

**CLERK OF THE BOARD OF SUPERVISORS**

**BOARD OF SUPERVISORS MEETING**

**TUESDAY, AUGUST 5, 2014**

**Legislative Services Section: (619) 531-5434**

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- 9. LONG-TERM CARE OMBUDSMAN PROGRAM STATUS REPORT**

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**NEW AGENDA PAGE AND BACKUP:**

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19.

GENERAL SERVICES – AUTHORIZATION TO APPROVE  
CHANGE ORDERS TO THE DESIGN-BUILD CONTRACT  
FOR THE CEDAR AND KETTNER DEVELOPMENT  
PARKING STRUCTURE

[FUNDING SOURCE(S): AID FROM REDEVELOPMENT  
AGENCIES, SAN DIEGO COUNTY CAPITAL ASSET  
LEASING CORPORATION (SANCAL) BOND PROCEEDS,  
AN OPERATING TRANSFER FROM THE GENERAL FUND,  
AND RENTS AND CONCESSIONS]

(4 VOTES)

Closed Session

20.

CLOSED SESSION

**14. SUBJECT: SUPPORTING A BID BY THE PORT OF SAN DIEGO TO  
HOST THE 35TH AMERICA'S CUP IN 2017  
(DISTRICTS: ALL)**

**OVERVIEW:**

The Unified Port of San Diego oversees the use of public tidelands around San Diego Bay and is entrusted to balance maritime uses and economic vitality, tourism, recreation, environmental stewardship and public safety. Part of that mission includes activating port tidelands for recreational purposes and currently, the Port is bidding to host the 35th America's Cup in 2017.

The America's Cup has been defended three times in San Diego, in 1988, 1992 and 1995. With our picturesque background, consistent wind, ample public viewing facilities and rich, nautical tradition, San Diego is the ideal location to host the 35th America's Cup in 2017.

Today's action will confirm our Board's support for the Port's bid to bring the America's Cup challenge back to San Diego in 2017 and ensure the County's participation in Port efforts.

**FISCAL IMPACT:**

There is no fiscal impact associated with this action.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SUPERVISOR DAVE ROBERTS AND SUPERVISOR GREG COX**

Direct the Chief Administrative Officer to draft a letter for the Chairwoman's signature to the Chairman of the Port of San Diego that will communicate the County's official support for bringing the 35th America's Cup to San Diego Bay in 2017.

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

**OVERVIEW:**

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

**FISCAL IMPACT:**

The fiscal impact of these recommendations is \$97,200 for Neighborhood Reinvestment and \$9,000 for Community Enhancement. Funds for this request are included in the Fiscal Year 2014-2015 Operational Plan for the Neighborhood Reinvestment Program (15650) and Community Enhancement Program (12900). The funding source is General Fund fund balance and Transient Occupancy Tax revenue. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**SUPERVISOR GREG COX**

1. Allocate \$43,700 from the Neighborhood Reinvestment Program budget (Org 15650) to the County Library for the Friends of the Bonita Library Bookstore expansion project.
2. Transfer appropriations of \$43,700 from the District 1 Neighborhood Reinvestment Program Services and Supplies, to Contribution to County Library, Operating Transfer Out for the Friends of the Bonita Library Bookstore expansion project.
3. Establish appropriations of \$43,700 in the County Library, Services and Supplies for the Friends of the Bonita Library Bookstore expansion project based on an Operating Transfer from the General Fund. **(4 VOTES)**
4. Allocate \$3,500 from the Neighborhood Reinvestment Program budget (15650) to the Bonita Optimist Club for the design and purchase of marketing materials for Bonitafest.
5. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the San Diego Association of Governments for the engineering, design, purchase, and installation of the Interstate-805 Palomar Street Bridge fence enhancement in Chula Vista.
6. Rescind the 6/24/2014 (12) allocation of \$9,000 from the Community Enhancement program budget (12900) to Bonita Business Professional Association for reallocation to other projects.
7. Allocate \$9,000 from the Community Enhancement Program budget (12900) to Bonita Optimist Club for the 16th Annual Rootin Tootin Chili Cook-Off and Fair, Bonitafest Kick-Off Benefit, the 42nd Annual Wild West Bonitafest, event liability insurance and banners.
8. Authorize the Chief Financial Officer to execute a grant agreement with these organizations establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grant but do not increase the grant.

