse or sexual violence, including intimate partner violence or other forms of domestic violence; and individuals suffering from addiction. A local 2016 study found that human trafficking occurred throughout the region, but victims are overrepresented in particular zip codes. Recommendations implemented as a part of today's action will support individuals at risk of continued marginalization and poor outcomes.

FISCAL IMPACT

There is no fiscal impact to the current fiscal year associated with the requested actions. Staff will return to the Board to establish appropriations if needed. There may be fiscal impacts associated with future related recommendations, which staff would return to the Board for consideration and approval.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

20. SUBJECT: ADDRESSING ANTICIPATED SHORTAGES OF PUBLIC SAFETY OFFICERS IN THE SAN DIEGO REGION UPDATE (DISTRICTS: ALL)

OVERVIEW

On January 25, 2022 (17), the Board of Supervisors (Board) directed the Chief Administrative Officer to return to the Board in 180 days or as soon as practical with updates and recommendations related to recruitment, planning, and funding strategies that support the Sheriff's Department, Probation Department, Public Defender's Office and our County-funded youth programs having the critical personnel necessary to protect and serve San Diego County residents.

In response to the Board's direction, the Public Safety Group (PSG) Executive Office convened meetings from February through May with the Department of Human Resources, Sheriff's Department, Probation Department, and Public Defender's Office to discuss plans and strategies for filling current and anticipated vacancies, including hard to recruit and hard to fill positions and vacancies related to County-funded youth programs. The PSG Executive Office was also in communication with the District Attorney's Office to discuss staffing related to their County-funded youth programs. Departments identified current actions they have taken to recruit staff and fill vacancies, actions they are in the process of implementing to enhance their recruiting and hiring practices, and actions that require additional review to determine feasibility.

Today's requested actions are for the Board to receive the update related to recruitment, planning, and funding strategies that ensure the Sheriff's Department, Probation Department, Public Defender's Office and our County-funded youth programs have the critical personnel necessary to protect and serve San Diego County residents and to direct the Chief Administrative Officer, with the assistance of the Department of Human Resources, to further explore potential incentives to address staffing shortages.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive an update related to recruitment and retention strategies that support the Sheriff's Department, Probation Department, Public Defender's Office and our County-funded youth programs having the critical personnel necessary to serve and protect San Diego County residents.
2. Direct the Chief Administrative Officer to further explore the following potential incentives with the assistance of the Department of Human Resources who will meet and confer with employee organizations as needed, or required by the Meyers-Milias-Brown Act:
 - a. Explore feasibility of adopting an alternative dispute resolution system for processing and resolving workers' compensation claims for sworn employees in the Sheriff's Department.
 - b. Explore feasibility of night shift premiums for all deputies and sergeants in the Deputy Sheriff bargaining unit.

- c. Explore feasibility of adding a relocation expense reimbursement for sworn positions up to the amount authorized for positions in the Unclassified Management classifications for new hires who move here from outside the County.
- d. Explore implementation of a Countywide employee referral payment program for hard to recruit positions within the County.
- e. Explore utilizing Variable Entry Criteria when appropriate for sworn classifications in the Sheriff's Department and Probation Department. Variable Entry Criteria allows an applicant to start at a salary step level higher than the entry level.
- f. Explore increasing the new hire lateral incentive pay for sworn positions.
- g. Explore feasibility of paid leave accrual matching for lateral transfers from other law enforcement agencies.
- h. Review a proposal to create one Deputy Sheriff classification which would allow for smoother transition between bureaus (Law Enforcement versus Detentions) and increase public and officer safety by allowing deputies to work any position needed.

EQUITY IMPACT STATEMENT

The County of San Diego is committed to recruiting and retaining a skilled, adaptable, and diverse workforce that reflects the demographics of our region. In the face of staffing shortages and recruitment and retention challenges in the public safety sector, agencies have had to expand upon traditionally successful recruitment and retention models and explore nontraditional pathways. This shift in approach provides opportunity to reach new and diverse audiences that may bring different life experiences, skills, and outlooks to the organization.

FISCAL IMPACT

While there is no fiscal impact for today's recommendations, there may be fiscal impacts associated with future related recommendations, including any proposed amendments to the County of San Diego's Compensation Ordinance, which staff would return to the Board for consideration and approval.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended and directed the Chief Administrative Officer to also evaluate the starting salary for Probation Department applicants with four-year degrees to start at a higher pay scale, like those with military experience currently do.

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

21. SUBJECT: AN ORDINANCE REPEALING PROVISIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO AMUSEMENT DEVICES AND ESTABLISHMENTS (DISTRICTS: ALL)

OVERVIEW

On April 26, 2022 (3) the Board of Supervisor's (Board) unanimously approved Vice Chair Vargas' and Supervisor Anderson's recommendation to create more opportunities for entrepreneurs and small business owners in the County's unincorporated area by directing the Chief Administrative Officer, in consultation with County Counsel, to draft an ordinance that would repeal Chapter 9 of Title 2, Division 1 of the San Diego County Code of Regulatory Ordinances (Amusement Devices and Establishments), and related sections. This repeal will allow businesses to expand their customer base and workforce and provide the same business opportunities in the unincorporated areas of the county that are available to those living in the incorporated areas.

