

**July 23, 2019**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

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

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
REGULAR MEETING  
MEETING AGENDA  
**TUESDAY, JULY 23, 2019, 9:00 AM**  
BOARD OF SUPERVISORS NORTH CHAMBER ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

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

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

- B. Invocation was led by Chaplain Sandi Hostetler.

- C. Pledge of Allegiance was led by President of the Retired Employees of San Diego County, John McTighe.

- D. Presentation or Announcement of Proclamations and Awards:

Vice-Chairman Greg Cox presented a proclamation declaring July 23, 2019, to be Tom Rice Day throughout the County of San Diego.

Supervisor Nathan Fletcher presented a proclamation declaring July 23, 2019 to be Workshops for Warriors National Hire for Veterans Day throughout the County of San Diego.

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

- F. Approval of the Statement of Proceedings/Minutes for the meeting of July 9, 2019.

**ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Board of Supervisors Regular meeting of July 9, 2019.

AYES: Cox, Jacob, Gaspar, Desmond

ABSENT: Fletcher

- G. Formation of Consent Calendar

- H. Discussion Items

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

**Board of Supervisors' Agenda Items**

<b>Category</b>	<b>#</b>	<b>Subject</b>
Public Safety	1.	MEMORANDUM OF UNDERSTANDING WITH SAN DIEGO GAS & ELECTRIC FOR HELICOPTER UTILIZATION FOR FIRE SUPPRESSION
	2.	DISTRICT ATTORNEY - AN ORDINANCE AMENDING SECTION 66.2 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO THE DISTRICT ATTORNEY ASSET FORFEITURE PROGRAM
	3.	SHERIFF - COURT SECURITY SERVICES MEMORANDUM OF UNDERSTANDING WITH THE SUPERIOR COURT OF CALIFORNIA - COUNTY OF SAN DIEGO
Health and Human Services	4.	REQUEST TO AMEND ORDINANCE FOR THE CHILD AND FAMILY STRENGTHENING ADVISORY BOARD
	5.	RECEIVE PRESCRIPTION DRUG ABUSE PLAN UPDATE
	6.	REVIEW AND COMMENT ON THE FIRST 5 COMMISSION OF SAN DIEGO STRATEGIC PLAN 2020-2025
	7.	AUTHORIZE DEVELOPMENT AND LAUNCH OF THE SAN DIEGO COUNTY TUBERCULOSIS ELIMINATION INITIATIVE AND ACCEPT THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND CALIFORNIA DEPARTMENT OF PUBLIC HEALTH GRANTS FOR COUNTYWIDE TUBERCULOSIS TREATMENT AND CONTROL AND REFUGEE HEALTH ASSESSMENT SERVICES [FUNDING SOURCE: STATE OF CALIFORNIA DEPARTMENT OF PUBLIC HEALTH AND THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND HEALTH REALIGNMENT]
	8.	AUTHORIZE ACCEPTANCE OF REVENUE AGREEMENT FOR HIV/AIDS SURVEILLANCE [FUNDING SOURCE: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH AND HEALTH REALIGNMENT]

9. NOTICED PUBLIC HEARING:  
GENERAL SERVICES - SOUTHEASTERN LIVE WELL  
CENTER - HOLD HEARING - PURCHASE OF REAL  
PROPERTY FROM THE CITY OF SAN DIEGO -  
ASSESSOR'S PARCEL NUMBER 548-040-39  
[FUNDING SOURCE: OPERATING TRANSFER IN FROM  
THE GENERAL FUND]
10. NOTICED PUBLIC HEARING:  
AN ORDINANCE AMENDING SECTION 439.2 OF THE SAN DIEGO  
COUNTY ADMINISTRATIVE CODE RELATING TO FEES  
FOR THE REGISTRAR OF VOTERS RECORDS AND  
SERVICES  
[FUNDING SOURCE: FEES FOR RECORDS AND  
SERVICES (NON-CANDIDATE STATEMENT FEES): FEES  
PAID BY CUSTOMERS; FEES FOR CANDIDATE  
STATEMENTS: FEES PAID BY CANDIDATES RUNNING  
FOR OFFICE WHO WISH TO EXERCISE THE OPTION OF  
HAVING A PAID CANDIDATE STATEMENT PRINTED IN  
THE SAMPLE BALLOT & VOTER INFORMATION  
PAMPHLET]
11. NOTICED PUBLIC HEARING:  
GENERAL SERVICES - APPROVE A DISPOSITION AND  
DEVELOPMENT AGREEMENT AND 99-YEAR GROUND  
LEASE FOR THE AFFORDABLE HOUSING  
DEVELOPMENT AT 1501/1555 SIXTH AVENUE  
[FUNDING SOURCE: INTERNAL AGREEMENT WITH THE  
HEALTH AND HUMAN SERVICES AGENCY (HHS) A  
SUPPORTED BY AVAILABLE PRIOR YEAR HHS  
GENERAL FUND FUND BALANCE]  
(4 VOTES)
12. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS  
(DISTRICT: 2)  
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
13. GENERAL SERVICES - AUTHORIZATION TO  
ADVERTISE AND AWARD A CONSTRUCTION  
CONTRACT FOR THE MODERNIZATION OF THE  
PUBLIC ELEVATORS AT THE JUVENILE PROBATION  
CENTER  
[FUNDING SOURCE: CHARGES TO CLIENT  
DEPARTMENTS]
14. GENERAL SERVICES - AUTHORIZATION TO  
ADVERTISE AND AWARD A CONSTRUCTION  
CONTRACT FOR THE REPLACEMENT OF THE  
HIGH-RISE WINDOW REPAIR PLATFORM AT THE HALL  
OF JUSTICE BUILDING [FUNDING SOURCE: CHARGES  
TO CLIENT DEPARTMENTS]

15. APPROVAL OF FINANCING DOCUMENTS FOR THE CERTIFICATES OF PARTICIPATION, SERIES 2019 (JUSTICE FACILITIES REFUNDING)
16. EXCESS CONTRIBUTION TO REDUCE PENSION UNFUNDED ACTUARIALLY ACCRUED LIABILITY [FUNDING SOURCE: GENERAL PURPOSE REVENUE BASED ON BETTER THAN ANTICIPATED GROWTH IN ASSESSED VALUE] (4 VOTES)
17. RESPONSE TO 2018-19 GRAND JURY REPORTS