9. Find that the grant awards described above have a public purpose.
10. Find that the allocations set forth in recommendations 1 through 3 are exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines because the funds will be used to modify an existing building.
11. Find that the allocation set forth in recommendation 5 is exempt from the California Environmental Quality Act pursuant to Section 15061 of the State CEQA Guidelines because the improvements are merely aesthetic and will not impact the environment.

16. **SUBJECT: COUNTY OF SAN DIEGO FISCAL YEAR 2014-15  
ADOPTED BUDGET RESOLUTION FOR FAMILY OF  
FUNDS, ENTERPRISE FUNDS AND INTERNAL SERVICE  
FUNDS; AND PRIOR YEAR ENCUMBRANCES  
(DISTRICTS: ALL)**

**OVERVIEW:**

On June 24, 2014 (12), your Board concluded budget deliberations and approved the Operational Plan for Fiscal Years 2014-15 and 2015-16. Pursuant to California Government Section 29088, a Resolution is submitted for formal adoption of the budgets for Fiscal Year 2014-15 for the County Family of Funds, Enterprise Funds and Internal Service Funds. Also requested is authority to carry-forward prior year encumbrances and related funding.

**FISCAL IMPACT:**

Recommendation 1 provides spending authority of \$4,476,778,916 for the County Family of Funds for Fiscal Year 2014-15 and approves fund balance component increases of \$2,243,302 in the General Fund. Recommendation 1 also provides spending authority of \$27,391,498 for the Enterprise Funds and \$447,543,018 for the Internal Service Funds. Recommendation 2 authorizes the Auditor and Controller to carry over appropriations and any related revenues for prior year. The exact amount of the carry-forward budget is not known at this time and will not be finalized until the accounting cycle for Fiscal Year 2013-14 has been completed.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Approve a Resolution entitled: ADOPTION OF THE BUDGET FOR THE COUNTY OF SAN DIEGO FOR THE FISCAL YEAR COMMENCING JULY 1, 2014.

2. Authorize the Auditor and Controller to carry-forward appropriations and applicable estimated revenue for prior year encumbrances in all County funds.  
**(4 VOTES)**

**17. SUBJECT: ADOPTION OF THE FISCAL YEAR 2014-15 BUDGET FOR THE COUNTY SERVICE AREAS, CERTAIN MAINTENANCE DISTRICTS AND PERMANENT ROAD DIVISIONS (DISTRICTS: ALL)**

**OVERVIEW:**

Pursuant to California Government Code Section 29088, this request recommends the approval of a Resolution to adopt the budget for the County Service Areas, Certain Maintenance Districts and Permanent Road Divisions for Fiscal Year 2014-15.

**FISCAL IMPACT:**

The recommended action provides spending authority of \$29,725,595 for the County Service Areas, Certain Maintenance Districts and Permanent Road Divisions for Fiscal Year 2014-15.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Approve a Resolution entitled: ADOPTION OF THE BUDGET FOR THE COUNTY SERVICE AREAS, CERTAIN MAINTENANCE DISTRICTS, AND PERMANENT ROAD DIVISIONS OF THE COUNTY OF SAN DIEGO FOR THE FISCAL YEAR COMMENCING JULY 1, 2014.

**18. 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.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A



**RECOMMENDATION:**  
**CHIEF ADMINISTRATIVE OFFICER**

Note and file.

