

**August 7, 2018**

**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, AUGUST 7, 2018, 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 9:03 a.m.

PRESENT: Supervisors Kristin Gaspar, Chairwoman; Greg Cox; Ron Roberts; Bill Horn; also, David Hall, Clerk of the Board of Supervisors.

ABSENT: Supervisor Dianne Jacob, Vice-Chairwoman

- B. Invocation was led by Pastor Bob Botsford of Horizon Christian Fellowship in Rancho Santa Fe, California.

- C. Pledge of Allegiance was led by Jaxson and Ava Black.

- D. Presentation or Announcement of Proclamations and Awards:

Supervisor Greg Cox presented a proclamation honoring the Volunteer of the Month: Shushi Sophia Hanneyan.

- 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 24, 2018.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of July 24, 2018.

AYES: Cox, Gaspar, Horn

ABSENT: Jacob, Roberts

- G. Formation of Consent Calendar

- H. Discussion Items

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

## Board of Supervisors' Agenda Items

Category	#	Subject
Public Safety	1.	NOTICED PUBLIC HEARING: DIVESTITURE OF FIRE AND EMERGENCY MEDICAL SERVICES FROM YUIMA, MOOTAMAI, AND PAUMA MUNICIPAL WATER DISTRICTS INTO COUNTY SERVICE AREA NO. 135
	2.	EXPLORING EVENING REPORTING CENTER MODEL FOR JUSTICE-INVOLVED YOUTH
	3.	LOCAL COUNTY-WIDE EMERGENCY REVIEW: WEST FIRE
	4.	SHERIFF'S DEPARTMENT REQUEST FOR THE PROCUREMENT OF BELL 407GX HELICOPTERS [FUNDING SOURCES: OPERATING TRANSFER FROM THE ASSET FORFEITURE, REVENUE FROM THE AERIAL SUPPORT TO REGIONAL AGENCIES (ASTREA) TRUST FUND AND REVENUE FROM THE SHERIFF CAPITAL PROJECT COMMITMENT]
	5.	SHERIFF - RATIFY ACCEPTANCE OF DONATION FROM MR. GEORGE HAGE
Health and Human Services	6.	REQUEST FOR AUTHORIZATION TO NEGOTIATE AND AWARD FUNDING FROM THE INNOVATIVE HOUSING TRUST FUND AND TO ISSUE A NOTICE OF FUNDING AVAILABILITY FOR ANY REMAINING FUNDS [FUNDING SOURCE: INNOVATIVE HOUSING TRUST FUND]
Community Services	7.	AUTHORIZATION TO ADVERTISE AND AWARD A CONTRACT FOR THE JUVENILE JUSTICE CAMPUS FACILITY PHASED REPLACEMENT PROJECT [FUNDING SOURCES: GENERAL FUND BALANCE COMMITTED TO CAPITAL PROJECT FUNDING, AVAILABLE PRIOR YEAR CRIMINAL JUSTICE FACILITY CONSTRUCTION FUND FUND BALANCE, AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE, GENERAL PURPOSE REVENUE, AND AVAILABLE PRIOR YEAR PUBLIC SAFETY GENERAL FUND FUND BALANCE] (4 VOTES)
Financial and General Government	8.	NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 3) [FUNDING SOURCE: GENERAL FUND FUND BALANCE]

9. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS  
(DISTRICT: 1)  
[FUNDING SOURCE: GENERAL FUND FUND BALANCE]
10. 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)
11. RESPONSE TO 2017-18 GRAND JURY REPORTS
12. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF  
ORDINANCES: ORDINANCES ORDERING A SPECIAL  
ELECTION FOR PROPOSED BALLOT MEASURES AND  
RESOLUTIONS PROPOSING AMENDMENTS TO  
COUNTY CHARTER (JULY 24, 2018 - ADOPT  
RESOLUTIONS, INTRODUCE ORDINANCES,  
AUTHORIZE BALLOT ARGUMENTS; AUG. 7, 2018-  
ADOPT ORDINANCES)

Communications  
Received

13. COMMUNICATIONS RECEIVED

Appointments

14. APPOINTMENTS: VARIOUS

Community  
Services

15. IMPACT REPORT - ORDINANCE CALLING A SPECIAL  
ELECTION TO BE CONSOLIDATED WITH THE  
STATEWIDE PRIMARY ELECTION ON MARCH 3, 2020  
FOR THE PURPOSE OF SUBMITTING TO THE VOTERS  
AMENDMENTS TO THE SAN DIEGO COUNTY CHARTER  
RELATING TO ELECTIONS

Financial and  
General  
Government

16. SUPPORT FOR CALIFORNIA BILL 1367

Closed Session

17. CLOSED SESSION

Public  
Communication

18. PUBLIC COMMUNICATION

**1. SUBJECT: NOTICED PUBLIC HEARING:  
DIVESTITURE OF FIRE AND EMERGENCY MEDICAL SERVICES  
FROM YUIMA, MOOTAMAI, AND PAUMA MUNICIPAL WATER  
DISTRICTS INTO COUNTY SERVICE AREA NO. 135 (DISTRICT: 5)**

**OVERVIEW**

The San Diego County Fire Authority (SDCFA) provides fire and emergency medical services to 1.5 million acres of unincorporated areas in San Diego County. This includes County Service Area (CSA) 135 and the former San Diego Rural and Pine Valley Fire Protection Districts.

