

**December 5, 2023**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

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

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
REGULAR MEETING  
**TUESDAY, DECEMBER 5, 2023, 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 9:14 a.m.

PRESENT: Supervisors Nora Vargas, Chair; Terra Lawson-Remer, Vice-Chair; Joel Anderson; Supervisor-Elect Monica Montgomery Steppe; Jim Desmond; also, Andrew Potter, Clerk of the Board of Supervisors.

- B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.
- C. Invocation was led by Reverend Laurel Mathewson of St. Luke's North Park Episcopal Church.
- D. Pledge of Allegiance was led by Sabrina Bishop.
- E. Item 33: ADOPTION OF A RESOLUTION DECLARING ELECTION RESULTS OF THE NOVEMBER 7, 2023 SPECIAL ELECTION
- F. Swearing-In of District 4 Supervisor-Elect Monica Montgomery Steppe
- The Oath of Office was administered by Cecil Steppe.
- G. Presentations or Announcement of Proclamations and Awards:
- Chair Nora Vargas presented a proclamation declaring December 5, 2023, to be 2024 World Design Capital Day throughout the County of San Diego.
- Vice-Chair Terra Lawson-Remer presented a proclamation declaring December 5, 2023, to be Caregiver Appreciation Day throughout the County of San Diego.
- Supervisor Jim Desmond presented a proclamation declaring December 5, 2023, to be Hillel Day throughout the County of San Diego.
- H. 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.

- I. Approval of the Statement of Proceedings/Minutes for the Regular meeting of November 7, 2023; Flood Control District meeting of September 27, 2023; Housing Authority meeting of July 19, 2023; In-Home Supportive Services Public Authority meeting of June 27, 2023; Redevelopment Successor Agency meeting of June 27, 2023; San Diego County Fire Protection District meeting of October 24, 2023; and, the Sanitation District meeting of October 25, 2023.

**ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular meeting of November 7, 2023; Flood Control District meeting of September 27, 2023; Housing Authority meeting of July 19, 2023; In Home Supportive Services Public Authority meeting of June 27, 2023; Redevelopment Successor Agency meeting of June 27, 2023; San Diego County Fire Protection District meeting of October 24, 2023; and, the Sanitation District meeting of October 25, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSTAINED: Montgomery Steppe

- J. Consent Calendar

- K. Discussion Items

- L. **Time Certain: 11:00 a.m.**

**Item 34: FISCAL YEAR 2023-24 FIRST QUARTER OPERATIONAL PLAN STATUS REPORT AND BUDGET ADJUSTMENTS (DISTRICTS: ALL)**

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

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

**Board of Supervisors' Agenda Items**

Category	#	Subject
Public Safety	1.	DISTRICT ATTORNEY - REQUEST TO APPLY FOR AND ACCEPT CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANTS [FUNDING SOURCES: CALIFORNIA OFFICE OF TRAFFIC SAFETY AND EXISTING GENERAL-PURPOSE REVENUE FOR INDIRECT COSTS]

2. SHERIFF - REQUEST TO APPROVE AMENDMENT TO THE REVENUE CONTRACT WITH DEPARTMENT OF STATE HOSPITALS FOR THE FELONY INCOMPETENT TO STAND TRIAL (IST) PROGRAM  
[FUNDING SOURCE: DEPARTMENT OF STATE HOSPITALS]  
(4 VOTES)
3. ACCEPT THE FISCAL YEAR 2023-24 COMMUNITY CORRECTIONS PARTNERSHIP PLAN
4. AUTHORIZE COMPETITIVE SOLICITATIONS FOR SERVICES IN PROBATION FACILITIES AND THROUGHOUT THE COUNTY OF SAN DIEGO  
[FUNDING SOURCE: JUVENILE PROBATION ACTIVITIES REVENUE, JUVENILE JUSTICE CRIME PREVENTION ACT, JUVENILE JUSTICE REALIGNMENT BLOCK GRANT, AND EXISTING GENERAL-PURPOSE REVENUE]
5. EMERGENCY SERVICES - 2023 HOMELAND SECURITY GRANT PROGRAM AND EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM GOVERNING BODY RESOLUTION  
[FUNDING SOURCE: CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES]
6. ADOPT RESOLUTION TO GUIDE IMPLEMENTATION OF SENATE BILL (SB) 43 AND ESTABLISH A MULTISECTORAL PLANNING PROCESS TO GUIDE IMPLEMENTATION
7. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE CODE AND BOARD POLICY SUNSET REVIEW 2023; APPROVE AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE GENERAL RELIEF PROGRAM (NOVEMBER 7, 2023 - FIRST READING; DECEMBER 5, 2023 - SECOND READING)
8. AUTHORIZE COMPETITIVE SOLICITATION FOR AS-NEEDED COMMUNITY VACCINATION SERVICES, AND AUTHORIZE FUTURE FUNDING OPPORTUNITIES RELATED TO IMMUNIZATION SERVICES  
[FUNDING SOURCE: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH IMMUNIZATION LOCAL ASSISTANCE GRANT IN FY 2024-25 AND THE DEPARTMENT OF PUBLIC HEALTH EPIDEMIOLOGY AND LABORATORY CAPACITY FOR PREVENTION AND CONTROL OF EMERGING INFECTIOUS DISEASES IN FY 2025-26]

Health and  
Human Services

Financial and  
General  
Government

9. RESOLUTION DESIGNATING DATES AND TIMES FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS IN 2024
10. WITHDRAWN - RESOLUTION AMENDING THE RULES OF PROCEDURE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS
11. SOLICITING VOLUNTEERS FOR THE ANNUAL POINT IN TIME COUNT
12. AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION (12/5/23 - First Reading; 1/9/24 - Second Reading, unless the ordinance is modified on second reading)
13. 2024 LEGISLATIVE PROGRAM
14. ESCHEATMENT OF UNCLAIMED PROPERTY TAX REFUND MONEY IN COUNTY TRUST FUNDS (PROPERTY TAX)
15. GENERAL SERVICES - APPROVAL OF SECOND AMENDMENT TO LEASE WITH THE SAN DIEGO REGIONAL BUILDING AUTHORITY AND SECOND AMENDMENT TO SUBLEASE WITH THE SAN DIEGO METROPOLITAN TRANSIT BOARD FOR THE JAMES R. MILLS BUILDING AND NOTICE OF EXEMPTION
16. APPROVAL OF THE CONFLICT-OF-INTEREST CODE FOR ALBERT EINSTEIN ACADEMIES
17. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION (11/7/23 - First Reading; 12/5/23 - Second Reading, unless the ordinance is modified on second reading)
18. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
AN ORDINANCE ADDING SECTION 438 TO ARTICLE XXIV-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO VOLUNTEER ELECTION POLL WORKERS AND ELECTION SUPPORT VOLUNTEERS (11/07/2023 - First Reading; 12/05/2023 - Second Reading, unless ordinance is modified on second reading)
19. SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:  
SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND COUNTY ADMINISTRATIVE CODE PROVISIONS ASSIGNED TO THE FINANCE AND GENERAL GOVERNMENT GROUP (11/7/23 - First Reading; 12/5/23 - Second Reading, unless the ordinances are modified on second reading)

Appointments	20.	APPOINTMENTS: VARIOUS
Communications Received	21.	COMMUNICATIONS RECEIVED
Public Safety	22.	ENDING TAXPAYER FUNDED DEPORTATION DEFENSE FOR CRIMINAL NONCITIZENS
	23.	AN ORDINANCE AMENDING SECTION 363 OF ARTICLE XX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO FILING FEES TO SEAL OR EXPUNGE A RECORD, PURSUANT TO ASSEMBLY BILL 134 [FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE]
Health and Human Services	24.	HOUSING EVERY HOMELESS PERSON IN ADDICTION RECOVERY [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
	25.	WITHDRAWN - ADVANCING REPRODUCTIVE RIGHTS EDUCATION AND PURSUING LITIGATION TO SHUT DOWN FAKE AND FRAUDULENT CRISIS PREGNANCY CENTERS [FUNDING SOURCE: EXISTING ONE-TIME GENERAL PURPOSE REVENUE]
	26.	ADOPT THE SUSTAINABLE, EQUITABLE, AND LOCAL FOOD SOURCING POLICY AND DIRECT IMPLEMENTATION OF YEAR-TWO OF THE SUSTAINABLE, EQUITABLE, AND LOCAL FOOD SOURCING PROGRAM [FUNDING SOURCE: ARPA]
Financial and General Government	27.	NOTICED PUBLIC HEARING (TEFRA): ISSUANCE OF BONDS, IN ONE OR MORE SERIES, FROM TIME TO TIME PURSUANT TO A PLAN OF FINANCE, BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY FOR THE BENEFIT OF SHARP HEALTHCARE AND ITS AFFILIATES IN AN AGGREGATE AMOUNT NOT TO EXCEED \$1.0 BILLION
	28.	ADOPT ORDINANCE AUTHORIZING A DISPOSITION AND DEVELOPMENT AGREEMENT FOR AFFORDABLE HOUSING ON COUNTY-OWNED LAND - RAMONA SENIOR HOUSING/PASEO NORTE AND RELATED CEQA FINDING [FUNDING SOURCE: INTERNAL AGREEMENT WITH THE HEALTH AND HUMAN SERVICES AGENCY (HHSA) SUPPORTED BY HHSA'S EXISTING AVAILABLE APPROPRIATIONS FUNDED WITH GENERAL PURPOSE REVENUE] (4 VOTES)
	29.	PROTECTING CALIFORNIA RATEPAYERS BY OPPOSING INCOME-GRADUATED FIXED ENERGY CHARGES

30. ENHANCING HUMANITARIAN EMERGENCY RESPONSE AND RELIEF: SUPPORTIVE SERVICES FOR ASYLUM SEEKING MIGRANTS  
[FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE]
31. ENSURING DIVESTMENT OF COUNTY FUNDS IN THE ISLAMIC REPUBLIC OF IRAN
32. CONDUCT COMPREHENSIVE FISCAL STUDY FOR SOLUTIONS TO IMPROVE RETENTION AND RECRUITMENT OF SAN DIEGO COUNTY SHERIFF DEPUTIES  
[FUNDING SOURCE: EXISTING ONE-TIME GENERAL PURPOSE REVENUE]
33. ADOPTION OF A RESOLUTION DECLARING ELECTION RESULTS OF THE NOVEMBER 7, 2023 SPECIAL ELECTION
34. FISCAL YEAR 2023-24 FIRST QUARTER OPERATIONAL PLAN STATUS REPORT AND BUDGET ADJUSTMENTS  
[FUNDING SOURCE: JUDICIAL COUNCIL OF CALIFORNIA, RCS TRUST FUND, CALIFORNIA HIGHWAY PATROL CANNABIS TAX FUND GRANT, OVER-REALIZED GENERAL PURPOSE REVENUE, GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT GRANT, OPIOID SETTLEMENT FRAMEWORK, ENVIRONMENTAL PUBLIC HEALTH AND EMERGENCY RESPONSE GRANT AND MISCELLANEOUS REVENUES; OPERATING TRANSFERS IN FROM THE GENERAL FUND, OPERATING TRANSFERS IN FROM JAIL COMMISSARY ENTERPRISE FUND, AVAILABLE PRIOR YEAR JAIL COMMISSARY ENTERPRISE FUND FUND BALANCE, FEDERAL AVIATION ADMINISTRATION, OPERATING TRANSFERS IN FROM INTERNAL SERVICE FUND, AVAILABLE PRIOR YEAR COMMUNITY SERVICE AREA FUND BALANCE, AVAILABLE PRIOR YEAR AIRPORT ENTERPRISE FUND FUND BALANCE, AVAILABLE PRIOR YEAR COMMUNITY FACILITIES DISTRICT FUND BALANCE, AVAILABLE PRIOR YEAR FISH AND GAME PROPAGATION FUND FUND BALANCE AND MISCELLANEOUS REVENUES]  
(4 VOTES)

Closed Session

35. CLOSED SESSION

Public  
Communication

36. PUBLIC COMMUNICATION

1. **SUBJECT: DISTRICT ATTORNEY - REQUEST TO APPLY FOR AND ACCEPT CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANTS (DISTRICTS: ALL)**

**OVERVIEW**

The District Attorney's Office (DAO) has a long history of utilizing grant funds to support the operation of the Driving Under the Influence (DUI) Homicide Unit and impaired driving prevention activities since 2014. This is a request to authorize the DAO to submit a grant application, and if awarded, to accept the grant funding for the California Office of Traffic Safety (OTS) DUI grant through the National Highway Traffic Safety Administration for Federal Fiscal Year (FFY) 2024-2025. The estimated grant amount of \$2.5 million would be for the period of October 1, 2024 through September 30, 2025. In addition to continuing vertical prosecution of DUI cases, the grant would also support community education on impaired driving and provide training for local law enforcement on DUI investigations.

This is also a request to authorize the DAO to apply for and accept grant funding from OTS in subsequent years provided there are no material changes to the grant terms and funding levels. If authorized, the DAO will return to the Board of Supervisors for authorization to appropriate awarded funds as necessary.

**RECOMMENDATION(S)  
DISTRICT ATTORNEY**

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery which requires full cost recovery of grants and to the extent it requires separate applications for authority to apply for and accept grants.
2. Authorize the District Attorney to apply for and accept grant funds in the estimated amount of \$2.5 million for the period of October 1, 2024 through September 30, 2025 from the California Office of Traffic Safety for the Driving Under the Influence program and apply for and accept grant funds in subsequent years provided there are no material changes to the grant terms or funding level.
3. Authorize the District Attorney to review and execute all required grant and grant-related documents for the Driving Under the Influence grant program, this year and in subsequent years, including agreements with other government agencies for the distribution of grant funds where necessary to carry out the purposes of the grant and any annual extension, amendments, and/or revisions thereof that do not materially impact or alter the services or funding level. This authorization would include agreements for the distribution of grant funds where necessary to carry out the purposes of each grant and any annual extension, amendments, and/or revisions thereof that do not materially impact or alter the services or funding level.

**EQUITY IMPACT STATEMENT**

The District Attorney's Office is constitutionally responsible for the investigation and prosecution of all criminal violations of state law and county ordinances. The District Attorney's Driving Under the Influence (DUI) Homicide Unit specializes in prosecuting DUI homicide and other DUI related cases. DUI cases affect all communities in San Diego and are also prevalent in



cases involving youth. The DUI Homicide Unit is committed to engaging all San Diego communities in education and awareness campaigns to protect residents and prevent the tragedies associated with impaired driving. Proactive strategies will be deployed with the goal of educating the community at large, with an added focus on outreach at local schools and universities.

#### **SUSTAINABILITY IMPACT STATEMENT**

The District Attorney's application for Office of Traffic Safety grant funding contributes to the County of San Diego's sustainability goals of safety by focusing on educating community members on the dangers of impaired driving, assisting victims and families who have been harmed by a Driving Under the Influence (DUI) driver, training law enforcement personnel in the investigation and prosecution of DUI cases.

#### **FISCAL IMPACT**

Funds for this request will be included in the Fiscal Years 2024-26 CAO Recommended Operational Plan for the District Attorney's Office. If approved, this request will result in estimated costs and revenue of \$2.5 million for Fiscal Year 2024-25. The funding sources are \$2.3 million from the California Office of Traffic Safety and an estimated \$0.2 million of existing General Purpose Revenue for indirect costs. Funds in subsequent years will be included in future operational plans. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

2. **SUBJECT: SHERIFF - REQUEST TO APPROVE AMENDMENT TO THE REVENUE CONTRACT WITH DEPARTMENT OF STATE HOSPITALS FOR THE FELONY INCOMPETENT TO STAND TRIAL (IST) PROGRAM (DISTRICTS: ALL)**

#### **OVERVIEW**

The Department of State Hospitals (DSH) is responsible for restoring competency to individuals with serious mental illnesses who are found mentally incompetent to stand trial (IST) on felony charges, pursuant to California Penal Code 1370. A person cannot be tried or sentenced while mentally incompetent, therefore IST defendants are to be committed to a state hospital for care and treatment to restore competency in order to stand trial. There is a high demand in California for state hospital beds for substantive services to restore competency, which has created delays to IST treatment. DSH has made efforts to mitigate restorative service delays by introducing programs to facilitate expediency in the competency restoration process as well as alternatives to incarceration through diversion programs.

The San Diego County Sheriff's Department (SDSD) and DSH agreed to implement the Re-Evaluation Services IST program at Sheriff's detention facilities and entered into a revenue agreement executed in October 2022 with estimated expenditures of \$100,000 per year for Fiscal Years 2021-22, 2022-23, and 2023-24. The SDSD agreed to facilitate access and provide security to IST individuals who DSH identified as being selected for re-evaluation services. IST individuals are escorted from their respective housing locations to the telehealth interview areas within the facilities. SDSD further agreed to provide DSH with relevant incarcerated persons' medical records, including mental health and behavioral health records, and coordinate interviews with defendants who have been determined to be IST on a felony charge, and are awaiting placement into a DSH restoration program.

Due to the high demand for competency restorative services, DSH has increased the re-evaluation services provided by the program, which has resulted in an increase of additional \$300,000 in the estimated expenditures of the revenue agreement between now through June 30, 2024. This is a request to approve a revenue agreement addendum increasing the estimated expenditures and revenue for services provided to the DSH Re-Evaluation Services for IST program.

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

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery that requires docketing Revenue Contracts with the Board at least 60 days prior to effective date of the contract.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, an amendment to the Agreement for Incompetent to Stand Trial (IST) services between the County of San Diego, through the Sheriff's Department, and Department of State Hospitals (DSH), to increase funding by \$300,000.
3. Establish appropriations of \$300,000 in the Sheriff's Department, Salaries & Benefits, based on revenue from DSH for the IST program. **(4 VOTES)**

#### **EQUITY IMPACT STATEMENT**

The Department of State Hospitals and San Diego County Sheriff's Department recognize the systemic impact the Statewide waitlist for incompetent to stand trial treatment services has had on incarcerated persons with serious mental illness who are awaiting trial. This agreement continues the focus on equity by decreasing the disparity from the State justice system and benefits the incarcerated person by supporting the access to restoration services.

#### **SUSTAINABILITY IMPACT STATEMENT**

The proposed actions support the County of San Diego's Sustainability Initiative of resiliency by ensuring the County's ability to respond more efficiently to the immediate needs of incarcerated persons with serious mental illness requiring incompetent to stand trial treatment services. The proposed action to expedite access to restoration and forensic services for incarcerated persons contributes to the County of San Diego's Sustainability Goal to provide just and equitable access because it lessens the time that incarcerated persons need to be housed in a Jail Based Competency Treatment Program or in a state hospital.

