

**Tuesday, August 17, 2021**

**STATEMENT OF PROCEEDINGS**

The Minutes of the

**BOARD OF SUPERVISORS  
REGULAR MEETING**

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
REGULAR MEETING  
MEETING AGENDA  
**TUESDAY, AUGUST 17, 2021, 11:00 AM**  
COUNTY ADMINISTRATION CENTER, ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. **REGULAR SESSION:** Meeting was called to order at 11:01 a.m.

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

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

- B. Invocation was led by Rev. Dr. Caleb J. Lines, University Christian Church.

- C. Presentation or Announcement of Proclamations and Awards:

Supervisor Joel Anderson presented a proclamation declaring August 2021, to be Child Support Awareness Month throughout the County of San Diego.

Supervisor Terra Lawson-Remer presented a proclamation declaring August 2021, to be County Breast Feeding Month throughout the County of San Diego.

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

- E. Approval of the Statement of Proceedings/Minutes for the meeting of July 13, 2021.

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of July 13, 2021.

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

- F. Formation of Consent Calendar

- G. Discussion Items

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

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

### **Board of Supervisors' Agenda Items**

<b>Category</b>	<b>#</b>	<b>Subject</b>
Public Safety	1.	AUTHORIZE COMPETITIVE SOLICITATION FOR LEGAL REPRESENTATION FOR DETAINED IMMIGRANTS FACING REMOVAL PROCEEDINGS AND RECEIVE REPORT [FUNDING SOURCE: GENERAL FUND FUND BALANCE]
	2.	AUTHORIZE AMENDMENT OF PROBATION DEPARTMENT CONTRACTS FOR INTERIM HOUSING TO ADD SHERIFF'S DEPARTMENT REFERRALS SUPPORTED BY CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING [FUNDING SOURCE: CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) PROGRAM ADMINISTERED BY THE BOARD OF STATE AND COMMUNITY CORRECTIONS]
	3.	RATIFY MEMBERSHIP OF THE SUBCOMMITTEE OF THE JUVENILE JUSTICE COORDINATING COUNCIL REGARDING JUVENILE JUSTICE REALIGNMENT
	4.	DISTRICT ATTORNEY - APPOINTMENT OF VALERIE SUMMERS TO RETIREE-REHIRE POSITION [FUNDING SOURCE: EXISTING GENERAL PURPOSE REVENUE BUDGETED IN THE DISTRICT ATTORNEY'S OFFICE FOR FISCAL YEAR 2021-22]
	5.	DISTRICT ATTORNEY - DEDICATING CRIMINAL FINES TO SERVICES FOR K-12 YOUTH
	6.	SHERIFF - RATIFY ACCEPTANCE OF DONATION TO SHERIFF'S POWAY STATION [FUNDING SOURCE: DONATION FROM MAINSTREAM BAR & GRILL]

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| Health and<br>Human Services           | <p>7. UPDATE ON COVID-19 RESPONSE, RATIFY ACTIONS IN RESPONSE TO LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY, AUTHORIZE SINGLE SOURCE PROCUREMENT WITH ABBOTT LABORATORIES FOR TESTING EQUIPMENT, AUTHORIZE EXTENSION OF SAFER AT SCHOOL EARLY ALERT SYSTEM CONTRACT, ADOPT RESOLUTION TO ACCEPT FUNDING FOR EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP), ESTABLISH APPROPRIATIONS FOR ERAP, ACCEPT FUNDING TO ESTABLISH, EXPAND, AND SUSTAIN A PUBLIC HEALTH WORKFORCE, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS COVID-19 PANDEMIC<br/>(4 VOTES)</p>  |
| Financial and<br>General<br>Government | <p>8. REIMAGINE VIBRANT COMMUNITIES THROUGH ARTS &amp; CULTURE</p> <p>9. HOUSING PRESERVATION AND ANTI-DISPLACEMENT (HPAD) INITIATIVE</p>   |
| Health and<br>Human Services           | <p>10. AUTHORIZATION FOR IMMUNIZATION SERVICES PROCUREMENTS AND AUTHORIZATION TO PURSUE FUTURE FUNDING OPPORTUNITIES RELATED TO IMMUNIZATION SERVICES<br/>[FUNDING SOURCE: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH IMMUNIZATION LOCAL ASSISTANCE GRANT FUNDING AND HEALTH REALIGNMENT]</p> <p>11. AUTHORIZATION FOR SINGLE SOURCE PROCUREMENT OF DROPLET DIGITAL POLYMERASE CHAIN REACTION SYSTEM FOR RAPID-TESTING OF BEACH WATER SAMPLES AND AUTHORIZATION TO PURSUE FUTURE FUNDING OPPORTUNITIES RELATED TO BEACH WATER MONITORING<br/>[FUNDING SOURCE: REALIGNMENT]</p> <p>12. APPROVE INTERGOVERNMENTAL TRANSFER AGREEMENT WITH CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES<br/>[FUNDING SOURCE: LOCAL FUNDS, INCLUDING REALIGNMENT]</p> <p>13. NOTICED PUBLIC HEARING:<br/>ISSUANCE OF CHARTER SCHOOL REVENUE OBLIGATIONS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF THE 458 26TH STREET HOLDINGS, LLC IN AN AGGREGATE MAXIMUM AMOUNT NOT TO EXCEED \$20,000,000</p> |

14. NOTICED PUBLIC HEARING:  
ISSUANCE OF REVENUE OBLIGATIONS BY THE  
CALIFORNIA ENTERPRISE DEVELOPMENT  
AUTHORITY FOR THE BENEFIT OF ST. PAUL'S  
EPISCOPAL HOME, INC., ST. PAUL'S RETIREMENT  
HOMES FOUNDATION, ST. PAUL'S VILLA, INC., AND  
COMMUNITY ELDERCARE OF SAN DIEGO IN AN  
AGGREGATE MAXIMUM AMOUNT NOT TO EXCEED  
\$20,000,000
15. ENHANCING ENFORCEMENT OF ILLEGAL MARIJUANA  
DISPENSARIES AND SIMPLIFYING THE RECEIVERSHIP PROCESS  
[FUNDING SOURCES: PRIOR YEAR AVAILABLE  
GENERAL FUND FUND BALANCE, GENERAL PURPOSE  
REVENUE AND ONGOING DISTRICT ATTORNEY  
PROGRAM REVENUES, WHERE AVAILABLE]  
(4 VOTES)
16. ADVOCATING FOR THE REMOVAL AND RELOCATION  
OF SPENT NUCLEAR FUEL FROM THE SAN DIEGO REGION  
[FUNDING SOURCE: EXISTING GENERAL PURPOSE REVENUE]
17. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS  
(DISTRICT: 5)  
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
18. NEIGHBORHOOD REINVESTMENT AND COMMUNITY  
ENHANCEMENT PROGRAM GRANTS (DISTRICT: 3)  
[FUNDING SOURCES: GENERAL PURPOSE REVENUE  
AND TRANSIENT OCCUPANCY TAX REVENUES]
19. ESTABLISH APPROPRIATION FOR SEPTEMBER 14, 2021  
CALIFORNIA GUBERNATORIAL RECALL ELECTION  
[FUNDING SOURCE: REVENUE FROM ASSEMBLY BILL  
161: AMENDING THE BUDGET ACT OF 2021 (CHAPTER  
43, SECTION 16.00)]  
(4 VOTES)
20. RESOLUTION AUTHORIZING CONSULTANT ACCESS  
TO COUNTY TAX RECORDS PURSUANT TO REVENUE  
AND TAXATION CODE SECTION 7056 FOR PURPOSE OF  
SALES TAX ANALYSIS
21. GENERAL SERVICES - CONTINUATION OF EMERGENCY REPAIRS  
AT THE SOUTH BAY REGIONAL CENTER, 500 THIRD AVENUE  
[FUNDING SOURCE: CHARGES TO THE CLIENT  
DEPARTMENTS]  
(4 VOTES)

22. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
AMENDMENTS TO THE COMPENSATION ORDINANCE  
(7/13/2021 - FIRST READING; 8/17/2021 - SECOND READING)  
[FUNDING SOURCE: INTERGOVERNMENTAL  
TRANSFER (IGT) REVENUES, THE AMERICAN RESCUE  
PLAN ACT (ARPA), GENERAL FUND FUND BALANCE]

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|----------------------------|-----------------------------|
| Appointments               | 23. APPOINTMENTS: VARIOUS   |
| Communications<br>Received | 24. COMMUNICATIONS RECEIVED |
| Closed Session             | 25. CLOSED SESSION          |
| Public<br>Communication    | 26. PUBLIC COMMUNICATION    |

1. **SUBJECT: AUTHORIZE COMPETITIVE SOLICITATION FOR LEGAL REPRESENTATION FOR DETAINED IMMIGRANTS FACING REMOVAL PROCEEDINGS AND RECEIVE REPORT (DISTRICTS: ALL)**

**OVERVIEW**

On May 4, 2021 (5), the Board of Supervisors (Board) directed the Chief Administrative Officer to work with the Director of the Office of Assigned Counsel (OAC) of the Public Defender's Office to establish a permanent Immigrant Rights Legal Defense Program. As a step to establishing the new program, the Board directed County staff to establish a one-year pilot program with a Fiscal Year 2021-22 budget of \$5,000,000, including up to \$500,000 in translation services, and directing OAC to work with the Department of Purchasing and Contracting to manage contracting of cases and services to various immigrant defense agencies as part of the pilot. The Board also directed County staff to return with a permanent program plan for providing legal representation for detained immigrants under a universal representation model to include annual reporting on required statistical information; a case management system in the OAC to allow the County to track program data and outcomes; and lessons learned from the pilot program and best practices in similar programs in other counties.

In response to Board direction, County staff have developed an approach to implement a one-year pilot program to provide no-cost legal defense services to detained immigrants facing deportation or removal proceedings in San Diego County through contracted services, and a plan for updating and continuing the permanent Immigrant Rights Legal Defense Program after the initial pilot project.

Today's request is to authorize the Director of the Department of Purchasing and Contracting to issue a competitive solicitation for legal representation for detained immigrants to initiate the pilot program and for the Board to receive a report on the proposed plan for the Immigrant Rights Legal Defense Program. Staff will provide a report to the Board regarding any modifications to the plan based on lessons learned from the initial pilot project and return to the Board to present future program requests.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for the Immigrant Rights Legal Defense pilot project, and upon successful negotiations and determination of a fair and reasonable price, award a contract(s) for a period subject to the availability of funds; and to amend the contract(s) as needed to reflect changes in services and funding allocation, subject to the approval of the Public Defender.
2. Receive report of the plan for the Immigrant Rights Legal Defense Program.

## **EQUITY IMPACT STATEMENT**

The proposed actions are the first steps in creating an Immigrant Rights Legal Defense Program in the San Diego County region to promote equitable access for detained immigrants. Inequities exist in our legal system when immigrants facing removal proceedings are not afforded legal counsel. Due to legal costs, these inequities disproportionately impact low-income individuals, who, without access to legal representation, are unable to navigate through the complexities of the immigration court process. Navigation is made more complex when individuals are left without reliable interpreters and translations, and language becomes an additional barrier. To build a program that addresses the needs of the community, feedback from immigrant advocates and organizations was solicited through an industry day and formal request for information. Community engagement will be ongoing through the construction and execution of the pilot project. It is anticipated that these actions will positively impact the low-income, immigrant community by removing barriers to legal representation and expanding access to no cost legal services. Detained immigrants who receive the legal services will be subject to no cost or fees. With these actions, the County will continue its commitment to actively provide services to our most vulnerable populations. Expanded access to counsel regardless of ability to pay will advance fairness in due process for detained immigrants and reduce economic challenges and family separation.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan for the Public Defender. If approved, this request will result in estimated costs and revenue of \$5,000,000 in Fiscal Year 2021-22. The funding source is General Fund Fund Balance. Following the pilot period, any program recommendations and associated funding requests will be presented to the Board. There is no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

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

AYES: Vargas, Lawson-Remer, Fletcher

NOES: Anderson, Desmond

2. **SUBJECT: AUTHORIZE AMENDMENT OF PROBATION DEPARTMENT CONTRACTS FOR INTERIM HOUSING TO ADD SHERIFF'S DEPARTMENT REFERRALS SUPPORTED BY CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (DISTRICTS: ALL)**

## **OVERVIEW**

In Spring 2020, the U.S. Department of Justice, Bureau of Justice Assistance (BJA) implemented the Coronavirus Emergency Supplemental Funding (CESF) Program. Funds were allocated to the State of California and administered by the Board of State and Community Corrections. On March 5, 2021, a total of \$4,085,425.63 was awarded to the County of San Diego with the Sheriff's Department serving as the lead agency, administering the funds for the County to respond to needs of persons in custody and to provide support as persons transition out of custody. The Sheriff's Department seeks to use approximately



\$500,000 of the award to fund housing services. This is a request to amend existing contracts for interim housing and supportive services, procured by the Probation Department, to authorize the Sheriff's Department to provide referrals to housing services for persons leaving custody through the term of CESF Program grant period which ends on January 31, 2022.