Today's request is for the Board of Supervisors to approve the introduction of the proposed amendment to the San Diego County Code of Regulatory Ordinances and, if approved, consider and adopt an ordinance repealing Chapter 9 of Title 2, Division 1 of the San Diego County Code of Regulatory Ordinances (Amusement Devices and Establishments), and related sections.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve introduction of the proposed San Diego County Code amendment (first reading); read title and waive further reading of the following ordinance (Attachment A):
AN ORDINANCE REPEALING PROVISIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO AMUSEMENT DEVICES AND ESTABLISHMENTS.

If, on June 28, 2022, the Board takes the action recommended above, then, on August 16, 2022:

2. Submit the ordinance (Attachment A) for further Board consideration and adoption (second reading):
AN ORDINANCE REPEALING PROVISIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO AMUSEMENT DEVICES AND ESTABLISHMENTS.

EQUITY IMPACT STATEMENT

The COVID-19 pandemic has adversely impacted small businesses. A repeal of Chapter 9 of Title 2, Division 1 of the San Diego County Code of Regulatory Ordinances (Amusement Devices and Establishments), and related sections, will enhance the economy by providing equal opportunity for businesses and entrepreneurs in the County's unincorporated area to thrive. In addition, a repeal will allow businesses to expand their customer base and workforce while reducing regulatory burden.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations and no change in staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, to further consider and adopt the Ordinance on August 16, 2022.

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

22. SUBJECT: DECLARING ILLICIT FENTANYL A PUBLIC HEALTH CRISIS (DISTRICTS: ALL)

OVERVIEW

Accidental overdose deaths caused by fentanyl have reached historic levels across the nation. The Centers for Disease Control and Prevention (CDC) estimate that over 80,000 overdose deaths caused by fentanyl occurred in 2021 alone. Data from the CDC shows that accidental deaths caused by fentanyl is the number one killer of people between the ages of 18 and 45, far exceeding the number of deaths caused by car accidents, COVID, heart disease, and gun violence within this age group.

In 2021, the United States Customs and Border Protection (CBP) Office of Field Operations (OFO) seized 6,354 pounds of powder fentanyl at the San Diego County Ports of Entry (POE) San Ysidro, Otay Mesa and Tecate. The balance of the Southwest Border Points of Entry in Arizona, New Mexico and Texas combined seized 3,230 pounds of fentanyl.

Over 66% of all powder fentanyl that was seized along the Southwest Border of Mexico in 2021 occurred in San Diego County. This is a staggering amount of fentanyl that has entered our region, and this is just the amount that has been seized. The Drug Enforcement Agency estimates that it takes two milligrams of fentanyl to kill the average adult. The amount of fentanyl seized in our County/region is enough kill an estimated 1.4 billion individuals. Additionally, this does not include illicit fentanyl pressed into pills.

San Diego County has not been spared from this crisis. The number of people in our community dying from accidental fentanyl overdoses has increased exponentially over the past several years. The San Diego County Medical Examiner reported 33 fentanyl caused deaths in 2016 and the provisional number of fentanyl caused deaths for 2021 exceeds 800, an increase of over 2300% in only five years. Preliminary numbers indicate accidental fentanyl overdose deaths in 2022 will likely exceed those from 2021. The number of fentanyl overdose deaths is far greater than some public health emergencies that have been previously declared. These figures ignore the hundreds of individuals who overdose on fentanyl and survive but who suffer long-term physical and mental damage as a result.

While fentanyl is the number one killer of people between the ages of 18 and 45, it is worth noting the increasing threat the drug poses to the youth in our community. In 2021, twelve children under the age of 18 died from an accidental fentanyl overdose in San Diego County according to data received from the San Diego County Medical Examiner. The youngest was only 13 years old. Many more children, some as young as four months of age, have ingested fentanyl carelessly left within reach by parents or caregivers. These children have overdosed but survived due to the quick and informed action of first responders. Poisonings from fentanyl are greatly impacting our already strained emergency departments and, in doing so, further harming our community at large.

The threat to our youth from fentanyl is heightened in this age of social media. Drug dealers have taken to apps like SnapChat, Instagram, and Facebook, marketing what they claim to be legitimate medications such as OxyContin, Percocet, Adderall, and Xanax. These pills are almost always counterfeit, containing none of the actual medication, but possessing often fatal doses of fentanyl, methamphetamine, or other harmful drugs.

Illicit fentanyl is most often found in San Diego County in counterfeit pills and in white powder. While people continue to die in large numbers from counterfeit pills, there has been a significant increase in the number of people dying from fentanyl powder. Users will often intentionally ingest fentanyl powder but there have been a number of cases in San Diego where the user ingested what he or she believed to be methamphetamine or cocaine, but which was either fentanyl or a combination of fentanyl and the intended drug. This mixing of drugs, whether intentional or inadvertent, increases the risk of death to the users.

Also, at a heightened risk of harm from fentanyl are opioid users who abstain for a period, whether as a result of treatment or incarceration. Relapse with fentanyl after a period of sobriety is extremely dangerous given the user's decreased tolerance and the extreme potency of the drug. The need for education regarding the dangers from fentanyl to this group and all others is of paramount importance.

