

**November 16, 2021**

**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,  
SAN DIEGO COUNTY FLOOD CONTROL DISTRICT, HOUSING AUTHORITY OF THE  
COUNTY OF SAN DIEGO, COUNTY OF SAN DIEGO IN-HOME SUPPORTIVE  
SERVICES PUBLIC AUTHORITY, SAN DIEGO COUNTY SANITATION DISTRICT, SAN DIEGO  
COUNTY FIRE PROTECTION DISTRICT, COUNTY OF SAN DIEGO SUCCESSOR AGENCY TO  
THE COUNTY OF SAN DIEGO REDEVELOPMENT AGENCY  
REGULAR MEETING  
MEETING AGENDA  
**TUESDAY, NOVEMBER 16, 2021, 9:00 AM**  
COUNTY ADMINISTRATION CENTER, ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

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

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

(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, pursuant to Resolution No. 21-168, adopted November 2, 2021.)

- B. Invocation was led by Imam Taha Hassane, Islamic Center of San Diego.
- C. Pledge of Allegiance was led by Cindy Hilliker's class from Lindo Park Elementary School.
- D. Presentation or Announcement of Proclamations and Awards:

Chair Nathan Fletcher presented a proclamation declaring November 2021, to be National Caregiver Appreciation Month throughout the County of San Diego.

Chair Nathan Fletcher and Supervisor Joel Anderson presented a proclamation declaring November 16, 2021, to be Young Black N' Business Day throughout the County of San Diego.

Vice-Chair Nora Vargas presented a proclamation declaring November 11, 2021, to be Southwestern College Veterans Resource Center Day throughout the County of San Diego.

Supervisor Terra Lawson-Remer presented a proclamation declaring November 16, 2021, to be Mental Health America San Diego Day throughout the County of San Diego.

Supervisor Jim Desmond presented a proclamation declaring November 15, 2021 through November 21, 2021, to be National Injury Prevention Week 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 November 2, 2021.

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of November 2, 2021.

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

- G. Consent Calendar
- H. Discussion Items
- I. Board Member Committee Updates. This is an opportunity for Members of the Board to provide informational updates on their committee assignments. No action may be taken.
- J. **Time Certain: 6 p.m.**

**Item 20: NOTICED PUBLIC HEARING:  
TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION  
AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS  
DURING 2020**

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

**Board of Supervisors' Agenda Items**

Category	#	Subject
Public Safety	1.	RECEIVE UPDATE ON DEVELOPING A PLAN FOR SERVICES FOR K-12 YOUTH [FUNDING SOURCE: FINES IMPOSED BY THE COURT RELATED TO THE CHARTER SCHOOL FRAUD CASE]
	2.	SHERIFF - REQUEST TO ISSUE COMPETITIVE SOLICITATIONS FOR THE PROCUREMENT OF EDUCATIONAL AND PSYCHOSOCIAL INTERVENTION PROGRAMS FOR INCARCERATED INDIVIDUALS [FUNDING SOURCE: SHERIFF'S INMATE WELFARE FUND]
	3.	SHERIFF - REQUEST TO ISSUE A COMPETITIVE SOLICITATION FOR CRIME LAB TOXICOLOGY INSTRUMENTATION [FUNDING SOURCE: GRANT REVENUE FROM THE CALIFORNIA HIGHWAY PATROL FISCAL YEAR 2021-22 CANNABIS TAX FUND GRANT PROGRAM AND EXISTING GENERAL PURPOSE REVENUE IN THE SHERIFF'S DEPARTMENT]

4. SHERIFF - REQUEST FOR SINGLE SOURCE  
PROCUREMENTS OF NATIONAL AND REGIONAL  
BRAND NAME ITEMS  
[FUNDING SOURCE: REVENUE FROM THE SHERIFF'S  
DEPARTMENT JAIL STORES ENTERPRISE FUND]
- Health and  
Human Services
5. AUTHORIZE COMPETITIVE SOLICITATIONS, SINGLE  
SOURCE PROCUREMENTS, AND AMENDMENTS TO  
EXTEND EXISTING BEHAVIORAL HEALTH SERVICES  
CONTRACTS  
[FUNDING SOURCES: RECO 1: MENTAL HEALTH  
SERVICES ACT (MHSA), REALIGNMENT, SHORT  
DOYLE MEDI-CAL, DRUG MEDI-CAL, AND GENERAL  
PURPOSE REVENUE; RECO 2: REALIGNMENT; RECO 3:  
MHSA, REALIGNMENT, SHORT DOYLE MEDI-CAL,  
CALWORKS, DRUG MEDI-CAL, AND GENERAL  
PURPOSE REVENUE]
6. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
AN ORDINANCE AMENDING PROVISIONS IN THE SAN  
DIEGO COUNTY ADMINISTRATIVE CODE RELATING  
TO THE COUNTY OF SAN DIEGO BEHAVIORAL  
HEALTH ADVISORY BOARD AND APPROVAL OF  
BEHAVIORAL HEALTH ADVISORY BOARD BYLAWS
7. AUTHORIZE A-87 EXCEPTION TO COMPETITIVE  
PROCUREMENT FOR CONTRACTS WITH INDIAN  
HEALTH COUNCIL, INC. AND SOUTHERN INDIAN  
HEALTH COUNCIL, INC. FOR SERVICES TO NATIVE  
AMERICAN COMMUNITIES  
[FUNDING SOURCE: SOCIAL SERVICES  
ADMINISTRATIVE REVENUE AND REALIGNMENT]
8. HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE  
CODES AND BOARD POLICY SUNSET REVIEW 2021
- Financial and  
General  
Government
9. RESOLUTION DESIGNATING DATES AND TIMES FOR  
REGULAR MEETINGS OF THE BOARD OF  
SUPERVISORS IN 2022
10. NEIGHBORHOOD REINVESTMENT AND COMMUNITY  
ENHANCEMENT PROGRAM GRANTS (DISTRICT: 3)  
[FUNDING SOURCES: GENERAL PURPOSE REVENUE  
AND TRANSIENT OCCUPANCY TAX REVENUES]
11. AUTHORIZE CONTINUANCE OF TELECONFERENCED  
PUBLIC MEETINGS

- |                                  |     |   |
|----------------------------------|-----|---|
|                                  | 12. | AUTHORIZATION TO APPLY FOR AND ACCEPT GRANT FUNDING RELATED TO ECONOMIC PROSPERITY, COMMUNITY DEVELOPMENT, AND RELIEF OPPORTUNITIES FOR THE SAN DIEGO REGIONAL ECONOMY  |
|                                  | 13. | DEPARTMENT OF GENERAL SERVICES, FLEET MANAGEMENT DIVISION- AUTHORIZATION FOR SINGLE SOURCE PROCUREMENT FOR COMMERCIAL FUEL CARD SERVICES<br>[FUNDING SOURCE: CHARGED TO CLIENT DEPARTMENTS]   |
|                                  | 14. | ADMINISTRATIVE ITEM:<br>SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AMENDMENTS TO THE COMPENSATION ORDINANCE (11/2/2021 - First Reading; 11/16/2021 - Second Reading)<br>[FUNDING SOURCE: COMBINATION OF GENERAL PURPOSE REVENUES AND VARIOUS PROGRAM REVENUES] |
|                                  | 15. | NOTICED PUBLIC HEARING:<br>APPROVAL OF THE CONFLICT OF INTEREST CODES FOR THE REGIONAL SOLID WASTE ASSOCIATION AND SAN DIEGUITO WATER DISTRICT  |
| Appointments                     | 16. | APPOINTMENTS: VARIOUS   |
| Communications Received          | 17. | COMMUNICATIONS RECEIVED   |
| Financial and General Government | 18. | TOWARD CLEANER WATERS: SUPPORTING EFFORTS TO PHASE OUT OFFSHORE OIL DRILLING  |
|                                  | 19. | DEVELOP A UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (UN CEDAW) ORDINANCE AND A GENDER EQUITY STRATEGY FOR SAN DIEGO COUNTY  |
| Public Safety                    | 20. | NOTICED PUBLIC HEARING:<br>TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS DURING 2020  |
| Closed Session                   | 21. | CLOSED SESSION  |
| Public Communication             | 22. | PUBLIC COMMUNICATION  |

**1. SUBJECT: RECEIVE UPDATE ON DEVELOPING A PLAN FOR SERVICES FOR K-12 YOUTH (DISTRICTS: ALL)**

**OVERVIEW**

On August 17, 2021 (5), the Board of Supervisors (Board) authorized the Chief Administrative Officer to collaborate with stakeholders, including the District Attorney, Health and Human Services Agency, Office of Equity and Racial Justice, and the County Office of Education, to establish a program plan to support, promote and improve educational options for San Diego County children, supported by fines imposed by the court related to the Charter School Fraud case. The Board approved establishing an interest-bearing trust fund to receive the amounts ordered by the court for programs and services to address educational needs and to support access to education for youth in kindergarten through 12th grade (K-12).

Today's requests are for the Board to receive an update on the development of the program plan and the process for developing proposals to support youth and communities to promote educational equity and acceleration of learning, to address behavioral health needs, housing and food stability needs, mentorship, and other actions that allow children to thrive. Also included is a request to extend and expand the District Attorney's current Community Grant Program to provide services that support access to education.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Receive an update on the development of a program plan including the status of developing proposals to support, promote and improve educational options for San Diego County K-12 youth.
2. Authorize the District Attorney to expand and continue its Community Crime Reduction Grant Program as the Community Grant Program through December 30, 2025, expand the scope of the program to include supporting services related to increasing education access for the K-12 population and increase the maximum grant amount for identified K-12 services from the current authorized level of \$150,000 to a maximum of \$250,000 with extension options.