## **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2023-24 Operational Plan for the Sheriff's Department. If approved, this request will result in current year costs and revenue up to \$300,000. The funding source is revenue from Department of State Hospitals. There will be no change in net General Fund cost and no increase in staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

### **3. SUBJECT: ACCEPT THE FISCAL YEAR 2023-24 COMMUNITY CORRECTIONS PARTNERSHIP PLAN (DISTRICTS: ALL)**

## **OVERVIEW**

On October 1, 2011, the State of California implemented the Public Safety Realignment Act (AB 109). This law fundamentally altered the criminal justice system by changing the definition of a felony; shifting housing for people with lower-level felony offenses from state prison to local county jails; and transferring the supervision of designated people on parole from the California Department of Corrections and Rehabilitation to local county agencies. AB 109 requires counties to develop comprehensive plans to effectively implement these modifications to the criminal justice system without compromising public safety. Today's action requests that the Board of Supervisors (Board) accept San Diego County's Fiscal Year 2023-24 plan, known as the Community Corrections Partnership (CCP) Plan.

AB 109 established the role and membership of the CCP Executive Committee, which approves a CCP Plan. In 2023, updates to the CCP Plan were provided by the District Attorney's Office, Health and Human Services Agency (HHSA), Probation Department, Public Defender, and the Sheriff's Department. The CCP Plan reflects stakeholder and community participation gathered during two community forums and through the Engage San Diego online platform that includes feedback from community-based providers and individuals with prior justice system involvement and their families.

The updated CCP Plan shows that San Diego County's approach to AB 109 and the broader justice system has evolved significantly in the 12 years since passage of AB 109. Additionally, the policy priorities expressed by the County of San Diego Board of Supervisors are reflected in the plan including a focus on behavioral health, housing, equity, and alternatives to incarceration. The Fiscal Year 2023-24 CCP Plan provides an updated framework for San Diego County justice partners and stakeholders to plan, monitor, and report on the San Diego County criminal justice system.

As part of a public meeting, the CCP Executive Committee voted to accept the CCP Plan on October 12, 2023. Today's action is a request for the Board to accept the Fiscal Year 2023-24 CCP Plan.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Accept the County's Fiscal Year 2023-24 Community Corrections Partnership Plan.

**EQUITY IMPACT STATEMENT**

The Community Corrections Partnership (CCP) Plan was developed with equity as a guiding principle to reduce disparities across the health and justice systems and ensure equitable access to quality prevention, treatment, and rehabilitation services. The CCP Plan includes feedback from community stakeholders and individuals who were previously involved with the justice system. The CCP Plan includes services delivered by community members with relevant lived experiences to mentor and assist individuals to successfully transition from custody into the community.

**SUSTAINABILITY IMPACT STATEMENT**

The proposed action to accept the County's Fiscal Year 2023-24 Community Corrections Partnership (CCP) Plan contributes to the County of San Diego's Sustainability Goals of engaging the community and providing just and equitable access to services and resources. The CCP Plan reflects robust community input gathered from two community forums and the Engage San Diego online platform and includes feedback from representatives of community-based organizations and individuals with lived experience in the justice system. Furthermore, the CCP Plan outlines linkages and access to treatment, behavioral health care, housing, education, employment, medical and public health care, with the goal of expanding the availability of accessible County services and community resources for justice-involved individuals. The Probation Department will continue to gather public input on future CCP Plans to meet the needs of justice-involved individuals and encourage diverse stakeholders to participate in decisions that affect their communities.

**FISCAL IMPACT**

There is no fiscal impact associated with accepting Fiscal Year 2023-24 Community Corrections Partnership Plan. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

**4. SUBJECT: AUTHORIZE COMPETITIVE SOLICITATIONS FOR SERVICES IN PROBATION FACILITIES AND THROUGHOUT THE COUNTY OF SAN DIEGO (DISTRICTS: ALL)**

**OVERVIEW**

The County of San Diego Probation Department (Probation) provides a comprehensive array of programs and services to Probation clients and their families throughout the County in Probation facilities and in the community. These services are delivered through County-operated programs, as well as through contracted services.

Today's actions request the County of San Diego Board of Supervisors to authorize competitive solicitations for contracts to continue providing youth-focused programs including family therapy, alternatives to detention, credible messenger mentoring, and food and healthcare services for Probation detention facilities. These programs support Probation's mission of fulfilling clients' needs, using evidence-based and best practices in the continuum of care and promoting public safety.

These actions support the County of San Diego's vision of a just, sustainable, and resilient future for all. These services will help justice-involved clients acquire life skills, gain self-sufficiency, and avoid recidivism, while protecting community safety.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue a competitive solicitation for family therapy services, and upon successful negotiation and determination of fair and reasonable price, award contracts for an initial term of one (1) year with up to four (4) one-year options and an additional six months if needed, subject to the availability of funds and a need for the services, and to amend the contract as needed to reflect changes to services and funding, subject to the approval of the Chief Probation Officer.
2. 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 alternatives to detention, and upon successful negotiation and determination of fair and reasonable price, award contracts for an initial term of one (1) year with up to four (4) one-year options and an additional six months if needed, subject to the availability of funds and a need for the services, and to amend the contract as needed to reflect changes to services and funding, subject to the approval of the Chief Probation Officer.
3. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue a competitive solicitation for the credible messenger mentoring program, and upon successful negotiation and determination of fair and reasonable price, award contracts for an initial term of one (1) year with up to four (4) one-year options and an additional six months if

needed, subject to the availability of funds and a need for the services, and to amend the contract as needed to reflect changes to services and funding, subject to the approval of the Chief Probation Officer.

4. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue a competitive solicitation for the food services at Probation facilities, and upon successful negotiation and determination of fair and reasonable price, award contracts for an initial term of one (1) year with four (4) one-year options and an additional six months if needed, subject to the availability of funds and a need for the services, and to amend the contract as needed to reflect changes to services and funding, subject to the approval of the Chief Probation Officer.
5. 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 integrated healthcare services at Probation facilities, and upon successful negotiation and determination of fair and reasonable price, award contracts for an initial term of one (1) year with up to four (4) one-year options and an additional six months if needed, subject to the availability of funds and a need for the services, and to amend the contract as needed to reflect changes to services and funding, subject to the approval of the Chief Probation Officer.

#### **EQUITY IMPACT STATEMENT**

These contracts will provide services to Probation clients and their families, including those underserved by social and health resources and populations with justice-involvement, those experiencing homelessness and those with health conditions.

#### **SUSTAINABILITY IMPACT STATEMENT**

Today's proposed actions contribute to the County of San Diego's Sustainability Goals of providing equitable access to economic opportunity and reducing outcomes of poverty like homelessness. These services will strengthen family relationships, promote client self-sufficiency, and improve client health and well-being. In addition, food will be sourced locally when possible, supporting local agriculture and reducing emissions. Food-related materials will be tracked for waste reduction, diversion, reuse, and recycling. These services will serve to strengthen the County's efforts to maximize environmental and sustainability practices.

#### **FISCAL IMPACT**

If approved, this request will result in approximate total costs and revenue of \$15.1 million of which \$0.3 million in existing General Purpose Revenue is included in the Fiscal Year 2023-24 Operational Plan for Probation. Remaining costs and revenue of \$14.8 million will be included in future Operational Plans for Probation. The funding sources are Juvenile Probation Activities revenue, Juvenile Justice Crime Prevention Act, Juvenile Justice Realignment Block Grant, and existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

5. **SUBJECT: EMERGENCY SERVICES - 2023 HOMELAND SECURITY GRANT PROGRAM AND EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM GOVERNING BODY RESOLUTION (DISTRICTS: ALL)**

**OVERVIEW**

The U.S. Department of Homeland Security provides funding to the California Governor's Office of Emergency Services (Cal OES) through the Homeland Security Grant Program which includes the State Homeland Security Program and the Urban Areas Security Initiative and the Emergency Management Performance Grant Program. The County of San Diego Office of Emergency Services (OES) is responsible for administering and distributing the State Homeland Security Grant Program funds in the region for prevention, preparedness and response efforts related to terrorism and other catastrophic events. The purpose of the State Emergency Management Performance Grants is to support comprehensive emergency management and to encourage the improvement of mitigation, preparedness, response, and recovery capabilities for all hazards.

On September 15, 2015 (3) (6), the Board of Supervisors authorized OES to apply for and accept Homeland Security Program Grants and Emergency Management Performance Grants in subsequent years. In 2023, OES submitted Fiscal Year 2023 applications to the California Governor's Office of Emergency Services for both the Homeland Security Grant Program and the Emergency Management Performance Grant Program. OES received a notification of award on October 18, 2023, for the State Homeland Security Grant Program (\$3,210,706), and on October 16, 2023, for the Emergency Management Performance Grant Program (\$775,605).

This is a request to adopt a governing body resolution for the Fiscal Year 2023 State Homeland Security Program and Emergency Management Performance Grant Program which will authorize the Deputy Chief Administrative Officer, Public Safety Group, or the Director or Assistant Director of OES to execute any actions necessary for the purposes of these grants and accept grant funding in the amount of \$3,986,311.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE STATE HOMELAND SECURITY GRANT PROGRAM AND THE EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM.
2. Waive Board Policy B-29 (Fees, Grants and Revenue Contracts - Department Responsibility for Cost Recovery), which requires full cost recovery for grants.

3. Authorize the Director of the Office of Emergency Services, or designee, to accept grant funds in the amount of \$3,210,706 for the State Homeland Security Grant Program through June 30, 2026 and \$775,605 for the Emergency Management Performance Grant Program through June 30, 2025 and, authorize the Director of the Office of Emergency Services, or designee, to accept grant funds in subsequent years provided there are no material changes to the grants' purpose, services, or funding level.
4. Authorize the Director of the Office of Emergency Services, or designee, to execute all required grant documents, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.

#### **EQUITY IMPACT STATEMENT**

The Office of Emergency Services (OES) recognizes the systemic impacts that inequitable policies may create for residents of the county of San Diego. Impacts have historically included outcomes related to racial justice and issues of belonging that may be reflected in the programs, services and resources allocated to communities. To combat terrorism and improve response to all hazards in the community more proportionately, OES will continue to take a whole community approach in emergency management and, through an equity lens, collaborate with partner agencies to implement projects and policies to address gaps in underserved areas. OES anticipates these actions will have a positive effect on all San Diego County residents and increase preparedness and resiliency in all communities across the region.

#### **SUSTAINABILITY IMPACT STATEMENT**

The proposed action to authorize the Director of the Office of Emergency Services, or designee, to accept grant funds from the State Homeland Security Grant Program and Emergency Management Performance Grant Program, along with adopting a resolution of the Board of Supervisors of the County of San Diego relating to the State Homeland Security Grant Program and Emergency Management Performance Grant, contributes to the County of San Diego's Sustainability Goal to protect the health and wellbeing of citizens. These actions will impact the sustainability of health and wellbeing by providing emergency management planning, outreach, and equipment necessary to mitigate terrorism and all hazards across the San Diego region.

#### **FISCAL IMPACT**

Funds in the amount of \$1,768,800 for the State Homeland Security Grant Program are included in the Fiscal Year (FY) 2023-24 Operational Plan for the Office of Emergency Services. The total grant award is \$3,210,706. Remaining funds of \$1,441,906 will be included in FY 2024-26 CAO Recommended Operational Plan for the Office of Emergency Services. The funding source is the California Governor's Office of Emergency Services. There is no match required for the State Homeland Security Program.

Funds in the amount of \$775,605 for the Emergency Management Performance Grant Program (EMPG) are included in the Fiscal Year 2023-24 Operational Plan for the Office of Emergency Services. The funding source is the California Governor's Office of Emergency Services. There is a 100% match required for the Emergency Management Performance Grant. Funds for the match are budgeted from Office of Emergency Services General funds.

There will be no change in net General Fund cost and no additional staff years.



## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 23-135, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE STATE HOMELAND SECURITY GRANT PROGRAM AND THE EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

6. **SUBJECT: ADOPT RESOLUTION TO GUIDE IMPLEMENTATION OF SENATE BILL (SB) 43 AND ESTABLISH A MULTISECTORAL PLANNING PROCESS TO GUIDE IMPLEMENTATION (DISTRICTS: ALL)**

### **OVERVIEW**

On October 10, 2023, Governor Newsom signed into law Senate Bill (SB) 43, amending the Lanterman-Petris-Short Act (LPS Act), for the first time in over 50 years. Under the LPS Act, “gravely disabled” was narrowly defined as a condition in which a person, as a result of a mental health disorder or impairment by chronic alcoholism, is unable to provide for basic personal needs for food, clothing, or shelter. SB 43 significantly expands the definition of gravely disabled by including severe substance use disorder (SUD) as an allowable category for someone to be compelled into treatment or placed under conservatorship.

The adoption of SB 43 is one of several recent actions taken by Governor Newsom to overhaul the State’s behavioral health system. Other recent statewide initiatives include SB 326, the “Behavioral Health Services Program and Bond Measure,” which will go to California voters as Proposition 1 on March 5, 2024, as well as the establishment of the Community Assistance, Recovery, and Empowerment program (CARE Act), which provides a new pathway to deliver mental health services for those living with untreated schizophrenia spectrum or other psychotic disorders through a new civil court process.

On October 1, 2023, the County of San Diego was one of seven pilot counties in the State to implement the CARE Act to address the behavioral health needs of eligible individuals for whom other treatment options are not working. The CARE Act required over a year of rigorous planning and coordination across multiple County departments and with external stakeholders to implement and has now been operational for two months. One of the key lessons learned of the planning process of the CARE Act was the convening of the stakeholders comprised of representatives from County Behavioral Health Services, the judicial system, local municipalities, and stakeholders to develop the program and establish the infrastructure necessary for successful implementation on October 1, 2023. As a County, we are committed to successfully implement the CARE Act program and SB 43 as part of the County’s Behavioral Health Continuum of Care.

Today's action would adopt a resolution to implement SB 43 on January 1, 2025. Additionally, it will direct the Chief Administrative Officer to establish a multi-sectoral planning process that would include key parties and agencies impacted by and/or involved with the implementation of SB 43.

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

##### **CHAIRWOMAN NORA VARGAS**

1. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO SENATE BILL (SB) 43.
2. Direct the Chief Administrative Officer to establish a process to implement SB 43 on January 1, 2025. The process should include a multi-sectoral planning process with key parties and agencies impacted by and/or involved with the implementation of SB 43.
3. Direct the Chief Administrative Officer to add to the County's 2024 State Budget Advocacy support for additional funding needed to implement SB 43 and to apply for any available funding that will support the implementation of SB 43.

#### **EQUITY IMPACT STATEMENT**

The County of San Diego has taken a proactive approach to address the behavioral health needs of our communities, especially our most vulnerable populations including youth, seniors and people experiencing homelessness. On October 1, 2023, San Diego County became one of seven Cohort One counties to implement the CARE Act, which provides community-based behavioral health services and supports to Californians living with untreated schizophrenia spectrum or other psychotic disorders through a new civil court process. The County of San Diego is committed to give careful consideration to the implementation of both the CARE Act and SB 43 to ensure clients have the best possible outcomes.

#### **SUSTAINABILITY IMPACT STATEMENT**

This action aligns with the County of San Diego's (County's) Sustainability Goal #1, #2 and #4. Sustainability Goal #1 involves the engage with the community and this action calls for the County of San Diego to conduct stakeholder engagement and input regarding the implementation of SB 43. This action also aligns with the County's Sustainability Goal #2 to provide just and equitable access to County services. As the State and County continue to address the behavioral health needs of Californians, we have a responsibility to prioritize the health and well-being of those experiencing a mental health crisis through a client-centered approach. Lastly, this aligns with Sustainability #4 to protect the health and well-being of everyone in the region.

Today's action ensures that the individuals who may be affected by SB 43, have the best possible outcomes and ensuring all parties responsible in the roll out of SB 43 have an opportunity to carefully think through the methodology needed to have a successful program.

#### **FISCAL IMPACT**

There is no fiscal impact associated with today's recommendations; however, there will likely be future fiscal impacts identified by the department including new costs and staff years associated with the implementation of SB 43, which will be included in future Operational Plans for consideration and approval by the Board. For today's actions, there are no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

1. Adopted Resolution 23-136 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO SENATE BILL (SB) 43.
2. Directed the Chief Administrative Officer to establish a process to implement SB 43 on January 1, 2025. The process should include a multi-sectoral planning process with key parties and agencies impacted by and/or involved with the implementation of SB 43.
3. Directed the Chief Administrative Officer to add to the County's 2024 State Budget Advocacy support for additional funding needed to implement SB 43 and to apply for any available funding that will support the implementation of SB 43.
4. Directed the Chief Administrative Officer to return to the Board in 90 days for an update on the implementation plan for Senate Bill 43.

AYES: Vargas, Montgomery Steppe, Desmond

NOES: Anderson, Lawson-Remer

7. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE CODE AND BOARD POLICY SUNSET REVIEW 2023; APPROVE AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE GENERAL RELIEF PROGRAM (NOVEMBER 7, 2023 - FIRST READING; DECEMBER 5, 2023 - SECOND READING) (DISTRICTS: ALL)**

### **OVERVIEW**

On November 7, 2023 (07), the Board of Supervisors took action to further consider and adopt the Ordinance on December 5, 2023.

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 Agency (HHSA) periodically reviews County Administrative Code and Board Policy to ensure policies reflect current Board standards and practices.

Today's actions seek Board approval to amend provisions in the San Diego County Administrative Code relating to the General Relief Program and extend the Sunset Review date; and determine no change is necessary to Board Policy A-128, Comprehensive Homeless Policy and approve the Sunset Review date.

The ordinance makes non-substantive changes to remove language that is not currently used in California law. It will be introduced to the Board on November 7, 2023, and if approved, will be scheduled for adoption on December 5, 2023. If the proposed ordinance is altered on December 5, 2023, a subsequent meeting date will be selected for the ordinance's adoption.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically underserved as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished as the 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. Consider and adopt (second reading):  
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO COUNTY GENERAL RELIEF PROGRAM.
2. Update the Sunset Review date of the San Diego County Administrative Code, Article XV-C, General Relief Program, to December 31, 2030.

### **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 and Regulatory Codes that are sunsetting to ensure alignment with current San Diego County Board of Supervisors (Board) values and to ensure that they are updated to reflect applicable laws and regulations. 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.

The changes recommended support the Board's framework toward achieving better outcomes for consumers. The recommended changes regarding Article XV-C, General Relief Program, reflect the County's priority in supporting policies that address disparities and disproportionality and ensure access for all through a fully optimized health and social service delivery system and upstream strategies.

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, women, people with disabilities, immigrants, youth, and the LGBTQ+ community.

