

September 26, 2017

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, SEPTEMBER 26, 2017, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order Of Business

- A. REGULAR SESSION: Meeting was called to order at 9:02 a.m.

PRESENT: Supervisors Dianne Jacob, Chairwoman; Kristin Gaspar, Vice-Chairwoman; Bill Horn; also David Hall, Clerk of the Board.

ABSENT: Supervisor Ron Roberts and Supervisor Greg Cox*

**Attended discussion for Item 16 via Teleconference*

- B. Invocation was led by Reverend Jim Simpson from the Christian Motorcyclists Association.

- C. Pledge of Allegiance was led by Evelynnn and Abigail Pacheco from Sweetwater Springs Elementary.

- D. Presentation or Announcement of Proclamations and Awards:

Chairwoman Dianne Jacob presented a proclamation declaring September 2017 Childhood Cancer Awareness Month, throughout the County of San Diego.

Supervisor Bill Horn presented a proclamation declaring September 26, 2017 Clair Brynne Lewis Day, throughout the County of San Diego.

Supervisor Bill Horn presented a proclamation declaring September 12, 2017 Evan Wright Day, throughout the County of San Diego.

Supervisor Bill Horn presented a proclamation honoring the Volunteer of the Month: Tiffany Terry.

- E. Approval of the Statement of Proceedings/Minutes for the Special Meeting of September 6, 2017, and the Regular Board of Supervisors Meeting of September 12, 2017.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Gaspar, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meetings of September 6, 2017 and September 12, 2017.

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

- F. 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.

G. Formation of Consent Calendar

H. Discussion Items

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

Board of Supervisors' Agenda Items

Category	#	Subject
Health and Human Services	1.	NOTICED PUBLIC HEARING: FISCAL YEAR 2016-17 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR HOUSING AND COMMUNITY DEVELOPMENT SERVICES ENTITLEMENT PROGRAMS AND FISCAL YEAR 2018-19 ANNUAL FUNDING PLAN STRATEGY; AUTHORIZATION TO ACCEPT AND ADMINISTER STATE EMERGENCY SOLUTIONS GRANT FUNDS; AUTHORIZATION FOR A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS COMPETITIVE SOLICITATION AND PROCUREMENT OF SERVICES [FUNDING SOURCES: STATE OF CALIFORNIA EMERGENCY SOLUTIONS GRANT AND U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT]
	2.	REVIEW AND CONTINUE LOCAL HEALTH EMERGENCY: HEPATITIS A OUTBREAK; AUTHORITY TO CONTRACT
	3.	HIV/AIDS SERVICES GRANT AND APPROVE INCREASED FUNDING FOR HIV EMERGENCY POOLED SERVICES [FUNDING SOURCES: FEDERAL HEALTH RESOURCES AND SERVICES ADMINISTRATION AND HEALTH REALIGNMENT]
	4.	COUNTY OF SAN DIEGO CHILD ABUSE PREVENTION COORDINATING COUNCIL FISCAL YEAR 2017-2018 CHILDREN'S TRUST FUND FUNDING PROPOSAL [FUNDING SOURCE: CHILDREN'S TRUST FUND]

5. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE AMENDING ARTICLE XVI OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO COUNTY CHILD CARE AND DEVELOPMENT PLANNING COUNCIL
- Community Services 6. SURPLUS REAL PROPERTY DECLARATION
- Financial and General Government 7. NOTICED PUBLIC HEARING: ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY FOR THE BENEFIT OF COUNCIL OF COMMUNITY CLINICS DBA HEALTH CENTER PARTNERS OF SOUTHERN CALIFORNIA IN AN AGGREGATE AMOUNT NOT TO EXCEED \$5,500,000
8. NOTICED PUBLIC HEARING: ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY FOR THE BENEFIT OF THE CHILDREN'S SCHOOL FOR CHILD-CENTERED EDUCATION, INC. IN AN AGGREGATE AMOUNT NOT TO EXCEED \$2,500,000
9. AMENDMENTS TO THE COMPENSATION ORDINANCE AND THE ADMINISTRATIVE CODE RELATING TO THE TENTATIVE AGREEMENT WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221 (09/26/2017 - FIRST READING; 10/10/2017 - SECOND READING)
[FUNDING SOURCES: COMBINATION OF GENERAL PURPOSE REVENUES, AVAILABLE GENERAL FUND FUND BALANCE, AND VARIOUS PROGRAM REVENUES]
10. FISCAL YEAR 2017-18 APPROPRIATION LIMIT FOR THE COUNTY OF SAN DIEGO
11. SAN DIEGO UNIFIED SCHOOL DISTRICT 2017 GENERAL OBLIGATION BONDS (DEDICATED UNLIMITED AD VALOREM PROPERTY TAX BONDS) (ELECTION OF 2012, SERIES H, I AND J)
12. ADMINISTRATIVE ITEM: SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: AMENDMENTS TO THE COMPENSATION ORDINANCE AND THE ADMINISTRATIVE CODE (09/12/2017 - FIRST READING; 09/26/2017 - SECOND READING)
- Communications Received 13. COMMUNICATIONS RECEIVED