**EQUITY IMPACT STATEMENT**

The program plan outlined in the proposed action continues efforts to direct recovered resources to improve educational equity and access to resources for K-12 youth. The stakeholder group, including the District Attorney, Health and Human Services Agency, Behavioral Health Services and Child Welfare Services, Office of Equity and Racial Justice, Live Well San Diego Youth Sector and the County Office of Education, is reviewing available data to develop strategies that will respond to students' social and emotional needs and account for the disproportionate impact of the COVID-19 pandemic on underserved students. It is recognized that the communities that support our students have a critical understanding of what their students need and are key to ensuring these funds have the greatest impact on students. The group will coordinate with existing community outreach efforts organized by the Office of Equity and Racial Justice to engage with a wide range of stakeholders during the planning process, including educators, school leaders and staff, students, families, civil rights organizations, and stakeholders representing the interests of students with disabilities, English learners, students experiencing homelessness, children in foster care, migratory students, students who are incarcerated and other underserved students. Any initiatives presented to the

Board in future actions will include methods to collect data on the impact of the proposals on communities and populations.

### **FISCAL IMPACT**

There is no fiscal impact associated with today's requested actions. Staff will return to the Board if appropriations are needed in the current fiscal year. Subsequent fiscal year costs and revenue to provide services to the K-12 population will be included in future Operational Plans for the District Attorney's Office. The funding source for future actions will be fines imposed by the court related to the Charter School Fraud case. If approved, there will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

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

2. **SUBJECT: SHERIFF - REQUEST TO ISSUE COMPETITIVE SOLICITATIONS FOR THE PROCUREMENT OF EDUCATIONAL AND PSYCHOSOCIAL INTERVENTION PROGRAMS FOR INCARCERATED INDIVIDUALS (DISTRICTS: ALL)**

### **OVERVIEW**

California Code of Regulations Title 15, Crime Prevention and Corrections, mandates that educational services be provided to incarcerated individuals. On July 18, 2006 (3), the Board of Supervisors (Board) approved entering into a five-year agreement between the County of San Diego and the Grossmont Union High School District to provide educational programs to incarcerated individuals at the County's seven Sheriff detention facilities. On May 24, 2011 (2), the Board approved the renewal of the agreement through June 30, 2016. On November 17, 2015 (3), the Board also approved additional funds to cover the increased needs for the programs through June 30, 2016. On May 3, 2016 (2), the Board approved the extension of the contract to continue providing the programs from July 1, 2016, through December 31, 2016, to allow time for the re-procurement of the programs. On August 2, 2016 (1), the Board approved a Competitive Solicitation for the educational programs and a second Competitive Solicitation specifically for the psychosocial intervention programs for the incarcerated individuals through December 31, 2022.

Procurement is necessary to ensure current educational curriculum and best practices are incorporated to enhance the programs, and to separate the psychosocial intervention components from the general educational programs for better monitoring of the individuals' progress and providing more individualized services accordingly. These programs are essential to improve the incarcerated individuals' chances to integrate successfully into their communities.

This is a request to authorize the Director of the Department of Purchasing and Contracting to issue a Competitive Solicitation for educational programs and a second Competitive Solicitation for psychosocial intervention programs for incarcerated individuals. The request is for a period of one initial and four option years, with a six-month option if needed, anticipated to begin July 1, 2022.

## **RECOMMENDATION(S)**

### **SHERIFF**

1. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue a Competitive Solicitation for educational programs for incarcerated individuals and, upon successful negotiations and determination of a fair and reasonable price, award one or more contracts for a term of one year, with four option years and up to an additional six months if needed, and to amend the contracts as needed to reflect changes to services and funding.
2. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue a second Competitive Solicitation for psychosocial intervention programs for incarcerated individuals and, upon successful negotiations and determination of a fair and reasonable price, award one or more contracts for a term of one year, with four option years and up to an additional six months if needed, and to amend the contract as needed to reflect changes to services and funding.

## **EQUITY IMPACT STATEMENT**

This requested action will ensure current educational curriculum and best practices are incorporated to enhance the programs offered to incarcerated individuals. Individuals need access to quality educational and psychosocial intervention programs while in custody. These programs should be equal to the quality of programs in the community. Access to quality programs is vital for incarcerated individuals to be successful when they return to the community. Successful reentry and reintegration allow individuals to remain contributing members of their communities. Due to the unique detention and reentry environment, it is critical to partner with program providers that can adapt to the setting and provide the highest quality learning experiences, credentials, and behavioral treatment. Separating the procurements will ensure that the County is not simply providing access to single courses or enrichment opportunities, but truly providing meaningful experiences and credentials, which will be necessary for employment opportunities upon release. Providing quality educational and psychosocial intervention in the detention facilities assures that vulnerable populations that have experienced incarceration will not be deprived of opportunities to create post-release positive outcomes.

## **FISCAL IMPACT**

If approved, funds for the request will be included in the Fiscal Year 2022-23 Operational Plan for the Sheriff's Department. This request will result in estimated annual costs of \$1,500,000. The funding source is the Sheriff's Inmate Welfare Fund. If the option years are exercised, funds for program costs will be included in future year Operational Plans for the Sheriff's Department. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A



**ACTION:**

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

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

3. **SUBJECT: SHERIFF - REQUEST TO ISSUE A COMPETITIVE SOLICITATION FOR CRIME LAB TOXICOLOGY INSTRUMENTATION (DISTRICTS: ALL)**

**OVERVIEW**

On February 9, 2021 (4), the Board of Supervisors authorized the San Diego County Sheriff's Department to apply for and accept funding from the California Highway Patrol (CHP) for the Fiscal Year 2021-22 Cannabis Tax Fund Grant Program. On May 9, 2021, the Sheriff's Department received approval of the grant in the amount of \$2,653,500. Funding from this grant will enable the San Diego County Sheriff's Department Regional Crime Laboratory to implement an in-house toxicology program through the purchase of instrumentation, minor equipment, consumables, and upgrades to existing infrastructure which will help advance the standardization of toxicology practices and phase out the outsourcing of toxicology testing.

This procurement allows the Crime Lab to conduct the National Safety Council's - Alcohol, Drugs and Impairment Division's (NSC-ADID) recommended Tier I and Tier II toxicology screening on all samples submitted in traffic safety related and drug-facilitated crime cases by bringing toxicology testing in-house.

Today's request is to authorize the Director of Purchasing and Contracting to issue a Competitive Solicitation, and to enter into negotiations for the procurement of two complete liquid chromatograph mass spectrometer with quadrupole time of flight detector (LC-QTOF) bundled systems and two complete liquid chromatograph with dual mass spectrometers (LC-MS/MS) bundled systems for the efficient identification and quantitation of impairing substances in biological samples.

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

In accordance with Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for two complete liquid chromatograph mass spectrometer with quadrupole time of flight detector (LC-QTOF) bundled systems and two complete liquid chromatograph with dual mass spectrometers (LC-MS/MS) bundled systems, and upon successful negotiations and determination of a fair and reasonable price, award contracts for toxicology lab instrumentation, subject to approval of the Sheriff.

**EQUITY IMPACT STATEMENT**

The Sheriff's Department is conscientious in ensuring that equitable and inclusive policies and best practices are in place. Best scientific practice and standardization of testing provides objective, equitable, and consistent testing of all cases, regardless of charge. Equipment enhancements and additional instruments will allow for not only in-house, but more comprehensive toxicology testing.

This increased detection and accuracy benefits the health and safety of all residents of San Diego County.

### **FISCAL IMPACT**

Fund for this request are included in the Fiscal Year 2021-22 Operational Plan for the Sheriff's Department. If approved, this request will result in current year estimated costs of \$1,810,980 and revenue of \$1,800,000. The revenue recovers Sheriff's Department direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$10,980. The funding source is grant revenue from the California Highway Patrol Fiscal Year 2021-22 Cannabis Tax Fund Grant Program (\$1,800,000) and existing General Purpose Revenue (\$10,980) in 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 Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

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

4. **SUBJECT: SHERIFF - REQUEST FOR SINGLE SOURCE PROCUREMENTS OF NATIONAL AND REGIONAL BRAND NAME ITEMS (DISTRICTS: ALL)**

### **OVERVIEW**

The State of California Penal Code (PC) 4025 (a) allows for the Sheriff's Department (Sheriff) of each county to establish, maintain and operate a store in connection with the county jail, and for this purpose, may purchase various snacks, beverages and personal care items for sale to incarcerated individuals in the jail.

On October 14, 2008 (1), the Board of Supervisors (Board) approved the Sheriff's procurement of brand name snacks and beverages from manufacturers, dealers, and distributors. On November 8, 2011 (7) and November 17, 2015 (4), the Board also approved the Sheriff's requests to include additional brand names for the contracts which ended December 31, 2016. On August 2, 2016 (2), the Board approved the Sheriff's request to include additional brand name items for a single source procurement of 177 brand names. On July 9, 2019 (1), the Board approved the Sheriff's request to single source until December 31, 2021, to national and regional brand name items, which helped increase the brand name items available as products are discontinued and new items are added or made available in the marketplace. This request seeks continued authority to procure brand name items, while also providing more flexibility in adjusting the products available through the Sheriff's Commissary based on the needs of the incarcerated population.