We must continue to address the fentanyl crisis with a holistic approach, which includes never losing sight of the importance of treatment, recovery, and demand reduction. We must continue to deliver and educate San Diego County residents on harm reduction strategies like distributing and administering Naloxone. Prevention and harm reduction should be done as a cross-sector partnership. Supply reduction is integral to a comprehensive approach.

Naloxone is an opioid antagonist, attaching to the opioid receptors in the brain, blocking and removing fentanyl from those same receptors and capable of reversing an otherwise fatal overdose. Survival from an accidental fentanyl overdose is most often attributable to a timely administration of naloxone. The ability to track where and when naloxone is administered by first responders is critically important in order to identify surges in overdose deaths and allow for immediate intervention in the affected communities. To that end, county-wide implementation of ODMAP, a program that would integrate with already established data networks used by first responders and would capture date, time and location data while maintaining patient confidentiality, should be a priority of this board.

Another data point that compels urgent and comprehensive Board action is a recent DEA laboratory study found that of the seized counterfeit pills containing fentanyl, 4 out of 10 contained a potentially fatal dose of fentanyl. The drug dealers have made dying from an accidental fentanyl overdose easy and convenient, often delivering it right to the buyer's home.

The Board of Supervisors should take swift action to support the declaration of illicit fentanyl as a Public Health Crisis to further elevate awareness among San Diego County residents. Today's action would direct the Chief Administrative Officer to work with the Health and Human Services Agency Director to develop recommendations and an implementation to address the issue of illicit fentanyl as a Public Health Crisis.

The Medical Examiner's office commonly attributes the cause of these overdose deaths as counterfeit Oxycontin, Xanax, Percocet and other pills, that contain fentanyl. At times, these counterfeit pills are combined with non-steroidal anti-inflammatory medicine made to look like prescription pills and sold illegally. Additionally, street drugs like cocaine, heroin and methamphetamine have also been laced with illicit fentanyl.

Many of those who have overdosed on fentanyl unknowingly consumed drugs laced with illicit fentanyl.

We must continue to address the fentanyl crisis with a holistic approach, which includes never losing sight of the importance of treatment, recovery, and demand reduction. We must continue to deliver and educate San Diego County residents on harm reduction strategies like distributing and administering Naloxone. Prevention and harm reduction should be done as a cross-sector partnership. Supply reduction is an integral to a comprehensive approach.

Today's action would direct the Chief Administrative Officer to work with the Health and Human Services Agency Director and the Public Health Officer to determine the best course of action to declare illicit fentanyl a Public Health Crisis and return to the Board of Supervisors on August 16, 2022.

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND, SUPERVISOR TERRA LAWSON-REMER AND DISTRICT ATTORNEY SUMMER STEPHAN

1. Declare illicit fentanyl a public health crisis.
2. Direct the Chief Administrative Officer (CAO) to work with the Health and Human Services Agency Director to develop recommendations and an implementation plan to address illicit fentanyl as a Public Health Crisis and return to the Board of Supervisors within 180 days with an update.
3. Direct the CAO to explore and research funding to be used to support a comprehensive approach to fentanyl misuse prevention and harm reduction efforts, including local efforts to check the local drug supply for the presence of fentanyl and reduce its availability.

EQUITY IMPACT STATEMENT

The County of San Diego is committed to achieving the highest standards in establishing the safest environment for all our residents. Fentanyl is responsible for a disproportionate number of deaths among 18-45-year-old residents of San Diego County. People of all race/ethnicities, genders, and socioeconomic backgrounds can fall victim as Fentanyl does not discriminate. The County has the responsibility to address the importance of this alarming epidemic as it is detrimental to the fabric of our society.

FISCAL IMPACT

There is no fiscal impact with this recommendation. Future related recommendations may have fiscal impacts which staff will return to the Board for consideration and approval

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

- 23. SUBJECT: NOTICED PUBLIC HEARING:
GENERAL SERVICES - HOLD HEARING TO CONSIDER
EXERCISING THE RIGHT TO PURCHASE AN APPROX. 18.49-ACRE
CALTRANS PARCEL IN NORTH COUNTY FOR FUTURE PUBLIC
SAFETY FACILITY - PARCEL MAP DD22136-01-03 (DISTRICT: 5)**

OVERVIEW

On July 13, 2021 (29), the County of San Diego (County) Board of Supervisors (Board) authorized a one-year option-to-purchase agreement (Option Agreement) with the California State Transportation Agency (Caltrans) to evaluate the potential purchase of an 18.49-acre parcel identified as DD22136-01-03 (Caltrans Parcel). As part of its authorization to enter into the Option Agreement, the Board also directed the Chief Administrative Officer to review all possible uses of the site. The results of that review were made available on March 1, 2022 (16). Subsequently, on May 24, 2022 (15), the Board set a hearing for June 28, 2022, to consider exercising its right to purchase the Caltrans Parcel.

The Caltrans Parcel is located along the Interstate 15 (I-15) corridor where it intersects with California State Route 76 (SR-76) in north county, making it ideal for public safety facilities.