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| Appointments | 14. | APPOINTMENTS: VARIOUS |
| Public Safety | 15. | A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING ENFORCEMENT OF VEHICLE CODE AND TEMPORARILY CLOSING STREETS FOR PUBLIC SAFETY |
| | 16. | REQUEST TO ADOPT AN URGENCY ORDINANCE TO ADD CHAPTER 15 TO TITLE 3, DIVISION 2, OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO TEMPORARY AREA RESTRICTIONS NECESSARY TO PRESERVE PUBLIC SAFETY, HEALTH AND WELFARE TO TAKE EFFECT IMMEDIATELY (4 VOTES) |
| Closed Session | 17. | CLOSED SESSION |
| Public Communication | 18. | PUBLIC COMMUNICATION |

1. **SUBJECT: NOTICED PUBLIC HEARING:
FISCAL YEAR 2016-17 CONSOLIDATED ANNUAL PERFORMANCE
AND EVALUATION REPORT FOR HOUSING AND COMMUNITY
DEVELOPMENT SERVICES ENTITLEMENT PROGRAMS AND
FISCAL YEAR 2018-19 ANNUAL FUNDING PLAN STRATEGY;
AUTHORIZATION TO ACCEPT AND ADMINISTER STATE
EMERGENCY SOLUTIONS GRANT FUNDS; AUTHORIZATION FOR
A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS
COMPETITIVE SOLICITATION AND PROCUREMENT OF
SERVICES (DISTRICTS: ALL)**

OVERVIEW

The Fiscal Year 2016-17 Consolidated Annual Performance and Evaluation Report (CAPER) describes accomplishments from the three federal entitlement programs administered by the Health and Human Services Agency, Housing and Community Development Services (HCDS): Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Solutions Grant (ESG). All entitlement jurisdictions are required to submit this report to the U.S. Department of Housing and Urban Development (HUD) annually. Today's requested actions satisfy the HUD requirement to hold a public hearing before submission of the CAPER in order to receive public comments. The public comment period ends on September 27, 2017.

This hearing also provides an opportunity for the Board to receive public comment on the Fiscal Year 2018-19 Annual Funding Plan strategy. HCDS develops an Annual Funding Plan each year to identify specific projects to be funded through the entitlement programs listed above during the upcoming fiscal year. The strategy will help guide the development of the Annual Funding Plan.

In addition, today's requested actions will provide a specific Authorizing Resolution required by the State of California Housing and Community Development Department (State HCD) for the County of San Diego to accept and administer Fiscal Year 2017 State Emergency Solution Grant (State ESG) program funds for the region, and will authorize issuance of a Competitive Solicitation for the procurement of housing and services related to the Fiscal Years 2018-19, 2019-20, 2020-21, 2021-22, and 2022-23 Housing Opportunities for Persons with AIDS (HOPWA) Program.

Today's actions support the County's *Live Well San Diego* vision by ensuring low-income residents and persons experiencing homelessness have access to suitable living environments.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Hold this public hearing to receive public comment on the Fiscal Year 2016-17 CAPER and Fiscal Year 2018-19 Annual Funding Plan strategy.
2. Adopt a Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE FISCAL YEAR 2017 STATE EMERGENCY SOLUTIONS GRANT PROGRAM.

2. Authorize the Director, Department of Purchasing and Contracting and/or the Agency Director, Health and Human Services Agency, or designee, in consultation with County Counsel, to as appropriate, publish notices, execute agreements, execute certification forms, and prepare and execute all necessary documents for the submittal, regulatory processing, acceptance and implementation, as required by HUD or State HCD, for Recommendations 1 and 2, following the completion of environmental processing and HUD or State HCD release of funds, if applicable.
3. 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 procurement of housing and services related to the implementation of the Fiscal Year 2018-19, 2019-20, 2020-21, 2021-22, and 2022-23 HOPWA Program, and upon successful negotiations and determination of a fair and reasonable price, award contracts for an initial term of one year with up to four option years and up to an additional six months if needed, and to amend the contracts as needed to reflect changes to services and funding, subject to approval of the Agency Director, Health and Human Services Agency.

FISCAL IMPACT

Funds for Recommendations 2 and 3 are included in the Fiscal Year 2017-19 Adopted Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs and revenue of \$1,097,919 in Fiscal Year 2017-18 and have no fiscal impact in Fiscal Year 2018-19. The funding source is the State of California Emergency Solutions Grant. There will be no change in net General Fund cost and no additional staff years.

Funds for Recommendation 4 are not included in the Fiscal Year 2017-19 Adopted Operational Plan but will be included in future Operational Plans in the Health & Human Services Agency. If approved, annual costs and revenue will be approximately \$2-3 million depending on the annual funding allocations and service needs. The funding source is federal funding from the U.S. Department of Housing and Urban Development. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The recommendations will have a positive impact on the business community. The projects included in the Fiscal Year 2016-17 CAPER have positively impacted the business community, as funds were provided for construction of affordable housing and public improvements. Projects were implemented by non-profit service providers or private construction firms that were selected through a competitive bid process. In addition, upon approval from State HCD, the receipt of State ESG funds will result in the award of contracts to non-profit organizations and supportive service organizations selected through a competitive process.

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Horn, the Board of Supervisors closed the Hearing and took action as recommended, adopting Resolution No. 17-136, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE FISCAL YEAR 2017 STATE EMERGENCY SOLUTIONS GRANT PROGRAM.

