

**October 27, 2020**

**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, OCTOBER 27, 2020, 9:00 AM**  
BOARD OF SUPERVISORS NORTH CHAMBER ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order Of Business

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

PRESENT: Supervisors Greg Cox, Chairman; Jim Desmond, Vice-Chairman; Dianne Jacob; Kristin Gaspar; Nathan Fletcher 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, all 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 Pastor Mark McElwee from Heart of God Church - Rancho Bernardo.

- C. Pledge of Allegiance was led by Chairman Greg Cox.

- D. Presentation or Announcement of Proclamations and Awards:

Chairman Greg Cox presented a proclamation declaring October 2020, to be Filipino American History Month throughout the County of San Diego.

Vice-Chairman Jim Desmond presented a proclamation declaring October 27, 2020, to be The Boys & Girls Club of Oceanside Day throughout the County of San Diego.

Vice-Chairman Jim Desmond presented a proclamation declaring October 27, 2020, to be Fallbrook Food Pantry Day throughout the County of San Diego.

Supervisor Nathan Fletcher presented a proclamation declaring October 27, 2020, to be We All We Got-San Diego Day throughout the County of San Diego.

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

- F. Approval of the Statement of Proceedings/Minutes for the meeting of October 13, 2020.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of October 13, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

G. Formation of Consent Calendar

H. Discussion Items

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

**Board of Supervisors' Agenda Items**

<b>Category</b>	<b>#</b>	<b>Subject</b>
Public Safety	1.	SHERIFF - REPORT OF INMATE WELFARE FUND EXPENDITURES FOR FISCAL YEAR 2019-20
Public Safety	2.	SHERIFF - AUTHORIZE AGREEMENT WITH THE CITY OF EL CAJON FOR CALIFORNIA IDENTIFICATION SYSTEM SUPPORT POSITION AND AMEND AGREEMENT WITH CITY OF CHULA VISTA TO ELIMINATE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM ENTRY TECHNICIAN POSITION [FUNDING SOURCE: SHERIFF FINGERPRINT ID TRUST FUND]
Health and Human Services	3.	RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS, ADOPT A RESOLUTION, APPROVE IMPLEMENTATION OF FULLY FUNDED CAPITAL PROJECTS THAT WERE PUT ON HOLD DUE TO THE COVID-19 PANDEMIC, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE COVID-19 PANDEMIC [FUNDING SOURCES: GENERAL PURPOSE REVENUE, GENERAL FUND FUND BALANCE, PARKS EXPANSION & IMPROVEMENT COMMITMENT, AND PARK LANDS DEDICATION ORDINANCE REVENUES]
	4.	AN ORDINANCE ADDING AND REPEALING PROVISIONS IN THE SAN DIEGO COUNTY CODE REGARDING THE SALE OF TOBACCO PRODUCTS IN THE UNINCORPORATED AREA OF SAN DIEGO COUNTY (10/27/2020 - FIRST READING; 11/17/2020 - SECOND READING)
	5.	RECEIVE AND APPROVE PROPOSAL FOR THE DEVELOPMENT OF THE LIVE WELL SAN DIEGO YOUTH SECTOR [FUNDING SOURCE: EXISTING GENERAL PURPOSE REVENUE ALLOCATED TO HHSA]
	6.	RECEIVE UPDATE ON ADVANCING THE BEHAVIORAL HEALTH CONTINUUM OF CARE AND ANNUAL UPDATE ON DRUG MEDI-CAL ORGANIZED DELIVERY SYSTEM [FUNDING SOURCE: DRUG MEDI-CAL]

7. APPROVE THE MENTAL HEALTH SERVICES ACT THREE-YEAR PROGRAM AND EXPENDITURE PLAN FOR FISCAL YEARS 2020-21 THROUGH 2022-23  
[FUNDING SOURCE: MHSA]
8. AUTHORIZATION TO ACCEPT HIV/AIDS SERVICES GRANT FUNDING AGREEMENT AND AUTHORIZATION TO APPLY FOR ADDITIONAL FUNDING OPPORTUNITIES  
[FUNDING SOURCES: GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, OFFICE OF AIDS AND REALIGNMENT]
9. AUTHORIZATION TO REQUEST STATEMENTS OF QUALIFICATIONS AND ISSUE REQUEST FOR PROPOSALS FOR DEVELOPMENT OF SENIOR GROUP HOUSING ON ASSESSOR PARCEL NUMBERS 281-182-17 and 281-182-18 (LOCATED BETWEEN 12TH AND 13TH STREET IN THE UNINCORPORATED COMMUNITY OF RAMONA); SET A DATE TO RECEIVE PROPOSALS; AND ADOPT RESOLUTION OF INTENTION BY THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TO CONSIDER PROPOSALS FOR THE SALE OR GROUND LEASE AND DEVELOPMENT OF ASSESSOR PARCEL NUMBERS 281-182-17 and 281-182-18 (LOCATED BETWEEN 12TH AND 13TH STREET IN THE UNINCORPORATED COMMUNITY OF RAMONA)
10. HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE CODE AND BOARD POLICY SUNSET REVIEW 2020
11. NEIGHBORHOOD REINVESTMENT AND COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 1)  
[FUNDING SOURCES: GENERAL PURPOSE REVENUE AND TRANSIENT OCCUPANCY TAX REVENUES]
12. MAINTAINING BUSINESS STABILITY DURING THE COVID-19 CRISIS  
(4 VOTES)  
  
(RELATES TO AIR POLLUTION CONTROL BOARD AGENDA NO. AP1)
13. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 5)  
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
14. NEIGHBORHOOD REINVESTMENT & COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 2)  
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]

Financial and  
General  
Government

15. COMMUNITY ENHANCEMENT PROGRAM GRANTS  
(DISTRICT: 2)  
[FUNDING SOURCE: TRANSIENT OCCUPANCY TAX REVENUE]
16. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS  
(DISTRICT: 3)  
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
17. NEIGHBORHOOD REINVESTMENT AND COMMUNITY  
ENHANCEMENT PROGRAM GRANTS (DISTRICT: 4)  
[FUNDING SOURCES: GENERAL PURPOSE REVENUE AND  
TRANSIENT OCCUPANCY TAX REVENUES]
18. CITIZENS' LAW ENFORCEMENT REVIEW BOARD ORDINANCE  
AND RULES UPDATE
19. REGISTRAR OF VOTERS - APPOINTMENTS TO DISTRICT AND  
COMMUNITY PLANNING AREA BOARDS
20. NATIONAL ELEMENTARY SCHOOL DISTRICT 2020 GENERAL  
OBLIGATION BONDS, ELECTION OF 2016, SERIES A
21. GENERAL SERVICES - APPROVAL OF SECOND AMENDMENT TO  
LEASE AGREEMENT FOR THE HEALTH AND HUMAN SERVICES  
AGENCY AT 4990 VIEWRIDGE, SAN DIEGO  
[FUNDING SOURCES: SOCIAL SERVICES ADMINISTRATIVE  
REVENUES AND REALIGNMENT]
22. APPROVAL OF THE DELIVERY OF AND RELATED FINANCING  
DOCUMENTS FOR THE REFUNDING CERTIFICATES OF  
PARTICIPATION FOR THE COUNTY ADMINISTRATION CENTER  
WATERFRONT PARK, SERIES 2020A, AND THE CEDAR AND  
KETTNER DEVELOPMENT, SERIES 2020B
23. 2021 LEGISLATIVE PROGRAM

Communications  
Received

24. COMMUNICATIONS RECEIVED

Appointments

25. APPOINTMENTS: VARIOUS

Financial and  
General  
Government

26. SAN DIEGO COUNTY SMALL BUSINESS STIMULUS  
PROGRAM GRANTS (DISTRICT: 1)  
[FUNDING SOURCE: FEDERAL CARES ACT CORONAVIRUS RELIEF  
FUND]
27. SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM  
GRANTS (DISTRICT: 2)  
[FUNDING SOURCE: FEDERAL CARES ACT CORONAVIRUS RELIEF  
FUND]

28. SAN DIEGO COUNTY SMALL BUSINESS STIMULUS  
PROGRAM GRANTS (DISTRICT: 4)  
[FUNDING SOURCE: FEDERAL CARES ACT CORONAVIRUS RELIEF  
FUND]
29. SAN DIEGO COUNTY SMALL BUSINESS STIMULUS  
PROGRAM GRANTS (DISTRICT: 5)  
[FUNDING SOURCE: FEDERAL CARES ACT CORONAVIRUS RELIEF  
FUND]
30. GENERAL SERVICES - CONTINUATION OF EMERGENCY REPAIRS  
AT THE HEALTH AND HUMAN SERVICES AGENCY HEALTH  
SERVICES COMPLEX, 3851 ROSECRANS STREET  
[FUNDING SOURCE: CHARGES TO THE CLIENT DEPARTMENT]  
(4 VOTES)

Closed Session      31. CLOSED SESSION

**1. SUBJECT: SHERIFF - REPORT OF INMATE WELFARE FUND  
EXPENDITURES FOR FISCAL YEAR 2019-20 (DISTRICTS: ALL)**

**OVERVIEW**

The Inmate Welfare Fund is expended for the purpose of providing for the welfare of incarcerated individuals, as well as the educational, vocational, and behavioral training necessary to make a positive transition back to the local community. These types of programs are essential to decreasing the rate of recidivism, contributing to the successful reunification of families, and having a direct impact on reducing future criminal behavior.

This is a request for the Board of Supervisors to receive an itemized report of expenditures from the Sheriff's Department Inmate Welfare Fund, as required under California Penal Code section 4025.

**RECOMMENDATION**

**SHERIFF**

Receive the San Diego Sheriff's Department Fiscal Year 2019-20 report of Inmate Welfare Fund expenditures.

**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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Desmond

NOES: Fletcher

**2. SUBJECT: SHERIFF - AUTHORIZE AGREEMENT WITH THE CITY OF EL CAJON FOR CALIFORNIA IDENTIFICATION SYSTEM SUPPORT POSITION AND AMEND AGREEMENT WITH CITY OF CHULA VISTA TO ELIMINATE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM ENTRY TECHNICIAN POSITION (DISTRICTS: ALL)**

**OVERVIEW**

The California Identification System/Remote Access Network (Cal-ID/RAN) is a statewide system that provides local law enforcement agencies with direct access to local, state, and federal automated fingerprint, palm print, photo systems and databases. This statewide system allows for the rapid identification of convicted persons booked into detention facilities and stores biographic and fingerprint data of arrestees, as well as latent prints lifted from crime scenes. The Sheriff's Department serves as San Diego County's Cal-ID/RAN administrator.

The San Diego County Cal-ID/RAN Board is a regional policy and advisory board responsible for making recommendations regarding the use of Cal-ID funds. The RAN Board has made funding recommendations since 2007 to employ staff in crime laboratories across the region to effectively and efficiently process latent prints and identify suspects.

This is a request to authorize an agreement between the County of San Diego by and through the San Diego County Sheriff's Department and the City of El Cajon to provide funding from the Sheriff Fingerprint ID Trust Fund to the City of El Cajon annually for one full-time Forensic Latent Print Examiner position. The agreement period is November 1, 2020 to June 30, 2021, with automatic annual renewals up to a maximum of four additional years through June 30, 2025. Additionally, this is a request to amend the agreement between County of San Diego by and through the San Diego County Sheriff's Department and the City of Chula Vista to eliminate the Automated Fingerprint Identification System Entry Technician position.