In May and June 2018, the Yuima, Mootamai, and Pauma Municipal Water Districts (MWDs) adopted resolutions to submit applications to the Local Agency Formation Commission (LAFCO) for the divestiture of their fire and emergency medical services to the County. To continue improving fire and emergency services in the unincorporated areas of San Diego County, SDCFA proposes the expansion of its fire and emergency medical service zone within CSA 135 to include the territories of these three MWDs.

If approved, today's actions will authorize SDCFA to submit applications to LAFCO for the expansion of latent powers in conjunction with the Yuima, Mootamai, and Pauma MWDs' applications for divestiture of fire and emergency medical services, establish a new special revenue fund, and approve the associated administrative actions necessary to complete the divestiture of fire and emergency medical services into CSA 135.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed actions are exempt from the California Environmental Quality Act (CEQA) as specified under Sections 15060(c)(3) and 15378(b)(5) of the CEQA Guidelines for the reasons stated in the Notice of Exemption dated August 7, 2018 on file at Clerk of the Board.
2. Direct the Auditor and Controller to establish a special revenue fund, "CSA 135 YUIMA FIRE/MED SRV ZN," for the special tax collected for fire protection with interest earnings allocated and distributed to the fund.
3. Authorize County departments to take all actions necessary to transfer fire-related assets, liabilities, and monies, close out existing fire-related funds, and complete the transfer of any fire-related balances from the Yuima, Mootamai, and Pauma MWDs to existing CSA 135 funds and the newly established special revenue fund.
4. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135 WHERE THE LATENT POWERS OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES ARE EXERCISED INTO THE TERRITORY OF THE YUIMA MUNICIPAL WATER DISTRICT.

5. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135 WHERE THE LATENT POWERS OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES ARE EXERCISED INTO THE TERRITORY OF THE MOOTAMAI MUNICIPAL WATER DISTRICT.
6. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135 WHERE THE LATENT POWERS OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES ARE EXERCISED INTO THE TERRITORY OF THE PAUMA MUNICIPAL WATER DISTRICT.
7. Authorize all County departments to take all actions necessary to complete the divestiture of fire and emergency medical services from the Yuima, Mootamai, and Pauma MWDs into CSA 135.

#### **FISCAL IMPACT**

There is no fiscal impact associated with the LAFCO application. Upon approval of the LAFCO application, the terms and conditions associated with expansion of latent powers in the subarea of CSA 135 will impact Fiscal Year 2019-2020. A further review of the assets and liabilities will be conducted as due diligence during the LAFCO process. Upon dissolution, the property tax and special tax monies currently provided to the Yuima, Mootamai, and Pauma MWDs will transfer to CSA 135. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting the following:

Resolution No. 18-120 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135 WHERE THE LATENT POWERS OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES ARE EXERCISED INTO THE TERRITORY OF THE YUIMA MUNICIPAL WATER DISTRICT;

Resolution No. 18-121 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135 WHERE THE LATENT POWERS OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES ARE EXERCISED INTO THE TERRITORY OF THE MOOTAMAI MUNICIPAL WATER DISTRICT; and

Resolution No. 18-122 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135 WHERE THE LATENT POWERS OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES ARE EXERCISED INTO THE TERRITORY OF THE PAUMA MUNICIPAL WATER DISTRICT.

AYES: Cox, Gaspar, Roberts, Horn  
ABSENT: Jacob

**2. SUBJECT: EXPLORING EVENING REPORTING CENTER MODEL FOR JUSTICE-INVOLVED YOUTH (DISTRICTS: ALL)**

**OVERVIEW**

In February 2018, the San Diego Association of Governments (SANDAG) reported that the region's juvenile arrest rate had fallen to a 10 year low. The 2016 rate, the most recent available, represented a 66 percent decline compared with that of 2007. This success can be attributed to a number of factors, including an embrace by juvenile justice agencies of safe and effective diversion protocols, as well as alternatives to incarceration for low-level offenses. When youth are appropriately held accountable for their actions in the community and receive rehabilitative services without disrupting their home environments, the juvenile justice system increases resiliency and improves public safety.

On a monthly basis, fewer than half of the youth in the Probation Department's custody are housed for new criminal charges. Probation agencies in some jurisdictions across the country have successfully launched an innovative model called an Evening Reporting Center (ERC). This program holds youth accountable for at-risk behaviors that could diminish community safety, while helping them achieve long-term success. While each program is unique, the basic tenets remain the same. Youth are picked up after school and transported directly to an ERC location in the community, close to their home. Youth are provided nutritious meals, receive homework assistance, participate in pro-social programming and recreation opportunities, and are given a ride home at the end of the evening. ERCs have proven to be a safe and effective model that prevents the disruption of critical family engagement and educational services while providing rehabilitative and restorative services to ensure the youth's success. ERCs are physically located in neighborhoods and communities with a high density of youth on probation to encourage a restorative and treatment-focused approach.