Communications Received

18. COMMUNICATIONS RECEIVED

Appointments

19. APPOINTMENTS: VARIOUS

Closed Session

20. CLOSED SESSION

Public Communication

21. PUBLIC COMMUNICATION

**1. SUBJECT: MEMORANDUM OF UNDERSTANDING WITH SAN DIEGO GAS & ELECTRIC FOR HELICOPTER UTILIZATION FOR FIRE SUPPRESSION (DISTRICTS: ALL)**

**OVERVIEW**

On July 19, 2016 (1), the Board of Supervisors approved signing an agreement with San Diego Gas & Electric (SDG&E) to utilize a leased Helitanker for the region's aerial fire protection program, and to jointly fund the initial flight hours for fire suppression within the County of San Diego (County). Between January 2017 and June 2019, the helicopter responded approximately 25 times for a total of over 134 hours of wildland fire related flight time. Some notable fires include the West Fire (Alpine, 2018), the Rangeland Fire (Ramona, 2018), the Pasqual Fire (Pasqual Valley, 2018), and the Recycle Fire (Campo, 2018).

Recently, SDG&E has advised the County they are leasing a second helicopter, having entered into a long-term lease with Helistream, Inc. for a UH-60 Blackhawk helicopter. The County is seeking to increase its aerial assets to strengthen its initial fire suppression attack capabilities and SDG&E has offered to enter into an agreement with the County to make this second helicopter available to the region for year-round fire suppression. Further, during red flag events, one of the helicopters will be pre-positioned in North County, in accordance with the needs determined by the California Department of Forestry and Fire Protection (CAL FIRE) Fire Chief.

Today's action will direct the Chief Administrative Officer to enter into a Memorandum of Understanding (MOU) between the County and SDG&E, adding the second helicopter to the current MOU. Under this agreement, SDG&E will cover the costs to operate the helicopter during the first two flight hours of any new fire, and the County will cover the second two flight hours.

**RECOMMENDATION(S)**

**SUPERVISOR JIM DESMOND**

Waive Board Policy A-87 and authorize the Director, Purchasing and Contracting, to enter into negotiations with San Diego Gas & Electric to utilize its firefighting-equipped helicopters in support of firefighting efforts, and upon successful negotiations and determination of fair and reasonable terms, enter into an agreement for up to three years through June 30, 2022, and to amend the agreement as needed to reflect changes to services and funding and to execute any related agreements or documents.

**FISCAL IMPACT**

No additional appropriations are necessary as a result of this action. Funds for this request are included in the Fiscal Year 2019-20 Operational Plan under the County's Aerial Fire Protection Call When Needed Program. If approved, it is estimated that this request could result in a maximum of \$150,000 in current year costs, depending on flight time and reimbursements from the State of California or the Federal Government.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, with direction from Supervisor Desmond to amend his recommendation to include language that the dollar amount of the agreement shall not exceed \$150,000 per year in annual cost to the County.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

2. **SUBJECT: DISTRICT ATTORNEY - AN ORDINANCE AMENDING SECTION 66.2 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO THE DISTRICT ATTORNEY ASSET FORFEITURE PROGRAM (DISTRICTS: ALL)**

**OVERVIEW**

In California, Penal Code section 186.1 et seq., cited as the “California Control of Profits of Organized Crime Act,” permits prosecutors to punish and deter certain offenses committed by organized crime through the forfeiture of profits acquired as a result of such criminal activities. Currently, San Diego County Administrative Ordinance section 66.2, which describes the District Attorney Asset Forfeiture Program, does not specifically address the distribution of assets for criminal forfeitures under Penal Code section 186.1 et seq., but rather only discusses civil forfeitures pursuant to federal law and the Health and Safety Code. Currently, assets distributed to the District Attorney’s Asset Forfeiture Fund are used for various law enforcement activities, including training and education, equipment, investigation costs, support of crime prevention activities, and/or gang and drug intervention programs.

Today’s recommended action would direct the distribution of 100% of assets that have been criminally forfeited to the County General Fund under Penal Code section 186.1 et seq. into the District Attorney’s Asset Forfeiture Fund, and provide that up to 50% of those funds may be distributed to law enforcement agencies involved in the case investigation as a means to recover their investigation costs, except in cases of child pornography or exploitation and cases involving minor victims of human trafficking, which would be distributed to the County Children’s Trust Fund and Victim-Witness Assistance Fund, respectively

**FISCAL IMPACT**

There is no fiscal impact associated with the requested actions. There will be no current year or annual cost and will not require any additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**RECOMMENDATION(S)**

**DISTRICT ATTORNEY**

This item has been withdrawn at the request of the Chief Administrative Officer.

**3. SUBJECT: SHERIFF - COURT SECURITY SERVICES MEMORANDUM OF UNDERSTANDING WITH THE SUPERIOR COURT OF CALIFORNIA - COUNTY OF SAN DIEGO (DISTRICTS: ALL)**

**OVERVIEW**

On March 3, 2015 (3), the Board of Supervisors approved the Memorandum of Understanding and Comprehensive Court Security Plan (MOU) between the Superior Court of California - County of San Diego (Court) and the County of San Diego (County) for a term ending on June 30, 2019.

The Superior Court Security Act of 2012 (Act) requires the Court and the Sheriff to develop a Comprehensive Court Security Plan. The Act also requires the County and the Court to enter into a Memorandum of Understanding specifying agreed-upon level of court security services and any other agreed-upon governing or operating procedures. The Act provides that the MOU shall remain in effect until the parties enter into a new MOU. Today's action requests authorization for the Chief Administrative Officer and the Sheriff to work with the Court and with state agencies, including the Administrative Office of the Courts and the State Department of Finance, regarding service levels and funding for court security services to be included in the MOU.

**RECOMMENDATION(S)**

**SHERIFF**

Authorize the Chief Administrative Officer in cooperation with the Sheriff, to work with the Superior Court of California and with state agencies regarding the Memorandum of Understanding (MOU) and Comprehensive Court Security Plan between the Superior Court of California - County of San Diego (Court) and the County of San Diego (County), including service levels and funding for court security services and return to the Board within 180 days with recommendations regarding an agreement.