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

2. SUBJECT: REVIEW AND CONTINUE LOCAL HEALTH EMERGENCY: HEPATITIS A OUTBREAK; AUTHORITY TO CONTRACT (DISTRICTS: ALL)

OVERVIEW

On September 1, 2017, the Public Health Officer issued a Declaration of Local Health Emergency, pursuant to Health and Safety Code Section 101080, as a result of the outbreak of increasing numbers of Hepatitis A infections. On September 6, 2017 (1), the Board of Supervisors (Board) ratified this Declaration of Local Health Emergency and on September 12, 2017 (25) the Board found that there was a continuing need for the local health emergency. Health and Safety Code Section 101080 requires that the Board review, at least every 14 days, the need for continuing the local health emergency.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Review authorization of the attached Declaration of Local Health Emergency made by the Public Health Officer on September 1, 2017.
2. Find that there is a continuing need for the local health emergency until no longer needed, subject to the Health and Safety Code Section 101080 requirements.
3. Find that the proposed actions are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15269(c) for the reasons stated in the Notice of Exemption.
4. Ratify all contract actions taken by County staff pursuant to Section 402 of the County Administrative Code to respond to or mitigate the local health emergency.
5. Authorize the Director, Purchasing and Contracting, to award and amend any contracts, and take any other actions authorized by Article XXIII, Section 401, et seq. of the Administrative Code with respect to contracting for any goods or services necessary to respond to or mitigate the local health emergency. Waive Board Policy A-87.

FISCAL IMPACT

Fiscal impact regarding contracting cannot be determined at this time. We will return to the board for additional appropriations if needed.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

3. SUBJECT: HIV/AIDS SERVICES GRANT AND APPROVE INCREASED FUNDING FOR HIV EMERGENCY POOLED SERVICES (DISTRICTS: ALL)

OVERVIEW

For over 20 years, the Board of Supervisors has authorized grants and agreements with the Health Resources and Services Administration to provide a variety of care and treatment services to persons living with HIV. These funding sources include Ryan White HIV/AIDS Treatment Extension Act of 2009 Part A and the Ryan White Part A Minority AIDS Initiative (MAI). This annual funding is used to provide care and treatment services to individuals and families living with HIV and AIDS. While County staff provides a limited portion of these services, the majority of the services are delivered through contracts with community-based partners.

Today's action requests the Board to accept grant funding for Ryan White HIV/AIDS Treatment Extension Act of 2009 Part A and Ryan White Part A Minority AIDS Initiative funding for \$10,693,969 and \$707,817 respectively, from March 1, 2017 through February 28, 2018. In addition, today's action requests authorization to increase the contract with the National Alliance on Mental Illness for HIV/AIDS Related Services: Emergency Pooled Services from \$999,999 to \$1,200,000 utilizing this Ryan White Part A funding. Authorization is further requested to apply for any additional funds that might be used to address testing, prevention, and care and treatment needs of individuals and families in the San Diego County who are impacted by HIV/AIDS.

These items support the County of San Diego's Getting to Zero initiative by funding services that will help people living with HIV achieve viral suppression, and therefore reduce the likelihood of forward transmission. These items also support the *Live Well San Diego* vision by providing access to high quality HIV care and treatment services that lead to improved physical and behavioral health which promote a healthy, safe, and thriving region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires prior approval of revenue agreement applications and full-cost recovery of grants.

2. Authorize the acceptance of \$10,693,969 and \$707,817 in grant funds from the Federal Health Resources and Services Administration for Ryan White Part A and Ryan White MAI respectively, for the period of March 1, 2017 through February 28, 2018 and authorize the Clerk of the Board, upon receipt, to execute all required grant documents, including any annual extensions, amendments or revisions that do not materially impact or alter the services or funding level.
3. Authorize the Director, Purchasing and Contracting to issue an amendment to contract 547627 with the National Alliance on Mental Illness for HIV/AIDS Related Services: Emergency Pooled Services to increase funding by \$200,001, from \$999,999 to \$1,200,000 per year, and any further amendments which may increase contract annual amount, subject to the availability of funds and approval of the Health and Human Services Agency Director.
4. Authorize the Health and Human Services Agency to apply for any additional funding opportunities, if available, to address the prevention, testing, care and treatment needs of those impacted by HIV/AIDS.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2017-19 Operational Plan in the Health and Human Services Agency. If approved, this request will result in costs of \$11,750,023 and revenue of \$11,401,786 for the term of this grant. The funding source is Federal Health Resources and Services Administration. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These costs are estimated at \$348,237 for the term of this grant. The funding source for these costs is Health Realignment. The public benefit for providing these services far outweighs these costs. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

4. **SUBJECT: COUNTY OF SAN DIEGO CHILD ABUSE PREVENTION COORDINATING COUNCIL FISCAL YEAR 2017-2018 CHILDREN'S TRUST FUND FUNDING PROPOSAL (DISTRICTS: ALL)**

OVERVIEW

On April 3, 2012 (11), the Board of Supervisors approved the revised Administrative Code, Article IIIo, establishing the County of San Diego Child Abuse Prevention Coordinating Council (CAPCC). The CAPCC was designated by the board to assume oversight and planning responsibilities for the Children's Trust Fund (CTF), which was established by the County in accordance with Welfare and Institutions Code 18966. Monies in the fund come from two State funding sources in addition to revenue from birth certificate fees, grants, gifts or bequests from private sources. The CTF is to be used to fund nonprofits or public

institutions for comprehensive, integrated, collaborative community-based responses to child abuse prevention, interventions and treatment service needs that are not entitlement programs.