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

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

Waive Board Policy A-87 and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with providers of the Probation Department's interim housing contracts issued pursuant to RFP 10404 and subject to successful negotiations and determination of a fair and reasonable price and approval of the Sheriff, amend those contracts to add the Sheriff's Department as a party.

#### **EQUITY IMPACT STATEMENT**

This requested action will support the availability of essential interim housing services and provide persons leaving custody a temporary residence and support as they reenter the community. According to the 2020 Point in Time Count survey, approximately 25% of the population surveyed while in custody were experiencing homelessness at the time of their arrest, and 27% of the population experiencing homelessness identified as being Black/African American. Throughout San Diego County, this population group represents a disproportionately higher percentage of people accessing homeless services as compared to the general population. Black/African Americans represent 5.5% of the county's general population (per the US Census); however, they comprise 21% of people who are experiencing unsheltered homelessness and 30% of the sheltered population. The Sheriff's Department will collect information on the race and ethnicity of individuals leaving custody and referred to these services. Individuals receiving these services will be invited to share their experiences and feedback with this program's Local Advisory Committee, which includes justice agency representatives, representatives of public health, behavioral health and housing services with the Health and Human Services Agency and community stakeholders.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-23 Operational Plan in the Sheriff's Department. If approved, today's recommendation will result in approximate costs and revenue of \$500,000 in Fiscal Year 2021-22. The funding source is Coronavirus Emergency Supplemental Funding (CESF) Program administered by the Board of State and Community Corrections. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

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

**3. SUBJECT: RATIFY MEMBERSHIP OF THE SUBCOMMITTEE OF THE JUVENILE JUSTICE COORDINATING COUNCIL REGARDING JUVENILE JUSTICE REALIGNMENT (DISTRICTS: ALL)**

**OVERVIEW**

In 2020, the State Legislature enacted, and the Governor signed, Senate Bill 823, Juvenile Justice Realignment, which authorized the phased closure of the State Division of Juvenile Justice correctional facilities housing youth, realigned the responsibility for these youth to counties and provided a funding allocation to counties. The statute, Welfare and Institution Code W.I.C. 1995, requires that, to receive the funding, a county shall create a subcommittee of the multiagency juvenile justice coordinating council to develop a plan describing the facilities, programs, placements, services, supervision and reentry strategies that are needed to provide appropriate rehabilitation and supervision services for this population. The required members of the subcommittee are also set forth in W.I.C. 1995. This action is to request adoption of a resolution with an effective date of January 1, 2021, ratifying and establishing the formation of the subcommittee and the authority of the Chief Probation Officer to sign documents related to the juvenile justice realignment State funding as well as related grant documents, contracts, amendments or extensions with the State of California.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with California Welfare and Institutions Code section 1995 and Board Policy A-74, Citizen Participation in County Boards, Commissions and Committees, ratify the formation of a Juvenile Justice Realignment Subcommittee of the Juvenile Justice Coordinating Council.
2. Adopt a Resolution entitled:  
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ESTABLISHING MEMBERSHIP OF A SUBCOMMITTEE OF THE JUVENILE JUSTICE COORDINATING COUNCIL REGARDING JUVENILE JUSTICE REALIGNMENT (SENATE BILL 823).
3. Ratify the submission of SB 823 State funding documents and authorize the Chief Probation Officer to sign documents related to the juvenile justice realignment State funding as well as related grant documents, contracts, amendments or extensions with the State of California.

**EQUITY IMPACT STATEMENT**

These requested actions are in support of the implementation of state law transferring the responsibility for the care and support of certain juveniles in the justice system from the State to the counties. State law (SB 823) determined that youth formerly housed in state facilities should receive care closer to their families and communities. Counties are required to develop a plan for the care of these youth through a subcommittee of the Juvenile Justice Coordinating Council. The subcommittee is required to include no fewer than three community members with experience providing services, who are youth justice advocates or have been involved in the juvenile justice system. This subcommittee has received community input to develop a plan for providing a range of rehabilitative and supportive services to these youth. The subcommittee has reviewed data on the needs and characteristics, including race and ethnicity, of the youth previously housed in state facilities. As the local program for care and support of these youth is developed and implemented and updated every three years, program

outcomes will be reported to the subcommittee, with information on outcomes disaggregated by race and ethnicity, to continue to support positive outcomes for all youth.

**FISCAL IMPACT**

There is no fiscal impact as a result of the requested actions.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 21-133, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ESTABLISHING MEMBERSHIP OF A SUBCOMMITTEE OF THE JUVENILE JUSTICE COORDINATING COUNCIL REGARDING JUVENILE JUSTICE REALIGNMENT (SENATE BILL 823).

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

**4. SUBJECT: DISTRICT ATTORNEY - APPOINTMENT OF VALERIE SUMMERS TO RETIREE-REHIRE POSITION (DISTRICTS: ALL)**

**OVERVIEW**

California Government Code section 7522.56 requires that the governing body of a public agency approve any appointment of a retiree being reemployed less than 180 days after that person's retirement date based on the employer's need to fill a critically needed position.

Today's action is a recommendation to approve the temporary appointment of Valerie Summers to a Retiree-Rehire position in the District Attorney's Office to complete a highly complex criminal jury trial that is currently in progress and post-trial matters.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Pursuant to California Government Code section 7522.56, the Board of Supervisors to approve the appointment of Valerie Summers to a Retiree-Rehire position in the District Attorney's Office.

**EQUITY IMPACT STATEMENT**

This requested action supports the District Attorney's Office in providing fair and equal justice services for all members of the community, in partnership with communities, through protecting the victims of crime and by preventing future harm.

**FISCAL IMPACT**

The funding source is existing General Purpose Revenue budgeted in the District Attorney's Office for iscal Year 2021-22. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

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

**5. SUBJECT: DISTRICT ATTORNEY - DEDICATING CRIMINAL FINES TO SERVICES FOR K-12 YOUTH (DISTRICTS: ALL)**

**OVERVIEW**

The San Diego County District Attorney's Office has prosecuted one of the nation's largest fraud schemes targeting state dollars intended for kindergarten through 12th grade education. The defendants pled guilty to felony charges including conspiracy and conflict of interest and over \$200 million in assets and fraudulently billed educational funds was recovered, one of the nation's largest recoveries.

This is one of the most complex fraud cases prosecuted by the San Diego District Attorney's Office resulting in a 235-page indictment prosecuted by expert prosecutors, investigators, and staff in the Public Integrity Unit of the District Attorney's Office. Due to the complexity and impact of the case, it has been assigned to the Honorable Frederick Link, Superior Court for all purposes. Judge Link will be ruling on fines, restitution and other aspects of the case.

Penal Code section 186.11 is a specific allegation in criminal cases where there has been a "great taking" and allows for the seizure of assets and provides the court with the ability to fine the defendants at the time of sentencing. Should a fine be imposed, it can be no greater than 30% of the total recovery and would be deposited in the County Treasurer-Tax Collector to be dispersed according to applicable law.

The District Attorney's Office recommends any fines imposed by the court related to this case be earmarked and exclusively dedicated to programs that directly serve the needs of K-12 children in San Diego County in the areas supporting educational equity and acceleration of learning, behavioral health needs, housing and food stability needs, mentorship, and other needs that allow children to thrive.

In an effort to assure resources support the intended purpose, today's action will establish a trust fund to receive any fines related to this case and authorize the Chief Administrative Officer to collaborate with appropriate stakeholders including but not limited to the District Attorney, Health and Human Services Agency, Office of Equity and Racial Justice and the County Office of Education to establish a program plan to support, promote and improve educational options for San Diego County youth and return to your board in 90 days with recommendations for the use of these funds.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Direct the Auditor and Controller to establish an interest-bearing trust fund to deposit funds received through fines related to this case, and pursuant to Penal Code section 186.11 (i) (4), allocate proceeds from the fine first to reimburse the District Attorney's Office for the reasonable costs of investigation and prosecution of this case, as mandated by law, and then to programs and services related to supporting educational needs and opportunities for K-12 youth in San Diego County.
2. Authorize the Chief Administrative Officer to collaborate with stakeholders to establish a program plan to support, promote and improve educational options for San Diego County children, including processes for developing recommendations regarding the use of these funds, and return to the Board in 90 days.

### **EQUITY IMPACT STATEMENT**

The District Attorney's Office recognizes the detrimental impact schemes targeting youth have on our residents and the safety of our communities. The District Attorney's Office Public Integrity Unit investigates and prosecutes cases involving corruption by public officials and employees in their official capacities or in the performance of their duties.

As part of the prosecutions and during the resolution of the case, the unit works to maximize the recovery of those dollars and to make whole from where the loss occurs as well as those who lost services due to the crime.

The earmark and allocation of fines in this case to the needs of K-12 youth across the county through the lens of need and equity will serve to improve outcomes for youth and address inequities with an emphasis on underserved communities.

### **FISCAL IMPACT**

The fiscal impact is unknown at this time. There will be no change in net General Fund cost no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

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

6. **SUBJECT: SHERIFF - RATIFY ACCEPTANCE OF DONATION TO SHERIFF'S POWAY STATION (DISTRICTS: ALL)**

### **OVERVIEW**

County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, permit the acceptance of gifts and donations by the administrative heads of each department in the

County, subject to approval by the Board of Supervisors. This is a request to ratify the acceptance of a \$10,000 donation from Mainstream Bar & Grill to the Sheriff's Poway Station.

**RECOMMENDATION(S)**  
**SHERIFF**

1. In accordance with the 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 a \$10,000 donation from Mainstream Bar & Grill.
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 Mainstream Bar & Grill.

**EQUITY IMPACT STATEMENT**

The donation of \$10,000 will be utilized to purchase personal protective equipment (PPE) for the staff at the Sheriff's Poway Station. This will increase the availability of PPE for safeguarding not only the staff, but members of the community during their interactions with department personnel. This is a shared benefit.

**FISCAL IMPACT**

Funds for this request are not included in the Sheriff's Department Fiscal Year 2021-22 Operational Plan. If approved, this request will ratify the acceptance of a donation, and result in Fiscal Year 2021-22 costs and revenue of \$10,000. The funding source is a donation from Mainstream Bar & Grill. 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 Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent.

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

7. **SUBJECT: UPDATE ON COVID-19 RESPONSE, RATIFY ACTIONS IN RESPONSE TO LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY, AUTHORIZE SINGLE SOURCE PROCUREMENT WITH ABBOTT LABORATORIES FOR TESTING EQUIPMENT, AUTHORIZE EXTENSION OF SAFER AT SCHOOL EARLY ALERT SYSTEM CONTRACT, ADOPT RESOLUTION TO ACCEPT FUNDING FOR EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP), ESTABLISH APPROPRIATIONS FOR ERAP, ACCEPT FUNDING TO ESTABLISH, EXPAND, AND SUSTAIN A PUBLIC HEALTH WORKFORCE, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS COVID-19 PANDEMIC (DISTRICTS: ALL)**

## **OVERVIEW**

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

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

The County continues to make significant efforts to slow the spread of COVID-19. Today's actions request the San Diego County Board of Supervisors (Board) to receive an update on the local COVID-19 response and ratify all actions taken by the CAO, Public Health Officer, Director, Department of Purchasing and Contracting and Director, Department of General Services in response to the local health emergency and local emergency.

Additionally, it is requested that the Board take the following actions to continue to support the County's COVID-19 response efforts:

- Authorize a single source contract with Abbott Laboratories for Alinity™ i Analyzer reagents, consumables, and supplies.
- Authorize an extension to the contract for Safer at School Early Alert system.
- Adopt a resolution to accept additional funding and continued participation in the State's Emergency Rental Assistance Program.
- Establish appropriations in the amount of \$104,800,000 for the continued participation in the Emergency Rental Assistance Program.
- Authorize acceptance of \$4.6 million in funding from the California Department of Public Health to establish, expand, and sustain a public health workforce.

Today's proposed actions support the County's *Live Well San Diego* vision by protecting the health of residents against the COVID-19 pandemic.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Receive an update on the COVID-19 response.
2. Ratify all actions taken by the Chief Administrative Officer, Public Health Officer, Director, Department of Purchasing and Contracting, and Director, Department of General Services in response to the local health emergency and local emergency.
3. In accordance with Board Policy A-87, Competitive Procurement and Administrative Code section 401, authorize the Director, Department of Purchasing and Contracting to enter into negotiations with Abbott Laboratories, and upon successful negotiations and a determination of a fair and reasonable price, award a contract for Alinity™ i Analyzer reagents, consumables, and supplies for the period of up to one year and up to four option years, and up to an additional six months if needed, subject to the availability of funds; and to amend the contract as required to reflect changes in goods and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.