Today's action would direct the Chief Administrative Officer to explore the feasibility of creating youth Evening Reporting Centers in San Diego County and return to the Board of Supervisors with recommendations for implementing and funding this model.

**RECOMMENDATION(S)**

**CHAIRWOMAN KRISTIN GASPAR**

1. Direct the Chief Administrative Officer to explore the feasibility of creating youth Evening Reporting Centers in San Diego County.
2. Direct the Chief Administrative Officer to return to the Board of Supervisors within 60 days with recommendations for implementing and funding Evening Reporting Centers in San Diego County.

**FISCAL IMPACT**

There is no fiscal impact associated with today's action.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

3. **SUBJECT: LOCAL COUNTY-WIDE EMERGENCY REVIEW: WEST FIRE  
(DISTRICTS: ALL)**

**OVERVIEW**

On July 10, 2018 (16), the Board of Supervisors ratified the July 6, 2018 Proclamation of Local Emergency (Proclamation) issued by the Chief Administrative Officer, serving as the County's Director of Emergency Services and as Coordinator of the Unified San Diego County Emergency Services Organization. The Proclamation was issued as a result of the conditions of extreme peril to persons and property as a result of the West Fire affecting the Alpine area within the County's unincorporated area. The Proclamation was issued pursuant to San Diego County Code of Regulatory Ordinances sections 31.101 et seq. and California Government Code section 8630. The Proclamation further asked the Governor to proclaim a State of Emergency in San Diego County. Government Code section 8630(c) requires local governing bodies to review the need for continuing the local emergency at least once every 30 days until the local emergency is terminated. This is a request to find that a review of the local emergency has been conducted and that the local emergency will remain in effect at this time.

**RECOMMENDATION(S)****CHIEF ADMINISTRATIVE OFFICER**

Find that there is a need to continue the local emergency and that the local emergency shall continue subject to review requirements until terminated pursuant to Government Code section 8630(d).

**FISCAL IMPACT**

There is no fiscal impact associated with this request to continue the emergency. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob



**4. SUBJECT: SHERIFF'S DEPARTMENT REQUEST FOR THE PROCUREMENT OF BELL 407GX HELICOPTERS (DISTRICTS: ALL)**

**OVERVIEW**

The San Diego Sheriff's Department Aerial Support to Regional Enforcement Agencies (ASTREA) Unit provides a wide variety of missions, including assisting patrol units throughout the region in locating suspects, firefighting and search and rescue missions. The ASTREA fleet consists of nine helicopters, including three Bell 205 helicopters assigned to the Fire Life Safety program, four MD 500 series helicopters, and two Bell 407 helicopters assigned to the law enforcement program. The Bell 407 helicopters also have the capability to support the Fire Life Safety program during a critical fire incident or during critical fire weather.

On June 20, 2006 (5), the Board approved the Sheriff Department's procurement of a Bell 407 Helicopter. Following the delivery of the Bell 407, the department disposed of the two oldest MD 500 helicopters. In 2014, ASTREA identified the need for a second Bell 407 helicopter due to the increase in required missions. On February 25, 2014 (3) the Board approved the Sheriff's Department Procurement of a Bell 407GX Helicopter.

The four MD 500 models are older aircraft, each having logged over 9,900 hours of flight time. These factors are contributing to a large amount of unscheduled maintenance, which limits the aircraft's availability for missions. In addition, it is becoming harder to obtain some parts for the MD 500's. In order to ensure that these essential services remain available, the Sheriff's Department has initiated a long-term program to replace the four aircraft over the next five years.

This is a request to authorize the Director of the Department of Purchasing and Contracting to issue a competitive solicitation for the single source purchase of one Bell 407 GX helicopter, including outfitting, and the option to purchase three additional helicopters, including outfitting of the Bell 407GX variant that is current at time of purchase, over the next five years. This is also a request to award new contracts and amend current contracts for Bell parts, components, repairs and maintenance services, to award new contracts and amend current contracts for helicopter pilot and mechanic training and certifications, and to award new contracts and amend current contracts for the outfitting, parts and components, and repair and maintenance of the Sheriff's current fleet of nine helicopters, for a five year period to support the mission of the Sheriff's ASTREA program.

**RECOMMENDATION(S)**

**SHERIFF**

1. In accordance with Section 401, et. seq., of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting to issue a competitive solicitation for one Bell 407GX Helicopter and outfitting with standardized Sheriff equipment, with the option to purchase three additional helicopters, including outfitting of the variant of the Bell 407GX that is current at the time of purchase, over the next five years, and upon successful negotiations and determination of a fair and reasonable price, award a contract for a Bell 407GX Helicopter and outfitting, and to amend the contract as needed to reflect changes to services and funding, subject to approval of the Sheriff.