As part of the Option Agreement, the County paid Caltrans a \$321,400 non-refundable deposit, which would be credited towards the purchase price of \$3,214,000. If acquired, the 18.49-acre Caltrans Parcel would include a 15-year deed restriction limiting the use of the property to a public-purpose from the date of acquisition.

County staff has completed the required due diligence studies to determine the Caltrans Parcel's suitability. Today's recommendations are for the Board to make the necessary environmental findings; authorize the Director, Department of General Services to exercise the County's right to purchase the 18.49-acre Caltrans Parcel for \$3,214,000 - less the \$321,400 non-refundable option consideration already paid; and adopt a resolution declaring the Caltrans Parcel will be used for public purposes for a period of fifteen (15) years.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed acquisition of Caltrans Parcel (DD-22136-01-03) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15004(b)(2) and section 15004(b)(2)(A) because an agency may designate a preferred site for CEQA review and enter into land acquisition agreements prior to completing CEQA review and the Board of Supervisors hereby conditions any future use of the site upon CEQA compliance.
2. Authorize the Director, Department of General Services, to exercise the option to purchase the Caltrans Parcel (DD-22136-01-03) for \$3,214,000 - less the \$321,400 non-refundable option consideration already paid - and to execute all escrow related documents necessary to complete the purchase.
3. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING THAT THE LAND IDENTIFIED IN DIRECTORS DEED DD22136-01-03 WILL BE USED FOR PUBLIC PURPOSES.

EQUITY IMPACT STATEMENT

The approval of the option-to-purchase agreement would result in potential future community access to a variety of public safety services at a more convenient location than is currently available, resulting in better response times in north county communities. A planning study conducted in 2020 validated the need for a Sheriff station that is being considered for this site. This acquisition will positively impact the community by providing residents quicker response time and access to public safety support and could ultimately result in the creation of jobs in San Diego County for the facility design and construction. To ensure equity, inclusionary contracting criteria will be incorporated into the future source selection process.

FISCAL IMPACT

If the Board authorizes the Director, Department of General Services, to exercise the purchase option for the 18.49-acre parcel, the purchase will be funded by Proposition 172 fund balance. Funds for this request are included in the Fiscal Year 2022-23 CAO Recommended Operational Plan in the Justice Facility Construction Fund for Capital Project 1024946, I-15 and SR-76 Public Safety Facility. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Desmond, the Board of Supervisors closed the Hearing and took action as recommended, adopting Resolution No. 22-097, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING THAT THE LAND IDENTIFIED IN DIRECTORS DEED DD22136-01-03 WILL BE USED FOR PUBLIC PURPOSES.

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

24. **SUBJECT: COUNTY OF SAN DIEGO FISCAL YEAR 2022-23 ADOPTED BUDGET RESOLUTION FOR COUNTY FAMILY OF FUNDS, ENTERPRISE FUNDS AND INTERNAL SERVICE FUNDS AND PRIOR YEAR ENCUMBRANCES (DISTRICTS: ALL)**

OVERVIEW

On June 22, 2022, your Board concluded budget hearings for the Fiscal Years 2022-23 and 2023-24 Operational Plan. At these hearings, your Board received public testimony and the presentation of the Chief Administrative Officer's (CAO) Recommended Operational Plan. Pursuant to California Government Code Section 29088, a Resolution is submitted for formal adoption of the budgets for Fiscal Year 2022-23 for the County Family of Funds, Enterprise Funds and Internal Service Funds. Also requested is authority to carry-forward prior year encumbrances and related funding. Today's actions request the Board to consider changes to the CAO Recommended Operational Plan and approve the resolution adopting the budget.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve the portion of the CAO Change Letter and Change Letter Addendum pertaining to items as determined by County staff.
2. Consider Board member Change Letters submitted before the close of the budget hearing, if applicable.
3. Consider change requests submitted after the close of the budget hearing, if applicable.
(4 VOTES)
4. If written requests to revise the Recommended Budget received prior to the close of hearings do not identify a funding source, continue recommendations 6-7 to June 29, 2022, if necessary.
5. If requests to revise the Recommended Budget are made after the close of the budget hearing and approved by the Board, continue recommendations 6-7 to June 29, 2022, if necessary.
6. Adopt a Resolution entitled: ADOPTION OF THE BUDGET FOR THE COUNTY OF SAN DIEGO FOR THE FISCAL YEAR COMMENCING JULY 1, 2022.

7. Approve appropriations in the Major Maintenance Internal Service Fund in the amount necessary to align with departmental major maintenance project carry-forward encumbrances at fiscal year-end in accordance with Government Code Sec. 29144, which shall be calculated ministerially by the Chief Administrative Officer pursuant to those carry-forward encumbrances, and authorize the Auditor and Controller to carry-forward appropriations and applicable estimated revenue for prior year encumbrances in all County funds. **(4 VOTES)**

EQUITY IMPACT STATEMENT

The Chief Administrative Officer Recommended Operational Plan is intended to provide resources to address inequities in County services by engaging community voices, enhancing data analysis to identify disparities, developing meaningful outcome indicators, and creating a County government culture of equity, belonging, and racial justice. The County has implemented its new Budget Equity Assessment Tool that helps County departments prioritize services and allocations with equity in mind. The County applies an equity lens to department operations, utilizes equity data specific to each department, seeks to strengthen community engagement; all of this is in hope of ensuring accountability. This tool requires all County departments each year to ask themselves six general budget-equity questions for their budget requests. They are designed to ensure that we deeply study the effects of our spending plans on all County residents. To fuse equity into all departments' budgets. To ensure that our programs serve the needs of all people-Black, Indigenous, people of Color, LGBTQIA+, people with disabilities, people of low-income, the young, the older, immigrants, refugees and communities that have historically faced inequality and inequity. We've also added Equity, Belonging and Community Engagement to the County Strategic plan that we use to guide our day-to-day operations and reinforced those additions with racial equity assessments and data analysis.