### **SUSTAINABILITY IMPACT STATEMENT**

Today's actions strive for programs and operations that reflect the County of San Diego's (County) values and priorities. By aligning with the County's Sustainability Goals, the changes reflect more equitable, sustainable, and impactful practices. Specifically, extending the Sunset

Review date for Board Policy A-128, Comprehensive Homeless Policy, aligns with Sustainability Goal #1 engaging the community in meaningful ways, by investing in community-centered approaches and collaborative leadership to address homelessness. Board Policy A-128 also aligns with Sustainability Goal #2, providing just and equitable access to County services and resources by prioritizing services for individuals who are experiencing homelessness and are part of a particularly vulnerable populations.

Today's action related to Article XV-C, General Relief Program, supports the County's Sustainability Goal #2, by continuing to focus investments on chronically underserved communities, and investing in resilience in vulnerable populations. By updating the sunset date of this ordinance, this action continues to align available County resources with services to maintain fiscal stability and ensure long-term solvency as well as creates policies to reduce poverty, promoting economic sustainability for all. In addition, amendments will ensure the capability to respond and recover to immediate needs for individuals in the region.

### **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 Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Ordinance No. 10869 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO COUNTY GENERAL RELIEF PROGRAM.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe  
NOES: Desmond

8. **SUBJECT: AUTHORIZE COMPETITIVE SOLICITATION FOR AS-NEEDED COMMUNITY VACCINATION SERVICES, AND AUTHORIZE FUTURE FUNDING OPPORTUNITIES RELATED TO IMMUNIZATION SERVICES (DISTRICTS: ALL)**

### **OVERVIEW**

The County of San Diego (County) Health and Human Services Agency (HHSA), Public Health Services, Immunizations Unit aims to eliminate vaccine preventable diseases by improving vaccine coverage for all San Diegans. This is done through evidence-based practices to address community needs, including vaccine management, technical assistance, evaluating regional immunization coverage rates, responding to outbreaks, disease prevention activities, health promotion, and management and analysis of information from the immunization information system. On May 10, 2022 (19), the San Diego County Board of Supervisors (Board) authorized a competitive solicitation for vaccine administration services for communities throughout the

county. The contract awarded from the competitive solicitation provides community vaccination services for COVID-19 vaccines and other immunizations to those most vulnerable to severe disease outcomes, and is set to expire on June 30, 2024.

Today's action requests the Board authorize the Director, Department of Purchasing and Contracting to issue a competitive solicitation for as-needed community vaccination services, and authorize the Agency Director, HHSA to pursue future funding opportunities related to immunization services.

Today's actions support the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by establishing sustained capacity to increase access to vaccinations for vulnerable communities and increasing immunization rates countywide to reduce the risk of suffering, disability, and death caused by vaccine preventable diseases in infants, children, adolescents, and adults.

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

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

1. In accordance with Board Policy A-87, Competitive Procurement, and Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for as-needed community vaccination services, and upon successful negotiations and determination of a fair and reasonable price, award a contract(s) for a term of one year, with four option years and up to an additional six months if needed, and to amend the contract(s) as needed to reflect changes to services and funding, subject to the approval of the Agency Director, Health and Human Services Agency.
2. Authorize the Agency Director, Health and Human Services Agency, to pursue future funding opportunities, if available, for current and future fiscal years related to immunization services.

#### **EQUITY IMPACT STATEMENT**

Today's action will advance equity and racial justice through a data-driven population health approach that delivers immunization prevention and outbreak response services through trusted community partnerships and coalitions committed to addressing disparities and health inequities. The County of San Diego Health and Human Services Agency, Public Health Services, Immunizations Unit works closely with the San Diego Immunization Coalition (SDIC) to communicate and advance equity driven initiatives, outcomes, and health education. SDIC is a community coalition of 2,000+ individual immunization partners throughout San Diego County committed to its mission to increase immunization rates and improve the health of the county by raising awareness and providing education about vaccine preventable diseases. The Immunizations Unit will continue to pursue grants and funding opportunities that support efforts to eliminate vaccine preventable diseases in the most underserved communities. Underserved communities are identified through the health equity lens, the health equity zip codes, the Healthy Places Index quartile framework used by the State, outcomes from local data analysis on

vaccine preventable disease cases, and disproportionality of vaccine coverage rates. Furthermore, the activities described in this request are planned and carried out through a health equity lens by employing linguistically and culturally tailored services.

#### **SUSTAINABILITY IMPACT STATEMENT**

Today's proposed action aligns with the County of San Diego Sustainability Goal #4 of protecting the health and well-being of everyone in the region by providing vaccination services in community-based settings and sustaining capacity to vaccinate populations disproportionately affected by vaccine preventable diseases. This will be done through mobile immunization services which will improve access to immunizations, the overall health of communities, and reduce the demand of associated care services, while increasing the effectiveness of care providers.

#### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year (FY) 2023-25 Operational Plan in the Health and Human Services Agency. If approved, this request will result in no costs and revenue in FY 2023-24; anticipated costs and revenue of approximately \$1,500,000 in FY 2024-25; and costs and revenue of approximately \$1,500,000 in FY 2025-26. The funding sources are the California Department of Public Health Immunization Local Assistance grant in FY 2024-25 and the Department of Public Health Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases in FY 2025-26. Funds for subsequent years will be incorporated into future operational plans. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

9. **SUBJECT: RESOLUTION DESIGNATING DATES AND TIMES FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS IN 2024 (DISTRICTS: ALL)**

#### **OVERVIEW**

This item was continued from the November 7, 2023 (16) meeting agenda.

The recommended action is that the Board adopt the resolution setting the 2024 Board of Supervisors regular meeting schedule.

**RECOMMENDATION(S)****CHAIRWOMAN NORA VARGAS**

Adopt the resolution: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS SETTING THE DATES AND TIMES FOR REGULAR MEETINGS OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS IN CALENDAR YEAR 2024.

**EQUITY IMPACT STATEMENT**

The Board of Supervisors annually 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.

**SUSTAINABILITY IMPACT STATEMENT**

The proposed meeting calendar allows stakeholders to plan for community engagement and identify meaningful ways to continually seek input to foster inclusive and sustainable communities.

**FISCAL IMPACT**

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

**BUSINESS IMPACT STATEMENT**

There is no business impact associated with this action.

**ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 23-137, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS SETTING THE DATES AND TIMES FOR REGULAR MEETINGS OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS IN CALENDAR YEAR 2024.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

10. **SUBJECT: RESOLUTION AMENDING THE RULES OF PROCEDURE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS (DISTRICTS: ALL)**

**OVERVIEW**

This item was continued from the November 7, 2023 (17) meeting agenda.

The recommended action is that the Board adopt a resolution to amend the Board of Supervisors' Rules of Procedure to clarify that the adopted calendar sets the meeting start time, redefined the Tuesday session as the "Legislative session," and added other clarifying language pertaining to public participation.

**RECOMMENDATION(S)****CHAIRWOMAN NORA VARGAS**

Approve amendments to the Board of Supervisors Rules of Procedure and adopt a Resolution entitled: RESOLUTION AMENDING THE RULES OF PROCEDURE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS.



## **EQUITY IMPACT STATEMENT**

As publicly elected officials, our number one duty is to serve the people of San Diego. We prioritize transparency and accessibility to improve public understanding of how the County operates and participation in shaping future priorities. These efforts towards accessibility are particularly important to reach those communities that have been previously disconnected from the County civic process. It is anticipated that through these changes to the Rules of Procedure we will ensure that the diverse voices of our community can be heard in an equitable and civilized manner, and as such, can provide input that is vital to a healthy democratic institution.

## **SUSTAINABILITY IMPACT STATEMENT**

The changes to the Rules of Procedure allows stakeholders to plan for community engagement and identify meaningful ways to continually seek input to foster inclusive and sustainable communities.

## **FISCAL IMPACT**

There is no fiscal impact associated with this action.

## **BUSINESS IMPACT STATEMENT**

There is no business impact associated with this action.

## **ACTION:**

This item was withdrawn at the request of Chair Nora Vargas.

### **11. SUBJECT: SOLICITING VOLUNTEERS FOR THE ANNUAL POINT IN TIME COUNT (DISTRICTS: ALL)**

#### **OVERVIEW**

The U.S Department of Housing and Urban Development (HUD) requires that Continuums of Care (CoC) conduct an annual count of homeless persons who are sheltered or unsheltered on a single night in January of each year. The Regional Task Force on Homelessness (RTFH) brings together a wide range of community partners and volunteers to conduct the point in time count known as We all Count, throughout San Diego County. While the data collected during the Point in Time Count is used to apply for federal and state funding, the count allows us to better understand the demographics, challenges, and characteristics of those experiencing homelessness in our community.

In order to conduct this extensive survey, RTFH puts out a call to action to organizations, stakeholders and the community to assist their efforts to count as many people as possible who are experiencing homelessness. Last year, there were 171 County employees who participated in the region's Point in Time Count and helped identify 10,264 individuals living in shelters or on the streets.

Our County employees have time and time again stepped up to support our communities in times of need, especially through volunteer roles during election season and during the Point-in- Time Count. Today's action would direct the Chief Administrative Officer to establish a volunteer program to allow County employees to participate in the annual Point-in-Time Count on January 25, 2024, on paid County time.

## **RECOMMENDATION(S)**

### **CHAIRWOMAN NORA VARGAS AND VICE-CHAIR TERRA LAWSON REMER**

1. Authorize the Chief Administrative Officer to establish a volunteer program to allow County employees to participate in the annual Point in Time Count on January 25, 2024, on paid County time and engage as needed with employee organizations to formalize the program.
2. Find that allowing County employees to volunteer to participate in the annual point-in-time count on paid County time serves a public benefit by ensuring the region's homelessness can be quantified and federal funding can be secured to support the region's homeless population.

## **EQUITY IMPACT STATEMENT**

By allowing our County staff to participate in the annual Point in Time Count, we join our regional efforts to address homelessness in San Diego County. The Point-in-Time Count outcomes have multiple benefits and helps our region apply for federal funding as well as gives the region a better understanding of the demographics, challenges, and characteristics of those experiencing homelessness in our community. The point in time count also serves as a guiding principle for policy makers to help drive policy changes and investments to help house our unsheltered neighbors.

Establishing a program to allow County employees to participate in the annual point-in-time count on January 25, 2024, will support efforts to create effective approaches to assist those who are homeless throughout San Diego County. The count outcomes have multiple benefits, including eligibility to apply for federal and state funding in addition to enabling the region to gain a better understanding of the scope, impact, and potential solutions to address this issue. The numbers from this count are broken down into subpopulation categories, including counts of persons who are chronically homeless, veterans, youth, persons with HIV/AIDS, and victims of domestic violence. It is anticipated that this action will drive much-needed resources to residents who are disproportionality represented in the homeless system including justice-involved individuals as well as Black, Indigenous and People of Color (BIPOC). In general, the incidence of BIPOC individuals experiencing homelessness mirrors the disparities found at the broader community levels. These population groups are over-represented in homelessness when compared to their proportion in the general community.

## **SUSTAINABILITY IMPACT STATEMENT**

The proposed action contributes to the County of San Diego's Sustainability Goal to engage the community and protect health and well-being. By establishing a program that allows County staff to participate in the annual Point in Time Count we engage with our most vulnerable population and will use the data collected to advocate for funding and resources to house our unsheltered neighbors.

## **FISCAL IMPACT**

Funding associated with today's recommendation is included in the Fiscal Year 2023-24 Operational Plan in various departments for existing staff time of the employees who choose to volunteer. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

12. **SUBJECT: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION (12/5/23 - First Reading; 1/9/24 - Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)**

### **OVERVIEW**

The Compensation Ordinance enacted by the Board of Supervisors establishes procedures for compensating County of San Diego employees. The Department of Human Resources provides recommendations for changes to the Compensation Ordinance based on legislative changes, environmental factors, and organizational changes with the goal of providing and retaining a skilled, adaptable, and diverse workforce. Today's actions reflect the compensation ordinance changes to accomplish this goal.

Today's recommendations are for the Board to approve the introduction of the ordinance (first reading) to amend the Compensation Ordinance. If the Board takes action as recommended, then on January 9, 2024, staff recommends the Board adopt the ordinances (second reading). If the proposed ordinance is altered on January 9, 2024, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

##### **On December 5, 2023:**

1. Approve the introduction of the Ordinance (first reading):  
AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.

**If, on December 5, 2023, the Board takes action as recommended in item 1 above, then, on January 9, 2024:**

2. Approve the adoption of the Ordinance (second reading):  
AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.

If the proposed ordinance is altered on January 9, 2024, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

## **EQUITY IMPACT STATEMENT**

The Department of Human Resources is committed to assuring that equity is considered in classification and compensation. Today's recommendations provide amendments to the compensation ordinance that will assist the County of San Diego to provide and retain a skilled, adaptable, and diverse workforce for County departments and enables the County to deliver superior services to the residents and visitors of the County of San Diego.

## **SUSTAINABILITY IMPACT STATEMENT**

The proposed actions amending the compensation ordinance aligns with the County of San Diego's Sustainability Goals by promoting sustainable economic growth for our community. The proposed actions included in this letter provide just and equitable wages.

## **FISCAL IMPACT**

There is no fiscal impact for the recommendations. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, to further consider and adopt the Ordinance on January 9, 2024, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

## **13. SUBJECT: 2024 LEGISLATIVE PROGRAM (DISTRICTS: ALL)**

### **OVERVIEW**

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

Today's action is a request for approval of the 2024 Legislative Program which provides direction to the EDGA staff and the County of San Diego's Sacramento and Washington, D.C. advocates.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Adopt the proposed 2024 Legislative Program (Attachment A, on file with the Clerk of the Board) by taking the following actions:
  - a. Authorize staff to seek the legislative proposals summarized in the Sponsorship Proposals section of the 2024 Legislative Program.

- b. Authorize staff to pursue and respond to state and federal legislative efforts as detailed in the Priority Issues section of the 2024 Legislative Program.
  - c. Authorize staff to advocate as directed in the Policy Guidelines section of the 2024 Legislative Program.
2. Receive the 2023 Advocacy Report (Attachment B, on file with the Clerk of the Board).

### **EQUITY IMPACT STATEMENT**

The County of San Diego (County) is committed to crafting a Legislative Program that meets the needs of the entire region. In 2021, EDGA revised the Legislative Program as part of the Framework for our Future: Reforming the County Legislative Program initiative approved by the Board. The revised Legislative Program added Equity and Justice as a legislative priority and created a set of Guiding Principles to allow EDGA to proactively advocate for legislation that ensures equity, transparency, and access for all residents. By advancing these efforts through legislative advocacy at the state and federal level, we are ensuring policy change and financial resources for programs and services that benefit and uplift the residents we serve.

Community engagement is at the heart of the County of San Diego's (County) General Management System and Strategic Plan. Following months of active engagement with residents, community-based organizations, advocacy organizations, other governmental agencies, and internal county departments, the 2024 Legislative Program was drafted with the community's feedback and needs in mind. The 2024 Legislative Program is a true reflection of the diverse experiences and perspectives of all the clients, customers, and constituents we serve in our region.

The 2024 Legislative Program builds on the community engagement efforts from the past several years. The community was invited to comment and share feedback on the legislative program through a public comment period stretching from August 1 through September 7. Comments were received via e-mail, social media, and through Engage San Diego. Following the public comment period, EDGA hosted a virtual community forum in early October. Over the course of our outreach, more than 80 individuals and organizations, including the San Diego Hunger Coalition, the Children First Collective, San Diego for Every Child, and the San Diego Regional Chamber of Commerce contributed valuable comments and feedback. The top issues mentioned were affordable housing, homelessness, nutrition security, and support for children of all ages and families. Notably, the 2024 Legislative Program includes updates reflecting these top issues. Under Priority Issues, Nutrition Security and Equitable Access to Quality Health and Social Care were added as priority issues. Under Policy Guidelines, new statements were added to increase quality and affordable child care, perinatal care, and pursuing opportunities for co-located services with affordable housing, such as child care and medical services. The 2024 Legislative Program represents a cross section between the Board's priorities as reflected in actions brought forth by the Board and the community as reflected in the comments and feedback EDGA has received over the last three years.

## **SUSTAINABILITY IMPACT STATEMENT**

Today's proposed adoption of the 2024 Legislative Program supports many of the County of San Diego's Sustainability Goals, including: engaging the community; providing just and equitable access; transitioning to a green, carbon-free economy; and protecting the health and wellbeing of everyone in the region by providing staff in EDGA, as well as the County's Sacramento and Washington, D.C. advocates guidance on advocacy efforts on behalf of the County at the state and federal levels.

## **FISCAL IMPACT**

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

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

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

AYES: Vargas, Lawson-Remer, Montgomery Steppe, Desmond

NOES: Anderson

14. **SUBJECT: ESCHEATMENT OF UNCLAIMED PROPERTY TAX REFUND  
MONEY IN COUNTY TRUST FUNDS (PROPERTY TAX)  
(DISTRICTS: ALL)**

## **OVERVIEW**

This is a request to approve the escheatment of unclaimed property tax refunds pursuant to section 5102 of the California Revenue and Taxation Code.

## **RECOMMENDATION(S)**

### **TREASURER TAX-COLLECTOR**

Approve the escheatment of unclaimed property tax refunds and direct the Chief Administrative Officer through the Auditor and Controller to transfer \$242,183.20 from the Treasurer-Tax Collector trust funds and deposit in the County General Fund.

## **EQUITY IMPACT STATEMENT**

The Treasurer-Tax Collector recognizes the systemic impacts that inequitable policies may create for residents of the County of San Diego. Impacts have historically included outcomes related to racial justice and issues of belonging that are reflected in the programs, services and resources allocated to communities. The Treasurer-Tax Collector has provided widespread public notice that these property tax refunds are available to claim by displaying a full list of items on its website for the past four years, and by placing display ads in local community news publications throughout the County and supplying local shelters with the display ad information to post in their establishment as means to notify the public of the upcoming deadline to claim refunds before they are escheated. The notices and display ads utilize plain language and

graphics to convey the message and action that is needed to claim a refund. Concurrent to these efforts staff perform extensive research and make attempts to contact the rightful owner the refund and encourage a claim be submitted. It is anticipated that these actions have a positive impact on groups including Black, Indigenous, People of Color (BIPOC), women, people with disabilities, immigrants, youth, and the LGBTQ community.

#### **SUSTAINABILITY IMPACT STATEMENT**

The proposed actions to escheat unclaimed refunds and return the revenue to the County General Fund are appropriate as they support the County of San Diego's Strategic Initiative of Sustainability to align the County's available resources with services to maintain fiscal stability and ensure long-term solvency. The proposed actions to escheat revenue is in alignment with the County of San Diego's Sustainability Goal of providing just and equitable access as the process to claim refunds is widely accessible to all claimants.