4. In accordance with Board Policy A-87, Competitive Procurement and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting to enter into negotiations with University of California, San Diego, and upon successful negotiations and a determination of a fair and reasonable price, extend the contract for Safer at School Early Alert system for the period of up to one additional year, and up to an additional six months if needed, subject to the availability of funds; and to amend the contract as required to reflect changes in services and funding allocation, subject to the approval of the Agency Directory, Health and Human Services Agency.
5. Adopt a Resolution entitled: A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING PARTICIPATION IN THE STATE RENTAL ASSISTANCE PROGRAM - 2.
6. Establish total appropriations of \$104,800,000 in the Health and Human Services Agency, Services & Supplies (\$15,700,000) and Other Charges (\$89,100,000) for the continued participation in the Emergency Rental Assistance Program (ERAP) funded through a direct allocation and State allocation of federal ERAP American Rescue Plan Act (ARPA) of 2021 funds to the County.
7. Authorize the acceptance of \$4.6 million in funding from the California Department of Public Health to establish, expand, and sustain a public health workforce to support jurisdictional COVID-19 prevention, preparedness, response, and recovery initiatives for the period of July 1, 2021 through June 30, 2023, and authorize the Clerk of the Board to execute all required documents, upon receipt, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
8. Take any other action necessary to address the COVID-19 pandemic emergency response.

#### **EQUITY IMPACT STATEMENT**

The COVID-19 pandemic has had a significant impact on the lives of individuals, businesses, and communities across San Diego County. In order to support the most vulnerable, an equity lens was used to prioritize, when appropriate, the distribution of COVID-19 response and recovery-related federal, State, and local funding and resources based on a data-driven approach, identifying communities that have the highest need for support in relation to the number of positive COVID-19 cases.

Through weekly press conferences and presentations at San Diego County Board of Supervisors meetings, the County of San Diego (County) has been able to disseminate critical information about the efforts being done to address and combat the COVID-19 pandemic to a wide audience, as well as providing a forum to receive public comment. To continue the County's commitment to transparency and open government and remove traditional barriers to access and participation in government affairs, today's actions provide the mechanism to present an update on the current COVID-19 response efforts that have an impact on the lives of Black, Indigenous, People of color, women, people with disabilities, immigrants, youth, the LGBTQ community, and economically disadvantaged.



## **FISCAL IMPACT**

It is estimated that through the end of fiscal year ending June 30, 2021, the County of San Diego (County) will have spent over \$680 million on overall COVID-19 response costs, excluding federally dedicated program funds for programs such as rental assistance and nutrition services. Funding sources for County response costs included an allocation of CARES Act, Coronavirus Relief Fund (CRF) revenue, General Fund Fund Balance, Realignment, Federal Emergency Management Agency (FEMA) funds, and program revenues available for response efforts. Also, as of March 3, 2021, funds allocated through the American Rescue Plan Act (ARPA) are also available to fund County response efforts per direction from the San Diego County Board of Supervisors on June 8, 2020 (3). In Fiscal Year 2021-22, the County will rely on ARPA funding dedicated for response costs, as well as other stimulus funds, program revenues, Realignment, and County General Fund Fund Balance to cover response costs as needed. The County will continue to pursue other federal and State stimulus revenue and funding sources, including funds through the Federal Emergency Management Agency (FEMA).

### ***Recommendation #3: Single Source Procurement with Abbott Laboratories***

Funds for this request are included in the Fiscal Year 2021-2023 Operational Plan in Health and Human Services Agency (HHSA). If approved, this request will result in costs and revenue of \$150,000 in Fiscal Year 2021-22, and costs and revenue of \$150,000 in Fiscal Year 2022-23. The funding source is the Epidemiology and Laboratory Capacity Enhancing Detection Expansion Grant. There will be no change in net General Fund cost and no additional staff years.

### ***Recommendation #4: Extension of Contract for Safer at School Early Alert System***

Funds for this request are included in the Fiscal Year 2021-2023 Operational Plan in HHSA. If approved, this request will result in costs and revenue of approximately \$2.7 million in Fiscal Year 2021-22. The funding source is the Epidemiology and Laboratory Capacity Enhancing Detection Expansion Grant and California Department of Public Health COVID-19 AB 86 Safe Schools for All Funding. There will be no change in net General Fund cost and no additional staff years.

### ***Recommendation #5 and #6: Adopt a Resolution Authorizing Participation in the California COVID-19 Rent Relief Program and Establish Appropriations for the Emergency Rental Assistance Program***

Funds for this request are not included in the FY 2021-23 Operational Plan in HHSA. If approved, this request will result in costs and revenue of \$104.8 million in Fiscal Year 2021-22. The funding source for this request is federal Emergency Rental Assistance Program (ERAP) American Rescue Plan Act funds received as a direct allocation from the U.S. Department of Treasury and an allocation from the State. There is no change in net General Fund cost and no additional staff years.

### ***Recommendation #7: Accept Funding to Establish, Expand, and Sustain a Public Health Workforce***

Funds for this request are not included in the Fiscal Year 2021-2023 Operational Plan in HHSA. If approved, this request will result in estimated costs and revenue of \$2.3 million in Fiscal Year 2021-22 and estimated costs and revenue of \$2.3 million in Fiscal Year 2022-23. The funding source is the American Rescue Plan Act through the Centers for Disease Control and Prevention via the California Department of Public Health. There will be no change in net General Fund cost. There will be additional staff years.

The County of San Diego is anticipated to receive \$4.6 million in total program funds through Fiscal Year 2022-23. Funds for subsequent years will be included in future Operational Plan. If needed, HHSA will return to the Board at a later date to request approval for additional resources and staff years.

#### **BUSINESS IMPACT STATEMENT**

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

#### **ACTION:**

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

1. Received an update on the COVID-19 response.
2. Ratified all actions taken by the Chief Administrative Officer, Public Health Officer, Director, Department of Purchasing and Contracting, and Director, Department of General Services in response to the local health emergency and local emergency.
3. In accordance with Board Policy A-87, Competitive Procurement and Administrative Code section 401, authorized the Director, Department of Purchasing and Contracting to enter into negotiations with Abbott Laboratories, and upon successful negotiations and a determination of a fair and reasonable price, award a contract for Alinity™ i Analyzer reagents, consumables, and supplies for the period of up to one year and up to four option years, and up to an additional six months if needed, subject to the availability of funds; and to amend the contract as required to reflect changes in goods and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
4. In accordance with Board Policy A-87, Competitive Procurement and Administrative Code Section 401, authorized the Director, Department of Purchasing and Contracting to enter into negotiations with University of California, San Diego, and upon successful negotiations and a determination of a fair and reasonable price, extend the contract for Safer at School Early Alert system for the period of up to one additional year, and up to an additional six months if needed, subject to the availability of funds; and to amend the contract as required to reflect changes in services and funding allocation, subject to the approval of the Agency Directory, Health and Human Services Agency.
5. Adopted Resolution No. 21-134, entitled: A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING PARTICIPATION IN THE STATE RENTAL ASSISTANCE PROGRAM - 2.
6. Established total appropriations of \$104,800,000 in the Health and Human Services Agency, Services & Supplies (\$15,700,000) and Other Charges (\$89,100,000) for the continued participation in the Emergency Rental Assistance Program (ERAP) funded through a direct allocation and State allocation of federal ERAP American Rescue Plan Act (ARPA) of 2021 funds to the County.

7. Authorized the acceptance of \$4.6 million in funding from the California Department of Public Health to establish, expand, and sustain a public health workforce to support jurisdictional COVID-19 prevention, preparedness, response, and recovery initiatives for the period of July 1, 2021 through June 30, 2023, and authorize the Clerk of the Board to execute all required documents, upon receipt, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
8. Took any other action necessary to address the COVID-19 pandemic emergency response.
  - a. Directed the Chief Administrative Officer to include data for impacts and effects of COVID-19 vaccinations that includes adverse reactions, as well as mental health effects during the next COVID-19 update to the Board.

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

**8. SUBJECT: REIMAGINE VIBRANT COMMUNITIES THROUGH ARTS & CULTURE (DISTRICTS: ALL)**

**OVERVIEW**

Efforts focused on arts and culture are an important component to the County's efforts to address critical issues such as public health and healthy communities; children, youth, and families; mental health, probation and juvenile programs, equity, and social justice; and public safety. Arts and culture organizations can also be strategic partners with local government in the pursuit of public policy that drives societal development, global inclusion, and equitable values. A strong arts and culture infrastructure at the County of San Diego will support programs that engage people across cultures, enable audience members of all ages to experience worlds outside of their own through storytelling, and provide education and outreach during and after school, helping them explore self-expression. Arts, culture, and creativity are at the heart of innovation and an important part of economic and workforce development.

In 1993, the County eliminated the Public Arts Advisory Council, which resulted in a gap of resources to support local arts and culture organizations, and consequently a decrease of public art in our communities. San Diego County is the largest county in California without a dedicated arts agency. Although five cities in the County of San Diego have municipal arts agencies, there is no regional entity to support cultural policy, programs, or public funding of the arts across the County's five supervisorial districts.

Elevating arts and culture countywide would provide a more equitable approach towards the public funding of arts and culture organizations throughout San Diego County, continue to elevate our region as an international and multi-cultural powerhouse in arts, culture, and design, and provide a benefit of creativity in boosting our local economy. The County plays a role in arts and culture in the region by providing public art in buildings and parks, funding organizations through grants, and supporting extracurricular school programs through community-based organizations. Arts and culture organizations are those with programming for but not limited to visual or performing arts, literary arts, cinematic, theatrical, and include museums, historical societies and centers that provide cultural programming.

This board letter directs the Chief Administrative Officer to assess the role the County of San Diego currently plays in arts and culture in the region and identify new potential funding opportunities to expand efforts. The Chief Administrative Officer should also identify strategies to champion the arts and invest state and federal dollars in cultivating a vibrant arts community, shape innovative cultural policy, and build public awareness of the economic benefits and value of diversity in arts and culture.

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

##### **VICE-CHAIR NORA VARGAS AND CHAIR NATHAN FLETCHER**

1. Direct the Chief Administrative Office to assess the role the County of San Diego already plays in arts and culture, including an assessment of how Community Enhancement Program grants have been provided to arts and culture organizations.
2. Direct the Chief Administrative Officer to identify opportunities to leverage state and federal funding to ensure nontraditional arts and culture organizations are included.
3. Direct the Chief Administrative Office to look at how to increase equity in the access to arts and culture in the region and capitalize on the economic potential of an increased arts and culture program throughout the county to build equity.
4. Direct the Chief Administrative Officer to report back to the board within 90 days with a recommendation on how to expand the role of the County in promoting and participating arts and culture opportunities, including the creation of a Commission on Arts and Culture.

#### **EQUITY IMPACT STATEMENT**

From the inception of our country, government at the local, regional, state, and federal level has played a role in creating and maintaining racial inequity. Despite progress in addressing explicit discrimination, racial inequities continue to be deep, pervasive, and persistent across the country. Government can implement policy change at multiple levels and across multiple sectors to drive larger systemic change. It is important to note that to achieve long-term impact, changes must be sustainable. Working for racial equity can allow for meaningful education with community and other institutions that will ensure sustainability.

Cultural equity has been defined as “the condition that all people are fairly resourced in artistic and cultural expression and fairly represented in systems of exhibition, performance, and decision-making.” PolicyLink asserts that “Cultural equity explicitly values the unique and collective cultures of diverse communities and supports their existence in physical spaces, in public policies and investment, and in expression in civic and spiritual life.” Equitable access to arts and culture in all its forms is a core component of an equitable society and has the capacity to transform lives. Achieving cultural equity requires a commitment to removing the barriers to the arts and cultural participation that are experienced when residents are under-represented and under-resourced by virtue of the city or area of the region in which they live. Elevating arts and culture in San Diego County will prioritize equitable access to the arts to the benefit all San Diegans, particularly those communities that have been previously left behind.

Arts and Culture resources at the County shall be directed to employ evidence-based art standards and policies focused on and rooted in racial equity. We will pay particular attention to long standing under resourced culturally based organizations in our communities such as the Worldbeat Center, Centro Cultural de La Raza, Common Ground Theater, San Diego Urban Warriors, Chicano Park Museum, African American Museum of Fine Arts, (a museum without a centralized home), A Reason to Survive (AARTS) in National City and Pasacat Philippine Dance Company to name a few. This will create a new vibrant and sustainable community and balance the scale of inequitable funding and organizational support.

To address inequities, the County should design, support and fund initiatives for cultural districts and art networks such as, but not limited to: Barrio Logan, the San Diego Black Arts Business and Culture District, the Convoy Asian Business District, North County Arts District, the South Bay Arts Network in Southeast San Diego, South and East County Arts Network, and support the rich Native American culture throughout other parts of the County. To further advance equity the County should continue to support and develop programs with creative youth organizations that use the arts to inspire and elevate youth.

#### **FISCAL IMPACT**

There is no current fiscal impact but, in the future, will return to the board with recommendations and potential fiscal impact.

#### **BUSINESS IMPACT STATEMENT**

In California, the arts accounted for \$174.6 billion in value to California's economy in 2015, making up 7.1% of the state's overall GDP at the time. Increasing arts and culture opportunities in San Diego County may bring significant economic growth to the region.