**19. SUBJECT: GENERAL SERVICES – AUTHORIZATION TO APPROVE CHANGE ORDERS TO THE DESIGN-BUILD CONTRACT FOR THE CEDAR AND KETTNER DEVELOPMENT PARKING STRUCTURE (DISTRICT: 4)**

**OVERVIEW:**

On June 19, 2012 (7), the Board of Supervisors authorized the award of a design-build contract for the Cedar and Kettner Development Parking Structure project and a separate contract for the demolition of the Star Building and an adjacent warehouse structure on the project site. The smaller warehouse structure was demolished. The Star Building demolition was halted by a lawsuit that was recently decided in the County's favor. The initial demolition tasks were performed by a job order contract that is no longer active or available. The design-build contract for the parking structure was awarded to McCarthy Building Companies in August 2013 and work began in early 2014.

Today's request is to authorize the Director, Department of Purchasing and Contracting to execute change orders up to a total of \$400,000 under the McCarthy Building Companies parking structure contract to complete the demolition. Execution of the change order(s) will allow the County to resume demolition work once the court of appeal decision becomes final.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2014-15 Operational Plan in the Capital Outlay Fund for Capital Project 1015093, Cedar and Kettner Development. If approved, the cost to complete demolition of the Star Building is estimated to be \$400,000, and will be paid from contingency funds. Total project cost, including contingency, is \$36,100,000. The funding sources are Aid from Redevelopment Agencies (\$7,000,000), San Diego County Capital Asset Leasing Corporation (SANCAL) Bond Proceeds (\$27,840,000), an Operating Transfer from the General Fund (\$660,000), and Rents and Concessions (\$600,000). There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

The demolition task will impact the San Diego regional economy by providing technical and construction-related local employment opportunities.

**RECOMMENDATION:**  
**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Final Environmental Impact Report (FEIR) on file in the Department of General Services for the Cedar and Kettner Parking Structure, dated June 7, 2012, State Clearinghouse #2011031092, was completed in compliance with CEQA and State and County CEQA Guidelines, that the Board of Supervisors has reviewed and considered the information contained therein before approving the project; and find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously certified FEIR dated June 7, 2012, that there is no substantial increase in the severity of the previously identified significant effects, and that no new information of substantial importance has become available since the FEIR was certified.
2. In accordance with California Public Contract Code Section 20137, authorize the Director, Department of Purchasing and Contracting to execute change orders to Contract # 545636 in an amount up to \$400,000. (4 VOTES)

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

**OVERVIEW:**

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

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

Olive Lane Industrial Park, LLC, et al. v. County of San Diego, et al.;  
San Diego County Superior Court No. 37-2011-00071151-CU-MC-EC

**B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Government Code section 54956.8)

Property: Parcel 3 of Parcel Map 20177 located west of Riverview Parkway and north of Transit Way, Santee, CA

Negotiating Parties:

County: Craig Gibson

Other: Ryan Companies US, Inc.

Under Negotiation: Price and Terms



# COUNTY OF SAN DIEGO

## AGENDA ITEM

### BOARD OF SUPERVISORS

GREG COX  
First District

DIANNE JACOB  
Second District

DAVE ROBERTS  
Third District

RON ROBERTS  
Fourth District

BILL HORN  
Fifth District

**DATE:** August 5, 2014

**09**

**TO:** Board of Supervisors

**SUBJECT:** LONG-TERM CARE OMBUDSMAN PROGRAM STATUS REPORT  
(DISTRICTS: ALL)

### Overview

On March 11, 2014 (6), Chairwoman Dianne Jacob and Supervisor Greg Cox brought forward a board letter directing the Chief Administrative Officer to develop a rating system for Residential Care Facilities for the Elderly (RCFEs) as well as Skilled Nursing Facilities (SNFs), to support legislation that would improve care in these facilities and to report back to the Board in 120 days with recommendations for actions to strengthen and expand the Long-Term Care Ombudsman program, including the training and volunteer component, and to increase staffing in the program to fully offset the 2009 cuts. The Board of Supervisors unanimously supported this agenda item.

By 2030, the number of people who are at least 75 years old is expected to nearly double, rapidly outpacing the growth in the rest of the population. The services and resources available for the protection and care of the elderly are not keeping pace with the need, and the drastic rise in the number of residents living long into their 70s, 80s and older is only going to compound the problem. In addition, a series of watchdog stories in the local media have documented deeply troubling gaps in staff training and supervision in long-term care and assisted living facilities.