This request is for the approval of single source procurements of national and regional brand names not exclusive to a particular vendor for snacks, beverages, and personal care items from manufacturers, dealers, and distributors. This approval will allow Sheriff's Commissary to re-procure their twenty current commissary contracts that are scheduled to expire December

31, 2021. The national and regional brand name items will be included with additional generic items in Requests for Bid to determine fair and reasonable pricing. This request is for a one initial year and four option year period, with an additional six-month option if needed, from the date of the contract issuance.

### **RECOMMENDATION(S)**

#### **SHERIFF**

In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Purchasing and Contracting Director to issue Competitive Solicitations for the acquisition of national and regional brand name snacks, beverages and personal care items, and subject to successful negotiations and a determination of a fair and reasonable price, award one or more contracts for up to one initial year, plus up to four option years, with an additional six-month option if needed, and to amend the contracts as needed to reflect changes to requirements and funding. In no event shall any contract awarded pursuant to this authority extend beyond December 31, 2027.

### **EQUITY IMPACT STATEMENT**

By providing the requested name brand items to incarcerated individuals for purchase from the Jail Commissary, incarcerated individuals are being provided access and opportunity within the detention facilities to continue using products and trusted brands they are accustomed to using. This supports incarcerated individuals' well-being while in custody. This action also supports the overall wellness of the incarcerated population.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan for the Sheriff's Department. If approved, this request will result in estimated costs and revenue of \$2,156,550 in Fiscal Year 2021-22. The funding source is revenue from the Sheriff's Department Jail Stores Enterprise Fund. Funds for the option year costs will be included in future years Operational Plans for the Sheriff's Department if the option years are exercised. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

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

5. **SUBJECT: AUTHORIZE COMPETITIVE SOLICITATIONS, SINGLE SOURCE PROCUREMENTS, AND AMENDMENTS TO EXTEND EXISTING BEHAVIORAL HEALTH SERVICES CONTRACTS (DISTRICTS: ALL)**

### **OVERVIEW**

The County of San Diego (County) Health and Human Services Agency Behavioral Health Services department provides a comprehensive array of community-based mental health and substance use disorder services through contracts with local public and private agencies to

vulnerable populations, including individuals who are experiencing homelessness, individuals with justice involvement, and children and youth with complex behavioral health conditions.

Approval of today's recommended actions authorizes competitive solicitations, single source procurements, and amendments to extend existing contracts, to support critical behavioral health services.

Today's action supports the San Diego County Board of Supervisors' Framework for Our Future, by upholding practices that align with community priorities and improve transparency and trust while maintaining good fiscal management of County resources. In addition, today's action supports the County's *Live Well San Diego* vision by ensuring access to services, promoting health and well-being in children, adults, and families, and encouraging self-sufficiency, which together promote a region which is building better health, living safely, and thriving.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for behavioral health services listed below, and upon successful negotiations and determination of a fair and reasonable price, award contracts for an Initial Term of up to one year, with four 1-year Options, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program, funding or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.
  - a. Adult Drug Court Services
  - b. Bio-Psychosocial Rehabilitation Services
    - i. Bio-Psychosocial Rehabilitation Services for Central and South Regions
    - ii. Bio-Psychosocial Rehabilitation Services for Individuals Supervised by Probation
  - c. Crisis Residential Treatment Services
  - d. Integrated Mental Health and Substance Use Disorder Services
    - i. Assertive Community Treatment Services, Substance Use Services and Supportive Housing for Individuals Experiencing Homelessness
    - ii. Co-occurring Mental Health and Substance Use Disorder Services
  - e. Opioid Treatment Program
  - f. Psychotropic Medication Clinic
  - g. Re-entry Court Services
  - h. Specialized Cognitive Residential Substance Use Program
  - i. Strength-Based Case Management Services
  - j. 24-Hour Transitional Residential Mental Health Treatment Services
2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with Sharp Mesa Vista Hospital and University of California, San Diego for Outpatient and Inpatient Electro-Convulsive Therapy, and subject to successful negotiations and determination of a fair and reasonable price, enter into single source contracts for an Initial Term of up to one year, with four 1-year Options, and up to an additional six months, if needed, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency.

3. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, subject to successful negotiations and a determination of a fair and reasonable price, to amend the contracts listed below to extend the contract term and expand services, subject to the availability of funds; and amend the contracts as required in order to reflect changes to services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.
  - a. Extend the contract term up to June 30, 2023, and up to an additional six months, if needed.
    - Community Research Foundation (Contract #556368)
    - Telecare Corp (Contract #551670)
    - New Alternatives, Inc. (Contract #555955)
    - Community Research Foundation (Contract #547132)
    - Food Management Associates (Contract #556128)
    - Mental Health Systems, Inc. (Contract #556419)
    - Telecare Corp (Contract #554707)
    - Mental Health Systems, Inc. (Contract #556420)
    - Mental Health Systems, Inc. (Contract #556358)
    - Community Research Foundation (Contract #556936)
    - San Ysidro Health Center, Inc. (Contract #553070)
    - New Alternatives, Inc. (Contract #555513)
    - McAlister Institute for Treatment and Education (Contract #554896)
    - McAlister Institute for Treatment and Education (Contract #554895)
    - McAlister Institute for Treatment and Education (Contract #554897)
    - Episcopal Community Services (Contract #554898)
    - McAlister Institute for Treatment and Education (Contract #556354)
    - Vistal Hill Foundation (Contract #556355)
  - b. Extend the contract term up to June 30, 2024, and up to an additional six months, if needed.
    - Mental Health Systems, Inc. (Contract #554929)
    - Neighborhood House Association (Contract #548930)
    - Family Health Centers of San Diego, Inc. (Contract #554899)
    - Union of Pan Asian Communities (Contract #551401)
    - Pathway Community Services, LLC (Contract #552662)
  - c. Extend the contract term up to June 30, 2025, and up to an additional six months, if needed.
    - McAlister Institute for Treatment and Education (Contract #556177)
  - d. Extend the contract term up to June 30, 2027, and up to an additional six months, if needed.
    - Rady Children's Hospital of San Diego (Contract #556103)
4. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, subject to successful negotiations and a determination of a fair and reasonable price, to amend the single source contracts listed below to extend the contract term up to June 30, 2027, and up to an additional six months if needed; expand services, subject to the availability of funds; and amend the contracts as required in order to reflect changes to

services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.

- Sharp Healthcare (Contract #555088)
- Sharp Healthcare (Contract #555089)
- KF Community Care (Contract #536297)
- Alpine Special Treatment Center (Contract #43206)
- Regents of the University of California, UCSD (Contract #520867)
- Changing Options, Inc. (Contract #532799)
- Regents of the University of California, UCSD (Contract #555817)

### **EQUITY IMPACT STATEMENT**

The County of San Diego Health and Human Services Agency Behavioral Health Services (BHS) serves as the specialty mental health plan for Medi-Cal eligible residents within San Diego County with serious mental illness, and the service delivery system for Medi-Cal eligible residents with substance use disorder care needs. As a steward of public health for the region, BHS must ensure that the services offered through County-operated and contracted programs address the social determinants of health by being accessible, capable of meeting the needs of a diverse population, and with the intent to equitably distribute services to those most in need.

BHS utilizes a population health approach, along with evidence-based practices, robust data analysis, and stakeholder input from consumers, community-based providers, healthcare organizations and others to identify need and design services that are impactful, equitable, and yield meaningful outcomes for clients. BHS is currently working to implement an enhanced programmatic review process which will prioritize critical data elements including health equity impact, identification of need, and evidence-based practices to further improve the equitable distribution of behavioral health services.

If approved, today's action will award and extend contracts for services that improve access to treatment and care for some of the region's most vulnerable and under-served populations including individuals experiencing homelessness, individuals with justice involvement, as well as children and youth with complex behavioral health conditions.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-23 Operational Plan in the Health and Human Services Agency. If approved, today's recommendations will result in approximate costs and revenue of \$4.6 to \$6.1 million in Fiscal Year 2021-22 and \$157.7 to \$210.3 million in Fiscal Year 2022-23. There will be no change in net General Fund cost and no additional staff years.

### **Recommendation #1: Authorization to Issue Competitive Solicitations**

If approved, this request will result in estimated costs and revenue ranging from \$77.7 to \$103.6 million in Fiscal Year 2022-23. The funding sources are Mental Health Services Act (MHSA), Realignment, Short Doyle Medi-Cal, Drug Medi-Cal, and General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

**Recommendation #2: Authorization to Issue Single Source Contracts**

If approved, this request will result in estimated costs and revenue ranging from \$0.03 to \$0.04 million in Fiscal Year 2021-22 and \$0.2 to \$0.3 million in Fiscal Year 2022-23. The funding source is Realignment. There will be no change in net General Fund cost and no additional staff years.

**Recommendation #3 & 4: Authorization to Extend and Amend Contracts**

If approved, this request will result in estimated costs and revenue ranging from \$4.6 to \$6.1 million in Fiscal Year 2021-22 and \$79.8 to \$106.4 million in Fiscal Year 2022-23. The funding sources are MHSA, Realignment, Short Doyle Medi-Cal, CalWORKs, Drug Medi-Cal, and 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 Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

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

6. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO  
COUNTY ADMINISTRATIVE CODE RELATING TO THE COUNTY  
OF SAN DIEGO BEHAVIORAL HEALTH ADVISORY BOARD AND  
APPROVAL OF BEHAVIORAL HEALTH ADVISORY BOARD  
BYLAWS (DISTRICTS: ALL)**

**OVERVIEW**

On November 2, 2021 (07), the Board of Supervisors took action to further consider and adopt the Ordinance on November 16, 2021.