### **RECOMMENDATIONS SHERIFF**

1. Authorize the Sheriff's Department (Sheriff) to execute a Memorandum of Agreement (MOA) with the City of El Cajon to provide an estimated cost of \$53,768 for the current year and an estimated cost of \$107,536 annually for one full-time Forensic Latent Print Examiner position based on revenue from the Sheriff Fingerprint ID Trust Fund for the period of November 1, 2020 to June 30, 2021, with automatic annual renewals up to a maximum of four additional years through June 30, 2025, and to amend the MOA as needed to reflect changes to requirements and funding.
2. Authorize the Sheriff to amend the MOA with the City of Chula Vista to eliminate all previously established terms and conditions for the transfer of funds from the Sheriff's Fingerprint ID Trust Fund to the City of Chula Vista for the purpose of funding one full-time Automated Fingerprint Identification System Entry Technician.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$53,768. The funding source is the Sheriff Fingerprint ID Trust Fund. Costs through the contract term, estimated at \$107,536 annually, will be included in future year Operation Plans for the Sheriff's Department. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond



3. **SUBJECT: RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS, ADOPT A RESOLUTION, APPROVE IMPLEMENTATION OF FULLY FUNDED CAPITAL PROJECTS THAT WERE PUT ON HOLD DUE TO THE COVID-19 PANDEMIC, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE 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.

On May 19, 2020 (19), the Board directed the CAO to pause various capital projects considering the County's financial burden related to the COVID-19 pandemic. Between October 2019 and March 2020, the Facilities Planning Board and the County's General Managers reviewed and refined the current year CINA. Today's action recommends that the Board approve implementation of the 19 fully funded capital projects that were paused due to initial uncertainty of the County's financial burden related to the pandemic.

Additionally, on October 13, 2020 (14), the San Diego County Board of Supervisors (Board) directed the CAO to draft a resolution that ratifies and supports the Public Health Officer's professional guidance. Today's action requests the Board adopt this resolution.

The County continues to make significant efforts to slow the spread of COVID-19. Today's action requests the 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. It is also recommended that the Board take any other action necessary to address the COVID-19 pandemic emergency response. 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. Adopt A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO REGARDING COVID-19 ACTIONS BY STATE AND LOCAL GOVERNMENT.

4. Approve implementation of the 19 fully funded capital projects that were put on-hold due to initial uncertainty of the County's financial burden related to the pandemic. The total appropriations for these projects in FY 2020-21 is \$36,995,839.
5. Take any other action necessary to address the COVID-19 pandemic emergency response.

#### **FISCAL IMPACT**

The County of San Diego (County) has been allocated a total of \$387.8 million of CARES Act, Coronavirus Relief Fund (CRF) revenue to address the COVID-19 emergency. The County of San Diego Board of Supervisors established a CARES Act framework for use of these funds along with earned interest and directed the use of \$389 million for an array of programs and response efforts. These costs include public health and medical services, testing, tracing, treatment, temporary housing assistance, sanitation, food distribution services, allocations to the 17 cities that did not receive direct CARES Act funds, child care vouchers, child care provider grant program, economic stimulus program, child welfare outreach, Behavioral Health telehealth, compliance efforts, rental assistance and administrative support. Unless there is legislative change, the CARES Act funding must be spent by December 30, 2020, and any unspent dollars are to be returned to the US Treasury. In addition, the County will continue to pursue other federal and State stimulus revenue, including FEMA.

Funds for recommendation #4 are included in the Fiscal Year 2020-21 Operational Plan. The total cost associated with the capital projects referenced in recommendation #4 is \$36,995,839. The funding source is General Purpose Revenue, General Fund Fund Balance, Parks Expansion & Improvement Commitment, and Park Lands Dedication Ordinance revenues.

#### **BUSINESS IMPACT STATEMENT**

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

#### **ACTION: 3.1:**

ON MOTION of Supervisor Cox, seconded by Supervisor Gaspar, the Board of Supervisors took the following actions, as recommended,

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. Adopted Resolution No. 20-167 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO REGARDING COVID-19 ACTIONS BY STATE AND LOCAL GOVERNMENT.
4. Took any other action necessary to address the COVID-19 pandemic emergency response.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**ACTION 3.2:**

ON MOTION of Supervisor Cox, seconded by Supervisor Gaspar, the Board of Supervisors approved implementation of the 19 fully funded capital projects that were put on-hold due to initial uncertainty of the County's financial burden related to the pandemic. The total appropriations for these projects in FY 2021-21 is \$36,995,839.

AYES: Cox, Jacob, Gaspar, Desmond

NOES: Fletcher

4. **SUBJECT: AN ORDINANCE ADDING AND REPEALING PROVISIONS IN THE SAN DIEGO COUNTY CODE REGARDING THE SALE OF TOBACCO PRODUCTS IN THE UNINCORPORATED AREA OF SAN DIEGO COUNTY (10/27/2020 - FIRST READING; 11/17/2020 - SECOND READING) (DISTRICTS: ALL)**

**OVERVIEW**

The San Diego County Board of Supervisors (Board) has demonstrated a commitment to improving the health of San Diego County residents. On October 15, 2019 (02), the Board directed the Chief Administrative Officer (CAO) to develop several recommendations to address the health impact of smoking and tobacco use:

- Establish a tobacco retail licensing program to strengthen enforcement of minimum-age sale laws and to facilitate compliance monitoring of retailers;
- Revise applicable sections of County Code related to tobacco control regulations to align with State law and resolve any inconsistencies and duplications; and
- Add the prohibition of smoking in County of San Diego (County) parking lots to future negotiations with employee bargaining units.

Additionally, on January 14, 2020 (13), the Board directed the CAO to return with actions to include smokeless tobacco in the ban on flavored tobacco products and to conduct further review on how to preserve the cultural aspect of the use of hookah. If approved, today's action would establish a tobacco retail licensing program and incorporate and strengthen existing sections of the County Code related to tobacco control to align with State law. In addition, if approved, today's action would adopt recommendations that include smokeless tobacco in the ban on flavored tobacco products and will preserve the cultural aspect of the use of hookah by aligning it with recent developments in State law.

Today's request requires two steps: on October 27, 2020, it is requested that the Board consider an Ordinance adding and repealing provisions in the San Diego County Code regarding the sale of tobacco products in the unincorporated area of San Diego County. If the Board takes the actions recommended, then on November 17, 2020, the proposed Ordinance will be brought back to the Board for consideration and adoption.

These actions support the Building Better Health, Living Safely, and Thriving components of the *Live Well San Diego* vision by implementing comprehensive policies that protect the health of youth and young adults from the harms of exposure to and purchase of tobacco products.

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

On October 27, 2020:

1. Find, in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and that it is therefore exempt from CEQA review.
2. Waive Board Policy B-29 Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery, regarding establishment of fees.
3. Approve the introduction of the Ordinance (first reading), read the title, and waive further reading of the Ordinance:

AN ORDINANCE ADDING AND REPEALING PROVISIONS IN THE SAN DIEGO COUNTY CODE REGARDING THE SALE OF TOBACCO PRODUCTS IN THE UNINCORPORATED AREA OF SAN DIEGO COUNTY

If, on October 27, 2020, the San Diego County Board of Supervisors takes action as recommended, then, on November 17, 2020, consider and adopt (second reading):

AN ORDINANCE ADDING AND REPEALING PROVISIONS IN THE SAN DIEGO COUNTY CODE REGARDING THE SALE OF TOBACCO PRODUCTS IN THE UNINCORPORATED AREA OF SAN DIEGO COUNTY

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2020-22 Operational Plan in the Health and Human Services Agency (HHSA). If approved, today's recommendations will result in estimated costs and revenue of \$220,000 in Fiscal Year 2020-21 for tobacco retail licensing program development, outreach, and education to be funded by the California Department of Public Health's California Tobacco Control Program. Additionally, if approved, today's recommendations will result in estimated costs of \$270,000 in Fiscal Year 2021-22 for tobacco retail licensing program implementation and enforcement and will be funded by Realignment Revenue. The proposed new tobacco retail license fee to be included in a future HHSA fee ordinance will be used in future fiscal years to fund the program costs including strengthening enforcement of minimum-age sale laws and facilitating compliance monitoring of retailers. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

If approved, these recommendations will impact all retailers in the unincorporated area who sell tobacco products. Staff review of the California Department of Tax and Fee Administration tobacco-licensed businesses; Agriculture, Weights, and Measures licensed gas stations; and the Alcohol Beverage Control type 20 and type 21 licensed alcohol retailers indicates that there are approximately 330 retailers that may sell tobacco products, which could potentially be impacted. A period of transition would be provided to businesses so they may adjust to the new ordinance. The licensing program will become effective on July 1, 2021. Fee collection will be delayed one year and will be operative on July 1, 2022. The proposed Ordinance also includes a provision that would restrict pharmacies from selling any tobacco products, other than those used for cessation purposes. There are 17 pharmacies,

(standalone pharmacies, grocery stores with pharmacies, and supercenters with pharmacies) in the unincorporated area that sell tobacco products and would be impacted by this restriction.

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended, modifying Section 21.2603 (i) "MINIMUM CLERK AGE" of the proposed Ordinance to read, "No tobacco retailer may permit a person, such as an employee, under the legal minimum age to purchase, handle or sell tobacco products, without the supervision of a person 21 years or older and not between the hours of 10 p.m. and 2 a.m.," and directed the Chief Administrative Officer to return to the Board in one year for an evaluation of the Tobacco Retail Licensing Program for consideration of potential modifications; and introduced the Ordinance for further Board consideration and adoption on November 17, 2020.

AYES: Cox, Jacob, Fletcher

NOES: Gaspar, Desmond

**5. SUBJECT: RECEIVE AND APPROVE PROPOSAL FOR THE DEVELOPMENT OF THE LIVE WELL SAN DIEGO YOUTH SECTOR (DISTRICTS: ALL)**

**OVERVIEW**

On August 4, 2020 (21), at the direction of Chairman Cox, the San Diego County Board of Supervisors (Board) directed a return to the Board with a proposal for the development of a *Live Well San Diego* Youth Sector, which will provide oversight and direction for youth engagement efforts in the County of San Diego (County). Today's action requests the adoption of the Youth Sector Framework which includes temporary, part-time Youth Advisors to support the development of the Youth Sector, the formation of a Youth Leadership Team, and the provision of training, mentorship, and leadership opportunities for youth.

The proposed actions support the County's *Live Well San Diego* vision by deepening youth civic engagement, enhancing youth leadership and workforce readiness, providing mentorship opportunities, and engaging youth in programs and services that may directly impact them.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Receive and approve the proposal for the Youth Sector Framework for the development of the *Live Well San Diego* Youth Sector.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2020-22 Operational Plan for the Health & Human Services Agency (HHSA). Costs supporting the Youth Advisors and Youth Leadership Team (YLT) are estimated at \$45,653 for FY 2020-21 and \$83,100 for FY 2021-22. County of San Diego Department of Human Resources will review and determine

the structure of compensation for Youth Advisors and members of the YLT. The funding source is existing General Purpose Revenue allocated to HHSA. 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 Cox, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

6. **SUBJECT: RECEIVE UPDATE ON ADVANCING THE BEHAVIORAL HEALTH CONTINUUM OF CARE AND ANNUAL UPDATE ON DRUG MEDI-CAL ORGANIZED DELIVERY SYSTEM (DISTRICTS: ALL)**

#### **OVERVIEW**

In 2018, the San Diego County Board of Supervisors (Board) initiated several actions to enhance, expand, and innovate behavioral health programs and services in the region. This body of work is broadly referred to as the Behavioral Health Continuum of Care (Continuum of Care). These actions have brought together diverse stakeholders, including justice partners, hospitals, community health centers and other community-based providers, to create system-wide changes and help ensure individuals can quickly access behavioral health services to meet their immediate needs, and support their long-term journey to recovery.