FISCAL IMPACT

Recommendation 1 includes total spending authority of \$208,152,667 which will result in ongoing expenditure requirements and staffing levels that will increase net General Fund costs, and will require allocation of ongoing resources beginning in Fiscal Year 2023-24.

Recommendation 6 provides spending authority of \$6,632,766,525 for the County Family of Funds (General Fund, Capital Outlay Funds, Debt Service Fund and Special Revenue Funds) for Fiscal Year 2022-23. The recommendation also provides spending authority of \$45,136,591 for the Enterprise Funds and \$574,576,904 for the Internal Service Funds.

Recommendation 7 authorizes the Auditor and Controller to carry over appropriations and any related revenues for prior year. The exact amount of carry-forward budget is not known at this time and will not be finalized until the accounting cycle for Fiscal Year 2021-22 has been completed.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

1. Approved the portion of the CAO Change Letter and Change Letter Addendum pertaining to items as determined by County staff. (Ref. Board Letter Recommendation 1)
2. Adopted Resolution No. 22-098, entitled: **ADOPTION OF THE BUDGET FOR THE COUNTY OF SAN DIEGO FOR THE FISCAL YEAR COMMENCING JULY 1, 2022.** (Ref. Board Letter Recommendation 6)
3. Approved appropriations in the Major Maintenance Internal Service Fund in the amount necessary to align with departmental major maintenance project carry-forward encumbrances at fiscal year-end in accordance with Government Code Sec. 29144, which shall be calculated ministerially by the Chief Administrative Officer pursuant to those carry-forward encumbrances, and authorize the Auditor and Controller to carry-forward appropriations and applicable estimated revenue for prior year encumbrances in all County funds. (Ref. Board Letter Recommendation 7)

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

25. **SUBJECT: ADOPTION OF THE FISCAL YEAR 2022-23 BUDGET FOR THE COUNTY SERVICE AREAS, COMMUNITY FACILITIES DISTRICTS, CERTAIN MAINTENANCE DISTRICTS AND PERMANENT ROAD DIVISIONS (DISTRICTS: ALL)**

OVERVIEW

Pursuant to California Government Code Section 29088, this request recommends the approval of a Resolution to adopt the budget for the County Service Areas, Community Facilities Districts, Certain Maintenance Districts and Permanent Road Divisions for Fiscal Year 2022-23.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve the CAO Change Letter.
2. Consider Board member Change Letters submitted before the close of the budget hearing, if applicable.
3. Consider change requests submitted after the close of the budget hearing, if applicable.
(4 VOTES)
4. If written requests to revise the Recommended Budget received prior to the close of hearings do not identify a funding source, continue recommendation 6 to June 29, 2022, if necessary.

5. If requests to revise the Recommended Budget are made after the close of the budget hearing and approved by the Board, continue recommendation 6 to June 29, 2022, if necessary.
6. Adopt a Resolution entitled: **ADOPTION OF THE BUDGET FOR THE COUNTY SERVICE AREAS, COMMUNITY FACILITIES DISTRICTS, CERTAIN MAINTENANCE DISTRICTS, AND PERMANENT ROAD DIVISIONS OF THE COUNTY OF SAN DIEGO FOR THE FISCAL YEAR COMMENCING JULY 1, 2022.**

EQUITY IMPACT STATEMENT

The Chief Administrative Officer Recommended Operational Plan is intended to provide resources to address inequities in County services by engaging community voices, enhancing data analysis to identify disparities, developing meaningful outcome indicators, and creating a County government culture of equity, belonging, and racial justice. The County has implemented its new Budget Equity Assessment Tool that helps County departments prioritize services and allocations with equity in mind. The County applies an equity lens to department operations, utilizes equity data specific to each department, seeks to strengthen community engagement; all of this is in hope of ensuring accountability. This tool requires all County departments each year to ask themselves six general budget-equity questions for their budget requests. They are designed to ensure that we deeply study the effects of our spending plans on all County residents. To fuse equity into all departments' budgets. To ensure that our programs serve the needs of all people-Black, Indigenous, people of Color, LGBTQIA+, people with disabilities, people of low-income, the young, the older, immigrants, refugees and communities that have historically faced inequality and inequity. We've also added Equity, Belonging and Community Engagement to the County Strategic plan that we use to guide our day-to-day operations and reinforced those additions with racial equity assessments and data analysis.