**FISCAL IMPACT**

There is no fiscal impact associated with this recommendation. Funds for the annual cost of Court Security are included in the Fiscal Year 2019-20 Operational Plan for the Sheriff's Department. The annual costs of Court Security in Fiscal Year 2019-20 are estimated to be \$56,941,307 with revenue of \$40,810,407. The revenue is from the State of California allocated to the Trial Court Security Subaccount (\$40,810,407). The County's share of the court security costs is funded by Local Revenue Fund 2011 Community Corrections Subaccount (\$1,276,500) and existing General Purpose Revenue (\$14,854,400). Subsequent year costs and revenues will be included in future year Operational Plans for the Sheriff's Department. There will be no change in net General Fund cost and no additional staff years. If any additional staff years or funding adjustments are required following the authorized discussions, the Sheriff's Department will return to the Board.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**4. SUBJECT: REQUEST TO AMEND ORDINANCE FOR THE CHILD AND FAMILY STRENGTHENING ADVISORY BOARD (DISTRICTS: ALL)**

**OVERVIEW**

The Child and Family Strengthening Advisory Board of San Diego County was created in March 2019 by the Board of Supervisors to serve as a platform for cross sector collaboration and transparent monitoring of the San Diego County child welfare system and to ensure the safety and wellbeing of children and families. Subsequently, the Board of Supervisors designated Vice-Chairman Cox and Supervisor Fletcher to serve as co-chairs.

Today's requested action directs the Chief Administrative Officer (CAO) to draft an ordinance amending the membership of the Child and Family Strengthening Advisory Board of San Diego County to include four additional voting members and return to the Board on August 6, 2019 for the first reading of the ordinance and if approved, return to the Board to consider and adopt the new ordinance on September 10, 2019.

**RECOMMENDATION(S)**

**VICE-CHAIRMAN GREG COX AND SUPERVISOR NATHAN FLETCHER**

1. Direct the Chief Administrative Officer, while working with County Counsel, to draft an ordinance amending the membership of the Child and Family Strengthening Advisory Board of San Diego County to include four (4) additional voting members as follows: two (2) individuals with lived experience who reflect over-represented populations in the system with a preference for former foster youth, one (1) seat representing the A.B. and Jessie Polinsky Children's Center and one (1) seat representing the San Pasqual Academy.
2. Return to the Board on August 6, 2019 for the first reading of the ordinance and if approved, return to the Board to consider and adopt the ordinance on September 10, 2019.

**FISCAL IMPACT**

There is no fiscal impact associated with this action.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**5. SUBJECT: RECEIVE PRESCRIPTION DRUG ABUSE PLAN UPDATE  
(DISTRICTS: ALL)**

**OVERVIEW**

In 2008, Prescription Drug Abuse Task Force (PDATF) began as a convening of key stakeholders who met to discuss the emerging problem of OxyContin misuse, and recommend local responses to reduce prescription drug misuse. In 2010, PDAFT developed, in partnership with the County of San Diego, the County of San Diego Prescription Drug Abuse Plan. This plan was originally developed to provide a framework for PDATF activities and as such, continually evolves its scope to align with community needs as informed by cross-sector and timely data-analysis. As the opioid crisis emerged, the relationship between prescription drug misuse and the broader nationwide opioid problem became evident.

Presented today is a comprehensive update to the County of San Diego Prescription Drug Abuse Plan, which was adopted by the Board of Supervisors on December 7, 2010 (16). Although the PDATF retains its name, the County of San Diego Prescription Drug Abuse Plan has been updated to reflect the broader scope of countywide efforts, including the PDATF's activities and future aims for opioid and prescription drug misuse prevention. Additionally, the plan has been updated to reflect how the PDATF activities link to other community efforts to prevent, screen, and provide treatment for substance use disorders. The County of San Diego's Drug Medi-Cal Organized Delivery System transformation is one such multi-sector collaborative effort.

On October 9, 2018 (04), the Board of Supervisors directed the Chief Administrative Officer to update the County of San Diego Prescription Drug Abuse Plan and return to the Board for approval of the updated plan.

Today's recommended action is to receive this updated plan titled: County of San Diego Strategic Plan to Address Opioid and Prescription Drug Misuse. This action supports the countywide *Live Well San Diego* vision by advancing the health and well-being of children, adults and families.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Receive the 2019 update to the County of San Diego Prescription Drug Abuse Plan, titled: The County of San Diego Strategic Plan to Address Opioid and Prescription Drug Misuse.

**FISCAL IMPACT**

There is no fiscal impact associated with this item. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, and received the 2019 update to the County of San Diego Prescription Drug Abuse Plan, titled: The County of San Diego Strategic Plan to Address Opioid and Prescriptions Drug Misuse.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**6. SUBJECT: REVIEW AND COMMENT ON THE FIRST 5 COMMISSION OF SAN DIEGO STRATEGIC PLAN 2020-2025 (DISTRICTS: ALL)**

**OVERVIEW**

In November 1998, California voters passed the California Children and Families Act (Proposition 10). This statewide ballot initiative increased the tax on cigarettes and tobacco products and created local county commissions to oversee funding decisions. The First 5 Commission of San Diego (Commission) utilizes revenue from voter-approved taxes on cigarettes and tobacco products to promote early childhood development for children ages zero to five.

In a public hearing on April 18, 2019, the Commission reviewed and adopted a new Strategic Plan for the time period 2020-2025. In accordance with San Diego County Administrative Code Section 84.108(e), the San Diego County Board of Supervisors (Board) is required to review and comment on the new Strategic Plan. Today, your Board is requested to review and comment on the First 5 Commission of San Diego Strategic Plan 2020-2025.

This item supports the County of San Diego's *Live Well San Diego* vision by seeking to improve early childhood health and development in the San Diego region as well as work towards the Commission's vision that "all children ages 0 through 5 are healthy, are loved and nurtured and enter school as active learners."

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Review and comment on the new First 5 Commission of San Diego Strategic Plan for the period 2020-2025.

**FISCAL IMPACT**

There is no fiscal impact associated with this 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 Gaspar, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended and reviewed and commented on the new First 5 Commission of San Diego Strategic Plan 2020-2025, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

7. **SUBJECT: AUTHORIZE DEVELOPMENT AND LAUNCH OF THE SAN DIEGO COUNTY TUBERCULOSIS ELIMINATION INITIATIVE AND ACCEPT THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND CALIFORNIA DEPARTMENT OF PUBLIC HEALTH GRANTS FOR COUNTYWIDE TUBERCULOSIS TREATMENT AND CONTROL AND REFUGEE HEALTH ASSESSMENT SERVICES (DISTRICTS: ALL)**

**OVERVIEW**

While there has been significant progress made since the 1980s in addressing Tuberculosis (TB) control, San Diego County is still heavily affected. With an incidence rate of 7.1 cases per 100,000 individuals, San Diego County is one of the most heavily impacted counties in the country and remains well above both national (2.8 cases per 100,000 individuals) and California (5.2 cases per 100,000 individuals) TB rates.