Prior to COVID-19, Continuum of Care updates were presented in the context of hubs, networks, and bridge planning strategies; however, the impact of COVID-19 has shifted our strategies and will be reported in the areas of Diversionary Services, Investments to Support Individuals with Behavioral Health Conditions Long-Term, and Care Coordination Efforts. Today's report includes a complete update within these categories.

Also included is an update reflecting the second year of Drug Medi-Cal Organized Delivery System (DMC-ODS) implementation, which began on July 1, 2018. DMC-ODS was approved by your Board to dramatically transform the entire substance use disorder system by offering comprehensive, evidence-based care to support each person's long-term wellness. Today's update will report on the impact of the COVID-19 pandemic on substance use and DMC-ODS updates in areas of volume, clinical quality, and finance.

Today's actions request that the Board receive an update on the Continuum of Care and DMC-ODS, including approval and authorization for the Clerk of the Board to execute the DMC-ODS Intergovernmental Agreement with the State of California, upon receipt, to execute subsequent amendments, as required, to reflect revised revenue amounts allocated by the State, and to accept the funding for Fiscal Year 2020-2021 through Fiscal Year 2022-2023.

These actions will continue to complement the work across systems to provide optimal behavioral health resources that are regionally distributed and coordinated, thereby supporting the County's *Live Well San Diego* vision for a region where all residents have the opportunity to build better health, live safely, and thrive.

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

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

1. Receive the update on Advancing the Behavioral Health Continuum of Care.
2. Receive the update on implementation of the Drug Medi-Cal Organized Delivery System.
3. Approve and authorize the Clerk of the Board to execute, upon receipt, the Drug Medi-Cal Organized Delivery System (DMC-ODS) Intergovernmental Agreement from the State of California and accept the funding for Fiscal Year 2020-2021 through Fiscal Year 2022-2023, estimated at approximately \$300 million over the three year period. Approve and authorize the Clerk of the Board, subject to the approval of the Agency Director, Health and Human Services Agency, to execute, upon receipt, amendments to the DMC-ODS Intergovernmental Agreement with the State of California, as required, and to reflect revised revenue amounts allocated by the State.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2020-2022 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs and revenue of \$300 million during the period of Fiscal Year 2020-2021 through Fiscal Year 2022-2023. Funds for subsequent years will be incorporated into future operational plans. The funding source is Drug Medi-Cal. 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, second by Supervisor Fletcher, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

7. **SUBJECT: APPROVE THE MENTAL HEALTH SERVICES ACT THREE-YEAR PROGRAM AND EXPENDITURE PLAN FOR FISCAL YEARS 2020-21 THROUGH 2022-23 (DISTRICTS: ALL)**

#### **OVERVIEW**

The Mental Health Services Act (MHSA) provides funding to counties to address a broad continuum of mental health service needs, including prevention, early intervention, system development, and to address the necessary infrastructure, technology, and training to effectively support the public mental health system. MHSA programs provide services to children, youth, and families, transition age youth, adults, and older adults, with an emphasis on individuals who are unserved or underserved. In Fiscal Year 2018-19 MHSA programs served over 78,000 unique individuals. MHSA is comprised of five components:

- Community Services and Supports (CSS);
- Prevention and Early Intervention (PEI);
- Innovation (INN);
- Workforce Education and Training (WET); and
- Capital Facilities and Technological Needs (CF/TN).

The County of San Diego (County), Health and Human Services (HHS) Behavioral Health Services (BHS) is presenting the recommended MHSA Three-Year Program and Expenditure Plan for Fiscal Years 2020-21 through 2022-23 (Three-Year Plan). As mandated by the MHSA, the Three-Year Plan, inclusive of all programs and expenditures funded by the MHSA, requires approval by the Board of Supervisors prior to submission to the California Mental Health Services Oversight and Accountability Commission (MHSOAC).

Today's recommended action requests that the Board receive and approve the Three-Year Plan, which includes estimated MHSA funds of \$192.8 million in Fiscal Year (FY) 2020-21, \$195.3 million in FY 2021-22, and \$193.4 million in FY 2022-23. The Three-Year Plan also includes \$400,000 assigned to the California Mental Health Services Authority (CalMHSA) to continue statewide PEI campaigns and local PEI initiatives as part of the FY 2020-21 amount. Since the establishment of the MHSA, the County has invested over \$1.5 billion of MHSA funding to expand and enhance critical mental health programs. Continued investments in MHSA services through the implementation of the Three-Year Plan supports the goal of dramatically shifting how residents of San Diego County access care and support for behavioral health needs through the continued development of a regionally distributed model of care focused on prevention and continuous care, rather than perpetual crisis. Over the last several years, at the Board's direction, BHS has continued to aggressively invest MHSA funding into critical prevention, treatment and support services.

Today's action supports the countywide *Live Well San Diego* vision by enhancing access to behavioral health services, promoting well-being in children, adults and families, and encouraging self-sufficiency, which promotes a region that is building better health, living safely, and thriving.

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

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

Receive and approve the MHSA Three-Year Program and Expenditure Plan for Fiscal Years 2020-21 through 2022-23 (Three-Year Plan) and authorize the Director, Health and Human Services Agency, to submit the Three-Year Plan to the California Mental Health Services Oversight and Accountability Commission.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2020-22 Operational Plan for the Health and Human Services Agency. If approved, this request will result in estimated Mental Health Services Act (MHSA) costs and revenues of \$192.8 million in FY 2020-21, inclusive of \$400,000 dedicated to the California Mental Health Services Authority (CalMHSA), to continue participation in statewide prevention and early intervention campaigns and local initiatives. The funding source is MHSA. The proposed MHSA budget reflects enhanced Medi-Cal drawdown in FY 2020-21 tied to a Federal Medi-Cal Assistance Percentage (FMAP) associated with COVID-19. 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, second by Supervisor Fletcher, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

8. **SUBJECT: AUTHORIZATION TO ACCEPT HIV/AIDS SERVICES GRANT FUNDING AGREEMENT AND AUTHORIZATION TO APPLY FOR ADDITIONAL FUNDING OPPORTUNITIES (DISTRICTS: ALL)**

### **OVERVIEW**

For over 25 years, the San Diego County Board of Supervisors (Board) has authorized grants and agreements with the California Department of Public Health (CDPH). These grant authorizations enable funding for a variety of services to address both prevention and treatment of HIV and sexually transmitted diseases. On April 7, 2020 (6), your Board authorized a companion grant agreement for Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B.

A new funding source, *Integrated HIV Programs for Health Departments to Support Ending the HIV Epidemic in the United States*, has been created by the Centers for Disease Control and Prevention in response to the introduction of the federal End the HIV Epidemic initiative. This funding supports a number of activities that will assist the County of San Diego with the Getting to Zero initiative, including: expanding services for persons who inject drugs, increasing uptake of pre-exposure prophylaxis, developing a mobile phone application that will serve as a digital resource guide, supporting additional healthcare settings in implementing routine HIV testing, and increasing funding for benefits navigation for persons living with or vulnerable to HIV infection. This new grant, and the companion grant mentioned above, will also fund new staff positions required to implement these HIV/AIDS activities and services.

Today's action requests the Board accept this new funding from the CDPH in the amount of \$9,693,670 for the period of August 1, 2020 through July 31, 2025. Today's action also requests authorization to apply for additional funding opportunities to support prevention and treatment of HIV/AIDS and sexually transmitted diseases.

This item supports the County of San Diego's Getting to Zero initiative by funding services that will help people living with or vulnerable to HIV receive the services they need to achieve optimal health outcomes. This item also supports 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 promotes a healthy, safe, and thriving region.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Authorize the acceptance of approximately \$9,693,670 in grant funds from the California Department of Public Health for the period of August 1, 2020 through July 31, 2025, for *Integrated HIV Programs for Health Departments to Support Ending the HIV Epidemic*

*in the United States*, and authorize the Clerk of the Board to execute all required grant documents, upon receipt, including any annual extensions, amendments and/or revisions thereto that do not materially impact or alter the services or funding level.

2. Authorize the Agency Director, Health and Human Services Agency to apply for any additional funding opportunity announcements, if available, to support prevention and treatment of HIV/AIDS and sexually transmitted diseases.
3. Add 7.0 full time equivalent (FTE) positions to the Health and Human Services Agency, Public Health Services and direct the Department of Human Resources to classify the positions at the appropriate level.

#### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2020-22 Operational Plan in the Health and Human Services Agency. If approved, today's action will result in estimated costs and revenue of \$1,777,172 in Fiscal Year 2020-21 and estimated costs and revenue of \$1,938,734 in Fiscal Year 2021-22. The funding sources are grant funds from the California Department of Public Health, Office of AIDS and Realignment. There will be no change in net General Fund costs and an increase of seven 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, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

9. **SUBJECT: AUTHORIZATION TO REQUEST STATEMENTS OF QUALIFICATIONS AND ISSUE REQUEST FOR PROPOSALS FOR DEVELOPMENT OF SENIOR GROUP HOUSING ON ASSESSOR PARCEL NUMBERS 281-182-17 and 281-182-18 (LOCATED BETWEEN 12TH AND 13TH STREET IN THE UNINCORPORATED COMMUNITY OF RAMONA); SET A DATE TO RECEIVE PROPOSALS; AND ADOPT RESOLUTION OF INTENTION BY THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TO CONSIDER PROPOSALS FOR THE SALE OR GROUND LEASE AND DEVELOPMENT OF ASSESSOR PARCEL NUMBERS 281-182-17 and 281-182-18 (LOCATED BETWEEN 12TH AND 13TH STREET IN THE UNINCORPORATED COMMUNITY OF RAMONA) (DISTRICT: 2)**

### **OVERVIEW**

San Diego County is currently facing a housing affordability crisis. The homeless population in the County remains one of the highest in the state, and the number of unsheltered homeless seniors has hovered above 25% since 2016. Specifically, in Ramona, approximately one third of senior households in Ramona are paying upwards of 35% or more on housing costs. Since 1999, the community of Ramona has been pursuing the concept of creating a Ramona Intergenerational Community Campus (RICC) to accommodate senior housing, a Live Well Center, library, senior center, and other community facilities.

On February 25, 2020, in furtherance of the San Diego County Board of Supervisors' (Board) desire to develop affordable senior housing at the RICC, the County executed an option to purchase 7.86 acres of property owned by the Anthony C. Russell Trust for the appraised value of \$2.1 million. A site assessment was conducted based on land use, zoning, rental market, and environmental factors in addition to proximity to transit, jobs, and essential services. The site was found to be conducive to development of affordable senior group housing units based on this assessment. On June 23, 2020 (10), the Board exercised the option to purchase this property and escrow closed on July 23, 2020.