#### **ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, and directed that the assessment shall encompass the past ten fiscal years of the Community Enhancement program beginning FY2011-12, and will focus on Community Enhancement grant recipient organizations primarily dedicated to the advancement of arts and culture, as determined by organization name, grant purpose, and the "arts and culture" organizational definition provided in this Board letter.

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

#### **9. SUBJECT: HOUSING PRESERVATION AND ANTI-DISPLACEMENT (HPAD) INITIATIVE (DISTRICT: 1)**

#### **OVERVIEW**

The County of San Diego (County) is facing an affordable housing and homelessness crisis, which can be addressed through the creation of both new affordable housing units and the preservation of existing Naturally Occurring Affordable Housing (NOAH). NOAH refers to residential rental properties that are affordable due to the market demand of the area or condition of the property, but unsubsidized by any local, State, or Federal program, unrestricted residential housing units. NOAH preservation is an essential component of a comprehensive approach and has multifaceted benefits, including increasing the supply of

affordable housing units; stabilizing rental amounts; investment in existing communities without displacement; and extending the useful life of existing real estate.

This board letter includes actions for the Board of Supervisors (Board) to direct staff to create the Housing Preservation and Anti-Displacement (HPAD) Pilot Program, a new program in District 1 that would preserve NOAH units, increasing long term affordable housing supply. This program presents an opportunity to create a pilot program for Ethos to provide housing with new long-term affordability restrictions on existing housing units at minimal cost to the County. Ethos is a minority and women-owned real estate platform focused on leveraging private capital for the creation of affordable housing. The cost to develop affordable housing units continues to increase as the cost of real estate and construction increases. The average cost to build a new affordable housing unit is over \$500,000. The amount of public funding available is not enough to resolve the affordability crisis. We need another solution that would ensure stabilization and preservation of existing housing. HPAD Pilot Program is an innovative way to create equity in the real estate sector by increasing the number of affordable units with a smaller public subsidy than newly constructed affordable housing units.

With affordable housing options in the region becoming increasingly scarce, the San Diego County Board of Supervisors (Board) responded in 2017 by creating the Innovative Housing Initiative (Initiative), to increase the regional supply of affordable housing. On June 20, 2017 the Board created the Innovative Housing Trust Fund (IHTF) with an initial investment of \$25 million to address housing needs by leveraging construction, acquisition, and/or rehabilitation of housing for low-income households and vulnerable populations. On April 30, 2019, the Board voted to expand the IHTF with an additional investment of \$25 million. The current Board included \$25 million for affordable housing activities with the June 29, 2021 budget actions.

The HPAD Pilot Program would require the County to negotiate with Ethos about providing a subsidy (either as a loan or a grant) and entering into a regulatory agreement with Ethos that would preserve NOAH. The regulatory agreement would require Ethos to acquire, renovate, and convert existing NOAH units into long-term affordable units through recordation of affordability covenants that restrict the rents of covered units to levels affordable to households at 80% of Area Median Income (AMI) or below. In return for retaining unit affordability, Ethos may be eligible to obtain a property tax exemption through Revenue and Tax Code section 214(g) proportionate to the overall percentage of low-income affordable units within the covered property or properties. To receive this exemption, the project must meet several criteria, including receiving financing from a public source and being bound by a regulatory agreement with a public agency, that restricts all or a portion of the units at or below 80% of the area median income.

As part of this program, Ethos would also be required to partner with a local non-profit to provide necessary services at the acquired properties. Ethos will also be required to make capital investments in the NOAH units to improve the quality of life for tenants and ensure the long-term habitability and safety of the properties within the first five years of ownership.

I strongly urge your support for the recommendations in this letter to ensure that the Board creates a comprehensive approach to the housing crisis faced by the County by developing the HPAD program.

**RECOMMENDATION(S)**  
**VICE-CHAIR NORA VARGAS**

1. Direct the Chief Administrative Officer to create the Housing Preservation and Anti-Displacement (HPAD) Pilot Program that would provide a county subsidy to preserve Naturally Occurring Affordable Housing (NOAH) as described in this Board Letter.
2. Direct the Chief Administrative Officer to enter into negotiations with Ethos and, upon successful negotiations and a complete third party independent financial feasibility review of the proposal to be submitted by Ethos for NOAH preservation, return to the Board with all necessary proposed agreements for the Board's consideration. The agreements must include the following requirements:
  - a. Eligible properties shall be located within the boundaries of District 1, as constituted on the date these recommendations are adopted; If other options are exhausted than the boundaries can expand to countywide.
  - b. Eligible projects are limited to the acquisition and rehabilitation of existing multi-family rental buildings of at least five units.
  - c. Eligible projects must convert NOAH (where current rent is 30% or less of the income for persons or families making 80% of AMI) into long-term affordable housing with rents (including utility costs) not to exceed 30% of the income of a person or household earning 80% or less of the Area Median Income as defined in California law.
  - d. Ethos must partner with a non-profit to provide services to the project
  - e. Regulatory agreements must require long-term maintenance of the property and restrict the NOAH units as affordable through a long-term covenant for 55 years.
  - f. Ethos must provide a capital investment exceeding the amount of funding awarded by the County to improve the quality of life for tenants and ensure the habitability and safety of the properties.
  - g. Renovations and repairs must be complete within the first five years of entering into the regulatory agreement with the County.
  - h. This program requires that the funds that would have been necessary to pay property taxes are used to maintain the affordability of, or reduce rents otherwise necessary for, the units occupied by low-income households at or below 80% AMI.
  - i. That Ethos maintain compliance with Section 214(g) of the Revenue and Taxation Code, as it may be amended from time to time.

- j. If Ethos provides a proposal that meets all criteria specified herein, upon evaluation of that proposal, and upon successful negotiations, the Chief Administrative Officer is directed to return to the Board with an agreement for consideration by the Board. However, the Chief Administrative Officer need not return to the Board of Supervisors with any such agreement if successful negotiations and underwriting evaluation of a proposal complying with the requirements specified herein are not completed by within 36 months.

#### **EQUITY IMPACT STATEMENT**

The County of San Diego (County) is facing an affordable housing and homelessness crisis, which can be addressed through the creation of both new affordable housing units and the preservation of existing Naturally Occurring Affordable Housing (NOAH).

The Housing Preservation and Anti-Displacement Pilot Program would result in new long-term affordability restrictions on existing housing units for the county of San Diego. The cost to develop affordable housing units continues to increase as the cost of real estate and construction increases. The amount of public funding available is not enough to resolve the affordability crisis. HPAD Pilot Program is an innovative way to create equity in the real estate sector by increasing the number of affordable units with a smaller public subsidy than newly constructed affordable housing units.

#### **FISCAL IMPACT**

There is no fiscal impact associated with the request. There will be no change in net General Fund costs and no additional staff years. If staff and Ethos are able to reach an agreement meeting the requirements specified herein, that agreement will be presented to the Board at a future date, along with a discussion of what funding sources may be considered for potential use, including the Innovative Housing Trust Fund and affordable housing solution fund.

#### **BUSINESS IMPACT STATEMENT**

The recommended actions will have a positive impact on the business community and result in construction work to be performed at selected properties. Additionally, affordable rents can significantly increase the residual income that households have at their disposal after meeting necessary housing costs. Local businesses stand to gain from the increased buying power made possible by the availability of affordable housing.

#### **ACTION:**

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

1. Directed the Chief Administrative Officer to create the Housing Preservation and Anti-Displacement (HPAD) Pilot Program that would provide a county subsidy to preserve Naturally Occurring Affordable Housing (NOAH) as described in this Board Letter.
2. Directed the Chief Administrative Officer to enter into negotiations with Ethos and, upon successful negotiations and a complete third party independent financial feasibility review of the proposal to be submitted by Ethos for NOAH preservation, return to the Board with all necessary proposed agreements for the Board's consideration. The agreements must include the following requirements:



- a. Eligible properties shall be located within the boundaries of District 1, as constituted on the date these recommendations are adopted; If other options are exhausted than the boundaries can expand to countywide.
- b. Eligible projects are limited to the acquisition and rehabilitation of existing multi-family rental buildings of at least five units.
- c. Eligible projects must convert NOAH (where current rent is 30% or less of the income for persons or families making 80% of AMI) into long-term affordable housing with rents (including utility costs) not to exceed 30% of the income of a person or household earning 80% or less of the Area Median Income as defined in California law.
- d. Ethos must partner with a non-profit to provide services to the project.
- e. Regulatory agreements must require long-term maintenance of the property and restrict the NOAH units as affordable through a long-term covenant for 55 years.
- f. Ethos must provide a capital investment exceeding the amount of funding awarded by the County to improve the quality of life for tenants and ensure the habitability and safety of the properties.
- g. Renovations and repairs must be complete within the first five years of entering into the regulatory agreement with the County.
- h. This program requires that the funds that would have been necessary to pay property taxes are used to maintain the affordability of, or reduce rents otherwise necessary for, the units occupied by low-income households at or below 80% AMI.
- i. That Ethos maintain compliance with Section 214(g) of the Revenue and Taxation Code, as it may be amended from time to time.
- j. If Ethos provides a proposal that meets all criteria specified herein, upon evaluation of that proposal, and upon successful negotiations, the Chief Administrative Officer is directed to return to the Board with an agreement for consideration by the Board. However, the Chief Administrative Officer need not return to the Board of Supervisors with any such agreement if successful negotiations and underwriting evaluation of a proposal complying with the requirements specified herein are not completed by within 36 months.
- k. Directed the Chief Administrative Officer to perform due diligence on Ethos, similar to what is done for any competitive solicitation process.

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

**10. SUBJECT: AUTHORIZATION FOR IMMUNIZATION SERVICES  
PROCUREMENTS AND AUTHORIZATION TO PURSUE FUTURE  
FUNDING OPPORTUNITIES RELATED TO IMMUNIZATION  
SERVICES (DISTRICTS: ALL)**

**OVERVIEW**

The County of San Diego's (County) Immunization Unit, within the Health and Human Services Agency (HHSA), Public Health Services (PHS) utilizes high quality practices to address community needs, including health promotion, technical assistance, vaccine management, support of an electronic immunization registry information system, evaluation of regional immunization coverage rates, response to outbreaks, and information about vaccines and the diseases they prevent.

Over the past 29 years, the San Diego County Board of Supervisors (Board) has authorized the acceptance of California Department of Public Health grant funding, including funding to maintain services for both immunization prevention services and an immunization registry. Activities and efforts related to these immunization prevention services and the immunization registry are accomplished with support from the contracted Immunization Services Partner, currently staffed with contracted positions from the University of California, San Diego (UCSD). The term of the current contract with the Regents of the University of California, San Diego is through June 30, 2022.

Today's action requests the Board to authorize the Director, Department of Purchasing and Contracting to competitively procure new contract(s) for programmatic and operational support for the County Immunization Unit and authorize the Agency Director, Health and Human Services Agency to pursue additional funding opportunities related to immunization services, including support for vaccine management and administration, school related vaccine rates, periodic immunization services coverage assessment, and support for the current electronic immunization registry information system.

Today's actions support the *Live Well San Diego* vision by increasing immunization rates countywide to reduce the risk of suffering, disability, and death caused by vaccine preventable diseases in infants, children, adolescents, and adults and by facilitating collection, management, and reporting of public health information for disease control and prevention activities. Additionally, today's actions advance the Board's Framework for Our Future by incorporating a health equity lens and engaging community stakeholders as part of program administration and service delivery.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for immunization services, and upon successful negotiations and determination of a fair and reasonable price, award a contract for a term of one (1) year, with four (4) option years and up to an additional six months if needed, and to amend the contract as needed to reflect changes to services and funding.
2. Authorize the Agency Director, Health and Human Services Agency, to pursue future funding opportunities, if available, for current and future fiscal years related to immunization services.

## **EQUITY IMPACT STATEMENT**

Today's actions advance equity and racial justice and support the Framework for our Future through a data-driven population health approach that delivers immunization prevention services through community partnerships and coalitions committed to addressing disparities and health inequities. It also seeks to bring greater transparency of immunization related data and outcomes through a comprehensive set of routine data analysis products looking at equity related outcomes or disproportionality. It will also seek input from community stakeholder groups on data needs useful for the populations they represent. The County of San Diego Immunization Unit within the Health and Human Services Agency Public Health Services will continue to work closely with the San Diego Immunization Coalition to communicate and advance equity driven initiatives outcomes and health education. The Immunizations Unit will also continue to pursue grants and funding opportunities that support efforts to eliminate vaccine preventable diseases in our most underserved communities and diverse populations. These underserved communities are identified through the Healthy Places Index quartile framework used by the State, outcomes from local data analysis on vaccine preventable disease cases, and disproportionality of vaccine coverage rates. Furthermore, the activities outlined in the Board letter are planned and carried out through a health equity lens.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-23 Operational Plan in the Health and Human Services Agency (HHSa). If approved, this request will have no fiscal impact in Fiscal Year 2021-22 and costs and revenue of approximately \$2,090,000 for Fiscal Year 2022-23. The funding source is the California Department of Public Health Immunization Local Assistance grant funding and Health Realignment. 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 Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended.