With global, federal, and State TB elimination efforts underway, combined with the major TB prevention advances of more accurate TB tests and effective short-course treatment for latent tuberculosis infection, the County of San Diego (County) is poised to enhance efforts to eliminate TB. If approved, today's action would formally establish the *San Diego County TB Elimination Initiative*, a coordinated effort to build a TB elimination framework that serves the County's diverse population and engages key stakeholders and communities impacted by TB. The goal of this initiative is to develop a plan and timeframe to decrease the incidence of active TB cases in San Diego County by 98.6% to 1 case per million by 2040. In conjunction with these efforts, and to address the specific needs of San Diego County residents, the TB Control and Refugee Health Branch of Public Health Services will lead a one-year planning process to create a five-year plan for eliminating TB as a public health threat in the San Diego region.

For over 30 years, the Board of Supervisors (Board) has authorized grants and agreements with the Centers for Disease Control and Prevention (CDC) and the California Department of Public Health (CDPH) which provide a variety of services to address both TB surveillance and control. To complement the efforts described above, today's action would allow the acceptance of approximately \$1,968,552 in grant funding from the TB Control Cooperative Grant from the CDC, approximately \$954,189 in grant funding from CDPH, and approximately \$415,400 in grant funding from the Refugee Health Assessment Program (RHAP) Fee for Service Agreement from CDPH.

Lastly, authorization is further requested to apply for any additional funds that might be used to fund efforts that build capacity and enhance programs that address the reduction of the spread of TB with the provision of testing, case management, and prevention services.

Today's actions support the Building Better Health and Living Safely components of the *Live Well San Diego* vision, by bolstering local efforts toward elimination of a curable disease to improve longevity and quality of life.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Direct the Chief Administrative Officer to develop and launch the *San Diego County Tuberculosis Elimination Initiative*, a public-private partnership, using a collective impact approach, to eliminate tuberculosis as a public health threat in San Diego County.

2. 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.
3. Authorize the acceptance of approximately \$1,968,552 in grant funds from the Centers for Disease Control and Prevention for the period of January 1, 2020 through December 31, 2020, 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.
4. Authorize the acceptance of approximately \$954,189 in grant funds from the California Department of Public Health for the period of July 1, 2019 through June 30, 2020, 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.
5. Authorize the acceptance of approximately \$415,400 in grant funds and fees from the California Department of Public Health for the period of October 1, 2019 through September 30, 2020 for the Refugee Health Assessment Program and Refugee Health Prevention Program, 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.
6. Authorize the Agency Director, Health and Human Services Agency, to apply for any additional funding opportunities, if available, to build capacity and enhance programs that address the reduction of the spread of tuberculosis.

#### **FISCAL IMPACT**

Funds for these requests are included in the Fiscal Year 2019-21 Operational Plan in the Health and Human Services Agency. If approved, today's actions will result in costs of \$3,382,742 and revenue of \$2,250,015 in Fiscal Year 2019-20 and costs of \$1,652,269 and revenue of \$1,088,126 for Fiscal Year 2020-21. The funding sources are the State of California Department of Public Health and the Centers for Disease Control and Prevention. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These costs are estimated at \$1,132,727 for Fiscal Year 2019-20 and \$564,143 for Fiscal Year 2020-21. The funding source for these costs will be Health 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 Gaspar, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**8. SUBJECT: AUTHORIZE ACCEPTANCE OF REVENUE AGREEMENT FOR HIV/AIDS SURVEILLANCE (DISTRICTS: ALL)**

**OVERVIEW**

For the past 25 years, the San Diego County Board of Supervisors (Board) has authorized agreements with the California Department of Public Health (CDPH) to accept an AIDS Master Grant Agreement. This agreement provides services to reduce transmission of HIV/AIDS in San Diego County and to improve health outcomes for people living with HIV/AIDS. Most recently, on June 28, 2016 (08), the Board authorized a three-year agreement for HIV/AIDS Surveillance services through June 30, 2019, for a cumulative amount of \$2,075,031.

Pending release of the CDPH AIDS Master Grant Agreement application and award notification, today's action requests the Board to approve and to authorize the Clerk of the Board, upon receipt, to execute a new five-year HIV/AIDS Surveillance Agreement with CDPH, from July 1, 2019 through June 30, 2024, for an anticipated five-year total of approximately \$3,500,000. Authorization is further requested to apply for any additional funding that might be used to enhance surveillance to improve data-driven decision management in support of individuals and families in the San Diego County who are impacted by HIV/AIDS.

The County of San Diego's (County) Getting to Zero initiative seeks to end the HIV epidemic locally through focused efforts related to testing, treatment, and prevention. This item supports the Getting to Zero initiative by providing surveillance information to measure the success of the initiative and identifying subpopulations of individuals living with HIV/AIDS who are in need of additional support. This item also supports the *Live Well San Diego* vision by enhancing identification of reportable health conditions and access to prevention, testing, and high-quality medical care that leads to improved physical and behavioral health. Approval of this item will enable ongoing surveillance activities and provide information useful to improve the treatment and health of persons with HIV/AIDS in San Diego County.

**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. Approve and authorize the Clerk of the Board to execute, upon receipt, a five-year agreement and all required documents with the California Department of Public Health for an HIV/AIDS Surveillance Grant Agreement to provide HIV/AIDS related surveillance for the period July 1, 2019 through June 30, 2024 for a five-year total of approximately \$3,500,000, or an annual amount of approximately \$700,000, including any extensions, amendments, or revisions that do not materially impact either the program or funding level.
3. Authorize the Agency Director, Health and Human Services Agency, to pursue future funding opportunities related to enhancing surveillance to improve data-driven decision management in support of those impacted by HIV/AIDS.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2019-21 Operational Plan in the Health and Human Services Agency. If approved, today's actions will result in costs of \$880,923 and revenue of \$700,000 in Fiscal Year 2019-20 and costs of \$880,923 and revenue of \$700,000 in Fiscal Year 2020-21. The funding source is the California Department of Public Health. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. Unrecovered costs are estimated at \$180,923 for Fiscal Year 2019-20 and \$180,923 for Fiscal Year 2020-21. The funding source for these costs is Health Realignment. The public benefit for providing these services far outweighs these costs. There will be no change in net General Fund costs and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

9. **SUBJECT: NOTICED PUBLIC HEARING:  
GENERAL SERVICES - SOUTHEASTERN LIVE WELL CENTER -  
HOLD HEARING - PURCHASE OF REAL PROPERTY FROM THE  
CITY OF SAN DIEGO - ASSESSOR'S PARCEL NUMBER 548-040-39  
(DISTRICT: 4)**

### **OVERVIEW**

This item has been continued from July 23, 2019 (09) to July 24, 2019.