Today's request is for the Board to take the following actions: 1) Find that the proposed actions are not a project under the California Environmental Quality Act; 2) authorize the Director, Department of General Services, in consultation with the Director, Housing and Community Development Services, to begin a competitive solicitation process by requesting Statements of Qualifications and by issuing a subsequent Request for Proposals for the development of affordable senior group housing units under a sale or ground lease of the property identified above; 3) set a date for the Board to receive proposals; and 4) adopt a resolution declaring the Board's intention to consider development proposals.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed actions are not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) because they are not a project as defined in Section 15378 of the CEQA Guidelines.

2. Authorize the Director, Department of General Services, in consultation with the Director, Housing and Community Development Services, to request Statements of Qualifications and to select respondents qualified to submit a proposal or proposals in response to a Request for Proposals for potential disposition, through sale or ground lease, and development of Assessor Parcel Numbers 281-182-17 and 281-182-18 to include an affordable senior group housing use.
3. Authorize the Director, Department of General Services, in consultation with the Director, Housing and Community Development Services, to issue a Request for Proposals from pre-qualified entities seeking proposals for potential sale or ground lease and development of Assessor Parcel Numbers 281-182-17 and 281-182-18 for the development of affordable senior group housing.
4. Set a date of March 2, 2021, to receive proposals from prequalified entities at the regularly scheduled meeting of the Board of Supervisors.
5. Adopt a Resolution entitled: RESOLUTION OF INTENTION BY THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TO CONSIDER PROPOSALS FOR THE SALE OR GROUND LEASE AND DEVELOPMENT OF ASSESSOR PARCEL NUMBERS 281-182-17 and 281-182-18 (LOCATED BETWEEN 12TH AND 13TH STREET IN THE UNINCORPORATED COMMUNITY OF RAMONA) pursuant to Government Code section 25515.2.
6. Pursuant to Government Code Section 25515.2, direct the Clerk of the Board of Supervisors to publish the required notice of adoption of the Resolution.

#### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2020-21 Operational Plan in the Health and Human Services Agency (HHSA). If approved, today's recommendations could result in estimated costs and revenue of \$425,000 in Fiscal Year 2020-21 for administrative costs related to procurement and legal review. HHSA will use existing available appropriations funded with 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took the following actions, on Consent:

1. Adopted Resolution No. 20-168 entitled: RESOLUTION OF INTENTION BY THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TO CONSIDER PROPOSALS FOR THE SALE OR GROUND LEASE AND DEVELOPMENT OF ASSESSOR PARCEL NUMBERS 281-182-17 and 281-182-18 (LOCATED BETWEEN 12TH AND 13TH STREET IN THE UNINCORPORATED COMMUNITY OF RAMONA) pursuant to Government Code section 25515.2.

2. Authorized the Director, Department of General Services, in consultation with the Director, Housing and Community Development Services, to request Statements of Qualifications and to select respondents qualified to submit a proposal or proposals in response to a Request for Proposals for potential disposition, through sale or ground lease, and development of Assessor Parcel Numbers 281-182-17 and 281-182-18 to include an affordable senior housing and senior center.
3. Authorized the Director, Department of General Services, in consultation with the Director, Housing and Community Development Services, to issue a Request for Proposals from pre-qualified entities seeking proposals for potential sale or ground lease and development of Assessor Parcel Numbers 281-182-17 and 281-182-18 for the development of affordable senior housing and senior center.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**10. SUBJECT: HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE  
CODE AND BOARD POLICY SUNSET REVIEW 2020  
(DISTRICTS: ALL)**

**OVERVIEW**

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Health and Human Services Agency periodically reviews Board Policies and the County Administrative Code and Regulatory Code to ensure policies reflect current Board standards and practices.

Today's actions seek Board approval to amend and extend sunset review for the following Board Policy and Administrative Codes:

- E-14, Expenditure of Tobacco Settlement Revenue in San Diego County
- Article IIIp, First 5 Commission of San Diego
- Article XV, Health and Human Services Agency
- Article XXIIa, Office of the Public Administrator & Public Guardian

Today's actions also seek approval to extend sunset review dates for the following Board Policies and Administrative Codes:

- K-14, Healthy Choice Options in Vending Machines on County Property
- Article IIIb, County of San Diego In-Home Supportive Services Public Authority
- Article XV-B, Health and Human Services Charges and Fees
- Article XVI, Child Care & Development Planning Council

Additionally, today's actions seek approval to retire Board Policy A-119, Outcome-Based Measures for Health and Human Services Contracts, with pertinent elements to be amended into Board Policy A-81, Procurement of Contract Services to ensure alignment at enterprise level and in support of the Board-approved Enhancing Contracting Opportunities and Accountability Framework.

Today's action supports the County's *Live Well San Diego* vision as these County Administrative Codes and Board Policies provide a framework for a county that is healthy, safe and thriving.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Determine no change is necessary and approve the sunset review date of December 31, 2027 for the following Board of Supervisors Policy:
  - K-14, Healthy Choice Options in Vending Machines on County Property
2. Determine no change is necessary and approve the sunset review date of December 31, 2027 for the following Administrative Codes:
  - Article IIIb, County of San Diego In-Home Supportive Services Public Authority
  - Article XV-B, Health and Human Services Charges and Fees
  - Article XVI, Child Care & Development Planning Council
3. Approve amendments to and the sunset review date of December 31, 2027 for the following Board Policy and Administrative Codes:
  - E-14, Expenditure of Tobacco Settlement of Revenue in San Diego County
  - Article IIIp, First 5 Commission of San Diego
  - Article XV, Health and Human Services Agency
  - Article XXIIa, Office of the Public Administrator & Public Guardian
4. Approve the introduction of the Ordinance (First Reading), read title and waive further reading of the Ordinance entitled:

AN ORDINANCE AMENDING SECTION 84.101 OF ARTICLE IIIp OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE FIRST 5 COMMISSION OF SAN DIEGO, SECTIONS 232.4 AND 233 OF ARTICLE XV RELATING TO THE HEALTH AND HUMAN SERVICES AGENCY, AND SECTIONS 397.1, 397.3, AND 397.5 OF ARTICLE XXIIa RELATING TO THE OFFICE OF THE PUBLIC ADMINISTRATOR AND PUBLIC GUARDIAN IN THE COUNTY OF SAN DIEGO.

If, on October 27, 2020, the Board takes the actions as recommended, then, on November 17, 2020:

5. Submit the Ordinance for further Board consideration and adoption and approve the sunset review date of December 31, 2027 (Second Reading):

AN ORDINANCE AMENDING SECTION 84.101 OF ARTICLE IIIp OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE FIRST 5 COMMISSION OF SAN DIEGO, SECTIONS 232.4 AND 233 OF ARTICLE XV RELATING TO THE HEALTH AND HUMAN SERVICES AGENCY, AND SECTIONS 397.1, 397.3, AND 397.5 OF ARTICLE XXIIa RELATING TO THE OFFICE OF THE PUBLIC ADMINISTRATOR AND PUBLIC GUARDIAN IN THE COUNTY OF SAN DIEGO.

6. Approve the retirement of Board Policy A-119, Outcome-Based Measures for Health and Human Services Contracts upon sunset date of December 31, 2020.

**FISCAL IMPACT**

There is no fiscal impact associated with the recommendations. 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, on Consent, introducing the Ordinance for further Board consideration and adoption on November 17, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**11. SUBJECT: NEIGHBORHOOD REINVESTMENT AND COMMUNITY  
ENHANCEMENT PROGRAM GRANTS (DISTRICT: 1)**

**OVERVIEW**

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

**RECOMMENDATION(S)****CHAIRMAN GREG COX**

1. Allocate \$30,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the Barrio Logan College Institute (BLCI) to fund flooring, security fencing, and painting as part of the BLCI Lead Program Remodel and Renovation.
2. Allocate \$9,175 from the Neighborhood Reinvestment Program budget (Org 15650) to The Bonita Historical Society to fund various facility improvements, including new audio/visual equipment, fireproof storage for museum collection/history archives, office fixtures, such as a file cabinet and soundproofing of the office wall, and new air conditioning supply duct.
3. Allocate \$70,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the Living Coast Discovery Center to acquire a new cargo van to transport animals for vet visits, animal food, supplies and equipment, and new signage.
4. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15650) to Write Out Loud to fund books for the *Read Imagine Create* program which involves reading and literature workshops.
5. Allocate \$53,624 from the Neighborhood Reinvestment Program budget (Org 15650) to the Boys & Girls Club of Greater San Diego to fund the replacement of the roof of the pool building at the William J. Oakes Branch.
6. Allocate \$26,127 from the Neighborhood Reinvestment Program budget (Org 15650) to the Ronald McDonald House Charities of San Diego, Inc. to fund new vinyl flooring.

7. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to the Department of Parks and Recreation (Org 52806) to purchase and install an electric security gate at the Otay Lakes Campground.
8. Transfer appropriations of \$15,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to County Department of Parks and Recreation (Org 52806), Services and Supplies, to purchase and install an electric security gate at the Otay Lakes Campground.
9. Allocate \$60,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to the Department of Parks and Recreation (Org 52806) to purchase rental camping equipment, including tents, sleeping bags, bikes, lanterns, and a storage container for the Tijuana River Valley Regional Park Campground.
10. Transfer appropriations of \$60,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to County Department of Parks and Recreation (Org 52806), Services and Supplies, to purchase rental camping equipment, including tents, sleeping bags, bikes, lanterns, and a storage container for the Tijuana River Valley Regional Park Campground.
11. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to the Department of Parks and Recreation (Org 52806) to purchase a security access gate for Spooners Mesa at the Tijuana River Valley Regional Park Campground.
12. Transfer appropriations of \$20,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to County Department of Parks and Recreation (Org 52806), Services and Supplies, to purchase a security access gate for Spooners Mesa at the Tijuana River Valley Regional Park Campground.
13. Award Community Enhancement Program grants to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A.
14. Find that the grant awards described above and in Attachment A each have a public purpose.
15. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment Program and Community Enhancement Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
16. Find that the grants identified in Recommendation Nos. 1, 2, 5, 6, 7, and 11 above and Item No. 7 in Attachment A are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.



**FISCAL IMPACT**

The fiscal impact of these recommendations is \$293,926 from the Neighborhood Reinvestment Program budget (Org 15650) and \$80,000 from the Community Enhancement Program budget (Org 12900) totaling \$373,926. Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the Neighborhood Reinvestment Program (Org 15650) 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**12. SUBJECT: MAINTAINING BUSINESS STABILITY DURING THE COVID-19 CRISIS (DISTRICTS: ALL)**

**OVERVIEW**

As a result of the COVID-19 health crisis and the Executive Orders from Governor Newsom to stay at home, the Board of Supervisors (Board) approved Vice-Chairman Jim Desmond's and Supervisor Kristin Gaspar's recommendation on March 24, 2020 (22) to provide food facilities a six-month payment deferral of annual health permit fees, plan check fees, and late fees. Additionally, the Board approved a recommendation directing the Chief Administrative Officer to analyze County requirements that may inhibit businesses from swiftly reopening once the health order is lifted and provide a report back to the Board. The deferral period for these restaurant fees expired on August 31, 2020.

On April 24, 2020, a memo titled, "County of San Diego Requirements That May Inhibit Businesses Impacted by the Coronavirus Global Emergency from Swiftly Reopening Once the Public Health Order is Lifted" (memo) was issued by Sarah E. Aghassi, Deputy Chief Administrative Officer of the Land Use and Environment Group outlining potential solutions to aid businesses and the local economy affected by the COVID-19 health crisis emergency. Potential solutions include permit and inspection fee waivers and deferrals, lease payment deferrals, ordinance amendments, new programs, and extended services. On May 5, 2020 (16, AP1), the Board took unanimous action to implement specific options described in the memo, including the deferral of payment or waiver of payment for certain fees.