Today's item requests approval of the CAPCC Trust Fund Funding Proposal for Fiscal Year 2017-18 of \$2,050,000. This action supports the County's *Live Well San Diego* vision by coordinating and streamlining services to strengthen families and protect children at risk of abuse and neglect and by promoting programs aimed at creating healthy, safe and thriving communities. Targeted *Live Well San Diego* outcome indicators include increased life expectancy and quality of life.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve the attached Child Abuse Prevention Coordinating Council's Children's Trust Fund Funding Proposal for Fiscal Year 2017-18.
2. Authorize the Agency Director, Health and Human Services Agency, to approve expenditures in accordance with the Fiscal Year 2017-18 Children's Trust Fund Funding Proposal.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2017-19 Adopted Operational Plan for the Health and Human Services Agency. If approved, this request will result in costs and revenue of \$2,050,000 in Fiscal Year 2017-18. The funding source is the Children's Trust Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

5. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE AMENDING ARTICLE XVI OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO COUNTY CHILD CARE AND DEVELOPMENT PLANNING COUNCIL (DISTRICTS: ALL)**

OVERVIEW

On September 12, 2017 (5), the Board introduced the Ordinance for further Board consideration and adoption on September 26, 2017.

The Child Care and Development Planning Council (CCDPC) is advisory to the Board of Supervisors and the County Superintendent of Schools on local child care needs and development issues. The CCDPC is a statutory body for all counties per Assembly Bill 1542 (Chapter 270, Statutes 1997) and Education Code sections 8499.3 and 8499.5.

Today's request requires two steps. On September 12, 2017, Board action is requested to approve the introduction of the San Diego County Ordinance relating to the CCDPC (first reading). If the Board takes the actions recommended for September 12, 2017, then on September 26, 2017, after making necessary findings, the Board is requested to consider and adopt the Ordinance and approve conforming amendments to the CCDPC By-Laws to:

- Allow the appointment of membership in accordance with Education Code 8499.3;
- Require members to complete ethics training as required by Government Code section 53235, by January 31st of the year of their appointment or reappointment;
- Authorize other procedural changes as detailed in "Changes to Ordinance and By-Laws".

Concurrent approval of these changes has been requested from the San Diego County Superintendent of Schools.

Today's actions support the countywide *Live Well San Diego* vision by continuing services that assist San Diego County families with their child care needs and improving access to quality child care, which promotes a healthy, safe, and thriving region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt the Ordinance entitled:
AN ORDINANCE AMENDING ARTICLE XVI OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO CHILD CARE AND DEVELOPMENT PLANNING COUNCIL
2. Approve conforming amendments to the By-Laws of the San Diego CCDPC.

FISCAL IMPACT

There is no fiscal impact associated with the proposed actions. 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 Horn, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10494 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE XVI OF THE COUNTY OF SAN DIEGO ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO CHILD CARE AND DEVELOPMENT PLANNING COUNCIL.

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

6. SUBJECT: SURPLUS REAL PROPERTY DECLARATION (DISTRICT: 2)

OVERVIEW

The County owns approximately 0.31 acres at 999-1/2 Sheridan Road in the unincorporated community of Campo, identified as County Parcel Number 2014-0062-A. The property was formerly used as the Campo Senior Citizens Center and is improved with a 1,175-square-foot building. The property is considered no longer necessary for County use.

The County owns approximately 64 acres at 7878 Campbell Ranch Road in Alpine, identified as County Parcel Number 2016-0133-A. The property was formerly used as the Descanso Detention Facility and is improved with 38 buildings totaling 55,580 square feet, utility infrastructure, water wells, graded pads, retaining walls and drainage facilities. The property is considered no longer necessary for County use.

The County owns approximately 18.57 acres at 1090 Barrett Lake Road in the unincorporated community of Dulzura, identified as County Parcel Number 2017-0056-A. The property was formerly used as the Barrett Lake Bin Transfer Station. The property is considered no longer necessary for County use.

The County owns approximately 4.4 acres at Old Highway 80 in the unincorporated community of Boulevard, identified as County Parcel Number 2017-0128-A. The property was formerly used as the Boulevard Bin Transfer Station. The property is considered no longer necessary for County use.

The County owns approximately 0.20 acres of unimproved land at 113 Frances Drive in El Cajon, identified as County Parcel Number 2017-0149. The property is considered no longer necessary for County use.

The Board of Supervisors is requested to declare County Parcel Number 2014-0062-A, County Parcel Number 2016-0133-A, County Parcel Number 2017-0056-A, County Parcel Number 2017-0128-A, and County Parcel Number 2017-0149 surplus. Declaring the properties surplus will enable the County to offer the properties to other public agencies. If there is no public agency interest in the properties, the County can market the parcels to generate revenue.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15312.
2. Find County Parcel Number 2014-0062-A, County Parcel Number 2016-0133-A, County Parcel Number 2017-0056-A, County Parcel Number 2017-0128-A, and County Parcel Number 2017-0149 no longer necessary for County use.