AYES: Vargas, Lawson-Remer, Fletcher, Desmond

NOES: Anderson

11. **SUBJECT: AUTHORIZATION FOR SINGLE SOURCE PROCUREMENT OF DROPLET DIGITAL POLYMERASE CHAIN REACTION SYSTEM FOR RAPID-TESTING OF BEACH WATER SAMPLES AND AUTHORIZATION TO PURSUE FUTURE FUNDING OPPORTUNITIES RELATED TO BEACH WATER MONITORING (DISTRICTS: ALL)**

## **OVERVIEW**

The County of San Diego (County) Health and Human Services Agency's Public Health Laboratory (PHL) provides laboratory services to protect community health and prevent the spread of diseases. The PHL analyzes beach water samples for the County Department of

Environmental Health and Quality's (DEHQ) Beach and Bay Water Quality Monitoring Program to assess water quality at San Diego County beaches.

PHL requires the use of laboratory supplies and equipment to ensure continuation of accurate, reliable, and valid test results as well as continuity and efficiency of operations for PHL. The County PHL has an integral role in improving beach water quality in San Diego County by providing the best available methods to analyze bacterial contamination. Today's action requests authority for a single source procurement for PHL's water testing equipment, which will ensure compatibility of new and existing Bio-Rad testing equipment. This single source procurement would result in a contract for the QX ONE Droplet Digital Polymerase Chain Reaction System with Bio-Rad, which is compatible with the existing QX200 testing equipment and falls under the standardization categorical exception to competitive procurement in Board Policy A-87 Section D.5. This instrument provides a molecular method for the detection of enterococci bacteria, a major bacterial indicator of fecal contamination. This newly approved molecular method would provide for same-day beach water quality sample testing results to be reported to DEHQ.

Today's action supports the Building Better Health component of the County's *Live Well San Diego* vision and advances the San Diego County Board of Supervisors priority to address the pollution at the Tijuana River Valley by providing test results which will enable DEHQ to provide same-day public notification of beach water quality and therefore protect the health of our residents and visitors at our region's beaches. This action supports improved monitoring of sewage contamination from the Tijuana River Valley. Faster test results help in the County's response to the declared public health crisis from this pollution source. This action will also allow the County to purchase the equipment by the end of September 2021 and it is anticipated rapid-testing of beach water samples will begin in early 2022.

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

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

1. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code section 401, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with Bio-Rad and subject to successful negotiations and a determination of a fair and reasonable price, award a contract for the QX ONE Droplet Digital Polymerase Chain Reaction system and consumables for one year and up to four option periods, and an additional six months if needed, and to amend the contract as needed to reflect changes to requirements and funding, subject to the approval of the Agency Director, Health and Human Service Agency.
2. Authorize the Agency Director, Health and Human Services Agency, to apply for additional funding opportunity announcements, if available, that address improvement of beach water monitoring for San Diego County residents.

#### **EQUITY IMPACT STATEMENT**

The shoreline and beaches in the Southern region of San Diego County have been disproportionately impacted with poor water quality and beach water closures as a result of cross-border sewage and pollution. The County of San Diego (County) Department of Environmental Health and Quality received funds to implement a South County Enhanced Beach Water Monitoring Program which was established to assess potential cross-border sewage impacts to southern county beaches due to increased reports of sewage odors and the frequency of sewage spills entering the United States from Mexico. This enhanced program

achieves a daily sampling frequency at nine beach locations in the South County, in addition to increased public information and Spanish language translation, outreach, and cross-border collaboration.

The County has a responsibility to address the environmental impacts to public health to improve the overall health of residents in our binational region. The activities resulting from this single source procurement align with and advance the San Diego County Board of Supervisors' priority to address the pollution in the Tijuana River Valley. Although water contaminants may originate from one area, it can have an effect that spreads throughout the region, therefore it is anticipated that these actions will have a positive impact throughout San Diego County on all equity-seeking groups, to include, Black, Indigenous, People of color (BIPOC), women, people with disability, immigrants, youth and the LGBTQ+ community.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-2023 Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of \$665,000 in Fiscal Year 2021-2022 and costs and revenue of \$250,000 in Fiscal Year 2022-2023. The funding source is Realignment. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

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

12. **SUBJECT: APPROVE INTERGOVERNMENTAL TRANSFER AGREEMENT WITH CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES (DISTRICTS: ALL)**

#### **OVERVIEW**

In order to help increase State payments to Medi-Cal Managed Care Plans (Plans), California counties participating in Medi-Cal Managed Care can enter into Intergovernmental Transfer (IGT) agreements and Assessment Fee Agreements with the California Department of Health Care Services (DHCS). The IGT consists of the transfer of eligible local funding to DHCS, which the State then uses to increase the rates it pays the participating Plans, within an actuarially sound range. The amount the County of San Diego (County) transfers for the IGT draws down approximately a 2 to 1 match in federal dollars, depending on the final distribution of eligible Medi-Cal members served by the Health Plan for the service period. Once the Plans receive the IGT-funded rate increases from DHCS, they pay those funds to the County to support health care related services. The San Diego County Board of Supervisors has authorized participation in this program and approved IGT agreements with DHCS for several years with the most recent authorization given on August 4, 2020 (6).

Today's actions will authorize the Agency Director, Health and Human Services Agency (HHS), or designee to pursue and execute IGT and Assessment Fee Agreements between HHS and the DHCS for the Medi-Cal Only population for the next available IGT service period. Today's actions will also authorize the Agency Director, HHS, or designee to amend or execute new agreements as necessary with seven Medi-Cal Managed Care Health Plans; Molina Healthcare of California, Community Health Group, Blue Shield of California Promise Health Plan, Health Net of California, Kaiser Foundation Health Plan, Inc., Aetna Better Health of California, and United Health Care to enable HHS to draw down approximately \$22.9 million in new funding to recover enhanced reimbursement for Medi-Cal services provided (and/or financed) by the County to Health Plan members for the twelve-month IGT period covering January 1, 2021 to December 31, 2021. This item supports the County's *Live Well San Diego* vision by providing resources for community partners to help clients build better health.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Authorize the Agency Director, Health and Human Services Agency, or designee, to pursue an Intergovernmental Transfer (IGT) agreement with the California Department of Health Care Services.
2. Authorize the Agency Director, Health and Human Services Agency, or designee, upon receipt, to execute the Intergovernmental Agreement Regarding Transfer of Public Funds with the California Department of Health Care Services for the transfer of approximately \$11.8 million for the period of January 1, 2021 through December 31, 2021 in local funds from the Health and Human Services Agency to the California Department of Health Care Services.
3. Authorize the Agency Director, Health and Human Services Agency, or designee to execute an IGT Assessment Fee Agreement with the California Department of Health Care Services for the transfer of approximately \$2.4 million for the period of January 1, 2021 through December 31, 2021 from the Health and Human Services Agency to the California Department of Health Care Services, and related documents.
4. Authorize the Agency Director, Health and Human Services Agency, or designee, to amend the Healthy San Diego agreements or execute new agreements as necessary with Molina Healthcare of California, Community Health Group, Blue Shield of California Promise Health Plan, Health Net of California, Kaiser Foundation Health Plan, Inc., Aetna Better Health of California, and United Health Care to implement the IGT agreements covering the period of January 1, 2021 through December 31, 2021 and disburse approximately \$37.1 million of increased Medi-Cal reimbursement to the Health and Human Services Agency to support health services for Medi-Cal beneficiaries and other underserved populations, net of a two to five percent (2-5%) administrative fee calculated on the gross IGT amount retained by the Health Plans.

### **EQUITY IMPACT STATEMENT**

The intergovernmental transfer process is a funding strategy that allows local governments to utilize State or local funds to increase federal matching dollars for Medicaid programs. Today's actions advance the San Diego County Board of Supervisors (Board) commitment to realigning the County of San Diego's (County) resources toward practices that optimize State and federal draw-down.

The funds received from the intergovernmental transfer (IGT) agreement with the Department of Health Care Services will support health care related services and continue the County's role in achieving better outcomes for consumers. Medi-Cal beneficiaries represent various demographic backgrounds and are among the most vulnerable individuals in the State. Therefore, it is anticipated that these actions will have a positive impact on equity-seeking groups including, Black, Indigenous, People of color (BIPOC), women, people with disabilities, immigrants, youth, and the LGBTQ community. The IGT provides a source of funding the County will utilize to improve service delivery for and remove barriers experienced by Medi-Cal beneficiaries.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2021-23 Operational Plan in the Health and Human Services Agency. If approved, this request is expected to result in costs of approximately \$14.2 million for the twelve-month Intergovernmental Transfer (IGT) period covering January 1, 2021 to December 31, 2021. Of this amount, approximately \$11.8 million would fund the IGT and \$2.4 million would cover the State Assessment Fee. In return, the County of San Diego would receive \$37.1 million in revenue from the Health Plans in FY 2021-22, resulting in a net increase of \$22.9 million in new funds. The funding sources for the IGT and State Assessment Fee are local funds, including Realignment. 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 Fletcher, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended.

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

13. **SUBJECT: NOTICED PUBLIC HEARING:  
ISSUANCE OF CHARTER SCHOOL REVENUE OBLIGATIONS BY  
THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE  
BENEFIT OF THE 458 26TH STREET HOLDINGS, LLC IN AN  
AGGREGATE MAXIMUM AMOUNT NOT TO EXCEED \$20,000,000  
(DISTRICT: 1)**

#### **OVERVIEW**

The County has received a request from the California Municipal Finance Authority ("CMFA" or "Authority") to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority's issuance of one or more series of charter school revenue obligations in an aggregate principal amount not to exceed \$20,000,000 (the "Obligations"), for the benefit of 458 26th Street Holdings, LLC, a California limited liability company (the "Borrower"). The Borrower has applied for the financial assistance of the Authority. The proceeds of the Obligations will be allocated to the refunding of all or a portion of the California Municipal Finance Authority Charter School Revenue Bonds Series 2013A, the financing and/or refinancing of costs not already financed and/or refinanced by the Series 2013A Bonds relating to the acquisition, construction, expansion, renovation, improvement and equipping of the Middle School located at 458 26th Street San Diego, California 92102, the financing

and/or refinancing of costs relating to the acquisition, construction, expansion, renovation, improvement and equipping of educational facilities located at 3035 Ash Street, San Diego, California 92102 (the "Elementary School Facilities"), including, but not limited to, infrastructure improvements, major and routine capital expenditures and installation of equipment, or to provide for the reimbursement of the costs of any of the foregoing, paying costs of issuance of the Obligations, and funding any necessary reserves for the Obligations.

The Authority is authorized to assist in financing for nonprofit public benefit organizations or for-profit corporations with a public benefit project wishing to issue Obligations, including the Borrower. In order to initiate such a financing, the Borrower is asking the County of San Diego, a member jurisdiction in which the project resides to: (1) conduct a public hearing to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code; and (2) approve the Authority's issuance of the Obligations. Although the Authority will be the 3 issuer of the Obligations for the Borrower, the financing cannot proceed without the approval of an applicable legislative body.

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

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

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

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a Resolution entitled:  
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF CHARTER SCHOOL REVENUE OBLIGATIONS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION OF, IMPROVEMENTS TO AND EQUIPPING OF FACILITIES USED AS A CHARTER SCHOOL AND CERTAIN OTHER MATTERS RELATING THERETO.

#### **EQUITY IMPACT STATEMENT**

California Municipal Finance Authority was established to assist in financing of nonprofit public benefit organizations or for-profit corporations with a public benefit project wishing to issue or reissue obligations. The obligations will be used to finance and refinance the cost of acquisition, construction, improvement, furnishing and equipping of two schools in San Diego. The refunded obligations will lower the Borrower's debt service payments which the savings will be diverted back into the classrooms. Albert Einstein Academies nurtures, cultivates and inspires multilingual, critical thinkers who are well-rounded, global citizens uniquely prepared to thrive, lead, and create positive change for the 21st century.

#### **FISCAL IMPACT**

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



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

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 21-135, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF CHARTER SCHOOL REVENUE OBLIGATIONS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION OF, IMPROVEMENTS TO AND EQUIPPING OF FACILITIES USED AS A CHARTER SCHOOL AND CERTAIN OTHER MATTERS RELATING THERETO.