The San Diego County Board of Supervisors (Board) established the Behavioral Health Advisory Board (BHAB) in 2014 through an ordinance that allowed the merging of the County of San Diego (County) Alcohol and Drug Advisory Board with the County Mental Health Board. Article LVI of the San Diego County Administrative Code has been reviewed as part of the sunset review and several proposed changes have been identified. In addition, the BHAB has updated its bylaws which requires Board approval.

Today's request requires two steps. On November 2, 2021, it is requested that the Board consider an Ordinance amending the San Diego County Administrative Code related to the BHAB. If the Board takes the action recommended, then on November 16, 2021, the proposed Ordinance will be brought back to the Board for consideration and adoption, as well as approval of the BHAB bylaws.

Amending the Ordinance and BHAB bylaws support the County's *Live Well San Diego* vision by enhancing community involvement in the planning and provision of behavioral health services, supporting a region that is healthy, safe, and thriving.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Consider and adopt (second reading):  
AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE COUNTY OF SAN DIEGO BEHAVIORAL HEALTH ADVISORY BOARD.
2. Approve the bylaws of the County of San Diego Behavioral Health Advisory Board.

### **EQUITY IMPACT STATEMENT**

Since the formation of the Behavioral Health Advisory Board in 2014, the language in the San Diego County Administrative Code and bylaws regarding criteria for member appointments to the advisory board primarily centered on the experience of appointees as either persons in recovery, family members, prevention specialists, or treatment providers. Though these perspectives hold high value in providing input on the behavioral health needs of San Diego County, so do the experiences and inclusion of those with diverse identities, particularly those from historically disadvantaged and underrepresented groups, who need to be regarded when considering appointments to the board.

Today's action affirms the Behavioral Health Advisory Board's commitment to advancing diversity, equity, and inclusion by ensuring appointed members reflect the diversity of people and experiences from the communities they represent.

### **FISCAL IMPACT**

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

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10760 (N.S.), entitled: AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE COUNTY OF SAN DIEGO BEHAVIORAL HEALTH ADVISORY BOARD.

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

7. **SUBJECT: AUTHORIZE A-87 EXCEPTION TO COMPETITIVE PROCUREMENT FOR CONTRACTS WITH INDIAN HEALTH COUNCIL, INC. AND SOUTHERN INDIAN HEALTH COUNCIL, INC. FOR SERVICES TO NATIVE AMERICAN COMMUNITIES (DISTRICTS: ALL)**

### **OVERVIEW**

Indian Health Council, Inc. (IHC) and Southern Indian Health Council, Inc. (SIHC) have had an established partnership with the County of San Diego (County) Health and Human Services Agency, Child Welfare Services (CWS) since 2009. IHC and SIHC provide family strengthening and prevention services to San Diego County's Native American community to



ensure equitable access to child abuse prevention and awareness of resources, services and supports. In Fiscal Year 2020-21, IHC and SIHC received a combined 250 referrals for family strengthening and prevention services. Of the 250 referrals, 218 Native American families received case management services. Furthermore, of the 218 families receiving services, 152 (70%) participated in outcome surveys and assessments. Survey participants reported an increase in resiliency and protective factors and a reduction in isolation through increased social supports.

IHC and SIHC are accredited Federally Qualified Health Centers under the Indian Self Determination and Education Assistance Act and currently provide a full spectrum of comprehensive on site and outreach services to a combined total of 16 tribal nations to meet the needs of Native American families within their respective service regions. IHC and SIHC qualify for a single source contract to provide family strengthening and prevention services pursuant to San Diego County Board of Supervisors (Board) Policy A-87, Competitive Procurement:

Section 1D-3: The procurement is for services from a provider with unique knowledge, skill, or ability not available from other sources.

IHC and SIHC are the two closest clinics to the rural areas of the county and both have out stationed clinics to help serve the most remote families in Santa Ysabel and Campo. The current contracts expire on June 30, 2022. Today's action requests the Board to authorize the Director, Department of Purchasing and Contracting to enter into negotiations, on behalf of CWS with IHC and SIHC, for family strengthening and prevention services to increase child abuse prevention awareness and services to Native American families, reduce Native American disproportionality in child welfare services, provide equitable access to services that are culturally responsive, and leverage complimentary approaches to maximize community impact.

This action supports the County's *Live Well San Diego* vision and the Framework for Our Future by ensuring fiscal management and contracting processes align with community priorities, providing comprehensive and culturally responsive services and supports, and a focus on improving equitable outcomes for Native American families interacting with the child welfare system.

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

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

In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code section 401, authorize the Director, Department of Purchasing and Contracting to enter into negotiations with Indian Health Council, Inc. and Southern Indian Health Council, Inc. and upon successful negotiations and a determination of fair and reasonable price, award contracts for family strengthening and prevention services for Native American communities, for the period of up to one year and up to four option years, and up to six additional months if needed, subject to the availability of funds; and to amend the contracts as required to reflect changes in services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.

## **EQUITY IMPACT STATEMENT**

Of the 109 federally recognized Indian tribes in California, 17 are located in San Diego County - the most in any county in the United States. The County of San Diego Health and Human Services Agency, Child Welfare Services (CWS) honors the partnerships with tribal nations and has demonstrated a commitment to uphold the Indian Child Welfare Act (ICWA) of 1978 that requires states and courts to protect the best interest of Indian children by keeping their connections to family, community, and culture intact. ICWA is in response to a substantial number of American Indian and Alaska Native children being removed from their families and placed in non-Native homes. Nationally, American Indian/Alaska Native children are disproportionately represented in child welfare systems.

In Calendar Year 2020, 35,152 abuse/neglect reports were made to the Child Abuse Hotline. Of those reports, 380 involved Native American children. This indicates a 31% decrease from the 553 abuse/neglect reports involving Native American children received in 2015. Additionally, of the 380 abuse/neglect reports made for Native American children, 44 (12%) were substantiated, a 2% decrease from the 82 substantiated in 2015. Furthermore, in Calendar Year 2020, 15 Native American children entered into foster care, a 48% decrease from the 29 foster care entries in 2015.

In a collaborative effort to advance racial equity, strengthen Native American families and build capacity to prevent child abuse and neglect, CWS partnered with Indian Health Council, Inc. (IHC) and Southern Indian Health Council, Inc. (SIHC) in 2009 to provide tribal families with equitable access to culturally responsive community-based prevention services. In Fiscal Year 2020-21, a combined 250 referrals for prevention services were received by IHC and SIHC, a 61% increase from the 155 referrals received in Fiscal Year 2018-19.

The partnership with IHC and SIHC supports a continued pathway for racial equity work and provides a participatory process to engage and involve the Native American tribal community in identifying and providing input on types of services and supports that best meet the needs of tribal youth and families. Monthly meetings with CWS and tribal consortiums allow for more intended and targeted discussions about family interactions with CWS and culturally responsive prevention services and supports needed or available at tribal health centers and in communities. This collaborative process evaluates the impact of services on Native American children, youth and families, and community. CWS continues the commitment to work in partnership with the tribal community to communicate and evaluate quantitative and qualitative data and assess services and supports using an equity lens to maximize collective outcomes within the Native American communities and measure the advancement of racial equity.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-2023 Operational Plan in the Health and Human Services Agency. If approved, this request will result in no change in costs and revenue in Fiscal Year 2021-22 and costs and revenue of approximately \$750,000 in Fiscal Year 2022-23. The funding sources are Social Services Administrative Revenue and Realignment. There will be no net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

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

**8. SUBJECT: HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE CODES AND BOARD POLICY SUNSET REVIEW 2021 (DISTRICTS: ALL)**

**OVERVIEW**

In accordance with San Diego County Board of Supervisors (Board) Policy A-76, Sunset Review Process, the County of San Diego (County) Health and Human Services (HHSA) 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 extend the sunset review date for the following County Administrative Code:

- Article LV, San Diego County Health Services Advisory Board
- Article LIX, San Diego County Social Services Advisory Board

Additionally, today's actions seek Board approval to amend and extend the sunset review date for the following Board Policy:

- E-12, Out-of-Home Placement for Children

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. Additionally, in alignment with the Board's commitment to transparency and open government, the Sunset Review Process is an opportunity for HHSA to reflect on current policies through an equity lens and recommend changes that allow for greater transparency.

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

1. Determine no change is necessary and approve the sunset review date of December 31, 2028 for the following County Administrative Code:
  - Article LV, San Diego County Health Services Advisory Board
  - Article LIX, San Diego County Social Services Advisory Board
2. Approve amendments to and the sunset review date of December 31, 2028 for the following Board Policy:
  - E-12, Out-of-Home Placement for Children

**EQUITY IMPACT STATEMENT**

As part of standard practice, the County of San Diego (County), Health and Human Services Agency (HHSA) performs an annual review of Board Policies and County Administrative Code and Regulatory Code that are sunseting to ensure alignment with current San Diego County Board of Supervisors (Board) standards and that they are updated to reflect applicable laws and regulations.

In alignment with the Board commitment to transparency and open government, the Sunset Review Process is an opportunity for HHSA to reflect on current policies through an equity lens and recommend changes that allow for greater transparency. Additionally, through this process, advisory boards are engaged, which allows stakeholders and other members of the community to collaborate, provide input, and help shape government policies and programs to serve the needs of our diverse communities.