The County's Health and Human Services Agency, Aging & Independence Services (AIS) administers programs that assist older adults and persons with disabilities with a wide range of critical services, including access to in-home care. One of these programs is the Long-Term Care Ombudsman Program which advocates for residents in RCFEs and SNFs and investigates abuse in other licensed facilities. Funding was identified in the Fiscal Year 2014-16 Approved Operational Plan to increase staffing in the Long-Term Care Ombudsman program to fully restore program staff, and developed a plan to improve the training and inspection coverage at long-term care facilities, increase the number of volunteer Ombudsman, expand community education and increase the complaint resolution rate. In support of the County's *Live Well San Diego* initiative, today's item provides updates about actions planned to strengthen and expand the Long-Term Care Ombudsman program.

**SUBJECT: LONG-TERM CARE OMBUDSMAN PROGRAM STATUS REPORT  
(DISTRICTS: ALL)**

**Recommendation(s)**

**CHIEF ADMINISTRATIVE OFFICER**

Receive program update for the Long-Term Care Ombudsman program.

**Fiscal Impact**

There is no fiscal impact as a result of this action. The Fiscal Year 2014-15 CAO Approved Operational Plan budget for the Long-term Care Ombudsman program is approximately \$1.0 million with a total staffing of 11.00 staff years; 6.00 staff years were added in Fiscal Year 2014-15 to fully offset the 2009 cuts.

**Business Impact Statement**

N/A

**Advisory Board Statement**

The Aging & Independence Services Advisory Council reviewed this item at their July 14, 2014 meeting and recommended approval.

**Background**

The American population is aging and living longer. Baby boomers – the oldest of whom began turning 65 in 2011 – can expect to live into their 80s and 90s. By 2030, the number of people who are at least 75 years old is expected to nearly double, rapidly outpacing the growth in the rest of the population; however, the services and resources available for the protection and care of older adults is not keeping pace with the need. Whether it's by choice or by necessity, many of these older adults will reside in long-term care facilities. According to the California Department of Aging (CDA) Ombudsman Office, there are approximately 28,000 beds available in long-term care facilities throughout San Diego County.

While it is certain that the need for oversight is going to increase, the Long-Term Care (LTC) Ombudsman program has been shrinking. State funding was cut in 2009, and the number of full-time advocates in San Diego County dropped from eight to four. Additionally, a series of watchdog stories in the local media have documented deeply troubling gaps in staff training and supervision in long-term care and assisted living facilities.

The County Health and Human Services Agency, Aging & Independence Services (AIS) administers programs that assist older adults and persons with disabilities with a wide range of critical services, including access to in-home care. AIS operates the LTC Ombudsman program, which advocates for residents in long-term care facilities, such as skilled nursing facilities (SNF) and residential care facilities for the elderly (RCFE), and investigates abuse in other licensed facilities. The Ombudsman team listens to resident concerns, provides information and assistance, and investigates and resolves complaints related to care or personal rights. Assisting these advocates are dozens of dedicated volunteers. These volunteers undergo a background check and medical clearance and complete a minimum of 36 hours of state-mandated training and 10 hours of field mentoring to receive certification as a LTC Ombudsman. In addition, Ombudsman staff receive feedback about volunteers on a regular basis and monitor performance.

On March 11, 2014, Chairwoman Dianne Jacob and Supervisor Greg Cox brought forward a

**SUBJECT: LONG-TERM CARE OMBUDSMAN PROGRAM STATUS REPORT  
(DISTRICTS: ALL)**

board letter directing the Chief Administrative Officer to improve oversight of long-term care residential facilities including direction to develop a rating system for RCFEs as well as SNFs, to support legislation that would improve care in these facilities and to report back to the Board in 120 days with recommendations for actions to strengthen and expand the Long-Term Care Ombudsman program, including the training and volunteer component, and to increase staffing in the program to fully offset the 2009 cuts. In addition, there will be a future report back to the Board of Supervisors regarding the development of a grading system or seal program for these facilities. ~~HHS~~ will continue The Board of Supervisors unanimously supported this agenda item.