2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with Bell; and subject to successful negotiations and determination of a fair and reasonable price, award new contracts and amend current contracts for Bell Helicopter parts, components, outfitting and repairs and maintenance services for a five-year period.
3. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with Bell; and subject to successful negotiations and determination of a fair and reasonable price, award new contracts and amend current contracts for helicopter pilot and mechanic training and certifications for a five-year period.
4. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with Bell Authorized Distributors and Service Centers, Original Equipment Manufacturers such as FLIR, The Civil Aerospace Division of Rolls Royce and uniquely Specialized Federal Aviation Administration Repair Facilities and subject to successful negotiations and determination of a fair and reasonable price, award new contracts and amend current contracts for the outfitting, parts and components, and repair and maintenance of the Sheriff's current fleet of nine helicopters, for a five year period to support the mission of the Sheriff's ASTREA Program. Contracts shall be amended as needed to reflect changes in services and funding, subject to the approval of the Sheriff.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan in the Sheriff's Department. If approved, this request will result in estimated current year costs and revenue of \$5,200,000. The funding sources are an operating transfer from the Asset Forfeiture (\$3,864,747), revenue from the Aerial Support to Regional Agencies (ASTREA) Trust Fund (\$666,278) and revenue from the Sheriff Capital Project Commitment (\$668,975). Ongoing training, maintenance and operation costs for the helicopter are anticipated to be minimal for the first two years of operations and will be absorbed within the Sheriff's Department budget. Funding for the optional aircraft will be included in future years' Operational Plans for the Sheriff's Department. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Gaspar, Roberts, Horn  
ABSENT: Jacob

**5. SUBJECT: SHERIFF - RATIFY ACCEPTANCE OF DONATION FROM MR. GEORGE HAGE (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 by the administrative heads of each department in the County, subject to approval by the Board of Supervisors. This is a request to ratify the acceptance of a donation from Mr. George Hage for eight rifles valued at \$31,500 for the Sheriff's Department Weapons Training Unit.

**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, ratify the acceptance of eight rifles valued at \$31,500 from Mr. George Hage.
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 Mr. George Hage.

**FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2018-19 Operational Plan for the Sheriff's Department. If approved, this request will ratify the acceptance of eight rifles valued at \$31,500 from Mr. George Hage. All future costs associated with the donation such as maintenance will be funded by the Sheriff's Department and included in future years' Operational Plan for the department. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

**6. SUBJECT: REQUEST FOR AUTHORIZATION TO NEGOTIATE AND AWARD FUNDING FROM THE INNOVATIVE HOUSING TRUST FUND AND TO ISSUE A NOTICE OF FUNDING AVAILABILITY FOR ANY REMAINING FUNDS (DISTRICTS: ALL)**

**OVERVIEW**

On June 20, 2017 (21), at the recommendation of Supervisors Dianne Jacob and Ron Roberts, the Board of Supervisors (Board) directed the creation of an Innovative Housing Trust Fund (Trust Fund) and criteria for the use and distribution of these funds. On October 10, 2017 (7), the Board formally adopted the ordinance establishing the Trust Fund. The Health and Human

Services Agency (HHSA) is administering the Trust Fund and ensuring that the initial investment of \$25 million is used to increase the region's inventory of affordable housing for low-income residents and provide options for people experiencing homelessness.

On December 7, 2017, HHSA issued a Notice of Funding Availability (NOFA) seeking applications that would leverage other funding resources to facilitate the construction, acquisition, rehabilitation and/or loan repayment of affordable multi-family rental housing for extremely low, very low, and low-income households. Proposal responses were due to HHSA by March 1, 2018 and were evaluated by staff.

Today's action will authorize HHSA to enter into negotiations on proposals that were responsive to criteria outlined in the NOFA and that have been identified as potentially viable. Additionally, today's action will authorize HHSA, upon successful negotiations, to award funds to developments for the creation of affordable housing. HHSA will report back to the Board in approximately 90 days with results of the negotiations and awards.

The Trust Fund spurs the production and preservation of affordable housing through enhanced partnerships with regional stakeholders. These efforts align with the County of San Diego's *Live Well San Diego* vision for a healthy, safe and thriving region.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15060 (c)(3) of the state CEQA Guidelines because the activity in question is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378.
2. Authorize the Agency Director, Health and Human Services Agency, or designee(s) to negotiate the terms and conditions of potential funding awards for proposals identified in Attachment A - Summary of Proposals Recommended for Negotiations and, upon successful negotiation of terms and conditions, to award funds to developments and execute, all contracts, related documents and/or amendments, and to take all necessary actions for the submittal and/or regulatory processing for implementation of these proposals.
3. Direct staff to report back in approximately 90 days to provide a status on negotiations and awards.
4. Authorize the Agency Director, Health and Human Services Agency, or designee(s) to issue a Notice of Funding Availability if there are remaining funds in the Trust Fund after negotiations are complete and awards are made.

##### **FISCAL IMPACT**

Appropriations are not included in the Fiscal Year 2018-20 Operational Plan. If approved, this request will result in costs and revenue of up to \$25,000,000 in Fiscal Year 2018-19. The funding source is the Innovative Housing Trust Fund. If necessary, staff will return to the Board to establish appropriations. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

The proposed developments will have a positive impact on the business community. These developments include construction, acquisition, and/or rehabilitation that will be implemented by private firms.