#### **FISCAL IMPACT**

If approved, this request will result in \$242,183.20 of unanticipated revenue to the General Fund. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

15. **SUBJECT: GENERAL SERVICES - APPROVAL OF SECOND AMENDMENT TO LEASE WITH THE SAN DIEGO REGIONAL BUILDING AUTHORITY AND SECOND AMENDMENT TO SUBLEASE WITH THE SAN DIEGO METROPOLITAN TRANSIT BOARD FOR THE JAMES R. MILLS BUILDING AND NOTICE OF EXEMPTION (DISTRICT: 1)**

#### **OVERVIEW**

The James R. Mills Building (Building) and adjacent parking structure are located at 1255 Imperial Avenue in San Diego. The Building is currently leased to the County of San Diego (County) by the San Diego Regional Building Authority (SDRBA) and County subleases a portion of the Building to the San Diego Metropolitan Transit Board (MTB). The County's Health and Human Services Agency (HHSA) currently occupies approximately 122,371 square feet of space in the Building and MTB occupies approximately 60,874 square feet.

As HHSA continues to assess their space needs in the building it was determined that County's administrative staff located on the 8th floor could be relocated to the 7th floor. This will allow MTB to occupy the entire 8th floor as the space is required to accommodate MTB's future space needs.

Staff from the Department of General Services have negotiated an amendment to the lease with SDRBA and an amendment to the sublease with MTB that will incorporate the proposed change in occupancy. Today's request is for approval of the second amendment to lease with SDRBA and second amendment to sublease with MTB.

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

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

1. Find that the proposed lease amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15301.
2. Approve and authorize the Director, Department of General Services, to execute the second amendment to lease with the San Diego Regional Building Authority.
3. Approve and authorize the Director, Department of General Services, to execute the second amendment to sublease with the San Diego Metropolitan Transit Board.

#### **EQUITY IMPACT STATEMENT**

It is anticipated that the proposed lease amendment for the Health and Human Services Agency at the James R. Mills Building, which houses the Central Region Family Resource Center, will have a positive impact on the community by ensuring continued access for all through a fully optimized social service delivery system.

#### **SUSTAINABILITY IMPACT STATEMENT**

Implementing effective sustainability objectives is crucial to ensuring safe and healthy communities and contributing to the overall success of the region. The approval of the lease amendment is appropriate as it supports the County's Strategic Initiative of Sustainability to ensure the capability to respond to immediate needs for individuals, families, and the region.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2023-25 Operational Plan in the Health and Human Services Agency. If the amendment to the lease and sublease are approved, this request will result in the County's cost incurred under the ground lease to be reduced by approximately \$54,020 beginning in Fiscal Year 2024-2025. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond



**16. SUBJECT: APPROVAL OF THE CONFLICT-OF-INTEREST CODE FOR ALBERT EINSTEIN ACADEMIES (DISTRICTS: ALL)**

**OVERVIEW**

The Board of Supervisors serves as the Code Reviewing Body for any local agency, other than city agencies, with jurisdiction wholly within the County, per Government Code Section 82011. The recommended action would approve the proposed amendment to the Conflict of Interest code of Albert Einstein Academies.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Approve the proposed amendment to the Conflict of Interest code for Albert Einstein Academies.

**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 agency, other than city agencies, 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 new Conflict of Interest code submitted by Albert Einstein Academies. The Conflict of Interest code in this Board Letter enables 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.

**SUSTAINABILITY IMPACT STATEMENT**

Under the Political Reform Act, all public agencies are required to adopt a Conflict of Interest code that designates positions that are required to file the Statement of Economic Interests (Form 700). Conflict of Interest codes must be maintained as updated and accurate to ensure that necessary public officials report their personal financial interests. These required filings provide public transparency about possible conflicts of interest and to ensure governmental decisions are made in the best interest of the public. This board letter supports the County of San Diego's sustainability goal of, "Engaging the community to partner and participate in decisions that impact their lives and communities and transparently share results of outcomes."

**FISCAL IMPACT**

The funding source for administration of this task is included in the Fiscal Year 2023-2024 Adopted Budget for the Clerk of the Board of Supervisors.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

17. **SUBJECT: ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION (11/7/23 - First Reading; 12/5/23 - Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)**

### **OVERVIEW**

On November 7, 2023 (19), the Board of Supervisors took action to further consider and adopt the Ordinance on December 5, 2023.

The Compensation Ordinance enacted by the Board of Supervisors establishes procedures for compensating County of San Diego employees. The Department of Human Resources provides recommendations for changes to the Compensation Ordinance based on legislative changes, environmental factors, organizational changes, etc. with the goal of providing and retaining a skilled, adaptable, and diverse workforce. Today's actions reflect the compensation ordinance changes to accomplish this goal. Approval of these compensation ordinance changes will provide the authority needed for County departments to implement the classification and compensation changes outlined in this letter.

Today's recommendations are for the Board to approve the introduction of the ordinance (first reading) to amend the Compensation Ordinance. If the Board takes action as recommended, then on December 5, 2023, staff recommends the Board adopt the ordinances (second reading). If the proposed ordinance is altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

Approve the adoption of the Ordinance (second reading):

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

If the proposed ordinance is altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

## **EQUITY IMPACT STATEMENT**

The Department of Human Resources is committed to assuring that equity is considered in classification and compensation. Today's recommendations provide amendments to the compensation ordinance that will assist the County of San Diego to provide and retain a skilled, adaptable, and diverse workforce for County departments and enables the County to deliver superior services to the residents and visitors of the County of San Diego.

## **SUSTAINABILITY IMPACT STATEMENT**

The proposed actions amending the compensation ordinance aligns with the County of San Diego's Sustainability Goals by promoting sustainable economic growth for our community. The proposed actions included in this letter provide just and equitable wages as well as the establishment of quality job opportunities.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan for the impacted departments. If approved, this recommendation will result in total estimated ongoing costs as follows:

<i>in millions</i>		<b><u>FY 23-24</u></b>	<b><u>FY 24-25</u></b>
<b>A</b>	Base salary and benefit increases	\$ 0.04	\$ 0.09
<b>B</b>	<b>Total Ongoing Cost (incremental increase)</b>	<b>\$ 0.04</b>	<b>\$ 0.09</b>
<b>C</b>	<b>Total Cost</b>	<b>\$ 0.04</b>	<b>\$ 0.09</b>

There will be no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted Ordinance No. 10870 (N.S.), entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

18. **SUBJECT: ADMINISTRATIVE ITEM:**  
**SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:**  
**AN ORDINANCE ADDING SECTION 438 TO ARTICLE XXIV-A OF**  
**THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING**  
**TO VOLUNTEER ELECTION POLL WORKERS AND ELECTION**  
**SUPPORT VOLUNTEERS (11/07/2023 - First Reading; 12/05/2023 -**  
**Second Reading, unless ordinance is modified on second reading)**  
**(DISTRICTS: ALL)**

### **OVERVIEW**

On November 7, 2023 (20), the Board of Supervisors took action to further consider and adopt the Ordinance on December 5, 2023.

With over 1.9 million active registered voters, the mission of the Registrar of Voters (ROV) is to conduct voter registration and voting processes with the highest level of professional election standards, including accountability, security and integrity, thereby earning and maintaining public confidence in the electoral process. The ROV conducts elections on behalf of the more than 500 political districts in San Diego County.

Today's actions request that the Board of Supervisors review and approve an ordinance to add Section 438 to Article XXIV-A of the San Diego County Administrative Code related to stipends and expense allowances for volunteer poll workers and other election support volunteers. This recommended action recognizes the exceptional commitment involved in order to perform an important civic function. Under the County's vote center model, voting is open for eleven or four days, including Election Day. Service as a poll worker involves long hours to open, close and operate vote centers and many are called upon to transport election materials. Costs and expense for transportation, parking, meals, child or elder care, and other incidentals can be a deterrent for individuals who have an interest in becoming a poll worker.

The ROV, Auditor & Controller and Department of Human Resources have faced many challenges with each election in the recruitment, training, on-boarding, time tracking, and pay warrants for thousands of poll workers. With the change to the multi-day vote center model that began in June 2022, the prior stipend/allowance structure for volunteer poll workers working on Election Day was replaced with an hourly rate based on the number of hours of service. However, this caused significant County personnel time and administrative demands for time tracking and processing payroll. A stipend and/or expense allowance is similar to the County's previous model and that of many other counties for their volunteer poll workers. This will provide greater flexibility and reduce administrative burdens associated with administering the County's volunteer poll worker and election support volunteer programs.

Today's actions include introducing an Ordinance adding Section 438 to Article XXIV-A of the San Diego County Administrative Code (first reading) and if approved, it will be scheduled for adoption on December 5, 2023. If the proposed ordinance is altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

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

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

Approve the adoption of the following Ordinance (second reading):

**AN ORDINANCE ADDING SECTION 438 TO ARTICLE XXIV-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO VOLUNTEER ELECTION POLL WORKERS AND ELECTION SUPPORT VOLUNTEERS**

**If the proposed ordinance is altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.**

#### **EQUITY IMPACT STATEMENT**

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

## **SUSTAINABILITY IMPACT STATEMENT**

A person's vote has a direct influence on the sustainability of their neighborhood, community, and local region. By voting, San Diego residents have a direct impact on their health, equity, the economy and environment. With the County's implementation of the vote center model, all active registered voters receive a ballot in the mail as required by current law. This increases accessibility by providing voters with the opportunity to consider the method that is most convenient for them to return their ballot and has the possibility of reducing vehicle miles traveled to cast their vote. In addition, voters have the option of receiving their voter information guides electronically to reduce paper waste. The recommended action today aligns with the County of San Diego Sustainability Goal of providing just and equitable access to County services.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Registrar of Voters. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10871 (N.S.), entitled: AN ORDINANCE ADDING SECTION 438 TO ARTICLE XXIV-A OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO VOLUNTEER ELECTION POLL WORKERS AND ELECTION SUPPORT VOLUNTEERS.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

19. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND COUNTY ADMINISTRATIVE CODE PROVISIONS ASSIGNED TO THE FINANCE AND GENERAL GOVERNMENT GROUP (11/7/23 - First Reading; 12/5/23 - Second Reading, unless the ordinances are modified on second reading) (DISTRICTS: ALL)**

## **OVERVIEW**

On November 7, 2023 (21), the Board of Supervisors took action to further consider and adopt the Ordinances on December 5, 2023.

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Finance and General Government Group ("FG3") periodically reviews certain Board Policies and provisions of the San Diego County Code of Administrative Ordinances ("Administrative Code") to ensure that they reflect current Board of Supervisors ("Board") standards and practices. FG3 also reviews for any changes in laws, policies or regulations that govern County departmental operations and services and recommends amendments accordingly.

On November 7, 2023 (21), the Board of Supervisors approved staff recommendations to: 1) determine that no amendments are necessary to certain policies and code provisions, 2) determine that amendments are necessary to certain policies and code provisions, 3) defer the sunset review of certain policies until December 31, 2024, and 4) repeal one Administrative Code provision.

Today's requested action is to further consider and adopt the ordinances (second reading) that amend and repeal certain administrative codes, which the Board approved introduction (first reading) on November 7, 2023 (21). If the proposed ordinances are altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinances' adoption.

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

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

1. Submit the Ordinances for further Board consideration and adoption (Second Reading):  
AN ORDINANCE AMENDING ARTICLE IX OF THE SAN DIEGO COUNTY  
ADMINISTRATIVE CODE, RELATING TO THE OFFICE OF COUNTY COUNSEL

AN ORDINANCE AMENDING ARTICLE X OF THE SAN DIEGO COUNTY  
ADMINISTRATIVE CODE, RELATING TO CLAIMS AGAINST THE COUNTY

AN ORDINANCE AMENDING ARTICLE XII-F OF THE SAN DIEGO COUNTY  
ADMINISTRATIVE CODE, RELATING TO THE COUNTY COMMUNICATIONS  
OFFICE

AN ORDINANCE REPEALING ARTICLE XXI OF THE SAN DIEGO COUNTY  
ADMINISTRATIVE CODE, RELATING TO INTERGOVERNMENTAL  
REPRESENTATION

AN ORDINANCE AMENDING ARTICLE XXIIb OF THE SAN DIEGO COUNTY

ADMINISTRATIVE CODE, RELATING TO THE DEPARTMENT OF GENERAL  
SERVICES

AN ORDINANCE AMENDING ARTICLE XXVIe OF THE SAN DIEGO COUNTY  
ADMINISTRATIVE CODE, RELATING TO REIMBURSEMENTS AND  
ALLOWANCES

AN ORDINANCE AMENDING ARTICLE XXVII OF THE SAN DIEGO COUNTY  
ADMINISTRATIVE CODE, RELATING TO THE BOARD OF SUPERVISORS

2. Approve the sunset review date of December 31, 2030, for these ordinances.

#### **EQUITY IMPACT STATEMENT**

The County of San Diego's policies impact residents of the county. In the review of policies, staff considered and accounted for impacts to all communities. In addition, the recommended amendments to policies and code provisions before the Board ensure the use of inclusive pronouns, and the incorporation of new roles created to increase accessibility to County programs and services.

## **SUSTAINABILITY IMPACT STATEMENT**

County of San Diego (County) staff reviewed and, where necessary, is recommending amendments to existing policies and code provisions in alignment with our current County sustainability goals and practices. The recommendations before the Board include updates to Board Policies that incorporate the goal of meeting high standards of sustainability and environmental design recognized by Leadership in Energy and Environmental Design (LEED) Gold building certification as a baseline for any new construction at County facilities. Additionally, the recommendations include updates that promote economic sustainability.

## **FISCAL IMPACT**

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

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, on Consent, and adopted the following: Ordinance No. 10872 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE IX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE OFFICE OF COUNTY COUNSEL;

Ordinance No. 10873 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE X OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO CLAIMS AGAINST THE COUNTY;

Ordinance No. 10874 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE XII-F OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE COUNTY COMMUNICATIONS OFFICE;

Ordinance No. 10875 (N.S.), entitled: AN ORDINANCE REPEALING ARTICLE XXI OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO INTERGOVERNMENTAL REPRESENTATION;

Ordinance No. 10876 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE XXIIb OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE DEPARTMENT OF GENERAL SERVICES;

Ordinance No. 10877 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE XXVIe OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO REIMBURSEMENTS AND ALLOWANCES; and,

Ordinance No. 10878 (N.S.), entitled: AN ORDINANCE AMENDING ARTICLE XXVII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE BOARD OF SUPERVISORS.

AYES: Vargus, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

**20. 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 I-1, "Planning and Sponsor Group Policies and Procedures," Board Policy A-135, "Process for Board of Supervisors Appointments to the Retirement Board" and 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."

**RECOMMENDATION(S)**

**CHAIR NORA VARGAS**

Waive Board Policy A-135, "Process for Board of Supervisors Appointments to the Retirement Board," and re-appoint Natasha Wong to the BOARD OF RETIREMENT, Seat No. 6, for a term to expire December 31, 2026.

Appoint Stephanie Ortega to the CHILD AND FAMILY STRENGTHENING ADVISORY BOARD, Seat No. 25 for a term to expire December 5, 2027.

Appoint Supervisor Monica Montgomery Steppe to serve as the appointee to the METROPOLITAN TRANSIT SYSTEM BOARD as a Member for the County of San Diego to fill the existing vacancy for the remainder of calendar year 2023 and through calendar year 2024.

Appoint Lindsay Riedel-Reuther to the STATUS OF WOMEN AND GIRLS, COMMISSION ON THE, Member at large Seat No.11 for a term to expire March 31, 2025.

**VICE-CHAIR TERRA LAWSON-REMER**

Appoint Destiny Preston to the COMMUNITY ACTION PARTNERSHIP ADMINISTERING BOARD, Seat No. 3, for a term to expire January 6, 2025.

**SUPERVISOR JOEL ANDERSON**

Appoint Richard Abraham to the LAKESIDE COMMUNITY PLANNING GROUP, Seat No. 8 for a term to expire January 4, 2027.

Re-appoint Kevin Haupt to the POMERADO CEMETERY DISTRICT, Seat No. 3 for a term to expire January 3, 2028.

Appoint Elizabeth Higgins Ruhrop to the LAKESIDE COMMUNITY PLANNING GROUP, Seat No. 1 for a term to expire January 6, 2025.

Appoint Matthew Kramer to the JULIAN HISTORIC DISTRICT ARCHITECTURAL REVIEW BOARD, Seat No. 2 for a term to expire January 6, 2027.

**SUPERVISOR JIM DESMOND**

Appointment Rohida Khan to the COMMISSION ON THE STATUS OF WOMEN AND GIRLS, Seat No. 9, for a term to expire January 4, 2027.



Appoint Barbara Sulier to the NORTH COUNTY CEMETERY DISTRICT, Seat No. 4, for a term to begin January 1, 2024 and to expire January 3, 2028.

#### **CHIEF ADMINISTRATIVE OFFICER**

Appoint MaryAnne Pinter to the CITIZENS' LAW ENFORCEMENT REVIEW BOARD, Seat No. 8, for a term to begin December 6, 2023 and to expire June 30, 2025

Appoint Ivan Andujar to the COMMUNITY ACTION PARTNERSHIP ADMINISTERING BOARD, Seat No. 8, for a term to expire December 5, 2026.

Appoint Sebastian Pardo to the COMMUNITY ACTION PARTNERSHIP ADMINISTERING BOARD, Seat No. 25, for a term to expire April 4, 2024.

Appoint Marco Aguirre Mendoza to the HIV PLANNING GROUP, COUNTY OF SAN DIEGO, Seat No. 10, for a term to expire December 5, 2027.

Appoint Lynette Blakney to the COUNTY'S PAST GRAND JURORS ASSOCIATION IMPLEMENTATION REVIEW COMMITTEE, Seat No. 1, for a term to begin January 1, 2024 and to expire December 31, 2026.

Appoint Patricia Larkin to the COUNTY'S PAST GRAND JURORS ASSOCIATION IMPLEMENTATION REVIEW COMMITTEE, Seat No. 3, for a term to begin January 1, 2024 and to expire December 31, 2026.

Appoint Lixya Preston de Silva to the COUNTY'S PAST GRAND JURORS ASSOCIATION IMPLEMENTATION REVIEW COMMITTEE, Seat No. 4, for a term to begin January 1, 2024 and to expire December 31, 2026

#### **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.

#### **SUSTAINABILITY IMPACT STATEMENT**

The County of San Diego has over one hundred boards, commissions, committees, and task forces that serve as voice in the County government. Advisory bodies are an essential role in resident engagement that allow citizens to participate on issues relating to the welfare and quality of life in the County. They are fundamental to the County of San Diego's ability to navigate complex and dynamic policy challenges, are a conduit to the County Bureaucracy, and a broker to community voice. This board letter supports the County of San Diego Sustainability Goal No.1 by "encourage[ing] people and diverse stakeholders to partner and participate in decisions that impact their lives and communities."