For this year's Sunset Review, HHSA analyzed the County Administrative Code Article LV related to the Health Services Advisory Board, Article LIX related to the San Diego County Social Services Advisory Board, and Board Policy E-12 related to Out-of-Home Placement for Children. No changes are recommended to revise County Administrative Code Article LV and Article LIX, however, the Health Services Advisory Board and the Social Services Advisory Board were engaged in a participatory process to ensure these articles continue the advisory boards' role in supporting the Board's Framework toward achieving better outcomes for consumers. The recommended changes to Board Policy E-12 were reviewed by the Foster Care Services Advisory Board and the Child Family Strengthening Advisory Board. Recommended changes to Board Policy E-12 include the increased focus on a consistent, culturally responsive system that works in collaboration to improve the overall experience of children and caregivers. This may be accomplished by focusing on family finding, placement stability, relative care, and support to all caregivers.

The past five years have shown a decrease in the number of children placed with relatives. With only 29% of African American children placed with kinship, they are the least likely to be placed with relatives. Therefore, out-of-home placement efforts must aim to increase the number of children placed in kinship care, especially children of color. E-12 changes emphasize the need to recruit and retain caregivers, along with service providers, who not only match the demographics of the children we have in care but who can also help address the disproportionality and increase equity and inclusion.

Future Sunset Reviews will continue to utilize an equity lens and a quantitative data-driven approach. Additionally, it is anticipated that these actions will have a positive impact on equity-seeking groups including, Black, Indigenous, People of color (BIPOC), women, people with disabilities, immigrants, youth, and the LGBTQ community.

#### **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 Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

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

**9. SUBJECT: RESOLUTION DESIGNATING DATES AND TIMES FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS IN 2022 (DISTRICTS: ALL)**

**OVERVIEW**

The recommended action is that the Board adopt the resolution setting the 2022 Board of Supervisors regular meeting schedule.

**RECOMMENDATION(S)**

**CHAIR NATHAN FLETCHER**

Adopt the resolution: RESOLUTION SETTING THE DATES AND TIMES FOR REGULAR MEETINGS OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS IN CALENDAR YEAR 2022

**EQUITY IMPACT STATEMENT**

Annually, in accordance with Administrative Code, Article XXVII, Section 500(a), the Board of Supervisors adopts a calendar for regular meetings. This ensures that the public is well informed of the meetings and can plan for active participation in local government.

**FISCAL IMPACT**

There is no fiscal impact associated with this action.

**BUSINESS IMPACT STATEMENT**

There is no impact associated with this action.

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 21-175, entitled: RESOLUTION SETTING THE DATES AND TIMES FOR REGULAR MEETINGS OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS IN CALENDAR YEAR 2022.

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

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

**OVERVIEW**

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

## **RECOMMENDATION(S)**

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

1. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to The Leucadia-Encinitas Highway 101 Mainstreet Association to support the cost of new website (developer), equipment for merchandise sales and new marketing equipment (e.g., camera, photo backdrop, lighting for photo shoots, a-frame sign holders & retail display, computer, laptop, hard drive, dongle, shade structure, stage) and brochures and other similar items for marketing campaign.
2. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Alpha Project for the Homeless to support the partial cost of purchasing of new vehicles to provide services throughout the County of San Diego.
3. Allocate \$16,350 from the Neighborhood Reinvestment Program budget (org 15660) to I Love a Clean San Diego to purchase new laptops and docking stations. These funds will allow them to provide efficient online and mobile services in the new expanding virtual environment we live in today.
4. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (org 15660) to Naturally San Diego Inc. to purchase technology equipment, including computers, cables, computer mice, headphones, conference call equipment, microphones, and printers. In addition, funds will be used to obtain printed flyers, tablecloths, photo backdrop, microphone, and amplification.
5. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to United Way of San Diego County to support the cost of capital needs to their office building. These funds will be used for building maintenance and improvement that include HVAC units, thermostats, auto door opener, lobby signage, fire alarm door holders and door handle sets.
6. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (org 15660) to Biocom Institute to purchase the supplies for their hands on kit which include the following: freezer bags, zip lock bags, pipettes, flash drives, trip totes, pelican case foam inserts, item labelers, tape, staplers, 3-hole punchers, tape measure, calculators, staple refills, binders, plastic sheet protectors, foil, thermometers, lab chairs, parafilm, kim wipes, screw-cap tubes, vortex mixer, microcentrifuge, uline totes, pipette stand, pipette controller, serological pipettes, lab coats, safety glasses, lab chair, Sign Up Genius Program and Canvass Subscription. These funds will allow them to provide professional development for educators in San Diego County.
7. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15660) to The San Marcos Promise to support the cost of purchasing new furniture for the San Marcos High Future Center which include racer dining chairs, kintra standing height tables with power supply, standing height portrero rectangular table, barstools, slope bar stools, TV, view board, laser printer, video camcorder, charging mats, speaker system, phone charger and tripod.

8. Allocate \$15,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Rancho Bernardo Rotary Club Foundation, Inc. d/b/a Rancho Bernardo Sunrise Rotary Club to support outreach efforts for Octoberfest, including the purchasing of print advertisements, banners, and signage.
9. Allocate \$12,600 from the Neighborhood Reinvestment Program budget (Org 15660) to University City Community Association to foster community engagement by providing funds for the purchase of banners, newsletters, and membership letters.
10. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to YMCA of San Diego County to support the landscape at the YMCA Lincoln Apartment Complex in Escondido. These funds will help cover the cost to install trees, install plants, install grown covers, mulch new planted area, install new irrigation clock, install new main line, install new sensor, and master valve, install new drip line, and install 10-gallon fertilizer feeder.
11. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Mira Mesa Instrumental Music Boosters Corporation to support the purchasing of instruments for the Mira Mesa High School Band. These funds will help with the one-time purchase of sousaphone, mellophone, trumpet, trombone, bass trombone, baritone horn, Alto saxophone, tenor saxophone, baritone, saxophone, bb clarinet, bass clarinet, flute, oboe, and English horn.
12. Allocate \$25,000 from the Neighborhood Reinvestment Program budget (Org 15660) to San Diego Blood Bank to purchase 11 HemoFlow 400x's devices to assist in the collection of vital blood products for patients in need.
13. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to The Samuel Lawrence Foundation to support their photography exhibition that will highlight high achieving scientist and connect them to STEAM students who often do not see themselves in these roles. Funds will support the fees of the photographer, assistant, and studio rental fees.
14. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Villa Musica to support their subsidize music workshops, their music program for seniors and their musical biographies program. Funds will help cover the partial cost of putting these programs together.
15. Allocate \$7,500 from the Community Enhancement Program budget (Org 12900) to Resounding Joy, Inc. to support their programming of Living your Dream Military Concert, Music Event Engagement, Semper Sound: Jam Session, Music Resiliency and Joyful Jingle. Funds will help cover the cost of the music therapist, staff time and promotion of the events.
16. Allocate \$7,500 from the Community Enhancement Program budget (Org 12900) to The San Marcos Promise to support their Future Fair, Connect to Career Event and Future You Initiative Skillshop. Funds will help support the cost of staff time, promotion for the events, materials, decorations, and payroll expenses.

17. Allocate \$25,000 from the Community Enhancement Program budget (Org 12900) to California Center for the Arts, Escondido, Foundation to support the Northern Light Winter Festival in Escondido. This year's funding request would cover items such as lighting, decorations, photography/video, marketing, music licensing, signage, setup labor and security for this free community event which runs from Thanksgiving through the New Year.
18. Allocate \$7,500 from the Community Enhancement Program budget (Org 12900) to Producegood for staffing costs to support Market Share at Leucadia Market, staffing costs, administration costs and fees to participate in EcoFest.
19. Allocate \$25,000 from the Community Enhancement Program budget (Org 12900) to Access Youth Academy to support the cost of expert coaches for their health and wellness program targeted at low-income youth.
20. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Alpha Project for the Homeless to support the cost of uniforms, safety supplies (e.g., gloves, masks), furniture, household supplies, food pantries and delivery of food.
21. Allocate \$20,000 from the Community Enhancement Program budget (Org 12900) to the City of Encinitas to support the cost of purchasing outdoor exercise equipment, custom shade sails with cantilever structure at the Encinitas Senior Center.
22. Allocate \$7,500 from the Community Enhancement Program budget (Org 12900) to San Diego Coastkeeper to support the cost of staff for their beach and neighborhood protection program through beach cleanups & environmental stewardship.
23. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to Mind Treasurers to support the cost of staffing for Neighborhood Financial Literacy in public schools within the Tierrasanta community.
24. Allocate \$11,000 from the Community Enhancement Program budget (Org 12900) to The Elizabeth Hospice, Inc. to support the Light Up a Life Celebration, Wings of Hope Celebration, Veteran's recognition events, Camp Spero Grief Camp and Swing for Hope Golf Tournament. Funds for this grant will support the cost for certificates, pins, musical accompaniments, facility rental fees, audio visual technical support, printing & signage, graphic design, games, first aid supplies, camp shirts, books, journals, arts & crafts, and decorations.
25. Allocate \$6,500 from the Community Enhancement Program budget (Org 12900) to University City Community Association to support the fees for service for their newsletter editor and fees for service for the Podcast Interview Host.
26. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Naturally San Diego to support a website update & maintenance, office equipment and support the salary of their newest full-time director.