### **ACTION:**

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

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

## **7. SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A CONTRACT FOR THE JUVENILE JUSTICE CAMPUS FACILITY PHASED REPLACEMENT PROJECT (DISTRICT: 4)**

### **OVERVIEW**

On March 21, 2017 (6), the Board of Supervisors approved the Fiscal Year 2017/18-2021/22 Capital Improvement Needs Assessment Program and referred it to the Chief Administrative Officer for timing and funding mechanisms to implement individual projects. The San Diego Juvenile Justice Campus project was recommended as a high priority major project.

On April 25, 2017 (4), the Board of Supervisors authorized the Probation Department to apply for and enter into a contract for technical assistance as part of the Youth in Custody Practice Model (Practice Model).

Today, after making the necessary environmental findings, the Board is requested to authorize the Director, Department of General Services to manage any and all contracts associated with the programming, design and construction for Phase 1 of the proposed project.

In addition, the Board is requested to authorize the Director, Department of Purchasing and Contracting to advertise and award a design-build contract for design and construction of Phase 1 of the Juvenile Justice Campus Facility.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find on the basis of the whole record, that there is no substantial evidence the project will have a significant effect on the environment. Consider the Mitigated Negative Declaration (MND), on file with the Department of General Services dated July 26, 2018 together with comments received during public review, and adopt it, finding that it reflects the independent judgment and analysis of the Board of Supervisors. Find, in accordance with Section 15074.1(b)(2) of the CEQA Guidelines, that new Mitigation Measure TRA-1 is equivalent or more effective in mitigating or avoiding potential significant effects, and the new mitigation measure in itself will not cause any potentially significant effect on the environment.
2. Adopt the Mitigation Monitoring and Reporting Program for the project.

3. Establish appropriations of \$21,000,000 in the Criminal Justice Facility Construction Fund, Operating Transfer Out, for Capital Project 1021131, San Diego Juvenile Justice Campus, based on available prior year Criminal Justice Facility Construction Fund fund balance. **(4 VOTES)**
4. Establish appropriations of \$5,000,000 in the Contributions to Capital Outlay Fund, Operating Transfer Out, for Capital Project 1021131, San Diego Juvenile Justice Campus, based on available prior year General Fund fund balance. **(4 VOTES)**
5. Establish appropriations of \$26,000,000 in the Justice Facility Construction Fund for Capital Project 1021131, San Diego Juvenile Justice Campus, based on Operating Transfers In from the Criminal Justice Facility Construction Fund (\$21,000,000) and General Fund fund balance (\$5,000,000). **(4 VOTES)**
6. Authorize the Director, Department of Purchasing and Contracting to take any action authorized by Section 401, et seq. of the Administrative Code and Public Contract Code Section 22160, et seq. with respect to contracting for the design-build construction of Phase 1 of the San Diego Juvenile Justice Campus project.
7. Designate the Director, Department of General Services, as the County officer responsible for administering the awarded design-build contract for Phase 1 of the project.

#### **FISCAL IMPACT**

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan in the Justice Facility Construction Fund for Capital Project 1021131, San Diego Juvenile Justice Campus. If approved, this request will result in additional costs of \$26 million for Phase 1, bringing the Phase 1 total to \$130 million. The funding sources are General Fund Balance Committed to Capital Project Funding (\$57,331,000), available prior year Criminal Justice Facility Construction Fund fund balance (\$21,000,000), available prior year General Fund fund balance (\$10,233,269), General Purpose Revenue (\$21,435,731), and available prior year Public Safety General Fund fund balance (\$20,000,000.)

The total project cost of the San Diego Juvenile Justice Campus is currently estimated to be \$243 million. This project will be completed over three distinct phases and staff will return to the Board once funds are identified for the remaining phases. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

Programming and planning for the Juvenile Justice Campus Project will support local private sector professional services consultants. Future positive business impact in the Kearny Mesa community could occur through increased business activity generated by the construction of a large, master-planned development on the County properties.

The Juvenile Justice Campus Facility project will result in approximately 1,500 construction jobs for private sector contractors and suppliers.

**ACTION:**

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

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

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

**OVERVIEW**

Neighborhood Reinvestment Program funding assists non-profit 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 San Diego County.

**RECOMMENDATION(S)****CHAIRWOMAN KRISTIN GASPAR**

1. Allocate \$25,000 from the Neighborhood Reinvestment budget (org 15660) to the Jacobs & Cushman San Diego Food Bank to fund the purchase of artwork development, photos and videos, printing of signs, printing of brochures, printing of banners, printing of postcards, porta-potties, first-aid tent, sound and lighting, stage, and website development.
2. Allocate \$25,000 from the Neighborhood Reinvestment budget (org 15660) to the San Diego County Medical Society Foundation (SDCMS Foundation) dba Champions for Health to fund the purchase of race promotional materials for the Solana Beach 5K Run/Walk and Wellness Expo.
3. Find that the grant awards described above have a public purpose.
4. Authorize the Deputy Chief Administrative Officer/Auditor and Controller 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 agreement that are consistent with the general purpose of the grants but do not increase the grants.