#### **FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

**21. 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

**SUSTAINABILITY STATEMENT**

This board letter is a list of documents received by the Clerk of the Board of Supervisors and/or Board of Supervisors from other entities, other county departments, the public, and internal documents presented to the Clerk of the Board of Supervisors or the Board of Supervisors. This contributes to the overall sustainability of the county by engaging the community in meaningful ways and promote an environment that provides equitable access opportunities for public engagement.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

**22. SUBJECT: ENDING TAXPAYER FUNDED DEPORTATION DEFENSE FOR CRIMINAL NONCITIZENS (DISTRICTS: ALL)**

**OVERVIEW**

Historically, San Diego County (County) has served as a welcoming binational border community. Our region continues to welcome thousands of refugees and immigrants from all over the world. The diversity of our County's residents benefits us culturally, socially and economically. We have a responsibility to protect these new arrivals to our country from becoming victims of crime, of which research shows they are at a greater risk.

In May 2021, the Immigrant Rights Legal Defense Program (IRLDP) was approved by a majority of the Board of Supervisors and implemented by the County. The IRLDP has been funded at a level of \$5 million annually beginning Fiscal Year (FY) 2021-22, to provide free legal defense to detained individuals facing deportation. As established, the program did not create any eligibility criteria for participants to receive a county-funded immigration legal defense - the program is described by County staff as "merit-blind."

Upon thorough review of the first annual IRLDP report, I learned that County funds are being used to provide free legal defense in immigration court for non-citizens with very serious criminal convictions. In fact, the report specifically mentions 34 individuals who have convictions related to criminal activities that include:

- Trafficking Controlled Substances which could include **fantanyl, heroin, cocaine**, or other drugs (8)
- Money Laundering (1)
- Aggravated Felony Convictions which could include **drug offenses, murder, or rape** (13)
- Controlled Substances Offenses which could include **fantanyl, heroin, cocaine**, or other drugs (3)
- Trafficking which could include humans or drugs (1)
- Crime Involving Moral Turpitude (CIMT) which could include **murder, rape, aggravated assault, child abuse, domestic violence** (6)
- Multiple Criminal Convictions (2)

*(number in parenthesis indicates the number of individuals with those charges)*

For those residents of our unincorporated communities, the County is responsible for providing them all public services, such as public safety, roads, parks, and libraries. Every general-purpose dollar spent to defend convicted felons in immigration court means there is less critical funding for our underserved communities. My constituents demand that I make progress in addressing the critical issues facing our community, such as the homelessness and fantanyl crisis. Without a framework for eligibility, our limited public dollars will continue to go to people federally ineligible to become citizens.

**RECOMMENDATION(S)**

**SUPERVISOR JOEL ANDERSON**

1. Direct the Chief Administrative Officer to conduct further research into the Immigrant Rights Legal Defense Program in the following areas and report back to the Board within 120 days addressing and providing:

- a. the specific criminal convictions that would disqualify an individual from becoming a U.S. citizen either temporarily or permanently;
  - b. if any Immigrant Rights Legal Defense Program participants have any of these types of convictions on their record;
  - c. a list of the exact convictions, and how many convictions, for each individual.
2. Direct the Chief Administrative Officer to suspend any and all work on immigration case assistance to any individual with a criminal conviction or charge identified in Recommendation 1.
3. Direct the Chief Administrative Officer to amend the Immigrant Rights Legal Defense Program to preclude participants with criminal convictions identified in Recommendation 1.

#### **EQUITY IMPACT STATEMENT**

This Board action promotes the County's values and principles of equity through a focus on underserved communities.

#### **SUSTAINABILITY IMPACT STATEMENT**

This Board action aligns with the County of San Diego's Sustainability Goal to provide just and equitable access to County services and to focus investment in chronically underserved communities.

#### **FISCAL IMPACT**

There is no fiscal impact associated with research and report back to the Board regarding the IRLDP. There will be no change in net General Fund cost and no additional staff years. There may be fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

A motion was made by Supervisor Anderson, seconded by Supervisor Desmond, for the Board of Supervisors to take action as recommended.

AYES: Anderson, Desmond

NOES: Vargas, Lawson-Remer, Montgomery Steppe

*(Motion failed due to a lack of majority vote.)*

23. **SUBJECT: AN ORDINANCE AMENDING SECTION 363 OF ARTICLE XX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO FILING FEES TO SEAL OR EXPUNGE A RECORD, PURSUANT TO ASSEMBLY BILL 134 (DISTRICTS: ALL)**

### **OVERVIEW**

Effective July 10, 2023, California Assembly Bill (AB) 134 eliminated filing fees to seal or expunge a record, commonly known as expungements. For those who requested expungements prior to AB 134's passage, the charges are still collectible; however, no new fees will be assessed.

Today's action seeks Board of Supervisors (Board) approval to amend Article XX of the San Diego County Administrative Code to reflect the County of San Diego's implementation of, and to be consistent with, the provisions of AB 134. As of July 10, 2023, the Probation department ended the assessment of fees to seal or expunge a record. The proposed changes to the San Diego County Administrative Code delete the references to these requests of dismissal filing fees which are no longer assessed, pursuant to the changes in state law. The ordinance will be introduced on December 5, 2023 and, if approved, it will be scheduled for adoption on January 9, 2024. If the proposed ordinance is altered on January 9, 2024, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Approve the introduction of the Ordinance (First Reading):  
AN ORDINANCE AMENDING SECTION 363 OF ARTICLE XX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO FILING FEES TO SEAL OR EXPUNGE A RECORD.

If the Board takes the action recommended in item 1, then on January 9, 2024:

2. Consider and adopt the Ordinance (unless ordinance is modified on second reading):  
AN ORDINANCE AMENDING SECTION 363 OF ARTICLE XX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO FILING FEES TO SEAL OR EXPUNGE A RECORD.

### **EQUITY IMPACT STATEMENT**

The proposed amendments to the San Diego County Administrative Code align with changes to state law to end the assessment of filing fees related to filing fees to seal or expunge a record. According to a report by the Ella Baker Center for Human Rights, the average debt incurred by defendants for court-ordered fines and fees was roughly equal to the annual income for many survey respondents. Because these fees are often assigned to people who cannot afford to pay them, they can be a contributing factor to poverty and limit economic opportunities among low-income individuals in our justice system. Community engagement was coordinated through advocacy efforts during the state legislative process. These actions to implement changes already passed through state law are anticipated to remove barriers to long-term success for justice-involved individuals.

## **SUSTAINABILITY IMPACT STATEMENT**

The implementation of an Ordinance amending the San Diego County Administrative Code contributes to the County of San Diego Sustainability Goals of providing just and equitable access to County services. Aligning the San Diego County Administrative Code with existing state law enables County programs, operations, and contracts to reflect the values of equity and sustainability set forth by the California State Legislature. Specifically, the proposed Ordinance reflects recognition of the economic impacts of filing fees to seal or expunge a record. By doing so, this request will help to remove some barriers for justice-involved individuals to have greater access to more economic opportunities.

## **FISCAL IMPACT**

There is minimal fiscal impact associated with the proposal to amend the San Diego County Administrative Code to be consistent with state law. The revenue collected from these filing fees to seal or expunge a record has not exceeded \$10,000 annually for the past three fiscal years. This amount can be absorbed within the current and future years budget for the Probation Department. The funding source is existing General Purpose Revenue. There will be no net change in General Fund costs and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended, to further consider and adopt the Ordinance on January 9, 2024.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

## **24. SUBJECT: HOUSING EVERY HOMELESS PERSON IN ADDICTION RECOVERY (DISTRICTS: ALL)**

## **OVERVIEW**

On November 7, 2023 (28) the Board of Supervisors (Board) unanimously passed “Bridging the Gap for Those in Addiction Recovery: from Homelessness to Housing” that directed staff to identify funding to house the 909 homeless individuals in San Diego County who are currently in outpatient treatment for substance use disorder.

The measures taken to address COVID-19 had a profound impact on addiction. The widespread social and economic disruptions exacerbated existing vulnerabilities and created new challenges for individuals struggling with addiction. Lockdowns, social isolation, and heightened stress levels have intensified feelings of loneliness and despair, contributing to an increased risk of substance abuse and relapse. The economic fallout of the pandemic has added financial strain to individuals and families, hindering access to treatment resources.

The pandemic also significantly affected homelessness, resulting in an increase in our homeless population. Lockdowns and economic disruptions have contributed to a rise in unemployment, making it harder for individuals to maintain stable housing. At the intersection of addiction and homelessness is a segment of the population who have managed to achieve and maintain sobriety, however due to the shortage of recovery residences, remain homeless.

The Board approved the American Rescue Plan Act (ARPA) framework that prioritizes housing, homelessness, and behavioral health services. Today's action aligns with that framework and this population should be prioritized for the remaining ARPA-leveraged funding.

On October 10, 2023 (14), the Board allocated \$3 million from the ARPA framework for supportive services for migrants. These services are not included in the ARPA framework. There is no end in sight for the migrant crisis, therefore we are anticipating additional requests for funding. If we are going to allocate funds from the ARPA framework for migrants, we should, at the very least, also allocate funds for our San Diego homeless population.

Today's action would reallocate and leverage funds from the ARPA framework to make funding available to increase access to recovery residences for the 909 individuals who are homeless and in outpatient treatment for substance use disorder. This population was disproportionately affected by the pandemic and should be prioritized above the migrants currently crossing our border.

This reallocation would fund recovery residences for the 909 individuals for two years. This one-time allocation would bridge the gap until anticipated new Mental Health Services Act dollars become available to fund these critical services on an ongoing basis. The Federal government should take responsibility for aiding the migrants and the County should focus on our constituents who are in recovery for addiction and are in desperate need for housing.

**RECOMMENDATION(S)**  
**SUPERVISOR JIM DESMOND**

1. Revise the American Rescue Plan Act (ARPA) Framework to reallocate \$8.0 million of amounts anticipated to be allocated to the Evergreen element of the ARPA Framework to make funding available for the expansion of recovery residence access for all homeless persons participating in County-funded outpatient substance use treatment or recovery services in San Diego County.
2. Direct the Chief Administrative Officer to utilize a lost revenue strategy under the final ARPA guidance based on previously allocated General Purpose Revenue in the Health and Human Services Agency (HHSA) General Relief Program and transfer revenue of \$8.0 million from Finance Other, Intergovernmental Revenue to HHSA, based on ARPA revenue to replace previously allocated General Purpose Revenue for the General Relief Program and transfer appropriations of \$8.0 million from Finance Other, Other Charges, to the HHSA Behavioral Health Services, Services and Supplies, to fund the expansion of recovery residences.

3. Pursuant to Government Code Section 26227, find that the expansion of access to recovery residences in San Diego County is necessary to meet the social needs of the population in the areas of health, rehabilitation, welfare, and the needs of physically, mentally, and financially handicapped persons.
4. Pursuant to Government Code Section 26227, authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of fair and reasonable price, to award contracts in furtherance of the goal to house every homeless person in San Diego County who is in outpatient treatment for substance use disorder in sober living residences.

#### **EQUITY IMPACT STATEMENT**

By increasing the number of recovery residence beds through enhanced investments, the County of San Diego would be expanding services to a currently underserved population. The County of San Diego is committed to providing equal access to services and housing. There is a severe lack of sober living opportunities in the County of San Diego. By supplying stable housing in a sober environment, the County of San Diego can provide housing to a segment of our homeless population.

#### **SUSTAINABILITY IMPACT STATEMENT**

This proposed action contributes to the County of San Diego's Sustainability Goal of protecting the health and well-being of all San Diegan residents. Enhancing recovery residence access will help facilitate self-sufficiency and rehabilitation of some of the County's more vulnerable residents.

#### **FISCAL IMPACT**

Funds associated with today's request are included in the Fiscal Year 2023-24 Adopted Operational Plan. The funding source for the \$8.0 million allocated to Behavioral Health Services is General Purpose Revenue. Available American Rescue Plan Act (ARPA) funds of \$8.0 million will be recognized as lost revenue and redirected to the General Relief Program. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond



**25. SUBJECT:       ADVANCING REPRODUCTIVE RIGHTS EDUCATION AND  
PURSUING LITIGATION TO SHUT DOWN FAKE AND  
FRAUDULENT CRISIS PREGNANCY CENTERS (DISTRICTS: ALL)**

**OVERVIEW**

On November 7, 2023 (30), the Board of Supervisors considered this item. The motion to adopt the recommendations failed due to a tie vote, and the Board did not continue the item. Pursuant to Rule 2(g) of the Board of Supervisors Rules of Procedure, the item was placed on the agenda for the next regular meeting.

In September 2023, legal action was initiated by California State Attorney General Rob Bonta against two California “Crisis Pregnancy Centers.” These centers, notorious for their unethical practices, were accused of using deceptive methods to dissuade women from pursuing abortion. The blatant misinformation, presented as “medical advice,” is just one of the tactics deployed by these so-called medical providers.

According to news reports, San Diego County has as many as 16 “Crisis Pregnancy Centers” that unknowing residents could be using to their detriment. These centers misleadingly offer free consultations for services, but then present individuals with anti-abortion information and actively try to stop individuals from terminating their pregnancy. San Diego County residents are at risk of being harmed emotionally and physically by “Crisis Pregnancy Centers.” We must ensure our residents are properly informed about the dangers of these fake reproductive health centers.

Today’s action requests the Board of Supervisors (Board) take action to amplify important programs launched by the state of California in the wake of the overturning of *Roe v. Wade*, and direct the County Chief Administrative Officer to develop a public education campaign plan to make communities aware of deceptive “Crisis Pregnancy Centers,” and share information about vital reproductive health services from reputable and qualified providers such as Planned Parenthood by making the information available to the public through California Senate Bill (SB) 245 and Medi-Cal.

This action will be another step in ensuring that there continues to be broad public access to vital reproductive healthcare services, and that an individual’s right to choose is not jeopardized.

**RECOMMENDATION(S)**

**SUPERVISOR TERRA LAWSON-REMER**

1. Direct the County Counsel, in consultation with the Chief Administrative Officer, to bring back recommendations to the Board regarding options for initiation of litigation against, including but not limited to shutting down such centers, whether in Closed or Open Session, as appropriate.
2. Direct the Chief Administrative Officer to create and implement a public education campaign plan that potentially include billboards and social media ads, to (a) increase local awareness around “Crisis Pregnancy Centers,” and (b) educate the public about resources available under California Senate Bill (SB) 245, as well as reproductive services for Medi-Cal recipients.

3. Authorize the Agency Director for Health and Human Services to apply for additional funding opportunities, if available, to fund efforts to increase awareness around reproductive health services.

#### **EQUITY IMPACT STATEMENT**

When safe and legal access to abortion and reproductive care is limited, restricted, or jeopardized- people of color, immigrants, young individuals, and people with low incomes are often the first to be impacted. It is imperative that the County of San Diego be at the forefront in defending and protecting the right to abortion and reproductive care and increase public awareness about what services are available within our local communities.

#### **SUSTAINABILITY IMPACT STATEMENT**

The plan will seek to use environmentally sustainable forms of advertising and outreach, such as digital communications and billboards, rather than mass mailings or leaflets.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan for the Health and Human Services Agency. If approved, this request will result in estimated one-time costs of \$500,000. HHSA will use existing appropriations to fund costs. The funding source is existing one-time General Purpose Revenue. At this time, there will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

This item was withdrawn at the request of Vice-Chair Terra Lawon-Remer.

26. **SUBJECT: ADOPT THE SUSTAINABLE, EQUITABLE, AND LOCAL FOOD SOURCING POLICY AND DIRECT IMPLEMENTATION OF YEAR-TWO OF THE SUSTAINABLE, EQUITABLE, AND LOCAL FOOD SOURCING PROGRAM (DISTRICTS: ALL)**

#### **OVERVIEW**

On June 8, 2021 (3), the San Diego County Board of Supervisors (Board), took critical action in advancing support for San Diego County residents by approving the framework for the use of American Rescue Plan Act (ARPA) funding. Under the ARPA Food Assistance component, \$1 million was allocated to initiate a County of San Diego (County) values-based food procurement program. Then on January 25, 2022 (5), the Board directed staff to commence implementation of the Sustainable, Equitable, and Local Food Sourcing Program and to develop an internal County policy. Subsequently, on June 14, 2022 (3), the Board received the Sustainable, Equitable, and Local Food Sourcing Program and Policy Framework and directed staff to return to the Board within 18 months for consideration and adoption of the policy. Today's actions request the Board adopt the Sustainable, Equitable, and Local Food Sourcing Policy; direct staff to implement year-two of the program and return to the Board with update on progress and impacts by Spring of 2025; and authorize applications for additional funding opportunity announcements to support the Sustainable, Equitable, and Local Food Sourcing Program.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by supporting San Diego County's most vulnerable communities, addressing issues of food insecurity, improving nutrition, and supporting local agricultural businesses in San Diego County.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Adopt Board Policy B-75, Sustainable, Equitable, and Local Food Sourcing Policy with a sunset review date of December 31, 2030.
2. Direct the Chief Administrative Officer to implement year-two of the Sustainable, Equitable, and Local Food Sourcing Program and return to the Board with progress and impacts by Spring of 2025.
3. Authorize the Agency Director, Health and Human Services Agency, or designee, to apply for additional funding opportunity announcements, if available, to support the Sustainable, Equitable, and Local Food Sourcing Program.

## **EQUITY IMPACT STATEMENT**

According to the San Diego Hunger Coalition, as of March 2023, nearly one in four San Diegans experience food insecurity. In addition, according to a landscape assessment of County of San Diego (County) food service programs and operations, in 2022 the County served approximately eight million meals to vulnerable populations including youth and adults residing in public hospitals and detention facilities, older adults, foster youth, and individuals living with HIV/AIDS. As such, the County has the opportunity to direct public funds through implementing a values-based food sourcing program and policy that can positively impact populations served in addition to supporting a more robust sustainable, equitable, and local food system.

The development of the Sustainable, Equitable, and Local Food Sourcing Program was guided by San Diego County Food Vision 2030 (Food Vision 2030). Food Vision 2030 was developed by the San Diego Food System Alliance, which is comprised of diverse San Diego County food system stakeholders and is a 10-year strategic plan that guides collective action toward a healthy, sustainable, and just food system for the San Diego region. Food Vision 2030 builds on and complements the efforts initiated by the County's 2019 State of the Food System Report which works toward a robust and resilient local food system that builds healthy communities, supports the economy, and enhances the environment. The overall goal for Food Vision 2030 is to inform planning, policy, program, and investment opportunities to improve the food system in San Diego County. The Sustainable, Equitable, and Local Food Sourcing Program and Policy align with the priorities of Food Vision 2030.