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

14. **SUBJECT: NOTICED PUBLIC HEARING:**  
**ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY FOR THE BENEFIT OF ST. PAUL'S EPISCOPAL HOME, INC., ST. PAUL'S RETIREMENT HOMES FOUNDATION, ST. PAUL'S VILLA, INC., AND COMMUNITY ELDERCARE OF SAN DIEGO IN AN AGGREGATE MAXIMUM AMOUNT NOT TO EXCEED \$20,000,000 (DISTRICT: 4)**

#### **OVERVIEW**

The County has received a request from the California Enterprise Development Authority ("CEDA" or "Authority") to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority's issuance of one or more series of tax-exempt and/or taxable revenue obligations in an aggregate principal amount not to exceed \$20,000,000 (the "Revenue Obligations"), for the benefit of the St. Paul's Episcopal Home, Inc., St. Paul's Retirement Homes Foundation, St. Paul's Villa, Inc., and Community Eldercare of San Diego, all nonprofit public benefit corporation (the "Borrower"), and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986. The Borrower has applied for the financial assistance of the Authority to finance the renovation, improvement, rehabilitation, construction, equipping, and furnishing of the multifamily housing property known as St. Paul's Manor located at 2635 Second Avenue, San Diego, California 92103, including upgrades to plumbing, gas, electrical, and HVAC, installation of tankless hot water heaters, installation of wiring and equipment for internet access, sidewalk repairs, painting and other related improvements, and paying certain costs of issuance in connection with the financing and other related costs.

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

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

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a Resolution entitled:  
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OF ITS REVENUE OBLIGATIONS FOR THE BENEFIT OF ST. PAUL'S EPISCOPAL HOME, INC., ST. PAUL'S RETIREMENT HOMES FOUNDATION, ST. PAUL'S VILLA, INC., AND COMMUNITY ELDERCARE OF SAN DIEGO IN AN AGGREGATE MAXIMUM STATED PRINCIPAL AMOUNT OF \$20,000,000 FOR THE PURPOSE OF FINANCING THE COST OF THE RENOVATION, IMPROVEMENT, REHABILITATION, CONSTRUCTION, EQUIPPING, AND FURNISHING OF FACILITIES, PROVIDING THE TERMS AND CONDITIONS FOR SUCH REVENUE OBLIGATIONS AND OTHER MATTERS RELATING THERETO.

## **EQUITY IMPACT STATEMENT**

California Enterprise Development Authority was established to assist in financing of nonprofit public benefit organizations or for-profit corporations with a public benefit project wishing to issue or reissue revenue obligations. The revenue obligations issued will be used to the renovation, improvement, rehabilitation, construction, equipping, and furnishing of the multifamily housing property known as St. Paul's Manor. This multifamily housing property will be used as a retirement community for the elderly. The Borrowers will provide a variety of services to the elderly community they serve, including, skilled nursing and rehabilitation care, memory care and managed medical care services through the Program of All Inclusive Care for the Elderly ("PACE").

## **FISCAL IMPACT**

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

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

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 21-136, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OF ITS REVENUE OBLIGATIONS FOR THE BENEFIT OF ST. PAUL'S EPISCOPAL HOME, INC., ST. PAUL'S RETIREMENT HOMES FOUNDATION, ST. PAUL'S VILLA, INC., AND COMMUNITY ELDERCARE OF SAN DIEGO IN AN AGGREGATE MAXIMUM STATED PRINCIPAL AMOUNT OF \$20,000,000 FOR THE PURPOSE OF FINANCING THE COST OF THE RENOVATION, IMPROVEMENT, REHABILITATION, CONSTRUCTION, EQUIPPING, AND FURNISHING OF FACILITIES, PROVIDING THE TERMS AND CONDITIONS FOR SUCH REVENUE OBLIGATIONS AND OTHER MATTERS RELATING THERETO.

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

**15. SUBJECT: ENHANCING ENFORCEMENT OF ILLEGAL MARIJUANA DISPENSARIES AND SIMPLIFYING THE RECEIVERSHIP PROCESS (DISTRICTS: ALL)**

### **OVERVIEW**

On January 27, 2021, the Board of Supervisors directed the Chief Administrative Officer to draft an ordinance outlining cannabis-related regulations in the unincorporated areas based on state law.

However, illegal and unlicensed dispensaries continue to operate throughout San Diego County. As a result, the San Diego County Sheriff's Department, District Attorney's Office, County Counsel and Planning & Development Services (PDS) have been engaged in a continuing cycle of shutting down illegal cannabis storefronts. In some instances, an unpermitted dispensary may re-open at the same location on a later date. Additionally, the same location may repeatedly host different illegal dispensaries after each one is shut down. This has been an ongoing battle for our local law enforcement agencies. At my request, in January, the Board of Supervisors allocated \$500,000 in additional County funds for aggressive enforcement to immediately shut down illegal pot shops, labs or other unlicensed marijuana facilities.

Despite this action, the Sheriff's Department, District Attorney's office and PDS continue to experience daily challenges with enforcement and associated prosecution for those operating illegal cannabis dispensaries in the unincorporated area. To assist these agencies, my advocacy recently spurred an increase of \$1.2 million dollars in the County's Fiscal Year 2021-22 budget to support a full-time enforcement team within the Sheriff's Department, dedicated to the investigation and eradication of illegal cannabis operations in our neighborhoods. To complement this, I am also requesting an increase of \$1.2 million to assist the District Attorney in supporting and expanding ongoing prosecutions of unlicensed dispensaries.

One important tool that can be used to address a property with repeated or other code violations related to the illegal sale of cannabis, is a request for the court to authorize a receivership over that property. Although the California Health and Safety Code and other provisions in State law authorize receivership actions, currently those actions are not listed in the litigation authority of the County Counsel's Office as outlined in section 142 of the Code of Administrative Ordinances. As a result, the County Counsel's Office would need to obtain authorization from the Board of Supervisors each time they decide to use this option.

Today's action will expedite the receivership process by directing County Counsel to return to the Board with an ordinance to allow County Counsel to initiate receivership actions on the County's behalf in circumstances where other code enforcement efforts have been unsuccessful, without the need to obtain Board of Supervisors approval for each receivership action. Although the receivership remedy could be used for cannabis businesses which have outstanding code violations, this authorization would allow the remedy to be used for other code violations as well, such as residences in severe disrepair.

### **RECOMMENDATION(S)**

#### **SUPERVISOR JOEL ANDERSON**

1. Direct County Counsel to return to the Board on October 5, 2021, or as soon as practicable, with an ordinance authorizing County Counsel to file receivership actions on the County's behalf in circumstances where other code enforcement efforts have been unsuccessful.
2. Establish appropriations of \$1,200,000 in the District Attorney, Salaries & Benefits, to enhance prosecutions of unlicensed dispensaries based on prior year available General Fund fund balance. **(4 VOTES)**

### **EQUITY IMPACT STATEMENT**

Illegal marijuana dispensaries in the unincorporated area have elicited criminal activity that has inequitably threatened the health and safety of many of our economically disadvantaged and SB 535 communities. The recommended ordinance change will improve processes used by County Counsel and Planning & Development Services to utilize the tool of receivership to promptly shut down illegal dispensaries and seize illegally possessed cannabis and associated paraphernalia.

### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2021-22 Operational Plan for the District Attorney. If approved, this request will result in costs of up to \$1,200,000 in Fiscal Year 2021-22 and estimated ongoing annual costs of \$1,200,000. The proposed funding source for Fiscal Year 2021-22 is prior year available General Fund fund balance. The funding sources for subsequent fiscal years would include General Purpose Revenue and ongoing District Attorney program revenues, where available. This request will result in an increase in General Fund net cost and five additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Anderson, seconded by Supervisor Fletcher, the Board of Supervisors directed County Counsel to return to the Board on October 5, 2021, or as soon as practicable, with an ordinance authorizing County Counsel to file receivership actions on the County's behalf in circumstances where other code enforcement efforts have been unsuccessful.

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

**16. SUBJECT: ADVOCATING FOR THE REMOVAL AND RELOCATION OF SPENT NUCLEAR FUEL FROM THE SAN DIEGO REGION (DISTRICTS: ALL)**

**OVERVIEW**

The San Onofre Nuclear Generating Station (SONGS) operated in the northwest corner of San Diego County for more than 47 years. The station ceased all nuclear operations in June 2013 after excessive vibrations and other issues degraded tubes in steam generators. Stored on the site today is 1,400 metric tons of spent fuel, a direct byproduct of 45 years of nuclear operations. SONGS is currently in year one of an eight-year dismantlement process.

At this time, the federal government has not provided a permanent repository for spent nuclear fuel that could accept SONGS' spent fuel. Thus, Southern California Edison (SCE) must continue to store the nuclear waste onsite in dry cask storage indefinitely. The spent fuel must be relocated offsite for the SONGS site to be fully restored and the land to be returned to the U.S. Navy to support the national security mission of training Marines.

A new coalition - Action For Spent Fuel Solutions Now - has been created with an executive board that includes the plant owners and local governments. This decision-making body is composed of Southern California Edison, San Diego Gas & Electric, The County of Orange and potentially San Diego County. Moving San Onofre's spent nuclear fuel offsite is a shared priority for local communities and SONG's co-owners. The executive board will set goals and direct efforts to advocate for the removal of spent fuel from SONGS to a federally licensed facility.

Today the Board of Supervisors will receive an update on the current status of 'SONGS' and the Action For Spent Fuel Solutions Now; including participation in the Action For Spent Fuel Solutions Now coalition.

In addition, today's action will approve a resolution in which the coalition will advocate for the removal and relocation of spent nuclear fuel from the San Diego Region and would also authorize the Director of the Department of Purchasing and Contracting to enter into single source negotiations with Southwest Strategies to procure management services that support the work of the coalition.

## **RECOMMENDATION(S)**

### **SUPERVISOR JIM DESMOND AND SUPERVISOR TERRA LAWSON-REMER**

1. Adopt a resolution entitled: "A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING PARTICIPATION IN THE ACTION FOR SPENT FUEL SOLUTIONS NOW COALITION" which is a coalition of regional partners who seek to advocate for the removal and re-location of spent nuclear fuel from the San Diego County region.
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 Southwest Strategies; and, subject to successful negotiations and determination of a fair and reasonable price, award a contract for management of the Action For Fuel Spent Fuel Solutions Now coalition with an objective to secure a federally licensed storage or disposal solution for the spent fuel at SONGS for one year beginning September 1, 2021 and ending August 31, 2022 with one option year to extend, and to amend the contract as needed to reflect changes to services and funding.

## **EQUITY IMPACT STATEMENT**

The County of San Diego recognizes the impact the San Onofre Nuclear Generating Station has had on the community. Based on a continued review of available data, it is understood that health disparities and inequalities do exist across a wide range of environmental exposures, social determinants, and access by sex, race and ethnicity, income, education, disability status and other social characteristics.

The County of San Diego will continue encouraging federal leaders to pursue legislation, appropriations, and consent-based siting for spent fuel storage/disposal facilities; mobilizing at key points in the legislative process to advocate for necessary legislation and appropriations; and securing a federally licensed storage or disposal solution for the spent fuel at SONGS and other facilities. Day-to-day activities will be managed by a coalition manager in the hope to alleviate community impacts.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan in the Office of Emergency Services. If approved, this request will result in costs and revenue of up to \$100,000 in Fiscal Year 2021-22. The funding source is existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, adopting Resolution No. 21-137, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING PARTICIPATION IN THE ACTION FOR SPENT FUEL SOLUTIONS NOW COALITION.

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

**17. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS  
(DISTRICT: 5)**

**OVERVIEW**

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

**RECOMMENDATION(S)**

**SUPERVISOR JIM DESMOND**

1. Allocate \$128,000 from Neighborhood Reinvestment Program budget (Org 15670) to the San Diego North Economic Development Council to produce 10 featured videos and develop a website for student opportunities for career awareness and learning.
2. Amend the purpose of the 10/27/20 (13) Neighborhood Reinvestment Program budget (15670) allocation of \$4,317 to JBS Transition Experts dba VetCTAP to include mugs, cards, boxes and packing materials for COVID-19 volunteer recognition event.
3. Amend the purpose of the 10/29/19 (15) Neighborhood Reinvestment Program budget (15670) allocation of \$10,000 to Kid's College to include instructor salaries to provide on-line learning to students during the COVID-19 pandemic.
4. Waive Board Policy B-72 to allow Neighborhood Reinvestment Program funds to be provided to the San Diego North Economic Development Council for costs to produce videos and Kid's College for program funding for instructor salary cost to provide on-line learning to students during the COVID-19 pandemic.
5. Find that these grants have a public purpose.
6. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to agreements with the organizations awarded grants establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.

**EQUITY IMPACT STATEMENT**

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

**FISCAL IMPACT**

The fiscal impact of these recommendations is \$128,000 from the Neighborhood Reinvestment Program budget (Org 15670). Funds for this request are included in the Fiscal Year 2021-2022 Operational Plan for the Neighborhood Reinvestment Program (Org 15670). The funding source is General Purpose Revenue. The actions amending grant purposes have no fiscal impact; the total of these recommendations is \$14,317. 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 Vargas, the Board of Supervisors took action as recommended, on Consent.