On June 25, 2019 (10), the Board of Supervisors set a hearing for July 23, 2019.

On June 19, 2018 (12), the Board approved the purchase of an unimproved 4.06-acre property near the intersection of Euclid Avenue and Market Street in San Diego for use as the site for a new HHS Southeastern Live Well Center (SELWC) and authorized the advertisement and award of a design-build contract for the design and construction of the facility. The property consists of Assessor's Parcel Numbers 548-040-06 through 548-040-09.

On March 12, 2019 (6), the Board authorized the Director, Department of General Services to negotiate the potential purchase of the 7,000 square-foot Tubman-Chavez Community Center located on 0.63-acre owned by the City of San Diego (Assessor's Parcel Number 548-040-39). The City-owned parcel is located at the southeastern intersection of Euclid Avenue and Market Street and is situated immediately west of the property acquired for the SELWC. Acquiring the City-owned parcel would enhance SELWC services by allowing more efficient design opportunities, creating more visibility for the facility, and providing additional physical access to the County's property. Negotiations with the City were successful, and the City has agreed to sell the City parcel to the County for the appraised fair market value of \$1,465,000.

Today's request is for the Board to make the necessary environmental findings, approve the purchase of the Tubman-Chavez Community Center parcel from the City of San Diego for \$1,465,000, and authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that there are no changes in the project or in the circumstances under which it is undertaken that involve significant new environmental impacts that were not considered in the previously adopted Mitigated Negative Declaration (MND), prepared in May 2018, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was prepared.
2. Approve the purchase of the Tubman-Chavez Community Center from the City of San Diego [Assessor's Parcel Number 548-040-39] for the appraised value of \$1,465,000.
3. Authorize the Director, Department of General Services to execute the purchase and sale agreement for the property and all escrow and related documents necessary to complete the purchase.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for the County Health Complex Capital Outlay Fund for Capital Project 1021148, Southeastern San Diego Live Well Center. If approved, this request will result in total acquisition costs of \$1,705,000 (\$1,465,000 for the acquisition of APN 548-040-39 and \$240,000 for escrow and title fees, staff costs to process the purchase, and due diligence costs related to the proposed acquisition). The funding source is an Operating Transfer In from the General Fund. There will be no change in net General Fund cost and no additional staff years.

The total project cost of the Southeastern Live Well Center project is currently estimated to be \$75,705,000.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

This item has been continued to July 24, 2019 at the request of the Chief Administrative Officer.

**10. SUBJECT: NOTICE OF PUBLIC HEARING: AN ORDINANCE AMENDING SECTION 439.2 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES FOR THE REGISTRAR OF VOTERS RECORDS AND SERVICES (DISTRICTS: ALL)**

**OVERVIEW**

With a current registered voter population of 1.8 million, the mission of the Registrar of Voters (ROV) is to conduct voter registration and voting processes with the highest level of professional election standards, including accountability, security and integrity, thereby earning and maintaining public confidence in the electoral process. The ROV conducts elections on behalf of the more than 440 political districts in San Diego County.

Today's actions request that the Board of Supervisors review and approve amendments to Section 439.2 of the San Diego County Administrative Code related to the Registrar of Voters' fees for products and services. The recommended changes reflect fees and rates that are fair and equitable for customers and the public. The proposed changes are the result of an analysis of services provided to the public, processing times, and corresponding costs to provide those services. The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal.

Today's actions include introducing an Ordinance amending Section 439.2 of the San Diego County Administrative Code (first reading) so that it can be acted upon at the August 6, 2019 meeting (second reading).

**RECOMMENDATION(S)  
CHIEF ADMINISTRATIVE OFFICER**

On July 23, 2019:

Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance:

**AN ORDINANCE AMENDING SECTION 439.2 OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE RELATING TO FEES FOR THE REGISTRAR OF VOTERS RECORDS AND SERVICES.**

If on July 23, 2019, the Board takes action as recommended on Item 1 above, then on August 6, 2019:

Approve the adoption of the following Ordinance (second reading), read title and waive further reading of the Ordinance:

**AN ORDINANCE AMENDING SECTION 439.2 OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE RELATING TO FEES FOR THE REGISTRAR OF VOTERS RECORDS AND SERVICES.**

**FISCAL IMPACT**

**Fees for Records and Services (Non-Candidate Statement Fees)**

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan. If approved, this request will result in decreased estimated annual costs and revenue of \$5,000 due to a reduction in cost of fee services. The funding source is fees paid by customers. There will be no change in net General Fund cost and no additional staff years.

### **Fees for Candidate Statements**

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan. If approved, the proposed fees will ensure full cost recovery for services provided. This request will result in additional estimated annual revenue of \$150,000. The funding sources is fees paid by candidates running for office who wish to exercise the option of having a paid candidate statement printed in the sample ballot & voter information pamphlet. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Gaspar, the Board of Supervisors closed the hearing and took action as recommended, introducing the Ordinance for further Board consideration and adoption on August 6, 2019.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- 11. SUBJECT: NOTICED PUBLIC HEARING:  
GENERAL SERVICES - APPROVE A DISPOSITION AND  
DEVELOPMENT AGREEMENT AND 99-YEAR GROUND LEASE FOR  
THE AFFORDABLE HOUSING DEVELOPMENT AT 1501/1555 SIXTH  
AVENUE (DISTRICT: 4)**

### **OVERVIEW**

San Diego County is facing a housing affordability crisis. Over half of County residents are housing burdened, meaning they spend more than 30% of their income on housing; renters with the lowest income are spending over 60% of their income on housing. On June 20, 2017 (22), the Board of Supervisors (Board) directed staff to review potential County-owned properties that may be available for development to help alleviate this crisis. The former Superior Court-Family Court, located at 1501/1555 Sixth Avenue, San Diego, CA (Assessor Parcel Numbers 534-014-04 and 534-014-12) (Site), was found to be suitable for near-term development of affordable housing units.