FISCAL IMPACT

There is no fiscal impact associated with the declaration of surplus property. If the Board finds County Parcel Number 2014-0062-A, County Parcel Number 2016-0133-A, County Parcel Number 2017-0056-A, County Parcel Number 2017-0128-A, and County Parcel Number 2017-0149 surplus, the potential future marketing of the property will be completed by the Department of General Services and any proceeds will be deposited in the General Fund or Road Fund. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

7. **SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA
ENTERPRISE DEVELOPMENT AUTHORITY FOR THE BENEFIT OF
COUNCIL OF COMMUNITY CLINICS DBA HEALTH CENTER
PARTNERS OF SOUTHERN CALIFORNIA IN AN AGGREGATE
AMOUNT NOT TO EXCEED \$5,500,000 (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 revenue obligations in an aggregate principal amount not to exceed \$5,500,000 (the “Obligations”), for the benefit of Council of Community Clinics dba Health Center Partners of Southern California (the “Borrower”), a nonprofit public benefit corporation and 501(c)(3) organization duly organized and existing under the laws of the State of California. The Borrower has applied for the financial assistance of the Authority for acquisition, design, development, construction, installation, furnishing and equipping of improvements to the Borrower’s administrative facilities located at 3710 Ruffin Road, San Diego, California, 92123 (“Project”). A portion of the proceeds of the Obligations will be used to pay the costs of issuance and other related costs in connection with the financing.

The Authority is authorized to assist in financing for nonprofit public benefit organizations wishing to issue 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 issuance of the Obligations. Although the Authority will be the 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 REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,500,000 FOR THE PURPOSE OF FINANCING THE COST OF THE ACQUISITION, DESIGN, DEVELOPMENT, CONSTRUCTION, INSTALLATION, EQUIPPING AND FURNISHING OF CERTAIN ADMINISTRATIVE FACILITIES.

FISCAL IMPACT

If approved, the proposal will result in approximately \$1,000 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 Horn, seconded by Supervisor Gaspar, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 17-137, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,500,000 FOR THE PURPOSE OF FINANCING THE COST OF THE ACQUISITION, DESIGN, DEVELOPMENT, CONSTRUCTION, INSTALLATION, EQUIPPING AND FURNISHING OF CERTAIN ADMINISTRATIVE FACILITIES.

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

8. **SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY FOR THE BENEFIT OF THE CHILDREN'S SCHOOL FOR CHILD-CENTERED EDUCATION, INC. IN AN AGGREGATE AMOUNT NOT TO EXCEED \$2,500,000 (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 revenue obligations in an aggregate principal amount not to exceed \$2,500,000 (the "Obligations"), for the benefit of The Children's School for Child-Centered Education, Inc. (the "Borrower"), a nonprofit public benefit corporation and 501(c)(3) organization duly organized and existing under the laws of the State of California. The Borrower has applied for the financial assistance of the Authority to finance or refinance the costs of acquisition, construction, development, renovation, furnishing and equipping of improvements to the Borrower's educational facilities

located on approximately 6.5 acres at 2225 Torrey Pines Lane, La Jolla, California 92037 ("Project"). A portion of the proceeds of the Obligations will be used to pay the costs of issuance and other related costs in connection with the financing.

The Authority is authorized to assist in financing for nonprofit public benefit organizations 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 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 REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 FOR THE PURPOSE OF REFINANCING THE COST OF THE ACQUISITION, CONSTRUCTION, DEVELOPMENT, EQUIPPING AND FURNISHING OF CERTAIN EDUCATIONAL FACILITIES.

FISCAL IMPACT

If approved, the proposal will result in approximately \$1,000 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 Horn, seconded by Supervisor Gaspar, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 17-138, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF REVENUE OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 FOR THE PURPOSE OF REFINANCING THE COST OF THE ACQUISITION, CONSTRUCTION, DEVELOPMENT, EQUIPPING AND FURNISHING OF CERTAIN EDUCATIONAL FACILITIES.

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

9. **SUBJECT: AMENDMENTS TO THE COMPENSATION ORDINANCE AND THE ADMINISTRATIVE CODE RELATING TO THE TENTATIVE AGREEMENT WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221 (09/26/2017 - FIRST READING; 10/10/2017 - SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

These recommendations present amendments to the Compensation Ordinance for the first reading of negotiated provisions for successor Memoranda of Agreement (MOA) between the County of San Diego and the Service Employees International Union (SEIU), Local 221. These successor agreements will replace the existing agreements that expired on June 22, 2017.

A summary of the proposed Compensation Ordinance amendments is as follows:

1. Provides for three one-time \$750 monetary payments to be paid out in November 2017, July 2018, and July 2019;
2. Provides for two one-time \$1,500 monetary payments to be paid out in July 2020 and July 2021;
3. Increases eligible employees' flex credits in February 2018, January 2019, January 2020, January 2021, and January 2022;
4. Increases salary by 3% in October 2017, January 2019, and January 2020;
5. Increases salary by 1.5% in June 2020 and June 2021;
6. Increases certain salaries to address inequities in January 2018 and June 2021;
7. A provision for a new retirement Tier D to be effective no sooner than July 2018;
8. Adds additional eligible classifications for hard-toe/non-slip safety shoes.