**FISCAL IMPACT**

The fiscal impact of these recommendations is \$50,000. Funds for this are included in the Fiscal Year 2018-2019 Operational Plan for the Neighborhood Reinvestment Program (15660). The funding source is General Fund fund balance. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

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

**OVERVIEW**

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

**RECOMMENDATION(S)**

**SUPERVISOR GREG COX**

1. Allocate \$3,850 from the Neighborhood Reinvestment Program budget (Org 15650) to Support the Enlisted Project, Inc. for the purchase of face painting kits, balloon animal kits, backpacks, and school supplies such as pencils and paper.
2. Find that the grant award described above has a public purpose.
3. Authorize the Deputy Chief Administrative Officer/Auditor and Controller to execute a grant agreement with the organization awarded Neighborhood Reinvestment funds establishing terms for receipt of the funds and to make minor amendments to the agreement that are consistent with the general purpose of the grant but do not increase the grant.

**FISCAL IMPACT**

The fiscal impact of this recommendation is \$3,850. Funds for this request are included in the Fiscal Year 2018-2019 Operational Plan for the Neighborhood Reinvestment Program (Org 15650). The funding source is General Fund fund balance. These actions will result in the addition of no staff years and no additional costs.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

**10. 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 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, approval of today's recommendation will establish appropriations to direct \$13.8 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 (SDCERA) in Fiscal Year 2018-19 to reduce the pension fund's Unfunded Actuarially Accrued Liability (UAAL). 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 \$13,831,922 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 2018-19 Operational Plan. If approved, this request will result in costs and revenue in Finance Other of \$13,831,922 in Fiscal Year 2018-19. 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 2019-20 and future Operational Plans.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

#### **11. SUBJECT: RESPONSE TO 2017-18 GRAND JURY REPORTS (DISTRICTS: ALL)**

##### **OVERVIEW**

The 2017-2018 San Diego County Grand Jury recently completed its term and filed four 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 four reports and note the recommendations to which the Sheriff, Citizens' Law Enforcement Review Board (CLERB), and the CLERB Executive Officer will respond separately:

- The San Diego Hepatitis A Epidemic: (Mis)Handling A Public Health Crisis
- San Diego County Detention Facilities-Condition and Management
- Citizens' Law Enforcement Review Board (CLERB)
- Graffiti Reporting and Mitigation Report

## **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 2019 Annual Report to the Board of Supervisors, no later than December 31, 2019, which provides updates to the County's responses to the 2017-18 Grand Jury report recommendations.

### **FISCAL IMPACT**

These recommendations have no fiscal impact.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

12. **SUBJECT: ADMINISTRATIVE ITEM:**  
**SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:**  
**ORDINANCES ORDERING A SPECIAL ELECTION FOR PROPOSED**  
**BALLOT MEASURES AND RESOLUTIONS, PROPOSING**  
**AMENDMENTS TO COUNTY CHARTER (JULY 24, 2018 - ADOPT**  
**RESOLUTIONS, INTRODUCE ORDINANCES, AUTHORIZE BALLOT**  
**ARGUMENTS; AUG. 7, 2018- ADOPT ORDINANCES)**  
**(DISTRICTS: ALL)**

### **OVERVIEW**

On July 24, 2018 (14), the Board of Supervisors introduced the Ordinances for further Board consideration and adoption on August 7, 2018.

This is a request for the Board of Supervisors to consider adopting three Ordinances ordering a special election to be consolidated with the General Election and adopting three Resolutions proposing amendments to the County Charter that will (A) clean-up sections of the Charter by aligning Board of Supervisors vacancy special election absentee ballot procedures with federal and State law and recognizing the Fire Authority; (B) establish redistricting requirements; and (C) protect good government by requiring sound fiscal practices.

Amending the County Charter requires the following actions: On July 24, 2018, the Board will (1) consider adopting three Resolutions proposing amendments to the County Charter as set forth herein and (2) introducing three Ordinance calling a special election to be consolidated with a statewide general election on November 6, 2018, submitting the Charter amendments to the County Charter to the voters. If the Board takes the actions on July 24, 2018, in recommendations 2, 4 and 6, then on August 7, 2018, the Board will consider adopting the Ordinances.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinances entitled:

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE CHARTER OF THE COUNTY OF SAN DIEGO RELATING TO "CLEAN-UP" CHANGES TO SEVERAL CHARTER SECTIONS;

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE SAN DIEGO COUNTY CHARTER ENTITLED "PRESERVING BALANCED REPRESENTATION IN UNINCORPORATED AREAS OF SAN DIEGO COUNTY"; and

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE SAN DIEGO COUNTY CHARTER ENTITLED "PROTECTING GOOD GOVERNMENT THROUGH SOUND FISCAL PRACTICES".

##### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 CAO Adopted Operational Plan in the Registrar of Voters. If approved, this request will not result in changes to net General Fund cost or additional staff years.