In support of the County's *Live Well San Diego* initiative, today's item provides an update on actions planned to date to strengthen and expand the LTC Ombudsman program.

**Linkage to the County of San Diego Strategic Plan**

Today's proposed action supports the Safe Communities initiative in the County of San Diego's 2014-2019 Strategic Plan, as well as the *Live Well San Diego* initiative, as the focus of this effort is to provide advocacy for those residing in long-term care facilities.

Respectfully submitted,



HELEN N. ROBBINS-MEYER  
Chief Administrative Officer

**ATTACHMENT(S)**

Attachment A - Long Term Care Ombudsman Program Update

**SUBJECT: LONG-TERM CARE OMBUDSMAN PROGRAM STATUS REPORT  
(DISTRICTS: ALL)**

**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**        Yes      No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
   Yes      No

**PREVIOUS RELEVANT BOARD ACTIONS:**

March 11, 2014 (6), Facing the Silver Tsunami: Improving Oversight of Long-Term Care Residential Facilities

**BOARD POLICIES APPLICABLE:**

N/A

**BOARD POLICY STATEMENTS:**

N/A

**MANDATORY COMPLIANCE:**

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION  
NUMBER(S):**

N/A

**ORIGINATING DEPARTMENT:** Health and Human Services Agency

**OTHER CONCURRENCES(S):** San Diego County District Attorney's Office

**CONTACT PERSON(S):**

Ellen Schmeding  
Name  
(858) 505-6329  
Phone  
ellen.schmeding@sdcounty.ca.gov  
E-mail

Mark Sellers  
Name  
(858) 495-5521  
Phone  
mark.sellers@sdcounty.ca.gov  
E-mail

## Nguyen, Giang

---

**From:** Arabatzis, Dean  
**Sent:** Thursday, July 31, 2014 4:58 PM  
**To:** Nguyen, Giang  
**Subject:** RE: EA System Down - Email Approval needed ASAP

I approve.

**From:** Nguyen, Giang  
**Sent:** Thursday, July 31, 2014 4:57 PM  
**To:** Macchione, Nick; Arabatzis, Dean  
**Cc:** Knight, Christi  
**Subject:** EA System Down - Email Approval needed ASAP  
**Importance:** High

Hello Nick and Dean,  
EA system is down and we can't get an approval log to send to the clerk of the board. They will accept an email approval. Can you please respond to this email in a chain to say that you approve the strikeout change to the board letter?

Thank you,

**Giang Nguyen, CAO Staff Officer**  
COUNTY OF SAN DIEGO | Health and Human Services Agency  
Office: 619-515-6619 | Cell: 619-542-4186

**Nguyen, Giang**

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**From:** Macchione, Nick  
**Sent:** Thursday, July 31, 2014 5:04 PM  
**To:** Nguyen, Giang  
**Cc:** Arabatzis, Dean; Knight, Christi  
**Subject:** Re: EA System Down - Email Approval needed ASAP

I approve.

Nick

On Jul 31, 2014, at 4:57 PM, "Nguyen, Giang" <[Giang.Nguyen@sdcounty.ca.gov](mailto:Giang.Nguyen@sdcounty.ca.gov)> wrote:

Hello Nick and Dean,  
EA system is down and we can't get an approval log to send to the clerk of the board. They will accept an email approval. Can you please respond to this email in a chain to say that you approve the strikeout change to the board letter?

Thank you,

**Giang Nguyen, CAO Staff Officer**  
COUNTY OF SAN DIEGO | Health and Human Services Agency  
Office: 619-515-6619 | Cell: 619-542-4186

<Attachment\_A\_Program\_Status\_Update.pdf>  
<LTC Ombudsman Status Report FINAL.docx>