Today's recommendations also amend section 495 of the Administrative Code relating to parking reimbursement.

Details of the tentative agreements are reflected in the background of this letter.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE SECTIONS RELATING TO THE TENTATIVE AGREEMENT WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221.

AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE, SECTION 495, PERTAINING TO PARKING REIMBURSEMENT.

2. If, on September 26, 2017, the Board takes action as recommended in item 1 then, on October 10, 2017 (second reading):
Submit ordinance for further Board consideration and adoption on October 10, 2017 (second reading).

FISCAL IMPACT

Today's recommendations are estimated to result in ongoing costs and one-time costs. The estimated fiscal impact is comprised of ongoing base and supplemental pay net increases, ongoing flex credit increases, and one-time monetary payments. The action before your Board

today is anticipated to also result in a long-term cost reduction to the County's share of the retirement costs through the implementation of a new retirement tier, Tier D. The actual fiscal impact will not be immediate but will instead be determined based on the number of new members entering the system over time. The Tier D member contribution rates will be provided by SDCERA's actuary following future action by the Board of Supervisors to adopt a resolution establishing the new retirement tier.

The annual estimated fiscal impact is as follows:

<i>in millions</i>	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22
A Ongoing Base Salary and Benefit Increases	20.8	23.6	24.2	24.2	16.1
B Ongoing Flex Credit Increases	2.4	6.3	5.9	5.9	5.9
C Ongoing Parking Increase	0.5	0.2	0.0	0.0	0.0
D (A+B+C) Total Annual Ongoing Cost (incremental)	23.7	30.1	30.1	30.1	22.0
E Total Annual Onetime Cost	11.2	11.2	11.2	22.4	22.4
F (D+E) Total Annual Cost	34.9	41.3	41.3	52.5	44.4

If approved, funding to support today's recommendations will be included in the Fiscal Year 2017-18 First Quarter Operational Plan Status Report and Budget Adjustments. Subsequent year costs will be included in future Operational Plans. The funding source is a combination of General Purpose revenues, available General Fund fund balance, and various program revenues.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, introducing the Ordinances for further Board consideration and adoption on October 10, 2017.

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

10. SUBJECT: FISCAL YEAR 2017-18 APPROPRIATION LIMIT FOR THE COUNTY OF SAN DIEGO (DISTRICTS: ALL)

OVERVIEW

Each year, pursuant to Article XIII B: Government Spending Limitation of the California Constitution and Government Code Section 7910, the Board of Supervisors establishes its appropriation limit for the County of San Diego. Today's action requests adoption of a resolution establishing the County's Appropriation Limit for Fiscal Year 2017-18, calculated to be approximately \$5.3 billion. Only revenues from Proceeds of Taxes (essentially property tax and other in-lieu taxes) are subject to this limit. The County is substantially under the limit, having approximately \$2.0 billion of appropriations tied to Proceeds of Taxes that is subject to the limit in Fiscal Year 2017-18.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt the Resolution entitled: RESOLUTION ADOPTING APPROPRIATION LIMIT FOR COUNTY OF SAN DIEGO FOR FISCAL YEAR 2017-18.

FISCAL IMPACT

The recommended action has no fiscal impact on the County. The action authorizes the adoption of the Fiscal Year 2017-18 Appropriation Limit, pursuant to Article XIII B of the California Constitution and other applicable laws.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 17-139, entitled: RESOLUTION ADOPTING APPROPRIATION LIMIT FOR COUNTY OF SAN DIEGO FOR FISCAL YEAR 2017-18.

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

11. **SUBJECT: SAN DIEGO UNIFIED SCHOOL DISTRICT 2017 GENERAL OBLIGATION BONDS (DEDICATED UNLIMITED AD VALOREM PROPERTY TAX BONDS) (ELECTION OF 2012, SERIES H, I AND J) (DISTRICTS: 1, 2, 3, 4)**

OVERVIEW

A bond election was duly called and held in the San Diego Unified School District, County of San Diego, California (“District”) on November 6, 2012 pursuant to Section 15100 et seq. of the Education Code of the State of California. Approximately 61.8% of those voters casting ballots authorized the issuance of general obligation bonds of the District in the maximum aggregate principal amount of \$2,800,000,000 (“2012 Authorization”).

On September 12, 2017, the Board of Education of the District (“District Board”) adopted a resolution (“District Resolution”) requesting that the County, on behalf of the District, sell bonds under the 2012 Authorization to be designated the “San Diego Unified School District 2017 General Obligation Bonds (Dedicated Unlimited Ad Valorem Property Tax Bonds) (Election of 2012, Series H, I, J)”, in a not to exceed par amount of \$720,000,000 (“2017 Bonds”). Prior to the 2017 Bonds, the District has issued, or caused to be issued on its behalf, approximately \$1,155,000,000 under the 2012 Authorization. Subsequent to the issuance of the 2017 Bonds, approximately \$925,000,000 of the 2012 Authorization will remain. Proceeds of the 2017 Bonds will be used for authorized school purposes. The District has received a qualified certification in its most recent interim report and thereby has requested that the County sell the 2017 Bonds on its behalf as required by Section 15140 of the Education Code. The District has appointed the County Treasurer-Tax Collector (“Treasurer”) as Paying Agent of the 2017 Bonds.