On February 13, 2018 (8), the Board authorized the Director, Department of General Services, to issue a Request for Statements of Qualifications and subsequent Request for Proposals (RFP) to the firms found qualified, to begin the competitive process for the ground lease and development of the Site. On June 26, 2018 (6), the Board received the proposals and authorized staff to select a developer and negotiate the terms for a ground lease. Staff reviewed each proposal based on the criteria and goals set forth in the RFP and identified BRIDGE Housing Corporation (BRIDGE) as the developer with the proposal that most closely aligned with the County's stated goals. BRIDGE is proposing a 100% affordable housing development consisting of approximately 60 senior units and approximately 60 family units. The County and BRIDGE entered into an Exclusive Negotiating Agreement in January 2019 to lay the ground work for negotiating a Disposition and Development Agreement and its attachments (DDA), including a 99-year Ground Lease.

Today's request is for the Board to adopt an Ordinance authorizing a Disposition and Development Agreement between the County and BRIDGE for the development of affordable housing at 1501/1555 Sixth Avenue, as well as approve the Ground Lease and other documents necessary for implementation of the project. The Ground Lease will be executed upon satisfaction of conditions outlined in the DDA, including BRIDGE's receipt of entitlements and the financing needed to construct the proposed development.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Final Environmental Impact Report (FEIR) for the Downtown/Centre City Community Plan, Centre City Planned District Ordinance, and 11th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency of the City of San Diego (Former Agency) and City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively) and subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolutions R-04508 and R-04510), August 3, 2010 (Former Agency Resolution R-04544) and certified by City Council on February 12, 2014 (Resolution R-308724) and July 14, 2014 (Resolution R-309115), as well as the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561) and Final Environmental Impact Report for the Climate Action Plan certified by the City Council on December 15, 2015 (Resolution R-310176) including the addendum to the CAP FEIR certified by City Council on July 12, 2016 (collectively, the EIRs) were completed in compliance with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines; that the Board has reviewed and considered the information contained in the EIRs before authorizing the project; these previously certified EIRs have been deemed adequate for this purpose; and, no further environmental documentation or review is required.

Find that there are no changes in the project or in the circumstances under which it is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIRs, there is no substantial increase in the severity of previously identified significant effects, and no new information of substantial importance has become available since the EIRs were certified, as explained in the Consistency Evaluation dated May 2019, prepared pursuant to CEQA Guidelines Section 15162, and attached as Attachment C.

2. Find that Disposition and Development Agreement and Ground Lease will help meet the housing needs of the County and result in economic benefits to the County.
3. Find that the public benefit of the lease of the Site is expected to be greater than the public benefit which would result from the sale of the Site, and that a reasonable expectation exists that the future public need justifies retention of the fee ownership of the Site.
4. Adopt the following Ordinance after holding a public hearing as required by Government Code Section 25515.2.

**AN ORDINANCE AUTHORIZING AN AGREEMENT ENTITLED DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE COUNTY OF SAN DIEGO AND BRIDGE HOUSING CORPORATION OR ITS AFFILIATE FOR LEASE AND DEVELOPMENT OF THE REAL PROPERTY LOCATED AT 1501/1555 SIXTH AVENUE IN THE CITY OF SAN DIEGO. (4 VOTES)**

5. Authorize the Clerk of the Board to publish the Ordinance in accordance with Government Code section 25124.
6. Authorize the Director, Department of General Services, to execute the Disposition and Development Agreement (DDA) for 1501/1555 Sixth Avenue with BRIDGE Housing Corporation or an affiliate entity 30 days after adoption of the Ordinance, and to execute the Ground Lease and any other attachments to the DDA or other documents necessary for implementation of the DDA and the Project.
7. Authorize the Agency Director, Health and Human Services Agency, or designee, to execute the Regulatory Agreement.
8. Authorize the Director, Department of General Services, or designee, and the Agency Director, Health and Human Services Agency, or designee, to perform any actions in furtherance of or necessary to administer or implement the Disposition and Development Agreement, including its attachments, and the Project.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan in the Department of General Services, Facilities Management Internal Services Fund. If approved, this request will result in estimated costs and revenue of \$232,235, and pre-construction revenue of \$10,000. The funding source is an internal agreement with the Health and Human Services Agency (HHS) supported by available prior year HHS General Fund fund balance.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor Fletcher, the Board of Supervisors closed the hearing and took action as recommended, adopting Ordinance No. 10619 (N.S.) entitled: AN ORDINANCE AUTHORIZING AN AGREEMENT ENTITLED DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE COUNTY OF SAN DIEGO AND BRIDGE HOUSING CORPORATION OR ITS AFFILIATE FOR LEASE AND DEVELOPMENT OF THE REAL PROPERTY LOCATED AT 1501/1555 SIXTH AVENUE IN THE CITY OF SAN DIEGO.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

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

**OVERVIEW**

Funding for the Neighborhood Reinvestment Program (NRP) is included in the Fiscal Year 2019-20 Operational Plan in order to further public purposes throughout San Diego County.

**RECOMMENDATION(S)**  
**CHAIRWOMAN DIANNE JACOB**

1. Allocate \$150,000 from the District Two Neighborhood Reinvestment Program (Org 15655) to the El Capitan Stadium Association, Inc. to partially fund the construction of a skybox for enclosed seating and cinder block restrooms to be located on the Lakeside Rodeo Grounds property in Lakeside, CA.
2. Allocate \$90,000 from the District Two Neighborhood Reinvestment Program (Org 15655) to the Grossmont Union High School District (GUHSD) to partially fund the purchase and retrofitting of a semi-trailer that will be converted into a mobile cut and wrap unit that will be located adjacent to El Capitan High School on the Lakeside Rodeo Grounds property in Lakeside, CA.
3. Allocate \$170,000 from the District Two Neighborhood Reinvestment Program (Org 15655) to Helix Charter High School for the purchase of athletic equipment and construction of a restroom facility at the baseball field located in La Mesa, CA.
4. Find that the grant awards described above have a public purpose.
5. Authorize the Deputy Chief Administrative Office/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment funds establishing terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
6. Find that the grants identified in Recommendation Nos. 1-3 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

**FISCAL IMPACT**

The fiscal impact of these recommendations is \$410,000. Funds for these requests are included in the Fiscal Year 2019-20 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). The funding source is General Purpose Revenue. These actions will result in the addition of no new staff years and no additional costs.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**13. SUBJECT: GENERAL SERVICES - AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE MODERNIZATION OF THE PUBLIC ELEVATORS AT THE JUVENILE PROBATION CENTER (DISTRICT: 4)**

**OVERVIEW**

The Juvenile Probation Center located at 2901 Meadow Lark Drive in San Diego has two public elevators that have reached the end of their useful service life. These elevators serve two floors of the building and are used by the visiting public and County staff. As they continue to age, reliability has decreased, and closures for repairs have become more commonplace. Parts for the elevator controllers are obsolete, and the maintenance contractor is unable to source parts for the ongoing repairs. Modernization services are needed now in order to maintain proper elevator operation, to ensure serviceability, and to provide reliable vertical transportation to the visiting public.