FISCAL IMPACT

The recommended action provides spending authority of \$35,282,524 for the County Service Areas, Community Facilities Districts, Certain Maintenance Districts and Permanent Road Divisions for Fiscal Year 2022-23.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

1. Approved the CAO Change Letter. (Ref. Board Letter Recommendation 1)

2. Adopted Resolution No. 22-099, entitled: ADOPTION OF THE BUDGET FOR THE COUNTY SERVICE AREAS, COMMUNITY FACILITIES DISTRICTS, CERTAIN MAINTENANCE DISTRICTS, AND PERMANENT ROAD DIVISIONS OF THE COUNTY OF SAN DIEGO FOR THE FISCAL YEAR COMMENCING JULY 1, 2022. (Ref. Board Letter Recommendation 6)

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

26. SUBJECT: OCEANSIDE UNIFIED SCHOOL DISTRICT 2022 GENERAL OBLIGATION BONDS, ELECTION OF 2008, SERIES G AND 2022 GENERAL OBLIGATION REFUNDING BONDS (DISTRICT: 5)

OVERVIEW

General Obligation Bonds, Election of 2008, Series G

A bond election was held in the Oceanside Unified School District, County of San Diego, California (“District”) on June 3, 2008, at which at least 55% of the voters casting ballots authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$195,000,000 (“Proposition H Authorization”). On June 14, 2022, the District Board authorized the issuance of a series of bonds under the Proposition H Authorization in an aggregate principal amount not to exceed \$15,005,674 to be designated as the “Oceanside Unified School District General Obligation Bonds, Election of 2008, Series G,” (“Series G GO Bonds”). Following the issuance of the Series G GO Bonds there will be a negligible amount of remaining issuance authorization pursuant to the Proposition H Authorization.

2022 General Obligation Refunding Bonds

Pursuant to the Proposition H Authorization, the District issued multiple series of bonds totaling nearly \$180,000,000, including the District’s General Obligation Bonds, 2008 Election, Series C (“Prior Bonds”). On June 14, 2022, the District Board authorized the issuance and sale of one or more series of bonds under the Proposition H Authorization in an aggregate principal amount not to exceed \$15,000,000 to be designated as the “Oceanside Unified School District 2022 General Obligation Refunding Bonds” (“2022 Refunding Bonds”) to refund all or a portion of the remaining Prior Bonds.

The Board of Supervisors approved a single authority resolution on June 8, 2021 (18) that allows school districts to issue and sell bonds on its own behalf under this authority if the school district has not received a qualified or negative certification in its most recent interim report. The District has received a qualified certification in its most recent interim report and thereby has requested the County to issue and sell the Series G GO Bonds on its behalf as required by Section 15140(a) of the Education Code.

Today's recommendation will request adoption of one resolution for issuance of the Series G GO Bonds and one resolution for issuance of the 2022 Refunding Bonds. The resolution for the Series G GO Bonds includes authorizing the County on behalf of the District to issue and sell Series G GO Bonds, directing the Treasurer-Tax Collector of San Diego to execute an Investment Management Agreement and directing the Auditor and Controller to maintain the tax roll for the Series G GO Bonds. The resolution for the 2022 Refunding Bonds includes directing the Auditor and Controller to maintain the tax roll for the 2022 Refunding Bonds.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE SALE OF NOT TO EXCEED \$15,005,674 OF BONDS OF THE OCEANSIDE UNIFIED SCHOOL DISTRICT BY A NEGOTIATED SALE PURSUANT TO A BOND PURCHASE AGREEMENT, PRESCRIBING THE SALE OF SAID BONDS, APPROVING THE FORM OF SAID DOCUMENTS, AUTHORIZING THE EXECUTION AND DELIVERY OF SAID DOCUMENTS, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL AND AUTHORIZING THE EXECUTION OF THE INVESTMENT MANAGEMENT AGREEMENT, PAYING AGENT AGREEMENT AND NECESSARY CERTIFICATES RELATING TO SAID BONDS.

2. Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE COUNTY TREASURER-TAX COLLECTOR TO EXECUTE A PAYING AGENT AGREEMENT AND FORMALLY DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL FOR THE OCEANSIDE UNIFIED SCHOOL DISTRICT 2022 GENERAL OBLIGATION REFUNDING BONDS.

EQUITY IMPACT STATEMENT

The issuance of General Obligation Bonds is a vital financing mechanism for school districts in our community. The proceeds from the voter approved bonds are used to provide much needed infrastructure and equipment to school districts that might not otherwise have the resources for the acquisition and/or construction of these public improvements. There is strong evidence that high-quality infrastructure facilitates better instruction, improves student outcomes, and reduces dropout rates, among other benefits. To ensure bond proceeds are spent in accordance with the Proposition H Authorization an oversight committee is established to update and advise the public on the status of the bond proceeds. Oceanside Unified School District must also conduct annual independent performance and financial audits.