Today’s recommendation will: (1) authorize issuance of the 2017 Bonds by the County on behalf of the District; (2) approve the form and authorize the execution of documents required

for the issuance of the 2017 Bonds; (3) approve the form and authorize the execution of a Supplemental Paying Agent Agreement, which will authorize the Treasurer to accept the District's appointment as Paying Agent on the 2017 Bonds; and (4) approve the form and authorize the execution of an Investment Management Agreement.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt the Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE SALE OF NOT TO EXCEED \$720,000,000 OF BONDS OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT BY A NEGOTIATED SALE PURSUANT TO TWO OR MORE BOND PURCHASE CONTRACTS AND SUPPLEMENTAL PAYING AGENT AGREEMENTS, PRESCRIBING THE SALE OF SAID BONDS, APPROVING THE FORM OF SAID DOCUMENTS, AUTHORIZING THE EXECUTION AND DELIVERY OF SAID DOCUMENTS, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL AND AUTHORIZING THE EXECUTION OF THE INVESTMENT MANAGEMENT AGREEMENT AND NECESSARY CERTIFICATES RELATING TO SAID BONDS.

FISCAL IMPACT

The 2017 Bonds will be general obligations of the San Diego Unified School District to be paid from ad valorem property taxes levied within the boundaries of the District, and do not constitute an obligation of the County.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 17-140, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE SALE OF NOT TO EXCEED \$720,000,000 OF BONDS OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT BY A NEGOTIATED SALE PURSUANT TO TWO OR MORE BOND PURCHASE CONTRACTS AND SUPPLEMENTAL PAYING AGENT AGREEMENTS, PRESCRIBING THE SALE OF SAID BONDS, APPROVING THE FORM OF SAID DOCUMENTS, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL AND AUTHORIZING THE EXECUTION OF THE INVESTMENT MANAGEMENT AGREEMENT AND NECESSARY CERTIFICATES RELATING TO SAID BONDS.

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

**12. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
AMENDMENTS TO THE COMPENSATION ORDINANCE AND THE
ADMINISTRATIVE CODE (09/12/2017 - FIRST READING; 09/26/2017 -
SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

On September 12, 2017 (22), the Board of Supervisors introduced the Ordinance for further consideration and adoption on September 26, 2017.

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 1) amends the Compensation Ordinance by: 1) amending compensation for two (2) job codes/classifications in the unclassified/classified service; 2) designating one (1) job code/classification as "Terminal"; 3) deleting one (1) job code/classification; and 4) amending sections of the Compensation Ordinance.

Today's recommendations also amend sections 492 and 493 of the Administrative Code relating to attorney bar fees.

**RECOMMENDATIONS(S)
CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinances entitled:

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE
AND ESTABLISHING COMPENSATION.

AN ORDINANCE AMENDING SECTIONS 492 AND 493 OF THE
ADMINISTRATIVE CODE.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10495 (N.S.), entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION; and Ordinance No. 10496, entitled: AN ORDINANCE AMENDING SECTIONS 492 AND 493 OF THE ADMINISTRATIVE CODE.

AYES Jacob, Gaspar, Horn
ABSENT: Cox, Roberts

13. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Note and file.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

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

OVERVIEW

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

RECOMMENDATION(S)

CHAIRWOMAN DIANNE JACOB

Appoint Robert (Bob) Eble to the CSA NO. 128 - SAN MIGUEL LOCAL PARK DISTRICT CITIZEN ADVISORY BOARD, Seat No. 5, for a term to expire January 4, 2021.

Appoint Barbara Roberson to the RAMONA DESIGN REVIEW BOARD, Seat No. 3, for a term to expire June 11, 2018.

Re-appoint Darryl S. Larson to the RAMONA DESIGN REVIEW BOARD, Seat No. 5, for a term to expire September 23, 2020.

SUPERVISOR BILL HORN

Appoint Leticia E. Perez to the ASSESSMENT APPEALS BOARD 2 (AAB), Seat No. 5, for a term to expire September 7, 2020.

Appoint Suzann M. Leininger to the CSA NO. 135 - FIRE ADVISORY BOARD, Seat No. 2, for a term to expire January 7, 2019.

Appoint Carl Frederick Huenefeld II to the VETERANS ADVISORY COUNCIL, SAN DIEGO COUNTY, Seat No. 5, for a term to expire January 7, 2019.

CHIEF ADMINISTRATIVE OFFICER

Appoint Susan Youngflesh to the CITIZENS' LAW ENFORCEMENT REVIEW BOARD (CLERB), Seat No. 6, for a term to expire June 30, 2018.

Appoint Bernard Molloy II to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 18, for a term to expire January 27, 2018.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

15. **SUBJECT: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING ENFORCEMENT OF VEHICLE CODE AND TEMPORARILY CLOSING STREETS FOR PUBLIC SAFETY (DISTRICTS: ALL)**

OVERVIEW

The Board of Supervisors may, by Resolution, (1) authorize the Sheriff to enforce provisions of the Vehicle Code on highways in the unincorporated area of San Diego County, and (2) designate a public officer or employee who is authorized to temporarily close a portion of a street in the unincorporated area of the County when, in the designee's opinion, the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing.