27. Allocate \$15,000 from the Community Enhancement Program budget (Org 12900) to Community Health Improvement Partners to support their Agritourism initiative that will provide strategic planning, business plan development, and technical assistance to small farmers. Funds for this will help cover the cost of staff to put this initiative together and the marketing component.
28. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to Big Brother Big Sisters of San Diego County, Inc. to cover the cost of graduation gifts, awards, cost of staffing for their graduations & recognition event and support the production of information videos.
29. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to Spirit of the Fourth, Inc. to support event cost for their event of Spirit of the Fourth Celebration in Rancho Bernardo.
30. Allocate \$12,000 from the Community Enhancement Program budget (Org 12900) to Code With Her to support staff salaries and teacher stipends for curriculum development.
31. Allocate \$35,000 from the Community Enhancement Program budget (Org 12900) to Pillars of the Community to support the partial cost of a documentary production focused on gang enhancement and lived experiences of community residents. Funds will help cover the fees associated with the production and fees for the producer.
32. Allocate \$15,000 from the Community Enhancement Program budget (Org 12900) to Center for Community Energy to help cover the cost of staff salary to support with time ACEE Funding request, help develop policy recommendations and outreach material.
33. Amend the purpose of the October 05, 2021 (22) allocation of \$8,000 from the Community Enhancement Program to the North Shore Symphony to rent a venue, purchase of equipment storage, the rental or purchase of music, and fees for liability insurance. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
34. Amend the purpose of the October 13, 2020 (11) allocation of \$8,534 from the Neighborhood Reinvestment Program to the University City Community Association to provide funds for the printing of newsletters, installing of street banners, printing membership cards, printing membership stickers, website host, software license and URL expenses. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
35. Amend the purpose of the October 13, 2020 (12) allocation of \$25,000 from the Community Enhancement Program to the La Jolla Golden Triangle Rotary Club to include providing support to Afghanistan Refugee Relief via food, shelter, transportation, and employment assistance. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
36. Find that the grants have a public purpose.

37. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to agreements with the organizations awarded grants establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
38. Find that the grants proposed for award to the United Way of San Diego County, YMCA of San Diego County and City of Encinitas are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.
39. Waive Board Policy B-72 to the extent necessary to allow for the purchase of software subscriptions and licenses by the Biocom Institute, for the developer fees associated with a website update for The Leucadia-Encinitas Highway 101, the University City Community Association pay for insurance and other services and software licenses, and Rancho Bernardo Rotary Club Foundation, Inc. d/b/a Rancho Bernardo Sunrise Rotary Club to pay for services such as print advertisements.

#### **EQUITY IMPACT STATEMENT**

We recognize that the systemic impacts that inequitable policies may create for residents in San Diego County. Find that these proposed allocations of funds are intended to improve the quality of life throughout the County by providing funds for nonprofits whose work addresses inequities, promotes quality of life and improves outcomes that align with the vision of our county. Organizations were chosen based on their location or the demographics they serve with a focus on organizations that focus on vulnerable community member, youth events and inclusive community events. The organizations that were chosen work to promote a sense of belonging and utilize equity in their operations, outreach and programs. Their supporting documents were reviewed as well as impact reports and community testimony

#### **FISCAL IMPACT**

The fiscal impact of these recommendations is \$243,950 from the Neighborhood Reinvestment Program budget (Org 15660) and \$254,500 from the Community Enhancement Program budget (Org 12900) totaling \$498,450. Funds for these requests are included in the Fiscal Year 2021-22 Operational Plan for the Neighborhood Reinvestment Program (Org 15660) and Community Enhancement Program (Org 12900). The funding source is General Purpose Revenue and Transient Occupancy Tax Revenues. These actions will not result in the addition of staff years or other costs.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

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

**11. SUBJECT: AUTHORIZE CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS (DISTRICTS: ALL)**

**OVERVIEW**

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

The County continues to make significant efforts to slow the spread of COVID-19. Today's actions request the San Diego County Board of Supervisors (Board) to adopt a resolution authorizing continuance of teleconferenced public meetings using simplified procedures. The Board will need to review and renew the findings at least every 30 days if it wishes to continue the authorization of teleconferenced public meetings using the simplified procedures. This action will also continue the County's commitment to transparency, open government, and the removal of traditional barriers to access and participation in government affairs.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt a resolution entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

**EQUITY IMPACT STATEMENT**

To continue the County's commitment to transparency and open government and remove traditional barriers to access and participation in government affairs, today's actions provide the mechanism to continue teleconferenced public meetings which will have a positive impact on the lives of Black, Indigenous, People of color, women, people with disabilities, immigrants, youth, the LGBTQ community, and economically disadvantaged.

**FISCAL IMPACT**

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

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

This item was pulled from consent for discussion.

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, adopting Resolution No. 21-176, entitled: RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953.

AYES: Vargas, Lawson-Remer, Fletcher, Desmond

NOES: Anderson

**12. SUBJECT: AUTHORIZATION TO APPLY FOR AND ACCEPT GRANT FUNDING RELATED TO ECONOMIC PROSPERITY, COMMUNITY DEVELOPMENT, AND RELIEF OPPORTUNITIES FOR THE SAN DIEGO REGIONAL ECONOMY (DISTRICTS: ALL)**

**OVERVIEW**

On October 5, 2021 (21), the Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to carry out an in-depth assessment across the enterprise on the County's efforts around economic prosperity, innovation, and development. Then, on October 19, 2021 (20), the Board directed the CAO to identify and pursue economic relief opportunities that address the impact that non-essential travel restrictions had on the San Diego regional economy, particularly in South County.

County staff have been researching and engaging on the topics directed by the Board and have found various programs that are immediately available. These grant opportunities could offer economic relief opportunities to businesses that face systemic barriers to access capital, those owned by women, minorities, veterans, individuals without documentation, or individuals with limited English proficiency, and businesses located in low-wealth and rural communities. This includes the first round of the California Microbusiness COVID-19 Relief Grant Program, for which the application is due on November 30, 2021.

Today's actions authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or their designee, to apply for and accept grants that provide opportunities for economic prosperity, community development, and/or relief opportunities for the San Diego regional economy.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or their designee, through June 30, 2026, to pursue grant funding, submit applications, and accept awarded grants that provide opportunities for economic prosperity, community development, and/or relief opportunities for the San Diego regional economy.
2. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or their designee, to execute all required grant documents, including any applications, agreements, annual extensions, amendments, and/or revisions.

**EQUITY IMPACT STATEMENT**

Today's actions would provide the Deputy Chief Administrative Officer/Chief Financial Officer, or their designee, with the authority to apply for and accept grant funding that has the potential to provide economic relief opportunities to the region's most underserved communities. Community engagement and outreach will be paramount to the success of any program that is implemented under this authority. In addition, each grant or funding opportunity will be assessed and reviewed based on its potential to have a positive impact on communities that have historically seen systemic barriers to economic prosperity.

## **FISCAL IMPACT**

There is no fiscal impact associated with the authority to pursue grant funding. Staff will return to the Board as necessary to establish appropriations for grants that are awarded that cannot be supported by the Adopted Operational Plan at the time of award. There will be no change in net General Fund costs and no additional staff years as a result of today's proposed actions.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

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

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

13. **SUBJECT: DEPARTMENT OF GENERAL SERVICES, FLEET MANAGEMENT DIVISION- AUTHORIZATION FOR SINGLE SOURCE PROCUREMENT FOR COMMERCIAL FUEL CARD SERVICES (DISTRICTS: ALL)**

## **OVERVIEW**

The Department of General Services Fleet Management Division (Fleet) is responsible for managing the County of San Diego's fleet of approximately 4,300 vehicles and equipment. The Sheriff's Department, Probation Department, District Attorney's Office, and San Diego County Fire use vehicles or mobile equipment to conduct emergency services or covert investigations in specialty areas such as vice, narcotics, gang activity, and criminal intelligence. Fleet issues commercial fuel credit cards to these departments to provide efficient and easy access to fuel when operating outside the availability of a County or other government agency fuel site to accomplish their mission.

Currently Fleet uses AssetWorks (M-5) as the Fleet Management System to manage all operations. TRIPCard provided by FleetCor Technologies Operating Company, LLC, is the only commercial fuel credit card solution that can be fully integrated into M-5. This integration allows all commercial fuel transactions to be recorded directly into M-5 and provides Fleet the ability to monitor and report these transactions.

Today's request is for Board of Supervisors (Board) approval of a single source contract procurement with FleetCor Technologies Operating Company, LLC, for commercial fuel credit card services. The County spends an estimated \$720,000 annually on fuel purchases which are purchased via the commercial fuel credit card program. The funding source is charged to client departments and there will be no change in net General Fund cost. This procurement would establish a contract for an initial term of one (1) year and an option of four (4) additional one (1) year terms.

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

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter negotiations with FleetCor Technologies Operating Company, LLC, subject to successful negotiations and determination of a fair and reasonable price, award a contract for commercial fuel credit card services and to amend the contract as needed to reflect changes to requirements and funding.

**EQUITY IMPACT STATEMENT**

The Department of General Services anticipates that the approval to procure commercial fuel credit cards with FleetCor Technologies Operating Company, LLC, would result in a positive impact to safety of residents in San Diego County.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan for General Services in the Fleet Internal Service Fund. If approved, this request will result in an estimated annual expenditure of \$720,000. The funding source is charged to client departments. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

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

14. **SUBJECT: ADMINISTRATIVE ITEM:**  
**SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:**  
**AMENDMENTS TO THE COMPENSATION ORDINANCE (11/2/2021 -**  
**First Reading; 11/16/2021 - Second Reading) (DISTRICTS: ALL)**

**OVERVIEW**

On November 2, 2021 (17), the Board of Supervisors took action to further consider and adopt the Ordinance on November 16, 2021.