FISCAL IMPACT

The Series G GO Bonds and 2022 Refunding Bonds will be general obligations of the District to be paid from ad valorem property taxes levied within the boundaries of the Oceanside Unified School District, and do not constitute an obligation of the County.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, adopting Resolution No. 22-100, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE SALE OF NOT TO EXCEED \$15,005,674 OF BONDS OF THE OCEANSIDE UNIFIED SCHOOL DISTRICT BY A NEGOTIATED SALE PURSUANT TO A BOND PURCHASE AGREEMENT, PRESCRIBING THE SALE OF SAID BONDS, APPROVING THE FORM OF SAID DOCUMENTS, AUTHORIZING THE EXECUTION AND DELIVERY OF SAID DOCUMENTS, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL AND AUTHORIZING THE EXECUTION OF THE INVESTMENT MANAGEMENT AGREEMENT, PAYING AGENT AGREEMENT AND NECESSARY CERTIFICATES RELATING TO SAID BONDS; and, Resolution No. 22-101, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AUTHORIZING THE COUNTY TREASURER-TAX COLLECTOR TO EXECUTE A PAYING AGENT AGREEMENT AND FORMALLY DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL FOR THE OCEANSIDE UNIFIED SCHOOL DISTRICT 2022 GENERAL OBLIGATION REFUNDING BONDS.

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

27. **SUBJECT: SECOND CONSIDERATION, APPROVAL AND ADOPTION OF AN ORDINANCE ESTABLISHING A TAX ON CANNABIS BUSINESS ACTIVITIES WITHIN THE COUNTY, ADOPTION OF A RESOLUTION CALLING FOR AN ELECTION ON THE ORDINANCE, AND OTHER ACTIONS NECESSARY TO PLACE THE ORDINANCE ON THE NOVEMBER 2022 GENERAL ELECTION BALLOT (6/14/2022 - First Reading; 6/28/2022 - Second Reading) (DISTRICTS: ALL)**

OVERVIEW

On January 27, 2021 (4), the Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to explore the implementation of a commercial cannabis ordinance, regulations, and programs with a social equity component for the unincorporated area, including the development and implementation of a commercial cannabis taxation program. Then on May 10, 2022 (20), County of San Diego (County) staff returned to the Board with a draft cannabis business tax ordinance and fiscal revenue analysis developed in conjunction with HdL Companies (HdL), the County's cannabis taxation program consultant.

At the May 10, 2022 (20) meeting, the Board directed the CAO to take six actions: 1) return to the Board on June 14, 2022 with all actions necessary to place the Ordinance on the ballot for the November 8, 2022, General Election; 2) ensure the ordinance allows the Board to have the option to tax cultivation on a gross receipts or square footage basis; 3) include a component in the ordinance to address relief for crop failure in the cultivation market; 4) identify the tax as a General Tax; 5) indicate the Board will return at a later date to set the tax rates; and 6) specify that the General Tax will only apply to the unincorporated area.

On June 14, 2022 (21), the Board received additional reports from HdL regarding options to tax cultivation, approved the introduction of an Ordinance that would establish a tax on cannabis business activities within the unincorporated area of the county, and received and provided input on a draft resolution that would call an election on said Ordinance.

Today's recommendations are for the Board to approve the Ordinance (second reading), adopt a resolution calling the election, including the final ballot question approved by the Board, and make other election-related decisions.

Pursuant to Government Code § 53724(b), approval of the ordinance requires a two-thirds vote of the Board, or four votes.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

On June 28, 2022:

1. Consider, approve, and adopt the Ordinance (second reading; Attachment A, on file with the Clerk of the Board) entitled **(4 VOTES)**:
AN ORDINANCE OF THE COUNTY OF SAN DIEGO, CALIFORNIA
ADDING CHAPTER 4 (CANNABIS BUSINESS TAX) TO TITLE 2,
DIVISION 2, OF THE SAN DIEGO COUNTY CODE OF REGULATORY
ORDINANCES ESTABLISHING A TAX ON CANNABIS BUSINESS
ACTIVITIES WITHIN THE COUNTY.
2. Adopt a Resolution (Attachment B, on file with the Clerk of the Board) entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
SAN DIEGO, STATE OF CALIFORNIA, CALLING FOR AND ORDERING
AN ELECTION TO PRESENT TO THE VOTERS OF THE COUNTY A
PROPOSED ORDINANCE ADDING CHAPTER 4, OF DIVISION 2, TO
TITLE 2 OF THE SAN DIEGO COUNTY CODE OF REGULATORY
ORDINANCES ESTABLISHING A TAX ON CANNABIS BUSINESSES
AND ORDERING CONSOLIDATION OF SAID ELECTION WITH THE
CONSOLIDATED GENERAL ELECTION CALLED FOR NOVEMBER 8,
2022 (COUNTYWIDE).
3. If the Board approves the Ordinance, consider, and select one of the following options relating to filing written arguments supporting the measure:

- a. Authorize one or more members of the Board to file with the Registrar of Voters a written argument for the measure on behalf of the Board, and a written rebuttal to any arguments against the measure, to be printed in the voter information guide, and further authorize those members to determine any other person(s) to prepare, submit, or sign a written rebuttal argument to any argument against the measure.

OR

- b. Decline to authorize any members of the Board to file such arguments on behalf of the Board.
4. If the Board approves the Ordinance, consider, and select one of the following options relating to preparing and filing a fiscal impact statement to be printed in the voter information guide:
 - a. Pursuant to the authority in Elections Code § 9160(c), direct the Auditor and Controller to prepare a fiscal impact statement to be printed in the voter information guide.