Today's recommendation will designate this authority to the Sheriff as specified in the attached resolution.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING ENFORCEMENT OF VEHICLE CODE AND TEMPORARILY CLOSING STREETS FOR PUBLIC SAFETY.

FISCAL IMPACT

There is no fiscal impact associated with the proposed actions. 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 Horn, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 17-141, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING ENFORCEMENT OF VEHICLE CODE AND TEMPORARILY CLOSING STREETS FOR PUBLIC SAFETY.

AYES: Jacob, Gaspar, Horn

ABSENT: Cox, Roberts

16. **SUBJECT: REQUEST TO ADOPT AN URGENCY ORDINANCE TO ADD CHAPTER 15 TO TITLE 3, DIVISION 2, OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO TEMPORARY AREA RESTRICTIONS NECESSARY TO PRESERVE PUBLIC SAFETY, HEALTH AND WELFARE TO TAKE EFFECT IMMEDIATELY (DISTRICTS: ALL)**

OVERVIEW

The Board of Supervisors may, pursuant to California Constitution Article XI Section 7, authorize the Chief Administrative Officer or designee to issue narrowly-tailored restrictions, effective in defined areas of the County, that prohibit or limit items known to be used as weapons and establish geographic perimeters and separations for the health and safety of the public. Any such restrictions must be consistent with the U.S. Constitution, First Amendment freedom of expression rights, the California Constitution and California statutes.

In order to preserve public safety, protect public and private property, and to facilitate rights of freedom of speech and assembly during specific planned, proposed or anticipated events, an urgency ordinance is presented to the Board. The construction of prototype border wall segments in the unincorporated area of San Diego County in the very near future is anticipated to result in persons traveling to this area to express their views. Recent events across the country have demonstrated that persons intending to engage in conflict and non-peaceful conduct may participate in these events and these persons may be equipped with items intended to be used as weapons. The effectiveness of administrative orders narrowly-tailored to prohibit such items has recently been demonstrated here in California and therefore a similar action is recommended to the Board.

Today's recommendation requests the Board to adopt an urgency ordinance amending the San Diego County Code of Regulatory Ordinances to authorize the Chief Administrative Officer or designee to issue narrowly-tailored Temporary Area Restrictions regarding perimeters, separations and prohibiting or otherwise limiting items that could be used as weapons in order to preserve public peace, health, safety and welfare. If approved, the ordinance would take effect immediately.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Read title, waive further reading, and adopt the following Urgency Ordinance (4 VOTES):
URGENCY ORDINANCE TO ADD CHAPTER 15 TO TITLE 3, DIVISION 2, OF THE
SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO
TEMPORARY AREA RESTRICTIONS NECESSARY TO PRESERVE PUBLIC SAFETY,
HEALTH AND WELFARE TO TAKE EFFECT IMMEDIATELY

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Noting for the record that Supervisor Greg Cox attended discussion for item 16 via teleconference; ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, adopting Ordinance No. 10497 (N.S.), entitled: URGENCY ORDINANCE TO ADD CHAPTER 15 TO TITLE 3, DIVISION 2, OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO TEMPORARY AREA RESTRICTIONS NECESSARY TO PRESERVE PUBLIC SAFETY, HEALTH AND WELFARE TO TAKE EFFECT IMMEDIATELY.

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

17. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)
Julian Community Services District v. County of San Diego, et al; San Diego County Superior Court No. 37-2012-00066398-CU-OR-EC

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)
United States and State of California, et al. ex rel. Hendrix v. J-M Manufacturing Co., et al.; U.S. District Court, Central District of California, No. ED CV-06-00055

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)
Gabriel Napier, et al. v. Brandon Boisserance, et al.; United States District Court, Southern District, No. 15-CV-00581-CAB

ACTION:

County Counsel reported that for Closed Session on Tuesday, September 26, 2017, the Board of Supervisors took the following action:

Item 17A: Julian Community Services District v. County of San Diego, et al., by a vote of 3 Board members present and voting "Aye", with Districts 1 and 4 absent, authorized resolution of a lawsuit involving water rights at Jess Martin Park.

18. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Reginald Tisdale spoke to the Board regarding HIV Planning Group.

Martha Welch spoke to the Board regarding courts.

Katheryn Rhodes spoke to the Board regarding seismic port.

ACTION:

Heard, Referred to the Chief Administrative Officer.

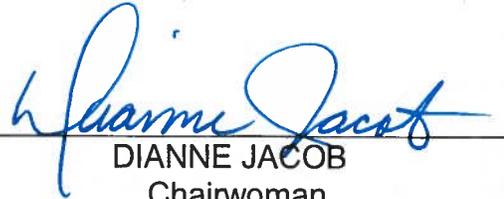
The Board adjourned the Tuesday session at 10:56 a.m. in memory of Hunter the Police Dog, Utah the Police Dog, Evelyn McCormick, and Blossom Snively.

DAVID HALL
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Lopez
Discussion: Miller

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, October 10, 2017.



DIANNE JACOB
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

09/26/17