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

## **18. SUBJECT: NEIGHBORHOOD REINVESTMENT AND COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 3)**

### **OVERVIEW**

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

### **RECOMMENDATION(S)**

#### **SUPERVISOR TERRA LAWSON-REMER**

1. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Scripps Ranch Softball Association to support the cost of field improvements and sports equipment. These funds will help with the repairs and maintenance of the field, in addition to help purchase sports equipment.
2. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Cardiff-by-the-Sea Chamber of Commerce, Inc. to support the cost to acquire art supplies for their community art projects throughout Cardiff by paying for brushes, paint, canvasses, t-shirts, reusable cups, posters and branded tablecloths.
3. Allocate \$12,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Tierrasanta Foundation to support purchasing of banners and equipment for the 50th anniversary of Tierrasanta.
4. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Beloved Compassion Network to support the one time purchase of technology. These funds will provide the opportunity to purchase hardware and software for their online and in person programming, including laptops, video and sound equipment, recording equipment.
5. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Healthright 360 to support facility improvements for Serenity Village in Escondido which provides transitional housing for women who are in recovery from substance use and mental health disorders and their children. These funds will provide for the one-time purchase of flooring, rebuilding the children's playground, furniture, and household appliances.



6. Allocate \$11,500 from the Neighborhood Reinvestment Program budget (Org 15660) to Diabetes Research Connection to support the access and awareness to the Diabetes 1 community. These funds will support the one-time expense of a local public relations and marketing firm to expand their outreach with donors, scientist, and families by providing for the purchase of services of a public relations and marketing firm.
7. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15660) to the San Diego Bonsai Club to support the enhancement of the Bonsai Pavilion at the San Diego Safari Park. These funds will support the improvements SD Pavilion by extending width of the current concrete pathway, install new bonsai pedestals and a protective fence.
8. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15660) to the Center for Community Solutions for the one time purchase of security system. These funds will support the installation of vitally needed security systems at their office location in Escondido and at their domestic violence shelter.
9. Allocate \$16,000 from the Neighborhood Reinvestment Program budget (Org 15660) to the Kiwanis Foundation of Tierrasanta, San Diego, California, to support the cost of fliers, placemats, tickets, fireworks, security, fence rental, fire marshall for community events, including Ocktober Fest and Tierrafest.
10. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15660) to California Indian Legal Services, Inc. for updating and creating new online resources to assist clients with legal matters and acquisition of marketing materials to inform legal aid clients.
11. Allocated \$10,00 from the Neighborhood Reinvestment Program budget (Org 15660) to ICNA Relief USA Programs, Inc. for a one time purchase of backpacks, folders, notebooks, pencils, erasers, refreshments and snacks for their Back to School events in North County San Diego.
12. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Economic Development Corporation-San Diego County to support the Small Business Recovery Services, Anchor Institution Initiative, Talent Development-Advancing San Diego, and Inclusive Growth-Infrastructure by paying for training and development of programs.
13. Allocate \$4,500 from the Community Enhancement Program budget (Org 12900) to San Diego Children's Choir for support of Choral Music Excellence for Children, and Artistic Direction by paying for marketing material and salary for artistic director.
14. Allocate \$9,000 from the Community Enhancement Program budget (Org 12900) to Cygnet Theatre Company for support of Free In-School Workshops, Free Student Matinees, Storytelling on the Green, Military Outreach, and Cygnet Re-Opening.
15. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Pacific Lyric Association for the production of Die Fledermaus, Opera Educational program, and the Opera Internship program by paying for training.

16. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Mandate Project Impact, Inc. to support the Bayside Gospel Concert Aboard the Midway, Jazz at the Creek, and the John P Kee Live at the Legacy Center by paying for venue, marketing, sound, backline, staging and fencing.
17. Allocate \$15,000 from the Community Enhancement Program budget (Org 12900) to Southern Regional Resource Center, Inc. to support the cost of support groups, counseling and other services to caregivers, and the 10-day virtual Self-Care challenge by paying to facilitate support groups, counseling and teaching new techniques for stress management.
18. Allocate \$12,000 from the Community Enhancement Program budget (Org 12900) to Cardiff-by-the-Sea Chamber of Commerce, Inc. to support their 16th Annual Cardiff Dog Days of Summer, 10th Annual Taste of Cardiff, 5th Annual Small Business Saturday, 13th Annual Kringle Mingle by paying for rentals, event staff, security, transportation, permits, marketing, entertainment, artist fees, art supplies, lighting, and the funding of the SDG&E utility box mural.
19. Allocate \$15,000 from the Community Enhancement Program budget (Org 12900) to Los Angelitos de Encinitas, Inc. to support the swim and water safety lessons, and the before and the after school recreation and education programs at the Encinitas Union School District.
20. Allocate \$7,000 from the Community Enhancement Program budget (Org 12900) to Reading Legacies to support the Youth Readers program, Book Bridge Program and the First Teachers program by paying for support staff, materials, and children's books.
21. Allocate \$15,000 from the Community Enhancement Program budget (Org 12900) to The Honor Foundation to support the Transition Program Tools & Assessment, Program Software & Technology support, and the Local Company Career Development Visit by paying for customized guidebooks, assessment, and a virtual networking event.
22. Allocate \$6,000 from the Community Enhancement Program budget (Org 12900) to Exposure Skate to support the Skate Rising and Exposure X by paying for monthly classes, skate clinic, skate equipment, and event at the La Paloma theater in Encinitas.
23. Allocate \$9,500 from the Community Enhancement Program budget (Org 12900) to Diabetes Research Connection to support the DRC's Organizational Video and event by paying for printing, catering, and technology.
24. Allocate \$17,000 from the Community Enhancement Program budget (Org 12900) to The Leucadia-Encinitas Highway 101 Mainstreet Association to support the Virtual Art Auction, Savor Leucadia, Small Business Saturday, and cover the Business Membership Administration by paying for operational and hard cost of two virtual auctions, four dinner events, and staff time.

25. Allocate \$17,000 from the Community Enhancement Program budget (Org 12900) to Tierrasanta Foundation to support the Tierrasanta 50th Anniversary Celebration, concert, Tierrasanta Easter Bunny 5k, Christmas in Tierrasanta, and Casino Night in Tierrasanta by paying for plates, cups, silverware, printing, marketing, banners, trash/recycling, rentals, government fees, tickets, wristbands, band, stage, sound, lights, security guards, fence, dance floor, food, insurance, drinks, fireworks, 50th Anniversary souvenir item, t-shirts, traffic control, bibs, medals, DJ, furniture/ truck rental, ice, bounce house, hire Santa, phot booth, snow patch, holiday décor, advertising, social media ads, decorations, casino equipment rental, hire personnel, photographer, TV rental, and bussers.
26. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Positive Action Community Theatre (PACT) to support the improv theatre workshops by paying to employ and train people with autism.
27. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to San Diego County Bicycle Coalition to support the Women on Wheel's Bike event by paying for business expo and activities.
28. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to Poway Symphony Orchestra Foundation to support the Symphonic Concerts by paying for music, extra musicians, guest artists, Center fees, marketing/publicity, and public relations.
29. Find that the grants have a public purpose.
30. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to agreements with the organizations awarded grants establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
31. Find that the grants identified in Recommendation Nos. 1, 5, 7, and 8 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.
32. Waive Board Policy B-72 to the extent necessary to allow for the purchase of public relations and marketing services by Diabetes Research Connection and the acquisition of security and fire marshall services by the Kiwanis Foundation of Tierrasanta, San Diego, California.

#### **EQUITY IMPACT STATEMENT**

We recognize that the systemic impacts that inequitable policies may create for residents in San Diego County. Find that these proposed allocations of funds are intended to improve the quality of life throughout the County by providing funds for nonprofits whose work addresses inequities, promotes quality of life and improves outcomes that align with the vision of our county. Organizations were chosen based on their location or the demographics they serve with a focus on organizations that focus on vulnerable community member, youth events and

inclusive community events. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach and programs. Their supporting documents were reviewed as well as impact reports and community testimony

#### **FISCAL IMPACT**

The fiscal impact of these recommendations is \$164,500 from the Neighborhood Reinvestment Program budget (Org 15660) and \$177,000 from the Community Enhancement Program budget (Org 12900) totaling \$341,500. Funds for these requests are included in the Fiscal Year 2021-22 Operational Plan for the Neighborhood Reinvestment Program (Org 15660) and Community Enhancement Program (Org 12900). The funding source is General Purpose Revenue and Transient Occupancy Tax Revenues. These actions will not result in the addition of staff years or other costs.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

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

**19. SUBJECT: ESTABLISH APPROPRIATION FOR SEPTEMBER 14, 2021  
CALIFORNIA GUBERNATORIAL RECALL ELECTION  
(DISTRICTS: ALL)**

#### **OVERVIEW**

On July 1, 2021, Lieutenant Governor Eleni Kounalakis ordered that a special statewide election be held on September 14, 2021 to determine whether Governor Gavin Newsom should be recalled, and if the majority vote on that question is to recall, to elect a successor. On that same day the Department of Finance notified the Governor, the Secretary of State, and the Chairpersons of the Joint Legislative Budget Committee of estimated county costs of the gubernatorial recall election totaling \$243.6 million.

On July 2, 2021, the Secretary of State (SOS) issued Election Administration Guidance for the uniform conduct of the September 14, 2021, California Gubernatorial Recall Election. Revised guidance was also issued on July 9th, 13th, and 16th. This guidance takes into consideration the requirements under Senate Bill 152 (Chapter 34 of the Statutes of 2021) and instructs county elections officials on how to conduct the recall election, including required voting opportunities and voter materials.

On July 9, 2021 Assembly Bill 161 (Chapter 43 - Amending the Budget Act of 2021) was enacted to provide \$243,584,000 in appropriations from the General Fund for state and county costs for the administration of the recall election. The State Controller's Office has been instructed by the Department of Finance to remit these funds to county election officials. San Diego County's allocation is \$21,800,000.

Today's recommended action establishes appropriations in the amount of \$21,800,000 within the Registrar of Voters to conduct this unexpected gubernatorial recall election based on unanticipated revenue that was allocated as part of Assembly Bill 161.

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

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

Establish appropriations of \$21,800,000 in the Registrar of Voters, Salaries & Benefits (\$11,800,000) and Services & Supplies (\$10,000,000) based on unanticipated revenue from Assembly Bill 161: Amending the Budget Act of 2021 (Chapter 43, Section 16.00) to conduct the California Gubernatorial Recall Election. **(4 VOTES)**

#### **EQUITY IMPACT STATEMENT**

A person's vote can influence policy and who represents them in government, which in turn impacts their environment, health, and quality of life. Having the appropriate resources to conduct a fair, accurate, and transparent election allows all eligible citizens to have a part in matters that affect them.

#### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2021-22 Operational Plan in the Registrar of Voters. If approved, this request will result in estimated costs and revenue of \$21,800,000 in Fiscal Year 2021-22. The funding source is revenue from Assembly Bill 161: Amending the Budget Act of 2021 (Chapter 43, Section 16.00). 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 Anderson, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended.

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

20. **SUBJECT: RESOLUTION AUTHORIZING CONSULTANT ACCESS TO COUNTY TAX RECORDS PURSUANT TO REVENUE AND TAXATION CODE SECTION 7056 FOR PURPOSE OF SALES TAX ANALYSIS (DISTRICTS: ALL)**

#### **OVERVIEW**

The California Department of Tax and Fee Administration (CDTFA) is requiring a resolution to authorize consultant access to County tax records pursuant to Revenue and Taxation Code Section 7056. Today's action requests the Board to adopt a resolution to authorize the firm of Hinderliter, de Llamas & Associates (HdL) access to sales and use tax data with CDTFA for the purpose of determining if the County is receiving its proper share of sales and use tax revenue.

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

Adopt a Resolution entitled:

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING EXAMINATION OF SALES AND USE TAX RECORDS.**

**EQUITY IMPACT STATEMENT**

The County has contracted with HdL to ensure it is receiving its proper share of sales and use tax, one of the primary sources of General Purpose Revenues allocated annually to fund County services and may be used for any purpose that is a legal expenditure of County funds. The Board of Supervisors has considerable flexibility in allocating this revenue to preserve essential core services, and to address equity issues through a broad range of programs and services.

**FISCAL IMPACT**

There is no fiscal impact associated with this recommendation. 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 Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 21-138, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING EXAMINATION OF SALES AND USE TAX RECORDS.

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

21. **SUBJECT: GENERAL SERVICES - CONTINUATION OF EMERGENCY REPAIRS AT THE SOUTH BAY REGIONAL CENTER, 500 THIRD AVENUE (DISTRICT: 1)**

**OVERVIEW**

On June 8, 2021 (23) the Board of Supervisors (Board) ratified a contract with Mitsubishi Electric US, Inc. and on June 29 (14) and July 13 (31) found that there is a need to continue the emergency repairs of the South Bay Regional Center (SBRC) escalators. Pursuant to Public Contract Code Section 22050, until the emergency repairs are completed, the Board is required to determine at every regularly-scheduled meeting that there is a need to continue the emergency action.

State of California inspectors notified the Department of General Services that immediate repairs to three of the four escalators at the South Bay Regional Center (SBRC) are required to continue their operation. These repairs are extensive and consist of replacement of the handrail assemblies for two escalators, replacement of the stair steps for one escalator, and repairs to the wiring system for some of the safety devices. Failure to make these repairs immediately would result in the State's suspension of these escalators until such time as repairs are made.