The deferral and waiver period for the selected fees expired on September 30, 2020 or will expire on October 31, 2020 or December 30, 2020, depending on the fee. To ensure local businesses can survive the loss of revenue associated with the COVID-19 health emergency and are positioned to recover quickly once the health order is lifted, today's action will extend fee waivers, fee deferrals, lease payment deferrals and continue business assistance programs.

## **RECOMMENDATIONS**

### **VICE-CHAIRMAN JIM DESMOND AND SUPERVISOR KRISTIN GASPAR**

#### ***Acting as the Board of Supervisors (Recommendations 1-6)***

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378(b)(5) of the State CEQA Guidelines.
2. Direct the Chief Administrative Officer (CAO) to take the necessary steps to extend the deferral of annual health permit fees, plan check fees, and late fees for restaurants and food facilities as implemented in the March 22, 2020 (24) Board Letter through March 31, 2021.
3. Direct the CAO to take the necessary steps to extend, as described below, the following selection of options as itemized in the May 5, 2020 (16) Board Letter:

#### **Business Processes Streamlining, Changes or Waivers**

- a) Stay Limited Enforcement of Zoning Ordinance for Impacted Businesses
  - i. Add criteria for restaurants and similar businesses to use parking areas as customer dining/seating
  - ii. Add criteria for curbside pick up for dining establishments

A continuation of the below fee waiver programs until the funding allocated by the action on May 5, 2020 is depleted.

- b) Waiver Building Permit and Plan Check Fees for Remodels
- c) Waiver of Centerline Ordinance Review Costs
  - i. For ministerial permit types only

#### **Deferral of Fees and/or Permits**

An extension to March 31, 2021 of the deferral period directed by the Board on May 5, 2020 (16) for the below selected fees. The repayment period shall begin on April 1, 2021 and shall otherwise remain the same as earlier directed by the Board.

- a) AWM Agricultural Export Certification Fees
- b) AWM Hazardous Material Permit Fees for Agricultural Operations
- c) AWM Direct Marketing Fees
- d) AWM Price Verification and Weights & Measures Devices Registration Fees
- e) DEH Annual Permit Fees for Body Art, Massage, and Camp Inspections
- f) DEH Swimming Pool Permit Fees
- g) DEH Hazardous Materials Facility Permit Fees
- h) DEH Small Drinking Water Systems Permit and Plan Check Fees
- i) DAS Kennel Application Fee
- j) Fire Authority Fire Safety Site Plans and Special Events

#### **Lease Agreements**

An extension to March 31, 2021 of the rent-deferral period and moratorium on evictions directed by the Board on April 7, 2020 (4) for renters of County-owned commercial or residential property in the incorporated and unincorporated areas. The repayment period shall begin on April 1, 2021 and shall otherwise remain the same as earlier directed by the Board.

4. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE CONTINUED WAIVER OF FEES FOR BUILDING PERMITS AND PLAN CHECK SERVICES (Attachment A).
5. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for services provided under fees.
6. For the additional six-month deferral of fees, permits and lease agreements, if the deferrals are not recouped and the costs of the activities are determined to be eligible for COVID-19 health emergency federal or State funding, this should first be applied as the funding source. If not eligible, the funding source is available prior year General Fund fund balance.

***Acting as the Air Pollution Control Board (Recommendation 7)***

7. Direct the Air Pollution Control Officer to take the necessary steps to extend, as described below, the following selection of options as itemized in the May 5, 2020 (16, AP1) Board Letter.

**Deferral of Fees and/or Permits**

An extension to March 31, 2021 of the deferral period directed by the Board on May 5, 2020 (16) for the below selected fees. The repayment period shall begin on April 1, 2021 and shall otherwise remain the same as earlier directed by the Board.

- a) APCD Permit Renewal Fees

***Acting as the Board of Supervisors and Air Pollution Control Board (Recommendation 8)***

8. If the costs for Recommendation 6 and 7 are eligible for COVID-19 health emergency federal or State funding, these funds should be used to recoup costs.

**FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year (FY) 2020-21 Operational Plan for Department of Environmental Health (DEH) and Department of Planning & Development Services (PDS). A six-month deferral of fees, permits, and lease agreements would result in delay cash flows of \$21,386,647. If not recouped and no additional funding is provided, service levels would be impacted by 166.53 staff years. A waiver of Board Policy B-29 is requested because of the proposed fee waivers. If the costs of the activities in these recommendations is determined to be eligible for COVID-19 health emergency federal or State funding, this should first be applied as the funding source. If not eligible, the funding source is available prior year General Fund fund balance. There will be no additional staff years.

**BUSINESS IMPACT STATEMENT**

These actions will have a direct positive impact to businesses by waiving and deferring fees, deferring lease payments on County-owned property, and creating a new business assistance program.

(RELATES TO AIR POLLUTION CONTROL BOARD AGENDA NO. AP1)

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-169 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE CONTINUED WAIVER OF FEES FOR BUILDING PERMITS AND PLAN CHECK SERVICES.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**13. 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)**

**VICE-CHAIRMAN JIM DESMOND**

1. Allocate \$15,000 from Neighborhood Reinvestment Program budget (Org 15670) to Armed Services YMCA of the USA dba Armed Services YMCA Camp Pendleton to purchase toys and bicycles to support Camp Pendleton's holiday events.
2. Allocate \$25,000 from Neighborhood Reinvestment Program budget (Org 15670) to Beacons, Inc. to purchase flooring and blinds for a safe environment to support adults with developmental disabilities at 6150 Yarrow Drive, Carlsbad, CA 92009.
3. Allocate \$10,000 from Neighborhood Reinvestment Program budget (Org 15670) to Big Brothers Big Sisters of San Diego County, Inc. to assist with technology cost including computers, monitors, hard drive, printer, paper shredder, software and one-time IT upgrades to help with virtual conferences.
4. Allocate \$5,000 from Neighborhood Reinvestment Program budget (Org 15670) to Boys to Men Mentoring Network for recognition items including trophies for the 100 Wave Challenge event.
5. Allocate \$10,000 from Neighborhood Reinvestment Program budget (Org 15670) to the Burn Institute for a new database system to house program, partner, volunteer and donor's data.
6. Allocate \$9,800 from Neighborhood Reinvestment Program budget (Org 15670) to the Carlsbad Village Association to help with one-time website updates and branded merchandise including products and clothing to promote Carlsbad Village as a destination.
7. Allocate \$150,000 from Neighborhood Reinvestment Program budget (Org 15670) to Casa de Amparo to help with the construction of a Teen Wellness Center for Foster Youth located at 325 Buena Creek Road, San Marcos, CA 92069.

8. Allocate \$19,000 from Neighborhood Reinvestment Program budget (Org 15670) to Christmas Circle Community Park to assist with lining cast iron drain lines and upgrades to the kitchen and restroom located at 700 Palm Canyon Drive, Borrego Springs, CA 92004.
9. Allocate \$20,000 from Neighborhood Reinvestment Program budget (Org 15670) to the Fallbrook Center for the Arts, Inc. to replace a heat pump system and removal of leaking ducting, roof repairs, security camera and monitor installation, energy saving lights, and chairs at 301 E. Alvarado and 103 S. Main Ave, Fallbrook CA 92028
10. Allocate \$36,000 from Neighborhood Reinvestment Program budget (Org 15670) to the Fallbrook Chamber of Commerce to provide trash containers, canopies, signage, portable sinks and marketing materials for the Fallbrook Farmers Market.
11. Allocate \$50,000 from Neighborhood Reinvestment Program budget (Org 15670) to the Fallbrook Historical Society to assist with the repairs and replacement of the museum roof, air conditioner components, parking lot and striping, termite/fungus/dry rot repair and an automated entry gate located at 1730 South Hill Street, Fallbrook, CA 92028.
12. Allocate \$9,085 from Neighborhood Reinvestment Program budget (Org 15670) to the Fallbrook Village Association, Inc. for the purchase and installation of signs, trail barrier with post, chains, and locks located at the Pico Promenade and one-time website upgrade cost to promote safety and revitalization.
13. Allocate \$10,000 from Neighborhood Reinvestment Program budget (Org 15670) to the Hope Clinic for Women to support program cost for a free primary care medical clinic in Fallbrook.
14. Allocate \$4,317 from Neighborhood Reinvestment Program budget (Org 15670) to JBS Transition Experts dba VetCTAP to help with technology cost such as microphone, audio, lighting, printer and external hard drive; volunteer recognition items including t-shirts and personal protective equipment cost to conduct job search training and coaching.
15. Allocate \$20,000 from Neighborhood Reinvestment Program budget (Org 15670) to North County Education Foundation, Inc. dba The Classical Academies to purchase laptop computers for distant learning students.
16. Allocate \$30,000 from Neighborhood Reinvestment Program budget (Org 15670) to the Oceanside Chamber of Commerce to acquire their quarterly journal and letterhead, envelopes, business cards and one-time technology cost including a website, internet, phone, and computer equipment to assist members, residents and visitors.
17. Allocate \$57,000 from the Neighborhood Reinvestment Program budget (Org 15670), Other Charges, to the County of San Diego, Sheriff's Department (Org 39769) for the cost of electronics such as cameras, lighting, video games, consoles, computers, hard drive, memory card, software, batteries, tripod, ID card printer and recording equipment; as well as musical instruments, sporting goods, fitness gear and a room divider. Additionally, capital cost for the purchase and installation of a students' recording booth and accordion wall to support the Sheriff's RESPECT Project.

18. Transfer appropriations of \$57,000 from the Neighborhood Reinvestment Program budget (Org 15670), Other Charges, to the County of San Diego, Sheriff's Department (Org 39769) for the cost of electronics such as cameras, lighting, video games, consoles, computers, hard drive, memory card, software, batteries, tripod, ID card printer and recording equipment; as well as musical instruments, sporting goods, fitness gear and a room divider. Additionally, capital cost for the purchase and installation of a students' recording booth and accordion wall to support the Sheriff's RESPECT Project.
19. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15670) to The San Marcos Promise to help purchase furniture for their Futures Center to improve student-utilization of resources.
20. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15670) to Visit Oceanside, Inc. to assist with furniture, flooring and camera equipment cost located at 928 North Coast Highway, Oceanside, CA 92054.
21. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15670) to the Vista Skatepark Coalition dba North County Celtic Queen Pageant and Scholarship Fund to help purchase supplies such as crowns, sashes and pins, posters, fliers, mailers, programs, orientation materials, and decorations including tableware, dance floor décor, and attendee/entrant takeaway items for events held in Vista and Bonsall.
22. Amend the purpose of the 12/10/19 (18) Neighborhood Reinvestment Program budget (Org 15670) allocation of \$15,613 to North County CERT to include the purchase items such as tire covers, decals, generator batteries, oil and tires; training supplies and personal protective equipment, and mandatory insurance for disaster service workers and vehicles to continue to operate during the pandemic. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
23. Find that the grants have a public purpose.
24. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations 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.
25. Find that the allocations identified in Recommendations Nos. 2, 7, 8, 9, 11, 12, 17 and 20 are exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines.
26. Waive Board Policy B-72 to allow Neighborhood Reinvestment Program funds to be provided to Hope Clinic for Women for program funding for a free primary care medical clinic in Fallbrook, and to North County CERT to pay for insurance.