##### **BUSINESS IMPACT STATEMENT**

N/A

##### **ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, adopting the following:

Ordinance No. 10555 (N.S.) entitled: AN ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE CHARTER OF THE COUNTY OF SAN DIEGO RELATING TO "CLEAN-UP" CHANGES TO SEVERAL CHARTER SECTIONS;

Ordinance No. 10556 (N.S.) entitled: AN ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE SAN DIEGO COUNTY CHARTER ENTITLED "PRESERVING BALANCED REPRESENTATION IN UNINCORPORATED AREAS OF SAN DIEGO COUNTY"; and

Ordinance No. 10557 (N.S.) entitled: AN ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE SAN DIEGO COUNTY CHARTER ENTITLED "PROTECTING GOOD GOVERNMENT THROUGH SOUND FISCAL PRACTICES".

AYES: Cox, Gaspar, Roberts, Horn  
ABSENT: Jacob

**13. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Gaspar, Roberts, Horn  
ABSENT: Jacob

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

**OVERVIEW**

These appointments are in accordance with applicable Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees."

**RECOMMENDATION(S)****CHAIRWOMAN KRISTIN GASPAR**

Appoint George H. Eiser III to the COUNTY HEARING OFFICERS, Seat No. 6, for a term to expire January 4, 2021.

**VICE-CHAIRWOMAN DIANNE JACOB**

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Dick Denure to the ASSESSMENT APPEALS BOARD 1 (AAB), Seat No. 2, for a term to begin September 3, 2018 and to expire September 6, 2021.

Re-appoint Michael W. Rhea to the ASSESSMENT APPEALS BOARD 3 (AAB), Seat No. 2, for a term to begin September 3, 2018 and to expire September 6, 2021.

Appoint Roy Castetter to the SAN DIEGO COUNTY CAPITAL ASSET LEASING CORP (SANCAL), Seat No. 2, for a term to expire January 4, 2021.

**SUPERVISOR GREG COX**

Re-appoint Rafael Gonzalez-Arnau to the EYE GNAT ABATEMENT APPEALS BOARD, Seat No. 1, for a term to expire March 15, 2021.

Appoint Jeannette Temple to the FLOOD CONTROL DISTRICT ADVISORY COMMISSION, Seat No. 1, for a term to expire January 4, 2021.

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Everette Dale DeWeese to the FLY ABATEMENT AND APPEALS BOARD, Seat No. 1, for a term to expire December 9, 2020.

Appoint Susie Murphy to the PARKS ADVISORY COMMITTEE, SAN DIEGO COUNTY, Seat No. 1, for a term to expire January 4, 2021.

Appoint Shirley Nakawatse to the SAN DIEGO COUNTY CAPITAL ASSET LEASING CORP (SANCAL), Seat No. 1, for a term to expire January 4, 2021.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Gaspar, Roberts, Horn  
ABSENT: Jacob

**15. SUBJECT: IMPACT REPORT - ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE PRIMARY ELECTION ON MARCH 3, 2020 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE SAN DIEGO COUNTY CHARTER RELATING TO ELECTIONS (DISTRICTS: ALL)**

**OVERVIEW**

On July 24, 2018, two separate ordinances (20 and 21) calling for a special election to be consolidated with the next statewide election for the purpose of submitting to the voters amendments to the San Diego County Charter entitled, "STRENGTHENING AND STREAMLINING COUNTY ELECTIONS" and "INITIATIVE MEASURE PROPOSING CHARTER AMENDMENTS REQUIRING ALL ELECTIONS FOR SAN DIEGO COUNTY ELECTIVE OFFICES TO BE HELD AT A GENERAL ELECTION AND REQUIRING ADOPTION OF LOCAL REGULATIONS RELATING TO WRITE-IN CANDIDATES FOR COUNTY ELECTIVE OFFICE" were presented to the Board of Supervisors for consideration and adoption.

At the meeting, the Board of Supervisors directed the Chief Administrative Officer to prepare an impact report for both Charter Amendment proposals. Today's item provides the impact report (Attachment A) as directed by the Board of Supervisors.

After receiving the report and hearing public testimony, pursuant to state law, the Board of Supervisors must, at minimum, submit the initiative measure, without alteration, to the voters at the next statewide election, which would be March 3, 2020.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Receive the Impact Report (Attachment A).
2. Approve the Introduction (first reading), read title and waive further reading of an Ordinance entitled:  
AN ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE PRIMARY ELECTION ON MARCH 3, 2020 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE SAN DIEGO COUNTY CHARTER RELATING TO "STRENGTHENING AND STREAMLINING COUNTY ELECTIONS" AND "INITIATIVE MEASURE PROPOSING CHARTER AMENDMENTS REQUIRING ALL ELECTIONS FOR SAN DIEGO COUNTY ELECTIVE OFFICES TO BE HELD AT A GENERAL ELECTION AND REQUIRING ADOPTION OF LOCAL REGULATIONS RELATING TO WRITE-IN CANDIDATES FOR COUNTY ELECTIVE OFFICE" (Attachment B)
3. On September 11, 2018, submit the Ordinance for further Board consideration and adoption (second reading) and return with other actions necessary to place the measures on the next statewide election, which would be March 3, 2020.