The proposed amendments to the San Diego County Compensation Ordinance are part of the ongoing efforts to manage and maintain a skilled, adaptable and diverse workforce dedicated to sustaining operational excellence and serving the public. This action amends the Compensation Ordinance by: 1) amending compensation for ten classifications and changing the effective date of a 2% increase for Park Attendants (previously approved by the Board on March 27, 2018 (9)) to address the state minimum wage change effective January 1, 2022, and 2) retitling one job classification in San Diego Air Pollution Control District.

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

Submit ordinance for further Board consideration and adoption on November 16, 2021 (second reading).

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

**EQUITY IMPACT STATEMENT**

The Department of Human Resources is committed to assuring that equity is considered in all classification and compensation studies and analyses in order to provide and retain a skilled, adaptable, and diverse workforce for County departments. Today's recommendations provide for fair and equitable compensation changes and appropriate classification of positions.

**FISCAL IMPACT**

Funds for the proposed salary increases are included in the Fiscal Year (FY) 2021-22 Operational Plan. The respective departments will use existing appropriations to support these proposed costs. The total estimated cost for FY 2021-22 is \$3,000. The funding source is a combination of General Purpose Revenues and various program revenues. Subsequent year costs will be included in future Operational Plan. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10761 (N.S.), entitled: **AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.**

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

15. **SUBJECT: NOTICED PUBLIC HEARING:  
APPROVAL OF THE CONFLICT OF INTEREST CODES FOR THE  
REGIONAL SOLID WASTE ASSOCIATION AND SAN DIEGUITO  
WATER DISTRICT (DISTRICTS: ALL)**

**OVERVIEW**

The Board of Supervisors serves as the Code Reviewing Body for any local government, other than cities, with jurisdiction wholly within the County, per Government Code Section 82011. The recommended action would approve the adoption of the new Conflict of Interest code of the Regional Solid Waste Association and the proposed amendment to the Conflict of Interest code of San Dieguito Water District.

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

Approve the Conflict of Interest codes of the following agencies:

1. Regional Solid Waste Association
2. San Dieguito Water District

## **EQUITY IMPACT STATEMENT**

County government includes standing and special citizen boards, commissions, committees and task forces formed to advise the Board of Supervisors and County staff on issues and policies and to serve as links to the community. Boards, commissions and committees provide an inter-relationship between the residents and the government of the County and as such must provide transparent bias-free decision-making. The Board of Supervisors serves as the Code Reviewing Body for any local government, other than cities, with jurisdiction wholly within the County, pursuant to Government Code Section 82011. Under the California Political Reform Act, a public official has a disqualifying conflict of interest in a governmental decision if it is foreseeable that the decision will have a financial impact on their personal finances or other financial interests. In such cases, there is a risk of biased decision-making that could sacrifice the public's interest in favor of the official's private financial interests. To avoid actual bias or the appearance of possible improprieties, the public official is prohibited from participating in the decision.

The recommended action would approve the adoption or amendments of the Conflict of Interest codes submitted by various entities. The adoption or amendments to the Conflict of Interest codes in this Board Letter enable the County of San Diego to provide transparency and accountability to individual residents, ensuring equitable operations of the government that are free from undue influence.

## **FISCAL IMPACT**

The funding source for administration of this task is included in the Fiscal Year 2021-2022 Adopted Budget for the Clerk of the Board of Supervisors. These reviews require minor costs, which may be recoverable from the State of California.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisor closed the Hearing and took action as recommended, on Consent.

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

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

### **OVERVIEW**

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

### **RECOMMENDATION(S)**

#### **CHAIR NATHAN FLETCHER**

Re-appoint Stephen Cushman as a regular member to the ASSESSMENT APPEALS BOARD 4 (AAB), Seat No. 4, for a term to expire September 2, 2024.



**SUPERVISOR JOEL ANDERSON**

Appoint Paul A. Dombkowski to the JAMUL / DULZURA COMMUNITY PLANNING GROUP, Seat No. 7, for a term to expire January 6, 2025.

Appoint Kerri Bowers to the PINE VALLEY COMMUNITY PLANNING GROUP, Seat No. 11, for a term to expire January 6, 2025.

Appoint Christopher M Pierce to the SPRING VALLEY COMMUNITY PLANNING GROUP, Seat No. 4, for a term to expire January 2, 2023.

Appoint Hoger Saleh to the SPRING VALLEY COMMUNITY PLANNING GROUP, Seat No. 5, for a term to expire January 6, 2025

**SUPERVISOR TERRA LAWSON-REMER**

Appoint Lydell Fleming as a regular member to the ASSESSMENT APPEALS BOARD 4 (AAB), Seat No. 3, for a term to expire September 2, 2024.

**CHIEF ADMINISTRATIVE OFFICER**

Appoint Rickeena Boyd-Kamei to the COMMITTEE FOR PERSONS WITH DISABILITIES, Seat No. 11, for a term to expire November 16, 2023.

Appoint David Garcias to the LEON L. WILLIAMS SAN DIEGO COUNTY HUMAN RELATIONS COMMISSION, Seat No. 6, for an indefinite term.

**EQUITY IMPACT STATEMENT**

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

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

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

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

**OVERVIEW**

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

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Note and file.

**EQUITY IMPACT STATEMENT**

N/A

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

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

**18. SUBJECT: TOWARD CLEANER WATERS: SUPPORTING EFFORTS TO PHASE OUT OFFSHORE OIL DRILLING (DISTRICTS: ALL)**

**OVERVIEW**

On October 1, 2021, tens of thousands of gallons of oil were spilled out of the Amplify offshore oil pipeline off the coast of Huntington Beach, California. We believe this disaster was completely preventable, and today's board letter seeks to implement strategies to ensure that oil spills never again threaten our coasts and communities.

There have been six major oil spills off the coast of California over the past fifty years, polluting miles and miles of beaches, causing untold damage to our coastal ecology and beach economies. We know the risks associated with offshore oil drilling, and yet we continue to allow and heavily subsidize drilling off our iconic coastline. While the Amplify oil spill was not as devastating as it potentially could have been, every time there is an oil spill we are confronted with economic, public health, and environmental challenges. As long as offshore drilling is allowed, we are always faced with the possibility that the next time will be much, much worse.

The County of San Diego and our Office of Emergency Services were able to mobilize a quick response to the Amplify oil spill, but we should never have needed to allocate those public resources.

The Amplify spill was a clear signal that we cannot continue to drill for oil off the coasts of California.

It was fortuitous that earlier this year Representative Mike Levin introduced H.R. 3053, the “American Coasts and Ocean Protection Act,” to stop new offshore oil drilling within federal waters of the United States. While we included support for this legislation under the County of San Diego’s Legislative Program and have previously communicated our support for this bill, the County’s support for this deserves to be emphasized through a Board of Supervisors-adopted resolution.

Furthermore, the impacts from the Amplify oil spill will likely continue to reverberate along the San Diego coasts for years to come. The County should also advocate for continued monitoring and testing of our waters to better understand the impacts of the oil spill. Our Department of Environmental Health and Quality monitors bacteria in our coastal waters, consistent with California law pertaining to Safe Recreational Water Use (California Health and Safety Code Sections 115875-115915). No agency is conducting ongoing monitoring linked to offshore drilling. Today’s board letter will also add to our legislative program additional efforts to monitor petroleum-based pollutants along our coastlines.

Today’s action recommends the adoption of the resolution in support of the “American Coasts and Oceans Protection Act” and add support for petroleum-based monitoring to the County’s legislative program.

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

##### **CHAIR NATHAN FLETCHER AND SUPERVISOR TERRA LAWSON-REMER**

1. Adopt the Resolution entitled: A RESOLUTION OF THE COUNTY OF SAN DIEGO IN SUPPORT OF THE AMERICAN COASTS AND OCEANS PROTECTION ACT.
2. Direct the Chief Administrative Officer to add to the County of San Diego’s legislative program support for legislation and/or administrative action that provide for petroleum-based monitoring of offshore oil drilling.

#### **EQUITY IMPACT STATEMENT**

The negative impacts of offshore oil drilling disproportionately impact vulnerable, low-income communities. From dependence on fisheries and tourism economies impacted by oil spills, to climate change-induced wildfires, flooding, and heatwaves, these impacts are more acute for those communities with limited resources. Supporting efforts to phase out offshore oil drilling will help lessen these impacts on vulnerable communities.

#### **FISCAL IMPACT**

There is no fiscal impact associated with this action.

#### **BUSINESS IMPACT STATEMENT**

Oil spills have a devastating impact on our state economy and a prohibition on new offshore oil drilling will help our coastal economy.

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson-Remer, the Board of Supervisors took the following actions:

1. Adopted Resolution No. 21-177, entitled: A RESOLUTION OF THE COUNTY OF SAN DIEGO IN SUPPORT OF THE AMERICAN COASTS AND OCEANS PROTECTION ACT.
2. Directed the Chief Administrative Officer to add to the County of San Diego's legislative program support for legislation and/or administrative action that provide for petroleum-based monitoring of offshore oil drilling.
3. Directed the Chief Administrative Officer to:
  - a. Prepare and send a letter to the Governor of California, with the Chair's signature, requesting to take any action necessary to expedite the decommissioning of platforms that are minimally operating just to avoid the cost of shutting down operations.
  - b. Seek funding under the recently passed infrastructure bill to explore the use of non-operating oil platforms as sites for potential energy generating wind turbines.