#### **FISCAL IMPACT**

The fiscal impact of these recommendations is \$520,202. Funds for this request are included in the Fiscal Year 2020-2021 Operational Plan for the Neighborhood Reinvestment Program (Org 15670). The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years. The actions amending grant purposes have no fiscal impact; the total of these recommendations is \$15,613.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

## **14. SUBJECT: NEIGHBORHOOD REINVESTMENT & COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 2)**

### **OVERVIEW**

Funding for the Neighborhood Reinvestment Program (NRP) is included in the Fiscal Year 2020-2021 Operational Plan in order to further public purposes throughout San Diego County.

### **RECOMMENDATION(S)**

#### **SUPERVISOR DIANNE JACOB**

1. Allocate \$50,000 from the District Two Neighborhood Reinvestment Program (org 15655) to Alzheimer's San Diego to fund drug discovery projects and research in support of the Collaboration4Cure program.
2. Allocate \$136,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Descanso Townhall Association to fund electrical rewiring and exterior improvements to the building located at 24536 Viejas Grade Road in Descanso.
3. Allocate \$39,344 from the District Two Neighborhood Reinvestment Program (org 15655) to Steele Canyon High School for the completion of the resurfacing project of the school's track and purchase of visitor grandstands.
4. Allocate \$102,555 from the District Two Neighborhood Reinvestment Program (org 15655) to the Casa de Oro Alliance to fund design concepts, planning, permitting, water and power access on Kenwood Drive. This allocation will also fund the purchase of landscape planter pots; a banner program for streetlights on Campo Rd.; the enhancement of two existing street side plaza areas through the removal and installation of soil, plants, and a new irrigation system; funds for media, newsletters and post-project surveys.
5. Allocate \$59,874 from the District Two Neighborhood Reinvestment Program (org 15655) to the Grossmont-Mt. Helix Improvement Association for a Gateway Monument Sign Project located at the Northwest corner of Fuerte and Avocado in the Mt. Helix community.
6. Allocate \$20,862 from the District Two Neighborhood Reinvestment Program (org 15655) to Grossmont Union High School District for the completion of a softball field improvement project at Granite Hills High School.

7. Allocate \$6,150 from the District Two Neighborhood Reinvestment Program (org 15655) to the Greater Alpine Fire Safe Council for four evacuation trail head signs, route signage and informational mail pieces to local residents.
8. Allocate \$20,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the East County Amateur Softball Association, Inc. for softball field improvements.
9. Allocate \$73,409 from the District Two Neighborhood Reinvestment Program (org 15655) to the Cajon Valley Union School District for outdoor fitness equipment at Montgomery Middle School.
10. Allocate \$21,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Boys & Girls Clubs of East County, Inc. for the completion of a roof replacement project at the Conrad Prebys Clubhouse.
11. Allocate \$135,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Grossmont Union High School District for the replacement of the school's stadium light system at Helix Charter High School.
12. Allocate \$48,236 from the District Two Neighborhood Reinvestment Program (org 15655) to the Cajon Valley Union School District for the purchase and installation of new playground equipment at the Chase Avenue Elementary School.
13. Allocate \$63,500 from the District Two Neighborhood Reinvestment Program (org 15655) to the Grossmont Union High School District Mount Miguel High School for the replacement of field scoreboards on the main field, softball field and baseball field at Mount Miguel High School.
14. Allocate \$12,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the non-profit organization, Helping Our Way (HOW), for the establishment and development of gardens and orchards in Lakeside schools.
15. Rescind the June 25, 2019(17) allocation of \$3,500 from the Community Enhancement budget (org 12900) to the Poway Performing Arts Company for reallocation to other Community Enhancement projects.
16. Find that the grant awards described above have a public purpose.
17. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment Program funds establishing terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
18. Find that the grant identified in Recommendation Nos. 2-14 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.



19. Waive Board Policy B-72 to allow for the award of grant funds to Casa de Oro Alliance for community surveys and to Alzheimer's San Diego to support research projects associated with the Collaboration4Cure program.

**FISCAL IMPACT**

The fiscal impact of these recommendations is \$787,930. Funds for these requests are included in the Fiscal Year 2019-2020 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). The funding source is General Purpose Revenue. These actions will result in the addition of no new staff years and no additional costs.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**15. SUBJECT: COMMUNITY ENHANCEMENT PROGRAM GRANTS  
(DISTRICT: 2)**

**OVERVIEW**

The Community Enhancement Program provides grant funds to cultural activities, job creation, museums, visitor and convention bureaus, economic development councils, other similar institutions/organizations, including County programs and projects, which promote and generate tourism, economic development and/or a better quality of life both at the regional and community levels throughout San Diego County.

**RECOMMENDATION(S)**

**SUPERVISOR DIANNE JACOB**

1. Award Community Enhancement Program grants to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A.
2. Waive Board Policy B-58, as indicated in Attachment B with respect to the County's contribution not exceeding fifty percent (50%) of the recipient's fiscal year operating budget.
3. Find that the grant awards described in Attachment A each have a public purpose.
4. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Community Enhancement Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.

5. Find that the proposed allocations identified in Attachment A as Recommendation Nos. 3, 4, 19, 20, 22, 24, 26, 27, 28, 31, 38, 39, 40, 41, 42, 43, and 49 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

#### **FISCAL IMPACT**

The fiscal impact of these recommendations is \$1,181,685. Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the Community Enhancement Program (Org 12900). The funding source is Transient Occupancy Tax Revenue. These actions will result in the addition of no staff years and no additional costs.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

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

#### **OVERVIEW:**

Neighborhood Reinvestment Program funding assists non-profit organizations and governmental entities in providing essential services to citizens of San Diego County. Reinvesting taxpayer money in worthwhile organizations is a benefit to the citizens and communities of San Diego County.

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

##### **SUPERVISOR KRISTIN GASPAR**

1. Allocate \$80,000 from the Neighborhood Reinvestment Program budget (Org 15660) to La Costa Canyon High School Foundation, Inc. to offset construction costs to expand and enhance the La Costa Canyon High School Theatre "Black Box Theatre" located at One Maverick Way, Carlsbad, CA 92009, that will be utilized as a secondary indoor performance space for smaller scale and student-lead productions as well as theatre-in-the-round.
2. Allocate \$67,449 from the Neighborhood Reinvestment Program budget (Org 15660) to the Boys & Girls Clubs of Greater San Diego to fund the pool re-plaster and pool repair at their Baker Family Branch located at 835 W 15th Avenue, Escondido, CA 92025.
3. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Casa De Amparo to offset construction costs to develop a Teen Wellness Center for Foster Youth (TWC) at their Casa Kids campus located at 325 Buena Creek Road, San Marcos, CA 92069.

4. Allocate \$16,000 from the Neighborhood Reinvestment Program budget (Org 15660) to the Encinitas Chamber of Commerce to purchase and install waterproof flooring and paint the repair due to water damage caused by flooding.
5. Allocate \$37,500 from the Neighborhood Reinvestment Program budget (15660) to Refuge for Women, Inc. to cover construction costs to renovate a recovery home for sex trafficking survivors at a confidential address in Escondido.
6. Allocate \$15,676.40 from the Neighborhood Reinvestment Program budget (15660) to the Ronald McDonald House Charity San Diego to fund replacement flooring at their Ronald McDonald House located at 2929 Children's Way, San Diego, CA 92123.
7. Allocate \$64,272 from the Neighborhood Reinvestment Program budget (15660) to United Way of San Diego County to fund the purchase of HVAC units, electrical transformer removal, subpanel reroute, audiovisual equipment, conference room tables, and IT server backups.
8. Find that the grant awards described above have a public purpose.
9. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute a grant agreement with the organization awarded Neighborhood Reinvestment funds establishing terms for receipt of the funds and to make minor amendments to the agreement that are consistent with the general purpose of the grant but do not increase the grant.
10. Find that the proposed grants are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

#### **FISCAL IMPACT**

The fiscal impact of this recommendation is \$305,897.40. Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the Neighborhood Reinvestment Program (Org 15660). The funding source is General Purpose Revenue. 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, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**17. SUBJECT: NEIGHBORHOOD REINVESTMENT AND COMMUNITY  
ENHANCEMENT PROGRAM GRANTS (DISTRICT: 4)**

**OVERVIEW**

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

**RECOMMENDATION(S)  
SUPERVISOR NATHAN FLETCHER**

1. Allocate \$10,000 from the Neighborhood Reinvestment Program budget (Org 15665) to San Diego Second Chance Program for renovations at 5091 Alumni Place in San Diego, CA 92115 to make essential repairs such as installing hard surface flooring, gutters, and lighting and removing popcorn ceiling and repairing decks and railings due to COVID-19 to include improvements benefiting cleanliness and air quality while also mitigating the risk of bed bug infestations and providing a more attractive home for residents during their recovery.
2. Allocate \$29,000 from the Neighborhood Reinvestment Program budget (Org 15665) to The Neighborhood House Association to fund the purchase of a meal delivery truck to support the transportation of healthy meals to children and seniors.
3. Allocate \$24,452 from the Neighborhood Reinvestment Program budget (Org 15665) to United Way San Diego County to fund the installation of an HVAC Filtration (Bipolar Ionization) system to provide safer air circulation for United Way staff, tenants, clients, and visitors during and post-COVID-19 and to fund the purchase of an Electric Pallet Jack for United Way's Unions United program which provides emergency assistance to union and non-union members, including food from their food pantry.
4. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Just in Time for Foster Youth (JIT) to fund technology updates needed due to COVID-19 that will facilitate both remote gatherings and communication between JIT's three locations, participants, volunteers, and stakeholders. These include tools for participants, such as laptops, WIFI, headphones, and small workspace set-ups, as well as a video conferencing system to be installed at three locations - North County (302 N. Indiana Ave. Vista, CA 92084), the Mission Valley Hub, and the Mini Hub (both located at 4560 Alvarado Canyon Rd., Ste. 2G & 2B, San Diego, CA 92120).
5. Allocate \$20,000 from the Community Enhancement Program budget (Org 12900) to Outdoor Outreach to support their Youth Summer Adventures Camp Program, San Diego County Parks Explorers Program, and Military Program by providing for transportation costs and food, equipment, and supplies, and paying instructor wages which will provide opportunities for those communities to explore the outdoors and decrease mental and behavioral health risks during the COVID-19 pandemic.
6. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to Lambda Archives of San Diego to fund a shift to virtual programming due to COVID-19 including creating a virtual version of their walking tour, a 360-degree tour of their physical location, and a virtual version of LGBTQ+ History Month events and oral history projects.

7. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to San Diego County Bicycle Coalition to fund their Community and High School Physical Education Program bicycle scavenger hunts.
8. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Pacific Arts Movement to support costs to produce the 21st San Diego Asian Film Festival including virtual program costs, film licensing, and marketing.
9. Allocate \$25,000 from the Community Enhancement Program budget (Org 12900) to Alzheimer's San Diego to support costs incurred by their personalized one-on-one support, dementia support and discussion groups, counseling services, and their Date with a Cure Forum.
10. Allocate \$4,000 from the Community Enhancement Program budget (Org 12900) to Coastal Roots Farm to support their Organic Food Distribution Program. Funding will support added supply & transportation costs needed to grow and safely deliver fresh food to community members in need throughout the County.
11. Find that the grant awards described above have a public purpose.
12. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to existing agreements with the organizations awarded Neighborhood Reinvestment Program funds and Community Enhancement Program funds 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 grant.
13. Find that the proposed allocations in Recommendation Nos. 1, 3, and 4 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

#### **FISCAL IMPACT**

The fiscal impact of these recommendations is \$69,000 from the Community Enhancement Program budget (Org 12900) and \$88,452 from the Neighborhood Reinvestment Program budget (Org 15665) totaling \$157,452. Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the Neighborhood Reinvestment Program (Org 15665) and Community Enhancement Program (Org 12900). The funding sources are 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**18. SUBJECT: CITIZENS' LAW ENFORCEMENT REVIEW BOARD ORDINANCE  
AND RULES UPDATE (DISTRICTS: ALL)**

**OVERVIEW**

San Diego County voters established the Citizens' Law Enforcement Review Board (CLERB) in 1990 to provide independent investigation and oversight of the Sheriff and Probation Departments. CLERB is composed of eleven volunteer board members nominated by the County's Chief Administrative Officer and appointed by the Board of Supervisors. In addition to the volunteer board members, eight County employees support CLERB: an executive officer, one senior investigator, five investigators and an administrative professional. CLERB has the power to subpoena witnesses and evidence for use in its investigations and employs its own independent investigators. CLERB provides an annual report, which summarizes the cases investigated, the policy recommendations made and tracking of the types of complaints received.

The County Charter directs CLERB to receive, review and investigate a wide variety of complaints regarding the conduct of peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department. CLERB is only authorized to review these actions if there has been a complaint submitted by a member of the public. CLERB also has the authority to review all deaths that occur in custody or in connection with the actions of peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department, regardless of whether a complaint has been filed. The Board of Supervisors may direct CLERB to undertake additional duties, by ordinance.

On June 23, 2020 (28), the Board of Supervisors ("Board") approved a series of actions to increase independence and strengthen oversight of CLERB. One of the actions was to direct staff to return to the Board with an ordinance amending Sec. 340.9 of the Code of Administrative Ordinances to reflect additions to CLERB's oversight role, including the authority to investigate the following without the need for a citizen complaint:

- a. incidents involving the discharge of a firearm by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department;
- b. the use of force by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department resulting in great bodily injury; and
- c. the use of force by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department at protests or other events protected by the First Amendment.

Today's action is for the Board to approve an ordinance amending Sec. 340.9 of the Code of Administrative Ordinances and the amendment of CLERB's Rules and Regulations to reflect additions to CLERB's oversight role.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Approve the introduction of the Ordinance (First Reading), read title and waive further reading of the Ordinance entitled:  
AN ORDINANCE AMENDING SECTION 340.9 OF THE SAN DIEGO COUNTY  
CODE OF ADMINISTRATIVE ORDINANCES PERTAINING TO THE DUTIES OF  
THE CITIZENS' LAW ENFORCEMENT REVIEW BOARD

2. Approve the amendment of CLERB's Rules and Regulations as set forth in Attachment C.
3. If on October 27, 2020, the Board takes action as recommended in item 1 then, on November 17, 2020:

Submit the ordinance for further Board consideration and adoption (second reading).

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**19. SUBJECT: REGISTRAR OF VOTERS - APPOINTMENTS TO DISTRICT AND COMMUNITY PLANNING AREA BOARDS (DISTRICTS: ALL)**

**OVERVIEW**

District and Community Planning Area elections are consolidated with the November 3, 2020 Presidential General Election. When the number of candidates for office in a district or planning group does not exceed the number of positions to be filled, State law (Elections Code Section 10515), Board of Supervisors Policies 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 I-1 (Planning and Sponsor Group Policies and Procedures) require the Board of Supervisors to appoint the persons who have been nominated for these offices in lieu of conducting an election. When there are fewer candidates than the number of positions available, the Board also has the responsibility to fill the vacancies by appointing individuals who are nominated by the Supervisors of the applicable districts.

Today's action requests the Board to appoint nominees to designated positions and to accept the list of remaining vacancies requiring appointments per Elections Code Section 10515.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Appoint the nominees to designated positions in the specific Districts and Community Planning Areas in which the number of candidates equals the number of positions to be filled.

2. Appoint the nominees to designated positions in which there are fewer candidates for the number of positions to be filled in the specific Districts and Community Planning Areas; accept the list of vacancies requiring appointment; and direct the Clerk of the Board to post the vacancy listings and notify the Districts and the Community Planning Areas of these vacancies.

**FISCAL IMPACT**

There is no fiscal impact associated with this request. 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**20. SUBJECT: NATIONAL ELEMENTARY SCHOOL DISTRICT 2020 GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES A (DISTRICT: 1)**

**OVERVIEW**

A bond election was held in the National Elementary School District, County of San Diego, California ("District") on November 8, 2016 pursuant to Section 15100 et seq. of the Education Code of the State of California, at which at least 55% of voters casting ballots authorized the issuance of bonds of the District in the maximum aggregate principal amount of \$30 million ("2016 Authorization").

On October 14, 2020, the District Board adopted a resolution ("District Resolution") authorizing the issuance of one or more series of general obligation bonds under 2016 Authorization in an aggregate principal amount not-to-exceed \$3,000,000 and to be designated "National Elementary School District 2020 (San Diego County, California) General Obligation Bonds, Election of 2016, Series A" ("Series A GO Bonds").

Today's recommendation requests adoption of a resolution for issuance of the Series A GO Bonds.

The resolution includes: authorizing the District to issue and sell Series A GO bonds, designating the Treasurer-Tax Collector of San Diego as the Paying Agent, executing a Paying Agent and Investment Management Agreement and directing the Auditor and Controller to maintain the tax roll for the Series A GO Bonds.



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

Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE NATIONAL ELEMENTARY SCHOOL DISTRICT TO ISSUE AND SELL THE BOND, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BOND

**FISCAL IMPACT**

The Series A GO Bonds will be general obligations of the National Elementary 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-170 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AUTHORIZING THE NATIONAL ELEMENTARY SCHOOL DISTRICT TO ISSUE AND SELL THE BOND, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT AGREEMENT AND INVESTMENT MANAGEMENT AGREEMENT, DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BOND.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

21. **SUBJECT: GENERAL SERVICES - APPROVAL OF SECOND AMENDMENT TO LEASE AGREEMENT FOR THE HEALTH AND HUMAN SERVICES AGENCY AT 4990 VIEWRIDGE, SAN DIEGO (DISTRICT: 4)**

**OVERVIEW**

The Health and Human Services Agency (HHSA) has occupied the second and third floors of the building located at 4990 Viewridge Avenue in San Diego since 1995. This location currently houses HHSA's Eligibility Data Processing Center, which is anticipated to relocate to another leased facility in Summer 2021. The current lease expires on October 31, 2020.

Staff from the Department of General Services has negotiated a lease amendment with the lessor, 4990 Viewridge LLC, that would extend the term of the lease through July 31, 2021. The extended term will allow time to relocate the Eligibility Data Processing Center. Today's request is for Board approval of the second amendment to lease agreement.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA guidelines section 15301.
2. Approve and authorize the Director, Department of General Services, to execute this second amendment to lease agreement for space located at 4990 Viewridge Avenue, San Diego.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2020-2021 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs and revenue of \$535,016 for Fiscal Year 2020-2021. The funding sources are Social Services Administrative Revenues and 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

22. **SUBJECT: APPROVAL OF THE DELIVERY OF AND RELATED FINANCING DOCUMENTS FOR THE REFUNDING CERTIFICATES OF PARTICIPATION FOR THE COUNTY ADMINISTRATION CENTER WATERFRONT PARK, SERIES 2020A, AND THE CEDAR AND KETTNER DEVELOPMENT, SERIES 2020B (DISTRICTS: ALL)**

### **OVERVIEW**

Pursuant to Board Policy B-65, Long-Term Obligations and Financial Management Policy, the County continually reviews its outstanding long-term financial obligations and seeks opportunities to refinance these obligations when economically advantageous pursuant to the Refunding Policy of the County Debt Advisory Committee. Current market conditions have created an opportunity to lower annual lease payments related to the County of San Diego Certificates of Participation for the 2011 County Administration Center ("CAC") Waterfront Park (the "Series 2011 Certificates") and the 2012 Cedar & Kettner Development (the "Series 2012 Certificates"), original par amounts of \$32.7 million and \$29.3 million, respectively. Currently, approximately \$27.5 million of the Series 2011 Certificates and approximately \$24.9 million of the "Series 2012 Certificates are outstanding.

Today's recommendations will direct County staff to refund the outstanding Series 2011 Certificates through the delivery of the Refunding Certificates of Participation, Series 2020A (the "2020A Refunding COPs") on a tax-exempt "current refunding" basis and to refund the outstanding Series 2012 Certificates through the delivery of the Refunding Certificates of Participation, Series 2020B (the "2020B Refunding COPs") on a federally taxable "advance refunding" basis, so long as market conditions allow for each refunding to separately meet its

respective savings requirements under the County's Refunding Policy. Together, the 2020A Refunding COPs and the 2020B Refunding COPs are the "2020 Refunding COPs". The County's Refunding Policy states that: 1) A tax-exempt current refunding should achieve a minimum net present value ("NPV") savings target of 3% of Refunded Par and a taxable advance refunding should achieve a minimum NPV savings target of 5% of Refunded Par; 2) minimum NPV savings of \$1 million; and 3) annual cash flow savings of at least \$100,000. Today's recommendations will also approve the forms of the documents necessary to execute the refundings.

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

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

Adopt the Resolution entitled:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF ONE OR MORE FORMS OF A SITE LEASE, FACILITY LEASE AND TRUST AGREEMENT, APPROVING THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2020A (TAX-EXEMPT) (COUNTY ADMINISTRATION CENTER WATERFRONT PARK) AND COUNTY OF SAN DIEGO REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2020B (FEDERALLY TAXABLE) (CEDAR AND KETTNER DEVELOPMENT), AND APPROVING THE EXECUTION AND DELIVERY OF CERTAIN ADDITIONAL DOCUMENTS RELATING THERETO**

#### **FISCAL IMPACT**

##### **2011 CAC Waterfront Park Refunding (Tax-Exempt)**

If approved, the 2020A Refunding COPs will result in budgetary savings to benefit the General Fund. The effective interest rate on the outstanding 2011 Certificates is 5.03% and based on current market conditions the expected interest rate after the refunding is 2.02%. It is anticipated that over the life of the refunding, approximately \$8.4 million of net present value savings will be generated, which is 30.5% of the outstanding principal to be refunded. Annual cash flow savings would be approximately \$626,000.

##### **2012 Cedar and Kettner Development Refunding (Taxable)**

If approved, the 2020B Refunding COPs will result in budgetary savings to benefit the General Fund. The effective interest rate on the outstanding 2012 Certificates is 3.65% and based on current market conditions the expected interest rate after the refunding is 2.52%. It is anticipated that over the life of the refunding, approximately \$1.6 million of net present value savings will be generated, which is 6.4% of the outstanding principal to be refunded. Annual cash flow savings would be approximately \$209,000.

If approved, based on current market conditions, the proposed refundings (on a combined basis), are estimated to result in savings in principal and interest payments of approximately \$835,000 annually beginning in fiscal year 2022, which equates to \$17.5 million in total cash flow savings over the remaining term of the outstanding Series 2011 Certificates and Series 2012 Certificates and \$9.99 million of present value savings (19.1% of refunded par). The 2020A Refunding COPs and the 2020B Refunding COPs would each reach final maturity in Fiscal Year 2041, one year earlier than original maturity. The actual amount of savings will be determined based on interest rates at the time of sale of each series of the Refunding

COPs. The 2020A Refunding COPs and the 2020B Refunding COPs will be awarded separately to the purchaser presenting the lowest interest rate in accordance with the Notice Inviting Bids for that series of Refunding COPs, as of the time of sale.