Notably, the Sustainable, Equitable, and Local Food Sourcing Program includes a value category focused specifically on equity: Equity-Informed Sourcing. The Program measures purchases within this value category and supports food service programs and operations in identifying food and beverage purchasing opportunities in this value category. Program staff collect data in the form of usage reports and conduct assessments to determine the County's progress in the

Equity-Informed Sourcing value category. By centering equity in the County's food procurement, the County has the potential to focus public funds to positively impact the food system for local food producers, workers, and businesses owned and/or operated by underserved communities. In addition, implementing a comprehensive, values-based food procurement program ensures that institutional food purchasing advances an equitable, healthy, fair, local, humane, and sustainable food system. Sustainability and equity-focused institutional food purchasing can be an immediate and long-term strategy to reduce health disparities through improving quality of food served to vulnerable and under-resourced communities.

### **SUSTAINABILITY IMPACT STATEMENT**

Today's actions support the County of San Diego (County) Sustainability Goal #2, to provide just and equitable access to County services, policy decision-making, and resource allocation in support of sustainable communities; Sustainability Goal # 3, to transition to a green, carbon-free economy, reduce greenhouse gas emissions, support green job creation and workforce development, and prepare for impacts of climate change. In addition, today's actions support the County Sustainability Goal # 4, to protect the health and well-being of everyone in the region, with a focus on collaborating with community partners and advocating for environmental justice for communities that have been disproportionately impacted; and Sustainability Goal #7, to reduce pollution and waste and demonstrate reduction in consumption of resources. This will be accomplished through adopting the Sustainable, Equitable, and Local Food Sourcing Policy, which standardizes a food sourcing program that measures and encourages food and beverage purchasing in alignment with value categories as directed by the San Diego County Board of Supervisors. These include Local Sourcing, Equity-Informed Sourcing, Elevated Labor Standards, Organic or Regenerative Certification, Low-Carbon Intensity, and Nutritional Co-Benefit. The Sustainable, Equitable, and Local Food Sourcing Program and Policy help direct public funds contributing to sustainability through increasing purchasing of organic, regeneratively grown and low-carbon intense food and beverages. The Program measures purchases within these value categories and supports food service programs and operations by identifying food and beverage procurement opportunities within the value categories, collectively contributing to County sustainability goals, as well as Departmental Sustainability Plans, the Regional Decarbonization Framework, and the Climate Action Plan.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2023-25 Operational Plan in Health and Human Services Agency. If approved, this request will result in costs and revenue of \$353,472 in FY 2023-24 and \$204,660 in FY 2024-25 to implement year-two of the Sustainable, Equitable, and Local Food Sourcing Program. These costs were previously approved by the San Diego County Board of Supervisors (Board) on January 25, 2022 (5), as part of the American Rescue Plan Act (ARPA) Framework, to provide technical assistance to support the Food System Sustainability and Equity Procurement Guidelines through April 30, 2025. The technical assistance provider supports data analysis, action plan implementation, and monitoring of progress. The funding source is ARPA. There is no change in net General Fund costs and no additional staff years.

There is no immediate fiscal impact specific to today's actions to adopt the policy and implement year- two of the program outside of costs tied to the technical assistance provider noted above. Adoption of the policy is not anticipated to result in new costs for departments in the near term. The action plans focus on cost neutral strategies with support from the contracted technical assistance provider. The technical assistance provider will continue to support with program implementation in year-two including with action plan implementation, technical analysis, and monitoring. However, fiscal impacts could be associated with identified goals respective to each food service operation, such as diverting or increasing purchases in specific value categories. Those goals are to be determined by leadership for each food service operation based on respective operational and budget constraints. Any such recommendations requiring additional funding would return to the Board for consideration and approval as necessary. Institutions across the country that have implemented a values-based procurement program similar to this County program have primarily relied on cost-neutral strategies to improve performance.

#### **BUSINESS IMPACT STATEMENT**

If approved, today's actions have the potential to positively impact the regional food system by increasing market opportunities for businesses in the food chain including producers, manufactures, and distributors who align operations with the Board-directed values categories.

#### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

27. **SUBJECT: NOTICED PUBLIC HEARING (TEFRA):  
ISSUANCE OF BONDS, IN ONE OR MORE SERIES, FROM TIME  
TO TIME PURSUANT TO A PLAN OF FINANCE, BY THE  
CALIFORNIA PUBLIC FINANCE AUTHORITY FOR THE BENEFIT  
OF SHARP HEALTHCARE AND ITS AFFILIATES IN AN  
AGGREGATE AMOUNT NOT TO EXCEED \$1.0 BILLION  
(DISTRICTS: D1, D2, D3 and D4)**

#### **OVERVIEW**

The County has received a request from the California Public Finance Authority ("CALPFA" or "Authority") to conduct a public hearing as required by the Internal Revenue Code and to approve issuance by the Authority of its bonds, in one or more series, from time to time pursuant to a plan of finance, in an aggregate principal amount not to exceed \$1.0 billion (the "Bonds"), for the benefit of Sharp HealthCare, a California nonprofit public benefit corporation (the "Borrower"), and its affiliates. The Borrower has applied for the financial assistance of the Authority to finance approximately \$400 million in capital improvements at health care facilities operated by Sharp Memorial Hospital (located at 7901 Frost Street and 3003 Health Center Drive) (the "New Project"). The Borrower has also applied for the financial assistance of the Authority to refund approximately \$600 million in outstanding principal amount of bonds issued by the Association of Bay Area Governments (ABAG) Finance Authority for Nonprofit Corporations and CalPFA for the benefit of the Borrower and its affiliates, as well as corporate

taxable bonds directly issued by the Borrower (collectively, the “Prior Bonds”), all of which financed and/or refinanced capital expenditures at the facilities of Sharp Memorial Hospital, Sharp Chula Vista Medical Center, Grossmont Hospital Corporation, and the administrative office building of the Borrower. The financing of the New Project and refunding of the Prior Bonds are collectively referred herein as the “Project.”

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

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

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a Resolution entitled:  
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE BY CALIFORNIA PUBLIC FINANCE AUTHORITY OF ITS BONDS FOR THE BENEFIT OF SHARP HEALTHCARE AND ITS AFFILIATES, IN ONE OR MORE SERIES, FROM TIME TO TIME PURSUANT TO A PLAN OF FINANCE, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,000,000,000, TO FINANCE AND/OR REFINANCE THE ACQUISITION, RENOVATION, CONSTRUCTION, FURNISHING, EQUIPPING AND IMPROVEMENT OF HEALTH CARE FACILITIES, AND REFUND CERTAIN PRIOR BONDS.

## **EQUITY IMPACT STATEMENT**

This financing will help in the preservation and expansion of facilities to provide emergency, inpatient, and ambulatory health care services to residents of the San Diego region, including access to care for uninsured, underinsured, and other patients who lack the ability to pay.

## **SUSTAINABILITY IMPACT STATEMENT**

The proposed action closely aligns with the County of San Diego goal to protect the health and wellbeing of residents. The financing will allow Borrower to continue to provide equitable access to a full continuum of health care services for San Diego County residents. Borrower’s Community Benefit Plan and Report addresses the following: access to care and financial support for uninsured and underinsured community members and individuals without a medical provider; programs and services that provide community and social support to address health equity challenges; vaccination programs; education, screening, and support programs for chronic

health conditions and other health needs, including but not limited to heart and vascular disease, stroke, cancer, diabetes, obesity and unintentional injuries; aging care and support programs including health education, support, and screening activities for seniors and caregivers; safety and support programs for seniors and people with disabilities; end-of-life and advance care planning services for hospice patients and their loved ones and the community; support for community nonprofit health and social service organizations; education and training for community health care professionals; student and intern supervision, education, and support; collaboration with local schools to promote interest and provide health career pathways; cancer patient navigation services and participation in clinical trials; women's and prenatal/postnatal health services, support, and education, including services for high-risk pregnancies; behavioral health and substance use education, screening, and support for the community, including seniors and individuals experiencing homelessness; provider education and protocol development to enhance community safety programming related to trauma-informed care, human trafficking, and related topics.

For more than a decade, Borrower has sought to minimize adverse environmental impacts to the communities it serves, which aligns with the County of San Diego Sustainability Goals. By reducing greenhouse gas emissions, Borrower supports its core mission to improve the health of the environment and the local population. Through education, outreach, and collaboration with community partners, Borrower's environmental policy guides the identification and implementation of green practices within the health care system, while its All Ways Green initiative fosters a culture of environmental responsibility throughout the organization and the San Diego community. In 2022, Borrower embarked on a comprehensive Environmental Health, Wellness, and Sustainability Plan that targets systemwide improvements to reduce Borrower's carbon footprint, with the goal of achieving carbon neutrality by 2040, the first health care system in San Diego to commit to San Diego Community Power's Power100 program, which provides 100% renewable and carbon-free electricity to eligible Borrower facilities. Borrower's All Ways Green Committee spearheads the organization's sustainability plans, which are organized around eight core elements: efficient energy, water conservation, waste minimization, preferable purchasing, transportation, food sustainability, performance measurement and improvement, and communication.

### **FISCAL IMPACT**

If approved, the proposal will result in approximately \$991 of unanticipated revenue to be used to reimburse the County for staff costs associated with this non-County financing. There will be no change in net General Fund cost and no additional staff years.

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

### **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors closed the Hearing and took action as recommended, and adopted Resolution No. 23-138, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE BY CALIFORNIA PUBLIC FINANCE AUTHORITY OF ITS BONDS FOR THE BENEFIT OF SHARP HEALTHCARE AND ITS AFFILIATES, IN ONE OR MORE SERIES, FROM TIME TO TIME PURSUANT TO A PLAN OF FINANCE, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,000,000,000, TO FINANCE AND/OR REFINANCE THE ACQUISITION, RENOVATION, CONSTRUCTION, FURNISHING, EQUIPPING AND IMPROVEMENT OF HEALTH CARE FACILITIES, AND REFUND CERTAIN PRIOR BONDS.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- 28. SUBJECT: ADOPT ORDINANCE AUTHORIZING A DISPOSITION AND DEVELOPMENT AGREEMENT FOR AFFORDABLE HOUSING ON COUNTY-OWNED LAND - RAMONA SENIOR HOUSING/PASEO NORTE AND RELATED CEQA FINDING (DISTRICT: 2)**

**OVERVIEW**

The San Diego region faces a severe and chronic shortage of affordable housing units that directly impacts housing insecurity and housing cost burden for lower-income households across San Diego County. Seniors are no exception and often find themselves more likely to spend more of their income on rent than other age groups because many live on fixed-incomes and are susceptible to the impacts of rent increases. Specifically, in the community of Ramona, approximately one third of senior households are paying upwards of 35% or more on housing costs. Since 1999, through the efforts of the Ramona Intergenerational Community Campus (RICC) Steering Committee and others, the community of Ramona has been pursuing the concept of creating a RICC as a model for a central hub for community services, recreation, and housing. The various concept plans discussed over the years include senior housing, a Live Well Center, library, senior center, and other community facilities.

On October 27, 2020 (9), the County of San Diego (County) Board of Supervisors (Board) authorized the Director of the Department of General Services (DGS) to issue a Request for Statements of Qualifications to determine qualified respondents and issue a Request for Proposals to respondents found qualified for the potential sale and development of Assessor Parcel Numbers 281-182-17 and -18 at the RICC in Ramona (Property). On March 2, 2021 (8), the Board received proposals from the development teams and authorized the Director of DGS to evaluate and select a proposal for negotiations of the terms of a Disposition and Development Agreement (DDA) that will outline the conditions of sale and then return to the Board for approval. Wakeland Housing Corporation (Wakeland) was chosen with a proposed 100 homes for low-income seniors, including a senior center open to the public, a medical center and a community park.



Staff have negotiated a DDA with Wakeland and today's request is for the Board to adopt an Ordinance authorizing a DDA between the County and Wakeland for the development of affordable housing on the Property, adopt a Resolution finding that the Property is Exempt Surplus and will be disposed of pursuant to Government Code 25539.4, as well as approving the DDA and other documents necessary for the implementation of the project. The disposition of the Property will only occur upon the satisfaction of conditions outlined in the DDA, including the completion of all review required by the California Environmental Quality Act and Wakeland's Receipt of permits and financing needed to construct the proposed development. Additionally, today's approval will ensure that Wakeland can maximize tax credit funding and retain the California Tax Credit Allocation Committee (TCAC) "High Resource" designation for the site.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed approval of the Development and Disposition Agreement is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15004(b) and section 15004(b)(2)(A) because an agency may designate a preferred site for CEQA review and enter into land acquisition agreements prior to completing CEQA review, and the Board of Supervisors hereby conditions any future disposition of and use of the site upon CEQA compliance. Further, environmental review for this affordable housing project is underway and nearing completion.
2. Find that Disposition and Development Agreement (DDA) will help meet the housing needs of the County and result in economic benefits to the County.
3. Adopt the following Ordinance after holding a public hearing as required by California Government Code section 25515.2. **(4 VOTES)**  
AN ORDINANCE AUTHORIZING AN AGREEMENT ENTITLED DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE COUNTY OF SAN DIEGO AND WAKELAND HOUSING AND DEVELOPMENT CORPORATION OR ITS AFFILIATE FOR DISPOSITION DEVELOPMENT OF THE REAL PROPERTY IDENTIFIED AS ASSESSOR PARCEL NUMBERS 271-182-17 AND -18 IN THE UNINCORPORATED COMMUNITY OF RAMONA.
4. Authorize the Clerk of the Board to publish the Ordinance in accordance with California Government Code section 25124.
5. Adopt a Resolution entitled A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO FINDING THAT THE PROPERTY IDENTIFIED AS ASSESSOR PARCEL NO. 281-182-17 and -18 LOCATED IN UNINCORPORATED RAMONA IS EXEMPT SURPLUS LAND TO BE DISPOSED OF PURSUANT TO GOVERNMENT CODE 25539.4.
6. Authorize the Director, Department of General Services, to execute the DDA with Wakeland Housing Corporation or an affiliate entity 30 days after adoption of the Ordinance and perform any actions in furtherance of or necessary to administer or implement the DDA for a sale for the development of Assessor Parcel Numbers 281-182-17 and -18.

7. Authorize the Agency Director, Health and Human Services Agency, or a designee, to execute the Regulatory Agreement and any amendments to the Regulatory Agreement and perform any actions in furtherance of or necessary to administer or implement the DDA and Regulatory Agreement.

#### **EQUITY IMPACT STATEMENT**

Today's recommendations will result in the development of much-needed affordable housing for seniors in the region. The 6th Cycle Regional Housing Needs Assessment (RHNA) indicates that 68,959 units are needed regionally for very low, and low-income households. This development reserves all units for low-income seniors earning below 50% area median income, currently \$48,250 for a one-person household and \$55,150 for a two-person household.

Approval of the recommendations contribute to the County's efforts to address local housing shortages and, in alignment with the "5 P's" of SANDAG's Housing Acceleration Program (HAP), will help Promote Equity, Inclusion and Sustainability, Preserve Vulnerable Housing, and Produce Housing for All. Additionally, approval will result in the creation of private sector jobs and economic opportunities in San Diego County. It is anticipated that these actions will lead to increased housing for extremely low, very low, and low-income seniors throughout the County.

#### **SUSTAINABILITY IMPACT STATEMENT**

Today's proposed actions support the County of San Diego's Sustainability Goals to provide just and equitable access; and to protect health and wellbeing. The recommended actions will provide just and equitable access to housing for extremely low, very low, and low-income seniors, including those who are Black, Indigenous, and People of Color. These actions also align with the goal to protect the environment as well as health and wellbeing, which will be accomplished by incorporating robust sustainability criteria into each Request for Proposal that are in alignment with California Tax Credit Allocation Committee requirements, and our regional efforts to decarbonize.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan for the Department of General Services, Facilities Management Internal Service Fund. If approved, this request will result in estimated costs and revenue of \$250,000. The funding source is an internal agreement with the Health and Human Services Agency (HHSA) supported by HHSA's existing available appropriations funded with General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, and adopted Ordinance No. 10879 (N.S.), entitled: AN ORDINANCE AUTHORIZING AN AGREEMENT ENTITLED DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE COUNTY OF SAN DIEGO AND WAKELAND HOUSING AND DEVELOPMENT CORPORATION OR ITS

AFFILIATE FOR DISPOSITION AND DEVELOPMENT OF THE REAL PROPERTY IDENTIFIED AS ASSESSOR PARCEL NUMBERS 271-182-17 AND -18 IN THE UNINCORPORATED COMMUNITY OF RAMONA; and, Resolution No. 23-139, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO FINDING THAT THE PROPERTY IDENTIFIED AS ASSESSOR PARCEL NO. 281-182-17 and -18 LOCATED IN UNINCORPORATED RAMONA IS EXEMPT SURPLUS LAND TO BE DISPOSED PURSUANT TO GOVERNMENT CODE 25539.4.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

**29. SUBJECT: PROTECTING CALIFORNIA RATEPAYERS BY OPPOSING  
INCOME-GRADUATED FIXED ENERGY CHARGES  
(DISTRICTS: ALL)**

**OVERVIEW**

San Diego County residents currently pay the highest electricity costs in the country, according to the U.S. Bureau of Labor Statistics. In 2022, the average San Diego Gas & Electric (SDG&E) ratepayer paid \$171 a month in electricity costs. The California Public Advocates Office released data showing SDG&E electricity rates have more than doubled in the past decade, rising 105% between 2014 and 2023. In recent years, utility costs have soared in San Diego County, driving up the already high cost of living.

California ratepayers are keenly aware of the extraordinarily high costs and inadequate production. Many county residents have responded by reducing energy usage, especially during peak times, to lower their bills. Many Californians made long term investments, spending thousands of dollars, to conserve power and utilize renewable energy sources, such as rooftop solar. California residents and businesses have heavily invested in solar panels, leading the nation in solar installations in 2022, according to the Solar Energy Industries Association. San Diego County leads the state in solar megawatt capacity, with enough solar infrastructure to produce almost 15,000 megawatts a year.

Despite these efforts, energy rates continue to rise faster than inflation. With the passage of Assembly Bill (AB) 205 in 2022, the state's public utilities code was amended to allow an option for the California Public Utilities Commission (CPUC) to adopt income-graduated fixed charges for electricity bills. This fixed charge would be based on a household's income and would require a minimum of three income thresholds. The income-based billing structure would pool together to drive down, at least initially, the per kilowatt hour usage fees. The updated code stated that if a fixed rate charge were to be adopted, the CPUC would have to adopt it no later than July 1, 2024. In anticipation of this, on April 7, 2023, Southern California Edison, Pacific Gas & Electric, and SDG&E submitted a joint proposal to the CPUC that outlined their proposed fixed rates. The fixed rates are the following:

### Income-Graduated Fixed Charge Proposals

Annual Income	San Diego Gas & Electric	Pacific Gas & Electric	Southern California Edison
\$28,000 or less	\$24	\$15	\$15
\$28,000-69,000	\$34	\$30	\$20
\$69,000-180,000	\$73	\$51	\$51
\$180,000 or more	\$128	\$92	\$85

Income brackets would be based off household income, allowing for working class households' income being combined to put them in a higher tier, ultimately charging them more for electricity. On top of the fixed rate, electricity customers will have to pay the per kilowatt hour cost. Currently, the average rate is \$0.47 per kilowatt hour for SDG&E customers. This proposal will charge SDG&E customers an estimated \$0.27 per kilowatt hour.