Today's request is for the Board to authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract for elevator modernization work for the two public elevators serving the Juvenile Probation Center. If approved, modernization work is expected to begin in Fall 2019 with estimated completion in late 2019.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project for elevator modernization system work at Juvenile Probation Center is exempt from the California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15301.
2. Authorize the Director, Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code, with respect to contracting for elevator modernization at the Juvenile Probation Center.
3. Designate the Director, Department of General Services as the County Officer responsible for administering the construction contract for elevator modernization work at Juvenile Probation Center.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for the Department of General Services, Major Maintenance Internal Service Fund. If approved, this request will result in estimated costs and revenue of \$599,670. The funding source are charges to client departments. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

County construction contracts are competitively bid and help stimulate the local economy.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**14. SUBJECT: GENERAL SERVICES - AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE REPLACEMENT OF THE HIGH-RISE WINDOW REPAIR PLATFORM AT THE HALL OF JUSTICE BUILDING (DISTRICT: 4)**

**OVERVIEW**

The Hall of Justice building located at 330 West Broadway in San Diego has a high-rise window repair platform that is at the end of its useful service life. The platform has failed inspection because of its age and can no longer be used to wash/repair the windows. In order to maintain the exterior of the building, a new platform is needed to replace the existing one.

Today's request is for the Board to authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract for the replacement of the high-rise window repair platform that enables staff to perform maintenance on the building's exterior at the Hall of Justice. If approved, replacement work is expected to begin in Fall 2019 with estimated completion in late 2019.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project for the replacement of the high-rise window repair platform at the Hall of Justice is exempt from the California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15301.
2. Authorize the Director, Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code, with respect to contracting for the replacement of the high-rise window repair platform at the Hall of Justice.
3. Designate the Director, Department of General Services as the County Officer responsible for administering the construction contract for the replacement of the high-rise window repair platform at the Hall of Justice.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for the Department of General Services, Major Maintenance Internal Service Fund. If approved, this request will result in estimated costs and revenue of \$333,671. The funding source are charges to client departments. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

County construction contracts are competitively bid and help stimulate the local economy.

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**15. SUBJECT: APPROVAL OF FINANCING DOCUMENTS FOR THE CERTIFICATES OF PARTICIPATION, SERIES 2019 (JUSTICE FACILITIES REFUNDING) (DISTRICTS: ALL)**

**OVERVIEW**

Pursuant to Board Policy B-65, Long-Term Obligations and Financial Management Policy, the County continually reviews its outstanding long-term financial obligations and seeks opportunities to refinance these obligations when economically advantageous in accordance to the Refunding Policy of the County Debt Advisory Committee. Current market conditions have created an opportunity to lower annual lease payments related to the \$80,940,000 County of San Diego Certificates of Participation (2009 Justice Facilities Refunding) ("2009 COPs"). Currently, \$31,805,000 of the 2009 COPs are outstanding.

Today's recommendations will direct County staff to refund the outstanding 2009 COPs through the issuance of the Certificates of Participation, Series 2019 COPs ("2019 COPs") on a current refunding basis, so long as market conditions allow for a refunding that meets the requirements stated in the County's Refunding Policy: 1) a minimum net present value ("NPV") savings target of 3% of Refunded Par; 2) a minimum of \$1 million of NPV savings; and 3) annual cash flow savings of at least \$100,000. Today's recommendations will also approve the forms of the documents necessary to execute the refunding and refers consideration of the refunding to the San Diego County Capital Asset Leasing Corporation ("SANCAL") Board of Directors for approval.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Adopt the Resolution entitled:  
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF A SITE LEASE (HALL OF JUSTICE), FACILITY LEASE (HALL OF JUSTICE) AND TRUST AGREEMENT AND THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION, SERIES 2019 (JUSTICE FACILITIES REFUNDING) AND CERTAIN ADDITIONAL DOCUMENTS RELATING THERETO.
2. Refer the refunding of the outstanding 2009 COPs through the issuance of the 2019 COPs to the San Diego County Capital Asset Leasing Corporation ("SANCAL") for approval.

**FISCAL IMPACT**

The 2009 COPs refunded two prior COP issuances for the 1997 Central Jail (Inmate Reception Center) and the 1998 Downtown Courthouse (Hall of Justice). These two financings were also prior refundings.

If approved, the total refunding will result in budgetary savings to benefit the General Fund of the County. Based on current market conditions, the County would realize total annual savings in principal and interest payments of approximately \$1.7 million in fiscal years 2021-2023 and \$0.9 million in fiscal years 2024-2026, which equates to \$7.7 million in total gross savings over the remaining term of the outstanding COPs. The 2019 COPs would reach final maturity in Fiscal Year 2025-26. The \$2.6 million in net present value savings equates to 8.2% of the refunded par and the effective interest rate for the refunding is 1.38% versus 5.00% if the

refunding does not occur. The actual amount of savings will be determined based on interest rates at the time of sale of the refunding bonds. The 2019 COPs will be awarded to the purchaser presenting the lowest bid in accordance with the Notice Inviting Bids, as of the time of sale.

The maximum authorized not to exceed amount of the 2019 COPs is set at \$25 million, but the size of the transaction is currently estimated to be \$19.98 million. Pursuant to SB 450, a good faith estimate of the finance charge of the 2019 COPs which includes the costs of issuance (rating agencies, special counsel, disclosure counsel, municipal advisor, etc.) and underwriter's discount is \$510,037. If approved, the County will only complete the transaction if it meets the requirements of the County's Refunding Policy at the time of closing.

Additional refunding details are as follows:

1997 Central Jail (Inmate Reception Center)

If approved, this portion of the refunding will result in budgetary savings to benefit the General Fund. Based on current market conditions, it is anticipated that over the life of the refunding, approximately \$2.2 million of net present value savings will be generated, which is 9.4% of the outstanding principal to be refunded. Annual cash flow savings would be approximately \$890,000. The final maturity of this portion of the refunding would remain October 1, 2025.