The Resolution authorizes a not to exceed amount for the 2020A Refunding COPs of \$23,400,000 and authorizes a not to exceed amount for the 2020B Refunding COPs of \$25,000,000. Pursuant to SB 450, a good faith estimate of the finance charge of the 2020A Refunding COPs and the 2020B Refunding COPs which includes the costs of issuance (rating agencies, special counsel, disclosure counsel, municipal advisor, title insurance, etc.) and underwriter's discount is \$514,000. If approved, the County will only complete the execution and delivery of those Refunding COPs that meet the requirements of the County's Refunding Policy. The sale and delivery of the 2020A Refunding COPs is not a condition of the sale and delivery of the 2020B Refunding COPs, and vice versa, and each Series of 2020 Refunding COPs will have its own bid award and conditions for delivery.

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

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended, adopting Resolution No. 20-171 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO PROVIDING FOR THE EXECUTION AND DELIVERY OF ONE OR MORE FORMS OF A SITE LEASE, FACILITY LEASE AND TRUST AGREEMENT, APPROVING THE EXECUTION AND DELIVERY OF COUNTY OF SAN DIEGO REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2020A (TAX-EXEMPT) (COUNTY ADMINISTRATION CENTER WATERFRONT PARK) AND COUNTY OF SAN DIEGO REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2020B (FEDERALLY TAXABLE) (CEDAR AND KETTNER DEVELOPMENT), AND APPROVING THE EXECUTION AND DELIVERY OF CERTAIN ADDITIONAL DOCUMENTS RELATING THERETO.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

#### **23. SUBJECT: 2021 LEGISLATIVE PROGRAM (DISTRICTS: ALL)**

##### **OVERVIEW**

In accordance with Board of Supervisors Policy, each year the San Diego County Board of Supervisors adopts a Legislative Program containing statements and guidance that allows the County, through the Office of Strategy and Intergovernmental Affairs, to take positions and advocate quickly in response to state and federal legislation that impacts the County. The Legislative Program contains a legislative sponsorship platform, state and federal legislative priorities, and policy guidelines for the upcoming calendar year.

Today's action is a request for approval of the 2021 Legislative Program which provides direction to the Office of Strategy and Intergovernmental Affairs staff and the County of San Diego's Sacramento and Washington, D.C. representatives.

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

Adopt the proposed 2021 Legislative Program by taking the following actions:

1. Authorize staff to seek the legislative proposals summarized in the Sponsorship section of the 2021 Legislative Program (Attachment A).
2. Authorize staff to pursue and respond to state and federal legislative efforts as detailed in the Priority Issues section of the 2021 Legislative Program (Attachment B).
3. Authorize staff to advocate as directed in the Policy Guidelines section of the 2021 Legislative Program (Attachment C).

**FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. No additional staff years are required.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Desmond

NOES: Fletcher

**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.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**25. 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," and Board Policy I-1, "Planning and Sponsor Group Policies and Procedures."

**RECOMMENDATION(S)**

**VICE-CHAIRMAN JIM DESMOND**

Appoint Christian Sloane to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 28, for a term to expire October 27, 2024.

Re-appoint Mike Appleman to the PALOMAR MOUNTAIN COMMUNITY SPONSOR GROUP, Seat No. 1, for a term to begin January 4, 2021 and expire January 6, 2025.

Re-appoint Robert Bruce Carlyle to the PALOMAR MOUNTAIN COMMUNITY SPONSOR GROUP, Seat No. 3, for a term to begin January 4, 2021 and expire January 6, 2025

Re-appoint William M. Leininger to the PALOMAR MOUNTAIN COMMUNITY SPONSOR GROUP, Seat No. 5, for a term to begin January 4, 2021 and expire January 6, 2025

Re-appoint Curtis Bergman to the PALOMAR MOUNTAIN COMMUNITY SPONSOR GROUP, Seat No. 7, for a term to begin January 4, 2021 and expire January 6, 2025

**SUPERVISOR DIANNE JACOB**

Appoint Paul Johnson to the LAKESIDE DESIGN REVIEW BOARD, Seat No. 5, for a term to expire October 27, 2022.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**26. SUBJECT: SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM GRANTS (DISTRICT: 1)**

**OVERVIEW**

The San Diego County Small Business Stimulus Program provides grant funds to provide financial assistance to eligible, qualified small businesses and nonprofit entities to be used towards supporting public health and response activities associated with the COVID-19 pandemic.

**RECOMMENDATION(S)  
CHAIRMAN GREG COX**

1. Subject to determination of eligibility, award San Diego County Small Business Stimulus Program grants to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A.
2. Find that the grant awards described in Attachment A each have a public purpose.
3. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
4. Find that the proposed allocations identified in Attachment A are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

**FISCAL IMPACT**

The fiscal impact of these recommendations is \$1,400,000. Funds for these requests are included in the Fiscal Year 2020-21 operating budget for the San Diego County Small Business Stimulus Program (Org 31590). The funding source is the federal CARES Act Coronavirus Relief Fund. These actions will result in the addition of no staff years and no additional costs.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**27. SUBJECT: SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM GRANTS (DISTRICT: 2)**

**OVERVIEW**

The San Diego County Small Business Stimulus Program provides grant funds to provide financial assistance to eligible, qualified small businesses and nonprofit entities to be used towards supporting public health and response activities associated with the COVID-19 pandemic.

**RECOMMENDATION(S)**

**SUPERVISOR JACOB**

1. Subject to determination of eligibility, award San Diego County Small Business Stimulus Program grants to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A.
2. Find that the grant awards described in Attachment A each have a public purpose.
3. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
4. Find that the proposed allocations identified in Attachment A are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

**FISCAL IMPACT**

The fiscal impact of these recommendations is \$1,400,000. Funds for these requests are included in the Fiscal Year 2020-21 operating budget for the San Diego County Small Business Stimulus Program (Org 31590). The funding source is the federal CARES Act Coronavirus Relief Fund. These actions will result in the addition of no staff years and no additional costs.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond



**28. SUBJECT: SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM GRANTS (DISTRICT: 4)**

**OVERVIEW**

The San Diego County Small Business Stimulus Program provides grant funds to provide financial assistance to eligible, qualified small businesses and nonprofit entities to be used towards supporting public health and response activities associated with the COVID-19 pandemic.

**RECOMMENDATION(S)**

**SUPERVISOR NATHAN FLETCHER**

1. Subject to determination of eligibility, award San Diego County Small Business Stimulus Program grants to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A.
2. Find that the grant awards described in Attachment A each have a public purpose.
3. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
4. Find that the proposed allocations identified in Attachment A and Attachment B are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

**FISCAL IMPACT**

The fiscal impact of these recommendations is \$1,418,600. Funds for these requests are included in the Fiscal Year 2020-21 operating budget for the San Diego County Small Business Stimulus Program (Org 31590). The funding source is the federal CARES Act Coronavirus Relief Fund. These actions will result in the addition of no staff years and no additional costs.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

**AYES:** Cox, Jacob, Gaspar, Fletcher, Desmond

**29. SUBJECT: SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM GRANTS (DISTRICT: 5)**

**OVERVIEW**

The San Diego County Small Business Stimulus Program provides grant funds to provide financial assistance to eligible, qualified small businesses and nonprofit entities to be used towards supporting public health and response activities associated with the COVID-19 pandemic.

**RECOMMENDATION(S)**

**VICE-CHAIRMAN JIM DESMOND**

1. Subject to determination of eligibility, award San Diego County Small Business Stimulus Program grants to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A.
2. Find that the grant awards described in Attachment A each have a public purpose.
3. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
4. Find that the proposed allocations identified in Attachment A are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

**FISCAL IMPACT**

The fiscal impact of these recommendations is \$1,400,000. Funds for these requests are included in the Fiscal Year 2020-21 operating budget for the San Diego County Small Business Stimulus Program (Org 31590). The funding source is the federal CARES Act Coronavirus Relief Fund. These actions will result in the addition of no staff years and no additional costs.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**30. SUBJECT: GENERAL SERVICES - CONTINUATION OF EMERGENCY REPAIRS AT THE HEALTH AND HUMAN SERVICES AGENCY HEALTH SERVICES COMPLEX, 3851 ROSECRANS STREET (DISTRICT: 4)**

**OVERVIEW**

On September 25, 2020 both chillers at the Health and Human Services Agency (HHSA) Health Services Complex (HSC), located at 3851 Rosecrans Street, San Diego experienced a failure causing them to operate at fifty percent capacity. The failures have caused chiller temperatures to rise upwards of 66 degrees and fluctuate with outside weather temperatures. Such temperatures affect the cooling and the ability to maintain Indoor Air Quality (IAQ) in accordance with American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRE) Standards 55 and 62.1. Unmitigated, this can have a potential impact to the core functions of public health services at this location, including the San Diego County Psychiatric Hospital, which rely on these chillers. To ensure the continuity of operations, a temporary chiller has been rented and is currently providing chill water to the systems. Additionally, 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, remediation, and restoration work. In accordance with County Administrative Code Section 402, "Emergency Purchases," a notice to proceed for emergency repairs was issued to ACCO Engineered Systems, Inc., a contractor with previous County facility experience, to conduct the repairs. The total cost of repair is estimated at \$210,000 and estimated time for completion of repairs is December 2020.

On October 13, 2020 (15), the San Diego County Board of Supervisors (Board) found that there is a need for emergency repairs at the HHSA HSC, located at 3851 Rosecrans Street, San Diego, and provided authorization to continue the emergency action. 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. Today's action requests the Board to find there is a need to continue the emergency repair, remediation, and restoration work at the HHSA HSC.

**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 repair, remediation, and restoration of the Health Services Complex without giving notice for bids to let a contract. **(4 VOTES)**

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2020-21 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 \$210,000. The funding source are charges to the client department. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**31. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)****OVERVIEW****A. 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)

**B. 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) (see attachment)

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

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

Voice of San Diego, et al. v. County of San Diego; San Diego County Superior Court Case No. 37-2020-00026651-CU-WM-CTL

**ACTION:**

Prior to the Board recessing to Closed Session, it was noted that on item 31.A. the Board would be considering the potential for conflict of interest in representing both the County and the County of San Diego Independent Redistricting Commission.

County Counsel reported that for Closed Session on Tuesday, October 27, 2020, the Board of Supervisors took the following action:

Item 31C: Voice of San Diego, et al. v. County of San Diego, with four Board members voting "AYE" and Supervisor Jacob voting "NO", authorize County Counsel to file a petition for a writ of mandate with the California court of appeal should the superior court rule in favor of the petitioners in this California Public Records Act lawsuit.

The Board adjourned the Tuesday session at 3:44 p.m. in memory of those who passed from COVID-19.

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

Consent: Caro  
Discussion: Santiago

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, November 17, 2020.

A handwritten signature in black ink, appearing to read "Greg Cox", written over a horizontal line.

GREG COX  
Chairman

Attest:

A handwritten signature in blue ink, appearing to read "Andrew Potter", written over a horizontal line.

ANDREW POTTER  
Clerk of the Board

10/27/2020