Ratepayers would pay the flat fee every month, even if they don't use any electricity. The CPUC has historically promoted electricity policy tied to volumetric usage and conservation-based models. The new model would decouple volumetric usage from rates, disincentivizing energy conservation. These proposals are an injustice to Californians who have invested thousands in solar to protect the environment and reduce their monthly bill.

California Public Utilities Code 739.9, amended by AB 205, led to the current fixed charge proposals. The code contains contradictory and confusing language. There are also several unanswered questions about the implementation of an income-graduated fixed charge that the code does not answer. The state legislature needs to repeal the code and find a better, and more affordable, usage-based solution for all San Diegans.

An income-graduated fixed rate structure should not be adopted by the CPUC because the new state law is unfair, unclear, and misguided. SDG&E's proposed change in methodology is bad for San Diegans, who are already overburdened by the cost of housing and other necessities. This would set a dangerous, income-based payment precedent.

Today's request is to protect California ratepayers by having the San Diego County Board of Supervisors take a position in opposition to income graduated fixed charges and to direct the Chief Administrative Officer to take appropriate actions to voice the concerns of the County.

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

##### **SUPERVISOR JIM DESMOND**

1. Direct the Chief Administrative Officer to draft a letter for the Chair's signature, expressing the County of San Diego's opposition to income-graduated fixed charge proposals presented by Southern California Edison, Pacific Gas & Electric, and San Diego Gas & Electric for the California Public Utilities Commission, and to send the letter to the California Public Utilities Commission, State legislature, and Governor.
2. Direct the Chief Administrative Officer to include in the Board's Legislative Program opposition for legislation that would generate income-graduated fixed charges for utility billings.

### **EQUITY IMPACT STATEMENT**

San Diegans are struggling to pay their utility bills. Out of the 3.7 million San Diego Gas & Electric customers, a reported 25% (341,000) are at some level, behind on their bills. This shows that San Diegans need relief. Taking a stand against the fixed rate proposal would allow the County to advocate for rates that take into consideration the disproportionate hardship high energy costs have on low and middle-income homes. The County of San Diego is committed to advancing equity; it is our goal to support strong and equitable policies while improving the quality of life throughout the region by alleviating the financial burden of rising costs of basic needs, including power.

### **SUSTAINABILITY IMPACT STATEMENT**

There are multiple cost drivers contributing to San Diego Gas & Electric's (SDG&E) high rates. State mandates for transportation electrification requires utility companies to invest in energy efficient technology and infrastructure. Wildfire mitigation and renewable energy construction are also major cost drivers. Both are important for San Diegans, however the billions of dollars spent on wildfire and energy improvements are directly passed on to the ratepayers. Advocating for the California Public Utilities Commission to reject SDG&E's fixed rate proposal would force SDG&E to provide a more affordable means for more sustainable future for San Diegans.

### **FISCAL IMPACT**

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

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

A motion was made by Supervisor Desmond, seconded by Supervisor Anderson, for the Board of Supervisors to take action as recommended.

AYES: Desmond

NOES: Vargas, Anderson, Montgomery Steppe

NOT PRESENT: Lawson-Remer

*(Motion failed due to a lack of majority vote.)*

30. **SUBJECT: ENHANCING HUMANITARIAN EMERGENCY RESPONSE AND RELIEF: SUPPORTIVE SERVICES FOR ASYLUM SEEKING MIGRANTS (DISTRICTS: ALL)**

### **OVERVIEW**

With the expiration of Title 42 restrictions this past May, San Diego County and a coordinated network of NGOs, grassroot groups and community members have faced an unprecedented level of pressure, exceeding their capacity due to the number of arrivals of asylum-seeking migrants. Non-Governmental Organizations (NGOs) and Community Based Organizations (CBOs)

continue to work tirelessly to respond to this influx of individuals. As a border community we have a long history of welcoming new arrivals, however, this situation has become more and more difficult to sustain. Customs and Border Protection (CBP) has released over 42,000 individuals in San Diego County between September and November of this year.

In our commitment to provide support during this humanitarian crisis, on October 10, 2023 (14), the Board of Supervisors (Board) approved reallocating \$3.0 million in federal American Rescue Plan Act (ARPA) funds to make these funds available to support our local partners in their work with asylum seeking migrants and mitigate street releases. This action improved the ability to manage asylum seeking migrant relocations efficiently. These funds were designated to provide essential services to individuals processed by Customs and Border Protection (CBP), such as translation assistance, geographic information, transportation services, access to equipment and Wi-Fi to contact U.S. sponsors and other services to facilitate their onward travel to their final destination in the U.S. This assistance enables asylum seeking migrants entering the United States to reunite with their U.S. sponsors.

Today's action is requesting the Board to allocate additional ARPA funds provided by the federal government to make funding available to mitigate additional street releases in San Diego County through the winter by extending funding.

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

##### **CHAIRWOMAN NORA VARGAS AND SUPERVISOR JOEL ANDERSON**

1. Revise the American Rescue Plan Act (ARPA) Framework to use \$3.0 million of the funding anticipated to be allocated to the Evergreen element of the County's ARPA Framework to fund the grant agreement(s) authorized by the Board of Supervisors on October 10, 2023 (14), and increase the aggregate amount authorized for such agreements by \$3.0 million.
2. Direct the Chief Administrative Officer to utilize a lost revenue strategy under the final ARPA guidance based on previously allocated General Purpose Revenue in the Health and Human Services Agency (HHSA) General Relief Program and transfer revenue of \$3.0 million from Finance Other, Intergovernmental Revenue to HHSA, based on ARPA revenue to replace previously allocated General Purpose Revenue for the General Relief Program and transfer appropriations of \$3.0 million from Finance Other, Other Charges, to the HHSA, Services and Supplies, to fund a grant extension to provide supportive services to asylum seeking migrants using General Purpose Revenue.
3. Authorize the Chief Administrative Officer to amend the grant agreement for the provision of supportive services to asylum seeking migrants released in San Diego County by the federal government, entered into pursuant to the authority granted on October 10, 2023 (14), to increase the amount of funding by an additional \$3.0 million, to extend the term of the agreement through the end of March 2024, and to make minor amendments to the agreement that do not change the purpose or amount of the grant.
4. Authorize the Chief Administrative Officer designee(s) to pursue future funding opportunities, if available, for current and future fiscal years related to supportive services for asylum seeking migrants.

### **EQUITY IMPACT STATEMENT**

By allocating additional federal ARPA funds, we can further mitigate street releases while also persistently pursuing ongoing federal support. This aligns with our mission to address the inhumane practice of releasing asylum-seeking migrants without adequate support, ultimately safeguarding the quality of life within our communities.

### **SUSTAINABILITY IMPACT STATEMENT**

The County, in partnership with non-profit organizations and with the support of federal ARPA funds, can offer vital assistance to individuals affected by the migrant crisis. This collaborative effort not only alleviates the burden on local resources and services but also strengthens our ability to address immediate needs. Furthermore, it plays a crucial role in promoting the long-term sustainability of our communities by establishing a unified and resilient support system.

### **FISCAL IMPACT**

Funds associated with today's request are included in the Fiscal Year (FY) 2023-24 Adopted Operational Plan. If approved, this request will result in additional one-time costs and revenue of \$3.0 million. The funding source for the \$3.0 million additional grant award is existing General Purpose Revenue. Available American Rescue Plan Act (ARPA) funds of \$3.0 million will be recognized as lost revenue and redirected to the General Relief Program. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

Mitigating street releases and providing assistance to this population, will ensure we uphold the stability of our community and local business environment, ensuring that businesses can continue their operations. Additionally, this approach highlights our dedication to promoting economic prosperity and ensuring that the needs in the areas of health, public safety and welfare are met.

### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe  
NOES: Desmond

## **31. SUBJECT: ENSURING DIVESTMENT OF COUNTY FUNDS IN THE ISLAMIC REPUBLIC OF IRAN (DISTRICTS: ALL)**

### **OVERVIEW**

As a result of the Islamic Republic of Iran's historical support for international terrorism and record of human rights violations, over the past four decades, the United States government has imposed numerous sanctions and restrictions on business and investment activities with the Islamic Republic of Iran. Although sanctions and federal laws, such as the Iran Sanctions Act, authorize strict penalties for individuals and companies engaging in specified commercial activities or investment with the Islamic Republic of Iran, instances of entities illegally doing business with them, or with companies that commercially interact with them illegally, continue to be discovered.

The financial support for terrorist organizations by the Islamic Republic of Iran is long-standing and well documented by the United States government. We know that their money is the mother's milk of terrorism throughout the Middle East. According to the U.S. Department of State, the Islamic Republic of Iran provides approximately \$100 million annually to terrorist organizations, including Hamas, Palestinian Islamic Jihad and other groups. In light of the October 7, 2023, attack on the Israeli people by the terrorist group Hamas, it is critical that San Diego County's investment funds will in no way play a role in assisting the Islamic Republic of Iran's continued funding of terrorist groups and their activities.

Following the enactment of Assembly Bill 221 (Anderson) into law in 2007, it was discovered that over \$24 billion in public funds managed by the California Public Employees' Retirement System (CalPERS) and the California State Teachers' Retirement System (CalSTRS) were being invested with the Islamic Republic of Iran in conflict with sanctions prohibiting such action. It is critical to ensure that local investment portfolios managed by the County of San Diego Treasurer and the San Diego County Employees Retirement Association, totaling between \$26 billion and \$32 billion, are in compliance with all laws and sanctions restricting investments with the Islamic Republic of Iran and companies that conduct business with them.

I am therefore, recommending that the Board of Supervisors support actions to verify that the portfolios managed by these two entities are in compliance with all laws and sanctions restricting activities with the Islamic Republic of Iran and that they will continue to comply in the future.

**RECOMMENDATION(S)**  
**SUPERVISOR JOEL ANDERSON**

1. Request reports from the Board of Retirement of the San Diego County Employees Retirement Association and the County of San Diego Treasurer describing the actions each organization takes to certify they are in compliance with all laws and sanctions restricting investments with the Islamic Republic of Iran and companies that conduct business with them.
2. Request that the Board of Retirement of the San Diego County Employees Retirement Association and the County of San Diego Treasurer provide the Board of Supervisors annual reports, verifying their investment portfolios are in compliance with all laws and sanctions restricting investments in the Islamic Republic of Iran and companies conducting business with them.
3. Request that Board of Retirement of the San Diego County Employees Retirement Association and the County of San Diego Treasurer, consistent with the fiduciary duties imposed by law, amend their respective Environmental, Social, and Governance (ESG) investing strategies and associated policies, as needed, to specifically prohibit unlawful investments with the Islamic Republic of Iran, companies conducting business with them and any other entities identified by the United States government as contributors to terrorist organizations.



### **EQUITY IMPACT STATEMENT**

San Diego County has a long-standing history of welcoming refugees from nations throughout the world. As a result, a significant number of County residents have family and other relationships tying them emotionally and financially to nations targeted by terrorist organizations. By ensuring that the billions of dollars invested in County investment portfolios will not play any role in financing weapons, training, or other activities contributing to the destruction and loss of innocent lives in their originating nations, we can provide our constituents with assurances that their current government representative agencies are doing their part to ensure they are addressing constituent and member concerns.

### **SUSTAINABILITY IMPACT STATEMENT**

The recommended actions will enable the County's investment agencies to continue to invest billions of dollars in their portfolios in a manner that certifies their compliance with all laws and sanctions governing the legal investment of their members' assets.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan for the Treasurer-Tax Collector. If approved, the cost for annual reporting to the Board of Supervisors will be minimal. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

The recommended actions will benefit local investment agencies and the companies they invest in by providing an additional layer of assurances and regular review procedures to verify they are in compliance with all laws and sanctions restricting investment in the Islamic Republic of Iran and related business dealings.

### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Desmond

NOES: Montgomery Steppe

- 32. SUBJECT: CONDUCT COMPREHENSIVE FISCAL STUDY FOR SOLUTIONS TO IMPROVE RETENTION AND RECRUITMENT OF SAN DIEGO COUNTY SHERIFF DEPUTIES (DISTRICTS: ALL)**

### **OVERVIEW**

Supervisor Terra Lawson-Remer has been working closely with the San Diego County Sheriff's Department, District Attorney's Office, and community advocates to get guns and drugs off the streets, stop human trafficking, and increase community policing to prevent property crimes and smash-and-grab robberies. Investing in local public safety services to prevent crime and make neighborhoods safer means investing in our Sheriff's Deputies. The Sheriff's Department has found it difficult to recruit and retain new Deputies. To ensure adequate staffing and prevent burnout, it is vital we examine every option possible to keep trained and experienced Deputies on our streets and in our detention facilities.

Simultaneously, over the past three years, Supervisor Lawson-Remer has aggressively taken several actions to protect justice-involved individuals in our County's care, including making inmate calls free to improve access to human connection, dramatically increasing mental health services and staffing in detention facilities to reduce tragic jail deaths, and expanding fentanyl treatment and harm reduction and other substance abuse prevention programs for incarcerated individuals. She further championed a groundbreaking initiative of safety through services to reduce recidivism, save taxpayer resources, give justice-involved individuals pathways to rehabilitation, and keep our communities safe yet jail deaths continue in part due to staffing challenges and stemming from shortfalls in retention and recruitment. Providing the appropriate level of support for our public safety employees, including Sheriff's Deputies, is vital in ensuring we can properly and effectively care for the people in custody, protect our communities and serve the people in San Diego County.

Our San Diego County Sheriff, Kelly Martinez, has a comprehensive plan to modernize our jails which will help improve the level of medical, mental health, and addiction treatment delivered in our jails. As we continually look to make strides in the quality of care of the detained, we have already taken action to support Sheriff Martinez in her Department's recruitment of new personnel, but the Sheriff's Department has still found it difficult to recruit and retain new Deputies. This Board must do more to support our Sheriff's Deputies to continue making the previously stated progress. Improving the Deputies work environment, preparing them to better interact with people in our County's care, and properly training any incoming members of the workforce will help us successfully recruit and retain high-caliber people; while also working to prevent jail deaths and reduce recidivism by supporting incarcerated individuals in our County's custody with better supervision, services, and programs.

To achieve these goals, we must thoroughly evaluate every fiscally responsible way we can help to improve staff capacity and wellness. A Deferred Retirement Option Program (DROP) is one example of a potential solution to the recruitment and retention challenges for safety members in the County of San Diego's retirement program, including those members in the San Diego Sheriff's Department.

As a leader committed to fiscal responsibility, Supervisor Lawson-Remer strategically seeks the most cost-efficient avenues to address critical workforce challenges. With an astute understanding of fiscal management, she consistently explores innovative, cost-neutral approaches to bolster recruitment and retention strategies for law enforcement and safety personnel. Her emphasis on a cost-neutral approach underscores her dedication to implementing impactful measures without compromising the County's fiscal stability.

The purpose of this Board Letter is to undertake a comprehensive fiscal study aimed at evaluating the feasibility of implementing a DROP for all County safety members in the retirement program, including those safety members within the San Diego Sheriff's Department.

A thorough analysis of DROP options should consider the potential to alter employment patterns and the risk of unforeseen financial strains on pension systems, as evidenced by other governments' experiences. The central purpose of this study is to ascertain whether such a program would operate in a cost-neutral manner as a benefit option under the San Diego County Employees Retirement Association. This initiative aligns with our commitment to responsible financial stewardship while also recognizing the importance of offering retirement options that benefit both our valued law enforcement personnel and the community they serve.

Today's action aligns with our commitment to responsible financial stewardship while also recognizing the importance of offering retirement options that benefit both our valued law enforcement personnel and the community they serve.

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

##### **VICE-CHAIR TERRA LAWSON-REMER**

Direct the Chief Administrative Officer to work with an actuarial consultant to provide cost neutral options of a Deferred Retirement Option Program for the County, applicable for safety members of the retirement program that is consistent with the County Employees Retirement Law of 1937 (CERL), and report back to the Board of Supervisors with the results of the analysis in 12 months.

#### **EQUITY IMPACT STATEMENT**

As we aim to bring proposals forward that are designed to advance fairness and equity and create better outcomes for underserved and diverse communities disproportionately impacted by the justice system and reduce justice involvement, incarceration, recidivism, and longstanding disproportionalities, we must properly invest in the capacity of our agents of public safety to do their jobs.

#### **SUSTAINABILITY IMPACT STATEMENT**

Implementing a Deferred Retirement Option Program that will benefit safety members of the retirement program, including those within the San Diego County Sheriff's Department, Probation Department and District Attorney's Office, holds the potential to enhance long-term sustainability by mitigating recruitment and retention challenges. By fostering a more attractive work environment for law enforcement personnel, the policy aims to reduce turnover, optimize resource allocation, and contribute to the overall resilience and effectiveness of the County Departments.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan for Finance Other. This request will result in an estimated one-time cost of \$250,000. The funding source is existing one-time General Purpose Revenue. At this time, there is no impact to net General Fund costs, and there will be no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Vargas, the Board of Supervisors directed the Chief Administrative Officer to work with an actuarial consultant to provide cost neutral options of a Deferred Retirement Option Program for the County, applicable for safety members of the retirement program that is consistent with the County Employees Retirement Law of 1937 (CERL), and report back to the Board of Supervisors with the results of the analysis in 12 months, with a first phase review report back to the Board by August 31, 2024.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

**33. SUBJECT: ADOPTION OF A RESOLUTION DECLARING ELECTION RESULTS OF THE NOVEMBER 7, 2023 SPECIAL ELECTION (DISTRICTS: ALL)**

**OVERVIEW**

State law requires that the Board of Supervisors (Board) declare the election results for those offices and measures under its jurisdiction. For the November 7, 2023 Special Election, the Board must declare the results for the office of Board of Supervisors - District 4.

Today's action requests the Board to adopt a resolution declaring these election results.

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

Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING THE RESULTS OF THE NOVEMBER 7, 2023 SPECIAL ELECTION RELATING TO COUNTY OF SAN DIEGO OFFICE (Attachment A, on file with Clerk of the Board).