**FISCAL IMPACT**

This request does not have an impact on the Fiscal Year 2018-19 Operational Plan. If funds are required for this request it will be included in the Fiscal Year 2019-21 CAO

Recommended Operational Plan in the Registrar of Voters. The cost of adding a measure to the ballot is driven by several factors, including printing costs, staff review, translation services, ballot processing, and other services. While an increase in the number of measures placed on the ballot generally increases the cost of an election, at this time it is unknown how many measures will be placed on the March 3, 2020 primary election ballot or how these measures will affect the overall cost of the election. These countywide measures will be funded solely by the County, and may generate a net General Fund cost. There will be no additional staff years as a result of this request.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, introducing the Ordinance for further Board consideration and adoption on September 11, 2018.

AYES: Cox, Gaspar, Roberts, Horn  
ABSENT: Jacob

#### **16. SUBJECT: SUPPORT FOR CALIFORNIA SENATE BILL 1367 (DISTRICTS: ALL)**

##### **OVERVIEW**

The Otay River, Sweetwater River and Tijuana River are great natural resources of statewide significance that are in need of conservation, restoration, protection of sensitive species, better water quality and improved overall health of the ecosystems of the individual watersheds.

On February 16, 2018, State Senate Pro Tem Toni Atkins introduced California Senate Bill 1367. The bill would require the San Diego River Conservancy to establish the San Diego Rivers Watershed Consortium Program (SDRWCP) to create advisory panels to work cooperatively with local public agencies and other entities to identify potential project funding, including grant funding, to be used to restore the watersheds of the Otay River, the Sweetwater River, and the portions of the Tijuana River that fall within the state, and to improve access to public lands.

There are other watersheds in the region, in addition to the three identified in SB 1367, in dire need of attention and rehabilitation. The 32-mile Chollas Creek is one of San Diego's most neglected watersheds and should be considered for future inclusion in the SDRWCP.

Today's action will support the establishment of the SDRWCP and the improvement of the overall health of the ecosystems in the Otay, Sweetwater and Tijuana Rivers, as well as support future inclusion of Chollas Creek in the SDRWCP.

##### **RECOMMENDATION(S)**

##### **VICE-CHAIRWOMAN JACOB AND SUPERVISOR COX**

1. Direct the Chief Administrative Officer to draft a letter expressing this Board of Supervisors' support for State Senate Bill 1367 to San Diego County's legislative representatives in Sacramento.

2. Support legislation that would add Chollas Creek to the list of advisory panels established by the San Diego River Conservancy to administer the San Diego Rivers Watershed Consortium Program.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

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

**OVERVIEW**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
A.G., a minor, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 16-CV-2290
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Katy Williams, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 17-CV-00815
- C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Robert Branch v. County of San Diego, et al.; United States District Court, Southern District, No. 15-CV-2336
- E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Phillip Mendoza v. County of San Diego, et al.; United States District Court, Southern District, No. 17-CV-1349
- F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Rochelle Nishimoto, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 16-CV-1974



- G. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Michelle Moriarty, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 17-CV-1154
- H. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
S.A.C., a minor, et al. v. County of San Diego, et al.; United States District Court, Southern District, No. 17-CV-1893
- I. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Mark A. Karo v. County of San Diego; San Diego County Superior Court No. 37-2016-00044141-CU-OE-CTL
- J. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Robert Cooper, et al. v. v. County of San Diego; San Diego County Superior Court No. 37-2018-00008512-CU-EI-CTL
- K. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Maria Ana Carrola Flores v. County of San Diego, et al.; San Diego County Superior Court No. 37-2017-00042663-CU-PA-CTL
- L. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph 4 of subdivision (d) of Government Code section 54956.9: (Number of Cases - 1)

**ACTION:**

County Counsel reported that for Closed Session on Tuesday, August 7, 2018, the Board of Supervisors took the following action:

Item 17C: Claim of Cheryl Mendelsohn, by a vote of three board members voting "Aye", with Supervisors Jacob and Roberts absent, authorize County Counsel to settle this case involving a traffic accident between a patrol car driven by a Sheriff's Deputy and a private individual for \$185,500.

Item 17D: Michael Branch v. County of San Diego, by a vote of four board members voting "Aye", with Supervisor Jacob absent, authorize County Counsel to settle this case involving the alleged use of excessive force by a Sheriff's Deputy for \$137,000.

Item 17E: Philip Mendoza v. County of San Diego, by a vote of four board members voting "Aye", with Supervisor Jacob absent, authorize County Counsel to settle this case involving the alleged use of excessive force by a Sheriff's Deputy for \$50,000.

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

**OVERVIEW**

Reginald Tisdale spoke to the Board regarding the HIV Planning Group.

John Van Doorn spoke to the Board regarding a media call for independent probe of CWS/HHS.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 12:14 p.m. in memory of Richard Tynan and James Dowe.

DAVID HALL  
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, September 11, 2018.



KRISTIN GASPAR  
Chairwoman

Attest:



DAVID HALL  
Clerk of the Board

08/07/18