1998 Downtown Courthouse (Hall of Justice)

If approved, this portion of the current refunding will result in budgetary savings to benefit the General Fund. Based on current market conditions, it is anticipated that over the life of the refunding, approximately \$351,000 of net present value savings will be generated, which is 4.4% of the outstanding principal to be refunded. Annual cash flow savings would be approximately \$784,000. The final maturity of this portion of the refunding would remain October 1, 2022.

The approval of the financing documents will result in no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, adopting Resolution No. 19-129 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF A SITE LEASE (HALL OF JUSTICE), FACILITY LEASE (HALL OF JUSTICE) AND TRUST AGREEMENT AND THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO CERTIFICATES OF PARTICIPATION, SERIES 2019 (JUSTICE FACILITIES REFUNDING) AND CERTAIN ADDITIONAL DOCUMENTS RELATING THERETO.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**16. SUBJECT: EXCESS CONTRIBUTION TO REDUCE PENSION UNFUNDED ACTUARIALLY ACCRUED LIABILITY (DISTRICTS: ALL)**

**OVERVIEW**

The County has a history of actively and comprehensively managing its retirement liabilities and costs including: establishing new employee retirement benefit tiers, prepaying pension obligation bonds when feasible, providing additional contributions to the retirement fund and committing General Fund fund balance for retirement costs. In alignment with the County's long-term strategy for managing growing retirement costs and consistent with Section 113.5(b) of the San Diego County Administrative Code and Board Policy B-65, approval of today's recommendation will establish appropriations to direct \$7.1 million of one-time over realized revenue generated by greater than anticipated assessed value growth as a one-time contribution to the San Diego County Employees Retirement Association in Fiscal Year 2019-20 to reduce the pension fund's Unfunded Actuarially Accrued Liability. These actions are a part of a long-term plan to manage ongoing pension costs to help ensure the County's commitment to providing for employees' retirement while maintaining service delivery to the public in the long term.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Establish appropriations of \$7,112,924 in Finance Other, Services & Supplies and related revenue for a one-time contribution to the San Diego County Employees Retirement Association to reduce the pension fund's Unfunded Actuarially Accrued Liability, based on General Purpose Revenue generated from one-time unanticipated growth in assessed value. (4 VOTES)

**FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2019-20 Operational Plan. If approved, this request will result in costs and revenue in Finance Other of \$7,112,924 in Fiscal Year 2019-20. The funding source is General Purpose Revenue based on better than anticipated growth in assessed value. Today's recommendation will result in a one-time requirement of General Fund revenues. No additional staff years are required. The ongoing increase to General Purpose Revenue will be incorporated into the Fiscal Year 2020-21 and future Operational Plans.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**17. SUBJECT: RESPONSE TO 2018-19 GRAND JURY REPORTS (DISTRICTS: ALL)**

**OVERVIEW**

The 2018-2019 San Diego County Grand Jury recently completed its term and filed five reports with recommendations requiring a response from the County.

California Penal Code Section 933(c) requires that (A) the governing body of agencies that are the subject of Grand Jury reports respond in writing to the Findings and Recommendations addressed to such agencies and (B) elected officials such as the Sheriff and District Attorney respond on behalf of their respective agencies.

Therefore, this is a request for your Board to review and approve the draft Finding and Recommendation responses prepared by the Chief Administrative Officer and authorize the Chief Administrative Officer to transmit the responses to the Grand Jury via the Superior Court Presiding Judge. The proposed responses address the recommendations and findings contained in the following five reports and note the recommendations to which the Sheriff and District Attorney will respond separately:

- San Diego Psychiatric Services Tri-City's Shutdown of Psych Units...Tip of the Iceberg
- San Diego County Detention Facilities Inspection Report and Inmate Mental Health
- Compensation of San Diego County Board of Supervisors
- Human Trafficking San Diego Needs Essential Services
- Promoting Quality Foster Care in San Diego County Who Protects Our Most Vulnerable Children?

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Approve the proposed responses and authorize the Chief Administrative Officer to transmit the responses to the Grand Jury via the Superior Court Presiding Judge.
2. Direct the Chief Administrative Officer to submit a copy of the Past Grand Jurors Association Implementation Review Committee's 2020 Annual Report to the Board of Supervisors, no later than December 31, 2020, which provides updates to the County's responses to the 2018-19 Grand Jury report recommendations.

**FISCAL IMPACT**

These recommendations have no fiscal impact.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, 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.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**19. SUBJECT: APPOINTMENTS: VARIOUS (DISTRICTS: ALL)**

**OVERVIEW**

This appointment is in accordance with applicable Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees."

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Appoint Christine Wells to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 30, for a term to expire March 13, 2021.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**20. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)**

**OVERVIEW**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
In re: Live Oak Holding, LLC; United States Bankruptcy Court, Southern District of California, No. 13-11672-LT11
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
County of San Diego v. City of San Diego; San Diego County Superior Court  
No. 37-2018-00050340-CU-EI-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Michael McFarlan v. County of San Diego; Workers' Compensation Appeals  
Board Case No. ADJ9235990
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
David Collins v. County of San Diego, et al.; San Diego County Superior  
Court No. 37-2017-00028981-CU-PN-CTL

**ACTION:**

County Counsel reported that for Closed Session on July 23, 2019, the Board of Supervisors took the following actions:

Item 20B: County of San Diego v. City of San Diego, by a vote of all five Board members voting "Aye", authorize County Counsel to dismiss this lawsuit which seeks to recover from the City of San Diego the costs the County incurred to repair a sinkhole, in exchange for a waiver of court costs.

Item 20C: Michael McFarlan v. County of San Diego, by a vote of all five Board members voting "Aye", authorize County Counsel settle this workers' compensation case for \$330,000.

**21. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)**

**OVERVIEW**

Martha Welch spoke to the Board regarding sewage plants.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 11:29 a.m. in memory of Bob Dingeman, William Jake Emerson and Kim Fletcher.

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

Consent: Rodriguez

Discussion: Zurita

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

Approved by the Board of Supervisors, on Tuesday, August 6, 2019.

  
\_\_\_\_\_  
DIANNE JACOB  
Chairwoman

Attest:

  
\_\_\_\_\_  
ANDREW POTTER  
Clerk of the Board

07/23/19