**EQUITY IMPACT STATEMENT**

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

**SUSTAINABILITY IMPACT STATEMENT**

A person's vote has a direct influence on the sustainability of their neighborhood, community, and local region. By voting, San Diego residents have a direct impact on their health, equity, the economy, and environment. With the County's implementation of the vote center model, all active registered voters receive a ballot in the mail as required by current law. This increases accessibility by providing voters with the opportunity to consider the method that is most convenient for them to return their ballot and has the possibility of reducing vehicles miles traveled to cast their vote. In addition, voters have the option of receiving voter information guides electronically to reduce paper waste. The recommended action today aligns with the Governance lens of sustainability and the County of San Diego Sustainability Goal of providing just and equitable access to County services.

## **FISCAL IMPACT**

There is no fiscal impact associated with the adoption of the Resolution. 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 Vargas, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended, and adopted Resolution No. 23-140, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING THE RESULTS OF THE NOVEMBER 7, 2023, SPECIAL ELECTION RELATING TO COUNTY OF SAN DIEGO OFFICE.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

34. **SUBJECT: FISCAL YEAR 2023-24 FIRST QUARTER OPERATIONAL PLAN STATUS REPORT AND BUDGET ADJUSTMENTS (DISTRICTS: ALL)**

## **OVERVIEW**

This report summarizes the status of the County's Fiscal Year 2023-24 Adopted Operational Plan, as measured by projected year-end fund balance from current year operations. The projected year-end balance for the General Fund is \$55.7 million (or 0.7% of the General Fund budget), and \$97.9 million (or 0.9% of the Overall budget) for all budgetary funds combined. The projected fund balance anticipates an overall positive expenditure variance and an overall negative revenue variance from the Fiscal Year 2023-24 Amended Budget. The projection assumes General Purpose Revenue will perform better than estimated, and Finance and General Government Group and the Land Use and Environment Group will produce operating balances while the Health and Human Services Agency and Public Safety Group are projecting negative operating balances due to projected slowing of sales tax receipts that support HHSA programs, increased costs for the General Relief Program, contributions to support the Ambulance Services Program through County Fire and an estimated payment for Incompetent to Stand Trial determinations with groups staying within legal appropriation limit by year-end. The General Fund year-end fund balance projection includes COVID-19 response costs primarily funded through American Rescue Plan Act (ARPA) funds and anticipates receipt of additional Federal Emergency Management Agency (FEMA) revenue to cover costs incurred. Total FEMA costs are currently estimated at \$437.0 million. This includes \$436.3 million of costs incurred from the beginning of the pandemic through May 11, 2023 when FEMA eligibility ended and \$0.7 million for Fiscal Year 2023-24 for allowable administrative costs to manage the grant beyond the FEMA eligibility date. To date, a total of \$254.3 million in FEMA reimbursement payments have been received and projections anticipate receiving an additional \$24.9 million by December 31, 2024, for prior year efforts. The remaining balance of \$157.8 million, which includes the 10% withhold amount as part of the FEMA close out process, is anticipated to be received in future fiscal years. The projected balance for all other funds combined is \$42.2 million (1.4% of the other funds combined budget).

Transfers and revisions to the amended budget can be made by formal action of the Board of Supervisors in accordance with the California County Budget Act, Government Code (GC) Section 29125. Increases to the overall budget require 4 votes. Transfers of appropriations between departments within the same budgetary fund that do not increase the overall budget, or the cancellation of appropriations require a majority vote. Transfers of appropriations to facilitate transfers between budgetary funds require 4 votes even if the overall budget is not increased.

In the Public Safety Group (PSG), recommendations includes appropriation adjustments to purchase commissary items, for the benefit, education, and welfare of the incarcerated persons confined within detention facilities, for the purchase of post warranty support for the Next Generation Regional Communication System, to purchase toxicology supplies and equipment to expand the surveillance of emerging drug trends, increased allocation from the Judicial Council of California for pretrial support services and provide additional funding for the Palomar Mountain Fire Station Project.

In the Land Use and Environment Group (LUEG), recommendations include appropriation adjustments to support the North County Fire Protection District, to repair or replace gym equipment at the Spring Valley Community Center, to close and secure a well at Fallbrook Park, for expenditures related to strengthening the County of San Diego's Hazardous Materials Business Plan information and Disaster Recovery, for distributing Fish and Game State Fines and Forfeitures monies to the public, to provide funds for the Ramona Airport 09-27 Runway Rehabilitation Project, and to provide funds for the Borrego Valley Airport Taxiway Alpha Rehabilitation Project.

In the Finance and General Government Group (FGG), recommendations include appropriation adjustments for Cannabis Equity Act Grant program, to appropriate recently returned funds in the Neighborhood Reinvestment Program and Community Enhancement program for allocation to other projects and for funding to pay for one-time expenses in the Board of Supervisors' offices.

There are no appropriation adjustments in the Health and Human Services Agency (HHSA).

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

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

1. Accept the Fiscal Year 2023-24 first quarter report on projected year-end results.

##### **Increases to the Overall Budget and/or Transfers Between Budgetary Funds (Recommendations 2 through 19):**

2. Establish appropriations of \$3,619,632 in the Jail Commissary Enterprise Fund, Services & Supplies (\$913,000), for commissary items, and Operating Transfers Out (\$2,706,632), based on anticipated receipts (\$1,913,000) and available prior year fund balance (\$1,706,632); *and* establish appropriations of \$2,706,632 in the Incarcerated Peoples' Welfare Fund, Services & Supplies, to be used for the benefit, education, and welfare of the incarcerated persons housed within detention facilities, based on an Operating Transfer In from the Jail Commissary Enterprise Fund. **(4 VOTES)**

3. Establish appropriations of \$2,546,650 in the Sheriff's Department, Services & Supplies for the purchase of post warranty support for the Next Generation Regional Communications System (NextGen RCS) for Phase 2 sites, based on the RCS Trust Fund. **(4 VOTES)**
4. Establish appropriations of \$2,000,000 in Medical Examiner for Salaries & Benefits (\$50,000), Services & Supplies (\$817,000), and Capital Assets - Laboratory Equipment & Instruments (\$1,133,000), to purchase toxicology supplies and equipment for expanded testing and to provide data on emerging drug trends based on revenue from the California Highway Patrol Fiscal Years 2023-25 Cannabis Tax Fund Grant Program, for the project period of July 1, 2023, to June 30, 2025. **(4 VOTES)**
5. Establish appropriations of \$140,000 in Medical Examiner for Salaries & Benefits (\$65,000) and Services & Supplies (\$75,000), for toxicology services to expand the surveillance of emerging drug trends, based on revenue from the Opioid Settlement Framework. **(4 VOTES)**
6. Establish appropriations of \$8,606,176 in Probation, Services & Supplies, for pretrial service programs, based on revenue from the Judicial Council of California; *and* establish appropriations of \$2,500,000 in the Public Defender, Services & Supplies, and corresponding Expenditure Transfer & Reimbursement from Probation (\$2,500,000), for pretrial service programs. **(4 VOTES)**
7. Establish appropriations of \$30,420 in Community Facilities District CFD No. 2013-01 Horse Creek Ridge Maintenance - Special Tax C fund, Services & Supplies, based on available prior year CFD No. 2013-01 Horse Creek Ridge Maintenance - Special Tax C fund balance to support costs incurred by the North County Fire Protection District. **(4 VOTES)**
8. Establish appropriations of \$120,000 in Community Service Area (CSA) 128 San Miguel Park District Fund, Services & Supplies, based on available prior year CSA 128 San Miguel Park District Fund fund balance to complete an unanticipated Major Maintenance project to repair or replace gym equipment at the Spring Valley Community Center. **(4 VOTES)**
9. Establish appropriations of \$100,000 in CSA 81 Fallbrook Local Park Fund, Services & Supplies, based on available prior year CSA 81 Fallbrook Local Park Fund fund balance to complete an unanticipated one-time Major Maintenance project to close and secure a well at Fallbrook Park. **(4 VOTES)**
10. Establish appropriations of \$46,972 in the Department of Environmental Health and Quality, Services & Supplies, for expenditures related to strengthening the County of San Diego's Hazardous Materials Business Plan information and Disaster Recovery, based on unanticipated revenue from Environmental Public Health and Emergency Response grant funds. **(4 VOTES)**

11. Establish appropriations of \$18,000 in the Fish and Game Propagation Fund, Other Charges, for distributing Fish and Game State Fines and Forfeitures monies to the public, based on available prior year Fish and Game Propagation Fund fund balance. **(4 VOTES)**
12. Establish appropriations of \$850,000 in Department of Public Works (DPW) Airport Enterprise Fund (AEF), Fixed Assets, to provide funds for the Ramona Airport 09-27 Runway Rehabilitation Project, based on unanticipated revenue from the Federal Aviation Administration (\$765,000) and available prior year Airport Enterprise Fund fund balance (\$85,000). **(4 VOTES)**
13. Establish appropriations of \$400,000 in DPW Airport Enterprise Fund (AEF), Fixed Assets, to provide funds for the Borrego Valley Airport Taxiway Alpha Rehabilitation Project, based on unanticipated revenue from the Federal Aviation Administration (\$360,000) and available prior year Airport Enterprise Fund fund balance (\$40,000). **(4 VOTES)**
14. Transfer appropriations of \$335,000 from San Diego County Fire, Services & Supplies, to Contributions to Capital Outlay Fund, Operating Transfers Out, to provide additional funding for the Palomar Mountain Fire Station Project; *and* establish appropriations of \$335,000 in the Capital Outlay Fund for Capital Project 1021136, Palomar Mountain Fire Station, based on an Operating Transfer In from the General Fund. **(4 VOTES)**
15. Establish appropriations of \$350,000 in the Chief Administrative Office (CAO), Office of Equity and Racial Justice (OERJ), Services & Supplies, for Cannabis Equity Act Grant programs based on grant funding from the Governor's Office of Business and Economic Development. **(4 VOTES)**
16. Establish appropriations of \$179,388 in the Neighborhood Reinvestment Program budget (\$150,060 in Org 15655; \$20,495 in Org 15660; \$8,205 in Org 15665; and \$628 in Org 15670) based on unused portions of prior year allocations that were returned in the current fiscal year so the funds can be allocated to other projects. **(4 VOTES)**
17. Establish appropriations of \$4,145 in the Community Enhancement Program budget (Org 12900) based on unused portions of prior year allocations that were returned in the current fiscal year so the funds can be allocated to other projects. **(4 VOTES)**
18. Transfer appropriations within departments between Services & Supplies and Operating Transfers Out, as noted in Appendix C, in the net amount of \$4,430,001 for major maintenance projects listed in Appendix C that were subsequently reclassified, based on capitalization thresholds, for financial reporting purposes; *and* establish and cancel appropriations, as noted in Appendix C for a net increase of \$4,430,001 in the Major Maintenance Capital Outlay Fund and adjust related funding sources as noted to accurately classify major maintenance projects for financial reporting purposes. **(4 VOTES)**



19. Establish appropriations of \$667,307 in Board of Supervisors District 1 (\$200,000), District 2 (\$50,968), District 3 (\$16,339), District 4 (\$200,000), and District 5 (\$200,000), Services & Supplies, for one-time expenses based on over-realized General Purpose Revenue. (4 VOTES)

**Transfers Within Budgetary Funds and/or Cancellation of Appropriations  
(Recommendations 20 through 24):**

20. Transfer appropriations of \$124,732.28 within the Capital Outlay Fund and related Operating Transfer In from the General Fund, to provide funding for Capital Project 1025568 Sweetwater Bike Skills Park Restrooms to support the design and environmental analysis of additional parking and a restroom building, based on transfer from Capital Project 1021150 South County Bicycle Skills Course.
21. Transfer appropriations of \$271,237.96 within the Capital Outlay Fund and related Operating Transfer In from the General Fund, to provide funding for Capital Project 1025569 TJRVRP Active Recreation and Community Park from Capital Project 1010973 TJRV Sports Complex Concept Plan.
22. Transfer appropriations of \$2,653,624.63 within the Capital Outlay Fund and related Operating Transfer In from the General Fund, to provide funding for Capital Project 1021895 San Luis Rey River Park (Moosa), based on the transfer from Capital Project 1000036 San Luis Rey River Park.
23. Cancel appropriations of \$588,000 in the Capital Outlay Fund for Capital Project 1024598 San Diego Botanic Master Garden Project, to match the actual funds received from the San Diego Botanic Garden.
24. Transfer appropriations of \$946,800 from Countywide General Expense, Services & Supplies, to CAO, Services & Supplies, based on General Purpose Revenue to align contract costs associated with the Housing Blueprint with program management.

**EQUITY IMPACT STATEMENT**

After the Board of Supervisors adopts the Operational Plan, it is monitored by the departments, Groups, and the Board. Departments are expected to work within their respective budgets. Budgets may, however, be modified during the year as circumstances warrant. In conjunction with the fund balance projection process, the Chief Administrative Officer meets with each Group to review accomplishments, emergent issues, and budget status. Department heads are required to communicate any potential problems or errors to the appropriate authority. Groups complete fund balance projections quarterly providing explanations of significant variances of their budget. The recommended actions are intended to provide resources to address inequities in County services and to identify disparities, develop meaningful outcomes, and create a County government culture of equity, belonging, and racial justice.

## **SUSTAINABILITY IMPACT STATEMENT**

Today's actions support the sustainability measures across the County considering the environment, economy, health/wellbeing, and/or social aspects of the community by aligning the County's available resources with services to maintain fiscal stability and ensure long-term solvency.

## **FISCAL IMPACT**

Funds associated with today's recommendations are partially included in the Fiscal Year 2023-24 Operational Plan. If approved, in the General Fund these actions will result in an increase to the overall budget of \$14,540,638, transfers within budgetary funds of \$4,944,486, transfers between budgetary funds of \$335,000 and no cancellation of appropriations. The funding sources for the increase are Judicial Council of California (\$8,606,176), RCS Trust Fund (\$2,546,650), California Highway Patrol Cannabis Tax Fund Grant (\$2,000,000), over-realized General Purpose Revenue (\$667,307), Governor's Office of Business and Economic Development grant (\$350,000), Opioid Settlement Framework (\$140,000), Environmental Public Health and Emergency Response grant (\$46,972) and Miscellaneous Revenues (\$183,533).

In all other funds combined, these actions will result in a net increase to the overall budget of \$12,021,686, transfers within budgetary funds of \$3,481,911, and cancellation of appropriations of \$9,385,561. The funding sources for the net increase are Operating Transfers In from the General Fund (\$4,332,686), Operating Transfers In from Jail Commissary Enterprise Fund (\$2,706,632), available prior year Jail Commissary Enterprise Fund fund balance (\$1,706,632), Federal Aviation Administration (\$1,125,000), Operating Transfers In from Internal Service Fund (\$520,101), available prior year Community Service Area fund balance (\$220,000), available prior year Airport Enterprise Fund fund balance (\$125,000), available prior year Community Facilities District fund balance (\$30,420), available prior year Fish and Game Propagation Fund fund balance (\$18,000) and Miscellaneous Revenues (\$1,325,000). These are offset by a decrease in Operating Transfers In from County Library Fund (\$87,785).

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

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

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

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

### **OVERVIEW**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Lisa Joy Kelly v. County of San Diego, et al.; San Diego Superior Court,  
Case No.: 37-2022-00018907-CU-PO-NC

- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Gabreul Milyard v. Dean Christian Meyer, et al.; San Diego Superior Court,  
Case No.: 37-2021-00050734-CU-PA-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Daniel Walsh et al v. County of San Diego.; San Diego Superior Court,  
Case No.: 37-2021-00007166-CU-PA-NC
- D. CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code section 54957.6)  
Designated Representatives: Susan Brazeau, Clint Obrigewitch  
Employee Organizations and Unrepresented Employees: Teamsters 911, Deputy  
District Attorney Association, Deputy Sheriff's Association of San Diego County,  
San Diego Deputy County Counsels Association, District Attorney Investigators'  
Association, San Diego County Probation Officers' Association, Public Defender  
Association of San Diego County, San Diego County Supervising Probation  
Officers' Association, Service Employees International Union, Local 221 and all  
unrepresented employees
- E. PUBLIC EMPLOYMENT  
(Government Code section 54957)  
Chief Administrative Officer

**ACTION:**

Noting for the record that Closed Session matters were heard on December 6, 2023; County Counsel reported that for Closed Session, the Board of Supervisors took no reportable actions.

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

**OVERVIEW**

Bryant Rumbaugh spoke to the Board regarding engaged citizenry.

Norma Chavez-Peterson spoke to the Board regarding the process to hire a new Chief Administrative Officer.

Larry Christian spoke to the Board regarding Arab and Muslim communities.

Ahlam Muhtaseb spoke to the Board regarding the conflict in Gaza.

Kyra Greene spoke to the Board regarding the process to hire a new Chief Administrative Officer.

Paul Henkin spoke to the Board regarding tolerance of legal rights.

Terri-Ann Skelly spoke to the Board regarding Drug Driving Prevention Month.

Ramzi El-Khater spoke to the Board regarding concerns of hate crimes against Arab and Muslim communities.

Angela Assoulin spoke to the Board regarding support of Palestinians.

Truth spoke to the Board regarding conflicts of interest and regional governance.

Robert Germann congratulated Supervisor Monica Montgomery Steppe.

Steve Babbitt spoke to the Board regarding the Bancroft Senior Shelter.

Oliver Twist congratulated Helen Robbins-Meyer on her service as Chief Administrative Officer; and, requested to fly the Sanctity of Human Life flag and light the County Administration Center to commemorate the day.

Consuelo spoke to the Board regarding problems in society.

Mark spoke to the Board regarding the United Nations.

Audra spoke to the Board regarding abortion ceremonies.

Luke spoke to the Board regarding governmental actions.

Josh McClure spoke to the Board regarding support of Pregnancy Crisis Centers.

Dan Smiechowski spoke to the Board regarding the migrant crisis.

Courtney Norton spoke to the Board regarding the Alpine Sports Complex.

Dominique Norton spoke to the Board regarding the Alpine Sports Complex.

Sara Ochoa spoke to the Board regarding the Alpine Sports Complex.

Barbara Gordon spoke to the Board regarding the risks of high potency marijuana use.

David Morales asked to the Board to pass a resolution to stop the genocide of Palestinians.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:58 p.m.

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

**Consent: Vizcarra  
Discussion: Zurita**

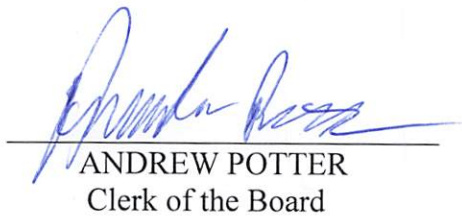
**NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.**

Approved by the Board of Supervisors, on Tuesday, January 9, 2024.



NORA VARGAS  
Chair

Attest:



ANDREW POTTER  
Clerk of the Board

12/05/2023