To mitigate the risk of further issues and ensure the continued provision of essential public services, it was necessary to declare an emergency and forgo competitive solicitation of the repair. In accordance with County Administrative Code Section 402, "Emergency Purchases," a notice to proceed for emergency repairs was issued to Mitsubishi Electric US Inc., a contractor with previous County facility experience. The contractor is working to complete this project on an accelerated schedule.

Construction has been completed on escalators 2-1 and 1-2. The State has cleared 2-1 escalator for use. Replacement parts for the balance of the work have been received and repairs are expected to be completed by mid-August, within the timeline required by the State to prevent red-tagging of the escalators. Continuity of operations has not been impacted and stairwells will be opened with security posted at critical points when needed. Today's request pursuant to Public Contract Code Section 22050, is to find that there is a need to continue the emergency repair of the escalators to meet the State's deadline for repairs.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find the proposed project is statutorily exempt from California Environmental Quality Act (CEQA) review pursuant to Sections 15269(b) and 15301 of the CEQA Guidelines because the proposed project is for emergency repairs to a publicly owned service facility necessary to maintain service essential to the public health, safety or welfare, and because it consists of the minor alteration of existing public facilities involving negligible or no expansion of existing use.
2. Pursuant to Public Contract Code Section 22050(c)(2)(a), find that there is a need to continue emergency repairs of the South Bay Regional Center escalators without giving notice for bids to let a contract. **(4 VOTES)**

### **EQUITY IMPACT STATEMENT**

Continuation of the emergency repairs will ensure continued operation of the South Bay Regional Center escalators. It is anticipated that the proposed emergency repairs will provide public benefit to all equity seeking groups through the continued provision of essential public services at this facility.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan for the Department of General Services Facilities Management Internal Service Fund. If approved, this request will result in costs and revenue of approximately \$170,000 in Fiscal Year 2021-22. The funding source are charges to the client departments. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

Failure to make required repairs in a timely manner will result in a risk to public safety and loss of use of critical vertical transportation equipment.

### **ACTION:**

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

**22. SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
AMENDMENTS TO THE COMPENSATION ORDINANCE (7/13/2021 -  
FIRST READING; 8/17/2021 - SECOND READING) (DISTRICTS: ALL)**

**OVERVIEW**

On July 13, 2021 (15), the Board of Supervisors took action to further consider and adopt the Ordinance on August 17, 2021.

The proposed amendments to the San Diego County Compensation Ordinance are part of the ongoing efforts to manage and maintain a skilled, adaptable and diverse workforce dedicated to sustaining operational excellence and serving the public. This action will amend the Compensation Ordinance by: 1) adding a new section that will authorize a one-time lump sum payment for COVID-19 hazard pay and a one-time telework payment to eligible employees in recognition of employees efforts during the COVID-19 pandemic; 2) authorize a 5% location premium for Licensed Vocational Nurse and Certified Nurse Assistant classifications assigned to the Edgemoor Skilled Nursing Facility; and 3) amending the salary range for three classifications in the Unclassified Service.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinance entitled:

**AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND  
ESTABLISHING COMPENSATION.**

**EQUITY IMPACT STATEMENT**

Today's recommendation ensures that all employees impacted by COVID-19 are considered for Hazard Pay and telework pay, this compensation framework includes one-time payments to support all employees who provided critical and emergency services to the most vulnerable residents in the county during the pandemic as well as those who incurred work-related costs while teleworking in order to adhere to social distancing protocols. This framework provides compensation to employees based on their risk of exposure to COVID-19 while providing necessary services to the public. Employees will be compensated with specified dollar amounts, rather than a percentage of their annual pay, to ensure the lump sum payments are equitable amongst all employees regardless of their salary.

Today's recommendations also amend the compensation for 5 classifications in recognition of the significance of their roles and increased workload, duties, and responsibilities during the pandemic and after to address Public Health and equity.

**FISCAL IMPACT**

Funds for the proposed premium increases are included in the Fiscal Year (FY) 2021-22 Operational Plan in Health and Human Services Agency (HHSA). The total estimated cost for FY 2021-22 is \$551,653. Subsequent year costs will be included in future Operational Plans. The funding source is Intergovernmental Transfer (IGT) revenues. There will be no change in net General Fund costs and no additional staff years.



Funds for hazard pay were included in the FY 2020-21 Operational Plan and will be included in the FY 2021-22 Operational Plan, as amended by the carryforward process authorized by the Board on June 29, 2021 (07). The funding source is the American Rescue Plan Act (ARPA). There will be no change in net General Fund costs and no additional staff years. Funds for teleworking payment are included in the FY 2021-22 Operational Plan. The funding sources is available prior year 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 Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, adopting Ordinance No. 10739 (N.S.), entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.

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

#### **23. SUBJECT: APPOINTMENTS: VARIOUS (DISTRICTS: ALL)**

##### **OVERVIEW**

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

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

##### **CHAIR NATHAN FLETCHER**

Appoint Philip Kendro to the SAN DIEGO MILITARY AND VETERANS ADVISORY COUNCIL, Seat No. 7, for a term to expire August 17, 2025.

Appoint Jude Litzenberger to the SAN DIEGO MILITARY AND VETERANS ADVISORY COUNCIL, Seat No. 9, for a term to expire August 17, 2025.

Vacate the appointment of Supervisor Jim Desmond as Alternate on the San Diego Association of Governments (SANDAG) Public Safety Committee in Accordance with SANDAG Policy 002, "Policy Advisory Committee Membership".

Vacate the appointment of Supervisor Nora Vargas as a Member on the San Diego Association of Governments (SANDAG) Public Safety Committee and appoint her as the Alternate for the County of San Diego.

Appoint Supervisor Joel Anderson as a Member on the San Diego Association of Governments the (SANDAG) Public Safety Committee for the County of San Diego.

**SUPERVISOR JOEL ANDERSON**

Appoint Wellman Simmonds Srianorn to the CAMPO - LAKE MORENA COMMUNITY PLANNING GROUP, Seat No. 1, for a term to expire January 6, 2025.

Re-appoint Billie Jo Jannen to the CAMPO - LAKE MORENA COMMUNITY PLANNING GROUP, Seat No. 3, for a term to expire January 6, 2025.

Re-appoint Rob Romero to the CAMPO - LAKE MORENA COMMUNITY PLANNING GROUP, Seat No. 5, for a term to expire January 6, 2025.

Re-appoint Bob Shea to the CAMPO - LAKE MORENA COMMUNITY PLANNING GROUP, Seat No. 7 for a term to expire January 6, 2025.

Re-appoint Kaye Kelley to the COMMITTEE FOR PERSONS WITH DISABILITIES, Seat No. 3, for a term to expire January 6, 2025.

Re-appoint Carl Kasimatis to the CSA NO. 128 - SAN MIGUEL LOCAL PARK DISTRICT CITIZEN ADVISORY BOARD, Seat No. 3, for a term to expire January 6, 2025.

Re-appoint Victoria Abrenica to the CSA NO. 128 - SAN MIGUEL LOCAL PARK DISTRICT CITIZEN ADVISORY BOARD, Seat No. 6 for a term to expire January 6, 2025.

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Joseph F. Cebe to the FLY ABATEMENT AND APPEALS BOARD, Seat No. 2, for a term to expire April 10, 2024.

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Steve Vandewalle to the LAKE CUYAMACA RECREATION AND PARK DISTRICT, Seat No. 2, for a term to expire February 6, 2025.

Appoint Fran Materra to the POTRERO COMMUNITY PLANNING GROUP, Seat No. 2, for a term to expire January 2, 2023.

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Barbara Roberson to the RAMONA DESIGN REVIEW BOARD, Seat No. 3, for a term to expire June 11, 2024.

Appoint Rick King to the RAMONA DESIGN REVIEW BOARD, Seat No. 5, for a term to expire August 17, 2024.

Appoint Migell Acosta to the RAMONA DESIGN REVIEW BOARD, Seat No. 7, for a term to expire August 17, 2024.

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Lisa "Chris" Anderson to the RAMONA DESIGN REVIEW BOARD, Seat No. 8, for a term to expire May 1, 2024.

**SUPERVISOR TERRA LAWSON-REMER**

Appoint Colleen Lukoff to the NORTH COUNTY CEMETERY DISTRICT, Seat No. 2, for a term to expire January 3, 2022.

**SUPERVISOR JIM DESMOND**

Appoint James Loge to the FALLBROOK COMMUNITY PLANNING GROUP, Seat No. 9, for a term to expire January 6, 2025.

**CHIEF ADMINISTRATIVE OFFICER**

Appoint Venice Price to the COUNTY OF SAN DIEGO HIV PLANNING GROUP, Seat No. 44, for a term to expire August 17, 2025.

Move Karla Torres from Seat No. 38 to Seat No. 25 on the COUNTY OF SAN DIGO HIV PLANNING GROUP, to complete the term expiring September 13, 2024.

Appoint Bettina Uppenkamp as the alternate representative to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 2, for a term to expire June 20, 2023.

Re-appoint Bernard Molloy II as the primary representative to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 18, for a term to expire January 27, 2024.

Appoint Andrew Lawler as the alternate representative to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 19, for a term to expire January 27, 2024.

Re-appoint Dan Froelich as the primary representative to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 20, for a term to expire January 27, 2024.

Appoint Mary Murphy as the alternate representative to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 21, for a term to expire January 27, 2024.

**EQUITY IMPACT STATEMENT**

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

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

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

**24. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)**

**OVERVIEW**

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

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Note and file.

**EQUITY IMPACT STATEMENT**

N/A

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

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

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

**OVERVIEW**

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

(Paragraph (1) of subdivision (d) of Section 54956.9)

Abiding Place Ministries v. County of San Diego, et al.; United States District Court, Southern District No. 3:21-cv-00518-BAS-LL

**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 No. 3:17-cv-00815-MMA-JLB

**C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

(Paragraph (1) of subdivision (d) of Section 54956.9)

K.J.P., et al. v. County of San Diego, et al.; United States District Court, Southern District No. 3:15-cv-02692-H.MDD

- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Donna Blocker, et al. v. Crystal Rios, et al.; San Diego Superior Court, Case No. 37-2019-00031235-CU-PA-CTL
- E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Patricia Narciso v. County of San Diego, et al.; United States District Court, Southern District No. 20-cv-116-CAB-MSB
- F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Wanda Yarborough v. County of San Diego, et al.; San Diego Superior Court Case No. 37-2019-00031415-CU-PA-CTL
- G. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Joe M. Young v. County of San Diego, et al.; United States District Court, Southern District No. 3:20-cv-02441-H-AHG
- H. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Jaime R. Najarro, et al. v. County of San Diego, et al.; United States District Court, Southern District No. 3:20-cv-01394-W-WVG
- I. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
County of San Diego v. DeLorenzo International Inc., et al.; San Diego Superior Court Case No. 37-2018-00064536 -CU-BC-CTL
- J. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Cleveland National Forest Foundation, et al. v. County of San Diego, et al; San Diego superior Court, Case No. 37-2020-00031320-CU-WM-CTL
- K. 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)
- L. PUBLIC EMPLOYEE ANNUAL REVIEW  
(Government Code section 54957)  
Title: Clerk of the Board of Supervisors

**ACTION:**

Closed Session matters were continued to the Board of Supervisors session on Wednesday, August 18, 2021.

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

**OVERVIEW**

Sharon McKeenan spoke to the Board regarding masks and vaccination choice.

Jeff Naway, Cabri, Allison Smith, Corbin Sabol, Jacquelyn Za, and Sandra Martinez spoke to the Board regarding COVID-19 restrictions.

Becky Rapp, Kathleen Lippitt, and Barbara Gordon spoke to the Board regarding marijuana use.

Michelle Krug spoke to the Board regarding support for vaccine clinics, and thanked Supervisor Anderson for the recent appointment to the Committee for Persons with Disabilities.

Kelly McCormick, Nancy Logan, Mark Wilcox, and Peggy Walker spoke to the Board regarding marijuana businesses.

Sam Plantowsky spoke to the Board regarding the Civil Rights Act.

Mike Borrello spoke to the Board regarding COVID-19 masks.

Amber Long spoke to the Board regarding vaccinations.

Audra Morgan spoke to the Board regarding COVID-19 and doing the right thing.

Bonnie Iliff-Steinhauer spoke to the Board regarding the eviction ordinance.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 7:47 p.m. in memory of Anthony Cano and Stu Headly.

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.

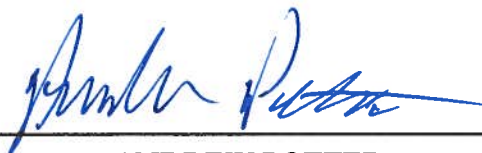
Approved by the Board of Supervisors, on Tuesday, August 31, 2021



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NATHAN FLETCHER  
Chair

Attest



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ANDREW POTTER  
Clerk of the Board

8/17/2021