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

19. **SUBJECT: DEVELOP A UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (UN CEDAW) ORDINANCE AND A GENDER EQUITY STRATEGY FOR SAN DIEGO COUNTY (DISTRICTS: ALL)**

**OVERVIEW**

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international bill of rights for women. The UN General Assembly adopted CEDAW in 1979. CEDAW, which consists of a preamble and 30 articles, defines what constitutes discrimination against women and sets forth an agenda for action to end such discrimination. Across multiple sectors, discrimination against women is known to cause negative impacts in economic, political, and social participation of women. This in turn results in loss of economic opportunities, poverty, among other things.

On July 17, 1980, President Carter signed CEDAW, but the treaty has yet to be brought before the full Senate for a vote. To date, the United States is one of only a handful of other nations, including Iran and Somalia, that has yet to ratify the treaty. That said, several U.S. cities and counties have taken action to adopt local ordinances that reflect the principles of CEDAW to work towards the elimination of all discrimination against women. Adopting a CEDAW ordinance locally will help the County of San Diego achieve gender parity, decrease gender-based discrimination, and work towards the elimination of all acts of discrimination against women and girls in our county.

Today's recommended action directs County staff to draft a County of San Diego CEDAW Ordinance. Such a local ordinance will help address existing barriers that reduce the quality of life and equity of opportunity for women and girls and will foster more transparent and accountable governance in our region. Additionally, this proposal directs County staff to take initial steps to begin the process to develop a gender equity strategy to help implement the CEDAW Ordinance, upon its adoption.

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

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

1. Direct the Chief Administrative Office to identify appropriate County staff from the Office of Equity and Racial Justice and other relevant departments to work with the San Diego County Commission on the Status of Women and Girls to draft a San Diego County CEDAW Ordinance for adoption and approval at the March 2, 2022 Board of Supervisors meeting.
2. Direct the Chief Administrative Office to identify appropriate County staff from the Office of Equity and Racial Justice and other relevant departments to work with the San Diego County Commission on the Status of Women and Girls to begin the progress to conduct a gender equity strategy to help guide the implementation of this ordinance upon its adoption.

#### **EQUITY IMPACT STATEMENT**

Discrimination against women violates basic human rights because all human beings are inherently entitled to equal rights and respect for dignity. Furthermore, discrimination against women has been known to cause negative impacts in economic, political, and social participation of women. This in turn has resulted in loss of economic opportunities, poverty, among other things. Adopting a CEDAW ordinance will help the County of San Diego achieve gender parity, decrease gender-based discrimination, and work towards the elimination of all acts of discrimination against women and girls in our county.

The San Diego County Commission on the Status of Women and Girls was created by the San Diego County Board of Supervisors to identify the needs and problems of women and girls in the County and to eliminate the practice of discrimination and prejudice against women and girls. The Commission has identified that a CEDAW ordinance is required to further address these issues and will continue their dialogue with members of the public and community organizations to hear feedback and determine what issues are most important in moving forward. Critical to the policy will be consideration for an intersectional and inclusive view of gender equity. Additionally, it is integral that the Commission and staff explore the disparate impacts facing women and girls of color.

#### **FISCAL IMPACT**

There is no fiscal impact associated with this action. There may be future fiscal impacts associated with future recommendations. Any such recommendations would return to the Board for approval.

## **BUSINESS IMPACT STATEMENT**

In San Diego County, the extent to which women and girls experience inequities at all levels of business is undisputed, including in the provision of public contracting to women-owned businesses; gender equity in operations, programs, and budgets; and the number of certified women-owned businesses registered. Increasing gender equity in San Diego County may bring significant economic growth to the region and remove barriers faced by women and girls.

### **ACTION:**

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

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

**20. SUBJECT: TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS DURING 2020 (DISTRICTS: ALL)**

### **OVERVIEW**

In 2016, the State of California enacted the Transparent Review of Unjust Transfers and Holds Act, also known as the "TRUTH Act." The TRUTH Act requires, per Government Code Section 7283.1(d), that the governing body of a county shall hold an annual community forum if a local law enforcement agency within that county provided federal Immigration and Customs Enforcement (ICE) access, as defined in the Act, to individuals during the previous year.

This is a request for the Board of Supervisors to hold a TRUTH Act community forum in order to provide information about ICE's access to individuals, and to receive and consider public comment. This forum was noticed to the public on October 14, 2021.

Specifically for the TRUTH Act community forum, members of the public are provided the opportunity to submit questions regarding ICE access to individuals during 2020. As time permits, public questions submitted in advance will be addressed by County department/agency representatives during the forum. Questions can be submitted via Microsoft Form (<https://forms.office.com/g/nTtj9mtqpY>). Selected questions will be addressed during the community forum.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Hold a community forum on November 16, 2021, in accordance with Government Code Section 7283.1(d).
2. Receive report from the Sheriff's Department regarding ICE access to individuals during 2020.

### **EQUITY IMPACT STATEMENT**

In an effort to increase transparency and public access to information, the County will hold a community forum and solicit public comment. During the forum, County departments who have provided access to Immigration and Customs Enforcement (ICE) will provide a summary of data.

Additionally, all records related to ICE access are available for public access. Information that is reported out includes the number of individuals to whom the agency has provided ICE access and their demographic characteristics, the date ICE access was provided, and how ICE access was provided, either through a hold, transfer, notification request or through other means.

#### **FISCAL IMPACT**

There is no fiscal impact associated with the Recommendations to hold a community forum and receive a report regarding ICE access to individuals. If approved, there will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors closed the Hearing and held a community forum on November 16, 2021 at 6 p.m., in accordance with Government Code Section 7283.1 (d) and received a report from the Sheriff's Department regarding ICE access to individuals during 2020.

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

#### **21. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)**

##### **OVERVIEW**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
In Re: National Prescription Opiate Litigation; United States District Court, Northern District of Ohio, No. 1:17-md-02804-DAP
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
In Re: Purdue Pharma, L.P.; United States Bankruptcy Court, Southern District of New York, No. 7:19-cv-10941-CM
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
A.B., a minor, et al. v. County of San Diego, et al.; United States Court of Appeal, Ninth Circuit Docket No. 20-56140
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Shynita Phillips Abu v. County of San Diego, et al.; United States District Court, Southern District No. 3:21-cv-1622-BTM-AGS
- E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
The Estate of Elisa Serna, et al. v. County of San Diego, et al.; United States District Court, Southern District No. 20-cv-2096-LAB-MSB

- F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Judith Dorsa v. County of San Diego, et al.; San Diego Superior Court Case No. 37-2020-00006312-CU-PO-CTL
- G. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
County of San Diego v. KONE, Inc.; San Diego Superior Court, Case No. 37-2020-00035246-CU-BC-CTL
- H. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
KONE, Inc. v. County of San Diego.; San Diego Superior Court, Case No. 37-2020-00036117-CU-MC-CTL
- I. 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)
- J. 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)
- K. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Nicholas Yphantides, M.D. v. County of San Diego, et al.; San Diego Superior Court, Case No. 37-2021-0002601336117-CU-MC-CTL
- L. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Nicholas Yphantides, M.D. v. County of San Diego; United States District Court, Southern District No. 21-cv-01575-GPC-BLM
- M. CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code section 54957.6)  
Designated Representatives: Susan Brazeau, Brad Rankin  
Employee Organizations and Unrepresented Employees: All

**ACTION:**

County Counsel reported that for Closed Session on November 16, 2021, the Board of Supervisors took no reportable actions.

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

**OVERVIEW**

Jeff Noway spoke to the Board regarding the Board's Rules of Procedures and COVID-19 cases.

William Keith spoke to the Board regarding County jails.



Mike Borrello spoke to the Board regarding COVID-19 spike protein.

Lana Cotton spoke to the Board regarding constituent involvement in meetings.

Michael Brando spoke to the Board regarding public health.

Kevin Stevenson spoke to the Board regarding the Board's new Rules of Procedures.

Carol Green and Terri Ann Skelly spoke to the Board regarding children's mental health.

Mark Wilcox spoke to the Board regarding the marijuana industry.

Amber Long spoke to the Board regarding COVID-19.

Bob Cotton and Robert Welstand spoke to the Board regarding COVID-19 responses.

Paul Rieker spoke to the Board regarding an adverse childhood experience.

Audra spoke to the Board regarding COVID-19 vaccines and public speakers.

Mialissa Flores spoke to the Board regarding the California Youth Connections.

Jason Robo and Paul Henkin spoke to the Board regarding the Board of Supervisors meeting rules.

Becky Rapp and Kelly McCormick spoke to the Board regarding marijuana use among teens.

Kathleen Lippitt spoke to the Board regarding concerns about the marijuana industry.

Peggy Walker spoke to the Board regarding the use of marijuana vaping and dabbing among teens.

Ann Riddle spoke to the Board regarding the use of flavored marijuana products among teens.

Diane Grace spoke to the Board regarding marijuana projects and its effect on youth.

Linda Willemse spoke to the Board regarding COVID-19 vaccines.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

The Board adjourned the Tuesday session at 8:34 p.m. in memory of Luz Maria Ramirez de Rosas and Greg Block.

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

Consent: Vizcarra  
Discussion: Zurita

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

Approved by the Board of Supervisors, on Tuesday, December 7, 2021.



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NATHAN FLETCHER  
Chair

Attest:



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ANDREW POTTER  
Clerk of the Board

11/16/2021