OR

- b. Decline to direct the Auditor and Controller to prepare such fiscal statement.
5. Direct the Chief Administrative Officer to return to the Board to establish the actual tax rates to be implemented in 2023, should the tax be approved by the voters.

EQUITY IMPACT STATEMENT

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

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

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

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

FISCAL IMPACT

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

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

Treasurer-Tax Collector

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

Auditor & Controller

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

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

According to HdL, annual estimates of the cannabis taxation program revenue range from \$2.9 million to \$5.6 million. However, annual revenue projections also depend on a variety of factors.

These projections represent hypothetical future scenarios which will take time to develop and should not be assumed to be a first or second-year projection.

BUSINESS IMPACT STATEMENT

As of October 2021, the Board adopted ordinance amendments to allow the five existing cannabis dispensaries that were in operation prior to the County's 2017 prohibition on new medical facilities to continue operations and sell commercial medicinal and adult-use cannabis. Currently, no new dispensaries or other cannabis operations are permitted under the existing ordinances. The Land Use and Environment Group (LUEG) will bring forward additional items to the Board for approving additional cannabis operations at a later date. If the Board approves, it is anticipated that the County would make commercial cannabis

permits available to operators in the unincorporated area in spring-summer 2024. At that time, new permits could be issued to the following types of cannabis businesses: cultivators (including nurseries), distributors, manufacturers, retailers, and testing laboratories.

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

ACTION:

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

1. Adopted Ordinance No. 10801 (N.S.) entitled: AN ORDINANCE OF THE COUNTY OF SAN DIEGO, CALIFORNIA ADDING CHAPTER 4 (CANNABIS BUSINESS TAX) TO TITLE 2, DIVISION 2, OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES ESTABLISHING A TAX ON CANNABIS BUSINESS ACTIVITIES WITHIN THE COUNTY.
2. Adopted Resolution No. 22-102 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, CALLING FOR AND ORDERING AN ELECTION TO PRESENT TO THE VOTERS OF THE COUNTY A PROPOSED ORDINANCE ADDING CHAPTER 4, OF DIVISION 2, TO TITLE 2 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES ESTABLISHING A TAX ON CANNABIS BUSINESSES AND ORDERING CONSOLIDATION OF SAID ELECTION WITH THE CONSOLIDATED GENERAL ELECTION CALLED FOR NOVEMBER 8, 2022 (COUNTYWIDE); and,

Selected option 6 for the ballot language to read:

Shall the measure to fund general County purposes including but not limited to parks, fire safety, roads, health, and social equity, by taxing cannabis businesses in the unincorporated area on gross receipts at maximum 6% for retail, 3% for distribution, 2% for testing, cultivation at 3% or \$10 (inflation adjustable) per canopy square foot, and 4% for other businesses, generating an estimated \$2,930,000 to \$5,600,000 annually until repealed by voters, be adopted?

3. Adopted Recommendation 3a: Authorized one or more members of the Board to file with the Registrar of Voters a written argument for the measure on behalf of the Board, and a written rebuttal to any arguments against the measure, to be printed in the voter information guide, and further authorize those members to determine any other person(s) to prepare, submit, or sign a written rebuttal argument to any argument against the measure; and

Authorized Supervisor Vargas and Supervisor Fletcher to return to the Board in August 2022 with the proposed written argument for the measure.

4. Adopted Recommendation 4a: Pursuant to the authority in Elections Code § 9160(c), directed the Auditor and Controller to prepare a fiscal impact statement to be printed in the voter information guide.
5. Directed the Chief Administrative Officer to return to the Board to establish the actual tax rates to be implemented in 2023, should the tax be approved by the voters.

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

28. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Eric Woolsey v. County of San Diego, et al.; United States District Court, Southern District No. 3:21-cv-00877-BEN-AHG
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
D.F. v. Richard Fischer, et al.; San Diego Superior Court No. 37-2018-00011823-CU-MC-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Dolores Rosales, et al. v. County of San Diego, et al.; United States District Court, Southern District No. 3:19-cv-2303-JLS-DEB
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Lyn Townsend v. County of San Diego; San Diego Superior Court No. 37-2020-0003023-CU-PO-NC
- E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code section 54957)
Title: Clerk of the Board

F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code section 54957)
Title: County Counsel

ACTION:

County Counsel reported that for Closed Session on June 28, 2022, the Board of Supervisors took no reportable actions.

29. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Audra spoke to the Board regarding equity of public speakers and voting machines.

Paul Henkin spoke to the Board regarding public comment rules.

Consuelo spoke to the Board regarding water supply.

Terri-Ann Skelly spoke to the Board regarding the impacts of marijuana advertising on youth.

Becky Rapp spoke to the Board regarding the negative impacts of marijuana use on youth.

Oliver Twist spoke to the Board regarding a revisit to the Board's ban on clapping during the meeting.

Barbara Gordon spoke to the Board regarding the American Medical Association resolution regarding over-medicalization of marijuana.

Truth spoke to the Board regarding concerns about the National Association of Counties.

Kathleen Lippitt spoke to the Board regarding drug policies on marijuana.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 4:36 p.m. in memory of Judy Davids-Wright and Robert "Tambuzi" Cunningham.

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

Consent: Vizcarra
Discussion: Zurita

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

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