COUNTY OF SAN DIEGO

2014 JUL 31 PM 4 37

CLERK OF THE BOARD  
OF SUPERVISORS

**GREG COX**  
**SUPERVISOR**  
FIRST DISTRICT  
SAN DIEGO COUNTY BOARD OF SUPERVISORS

**AGENDA ITEM**

**15**

**DATE:** August 5, 2014

**TO:** Board of Supervisors

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

**Overview**

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

**Recommendations**

**SUPERVISOR GREG COX**

1. Allocate \$43,700 from the Neighborhood Reinvestment Program budget (Org 15650) to the County Library for the Friends of the Bonita Library Bookstore expansion project.
2. Transfer appropriations of \$43,700 from the District 1 Neighborhood Reinvestment Program Services and Supplies, to Contribution to County Library, Operating Transfer Out for the Friends of the Bonita Library Bookstore expansion project.
3. Establish appropriations of \$43,700 in the County Library, Services and Supplies for the Friends of the Bonita Library Bookstore expansion project based on an Operating Transfer from the General Fund. (4 VOTES)
4. Allocate \$3,500 from the Neighborhood Reinvestment Program budget (15650) to the Bonita Optimist Club for the design and purchase of marketing materials for Bonitafest.
5. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the San Diego Association of Governments for the engineering, design, purchase, and installation of the Interstate-805 Palomar Street Bridge fence enhancement in Chula Vista.

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

6. Rescind the 6/24/2014 (12) allocation of \$9,000 from the Community Enhancement program budget (12900) to Bonita Business Professional Association for reallocation to other projects.
7. Allocate \$9,000 from the Community Enhancement Program budget (12900) to Bonita Optimist Club for the 16th Annual Rootin Tootin Chili Cook-Off and Fair, Bonitafest Kick-Off Benefit, the 42nd Annual Wild West Bonitafest, event liability insurance and banners.
8. Authorize the Chief Financial Officer to execute a grant agreement with these organizations establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grant but do not increase the grant.
9. Find that the grant awards described above have a public purpose.
10. Find that the allocations set forth in recommendations 1 through 3 are exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines because the funds will be used to modify an existing building.
11. Find that the allocation set forth in recommendation 5 is exempt from the California Environmental Quality Act pursuant to Section 15061 of the State CEQA Guidelines because the improvements are merely aesthetic and will not impact the environment.

**Fiscal Impact**

The fiscal impact of these recommendations is \$97,200 for Neighborhood Reinvestment and \$9,000 for Community Enhancement. Funds for this request are included in the Fiscal Year 2014-2015 Operational Plan for the Neighborhood Reinvestment Program (15650) and Community Enhancement Program (12900). The funding source is General Fund fund balance and Transient Occupancy Tax revenue. There will be no change in net General Fund costs and no additional staff years..

**Business Impact Statement**

N/A

**Advisory Board Statement**

N/A

**Background**

**San Diego County Library**

The Bonita Business and Professional Association (BBPA) has vacated their office space adjacent to the Friends of the Library bookstore at the Bonita-Sunnyside Branch Library located at 4375 Bonita Road. Accordingly, the Friends of the Library would like to expand their

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

bookstore to make use of the vacated space. Today's allocation to the San Diego County Library will provide funds necessary to expand the space available for the Friends of the Library Bookstore.

**Bonita Optimist Club**

The Bonita Optimist Club is a 501(c)(3) non-profit organization whose purpose is to help youth in the community to be the best they can be both now and in their futures. As part of their civic engagement, they are assisting organizers of the 2014 Bonitafest, which is an annual community event in Bonita. Today's Neighborhood Reinvestment Program grant, if approved, will assist the Bonita Optimist Club with the design and purchase of marketing materials for promoting the event.

**San Diego Association of Governments – Palomar Street Bridge Enhancement**

The California Department of Transportation (Caltrans) is currently constructing high occupancy vehicle lanes in the center of Interstate-805 to relieve traffic congestion in South County. The project also includes construction of a Direct Access Ramp (DAR) from the Palomar Street bridge that will allow certain vehicles direct access into the express lanes without having to merge across multiple lanes of traffic. The City of Chula Vista would like to see enhancements made to the Palomar Street bridge fence that would dramatically increase the experience of the hundreds of thousands of freeway motorists on Interstate-805. The bridge fence enhancement will improve the visual experience of motorists by incorporating an aesthetic theme that incorporates various colors that portray a transitional geographic continuum from mountainous terrain to ocean waves and a setting sun that is typical terrain of the Chula Vista community. The use of bridge fence enhancements is a well-established practice in the State of California that offers uniqueness to the community being served. The City of Chula Vista has accepted responsibility for maintenance of the enhancement of the bridge, and Caltrans has agreed to consider a bridge fence enhancement design if the funds can be raised.

The Board of Supervisors previously approved a District One Neighborhood Reinvestment Program grant in the amount of \$118,000 on May 20, 2014. Based on increased cost estimates, additional funding is needed. SANDAG is providing matching funds, and with today's grant, if approved, the remaining \$50,000 will be allocated to ensure this bridge enhancement project is completed.

**Bonita Business and Professional Association**

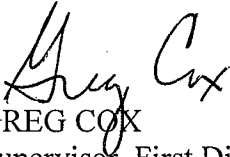
The grant allocated to the Bonita Business and Professional Association (BBPA) on June 24, 2014 for the Bonitafest and kickoff benefit, Chili Cook-Off and Fair is recommended to be rescinded because the organization has disbanded. The County and the Bonita Business and Professional Association did not enter into an grant agreement. Approving recommendation #6 will rescind the grant so that funds can be allocated to other projects.

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

**Linkage to the County of San Diego Strategic Plan**

These grants provide an opportunity for the Board of Supervisors to assist worthy organizations that promote the County's vision of a region that is safe, healthy, and thriving.

Respectfully submitted,

  
GREG COX  
Supervisor, First District

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

**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**      Yes    No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
 Yes    No

**PREVIOUS RELEVANT BOARD ACTIONS:**  
N/A

**BOARD POLICIES APPLICABLE:**  
N/A

**BOARD POLICY STATEMENTS:**  
N/A

**MANDATORY COMPLIANCE:**  
N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):**  
N/A

**ORIGINATING DEPARTMENT:** District 1, Board of Supervisors

**OTHER CONCURRENCE(S):** N/A

**CONTACT PERSON(S):**

Gregory R. Murphy	_____	_____
Name	_____	Name
(619) 531-5511	_____	
Phone	_____	Phone
greg.murphy@sdcounty.ca.gov	_____	
E-mail	_____	E-mail

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# COUNTY OF SAN DIEGO

## AGENDA ITEM

### BOARD OF SUPERVISORS

GREG COX  
First District

DIANNE JACOB  
Second District

DAVE ROBERTS  
Third District

RON ROBERTS  
Fourth District

BILL HORN  
Fifth District

**DATE:** August 5, 2014

# 19

**TO:** Board of Supervisors

**SUBJECT:** GENERAL SERVICES – AUTHORIZATION TO APPROVE CHANGE ORDERS TO THE DESIGN-BUILD CONTRACT FOR THE CEDAR AND KETTNER DEVELOPMENT PARKING STRUCTURE (DISTRICT: 4)

### Overview

On June 19, 2012 (7), the Board of Supervisors authorized the award of a design-build contract for the Cedar and Kettner Development Parking Structure project and a separate contract for the demolition of the Star Building and an adjacent warehouse structure on the project site. The smaller warehouse structure was demolished. The Star Building demolition was halted by a lawsuit that was recently decided in the County's favor. The initial demolition tasks were performed by a job order contract that is no longer active or available. The design-build contract for the parking structure was awarded to McCarthy Building Companies in August 2013 and work began in early 2014.

Today's request is to authorize the Director, Department of Purchasing and Contracting to execute change orders up to a total of \$400,000 under the McCarthy Building Companies parking structure contract to complete the demolition. Execution of the change order(s) will allow the County to resume demolition work once the court of appeal decision becomes final.

### Recommendation(s)

#### CHIEF ADMINISTRATIVE OFFICER

1. Find that the Final Environmental Impact Report (FEIR) on file in the Department of General Services for the Cedar and Kettner Parking Structure, dated June 7, 2012, State Clearinghouse #2011031092, was completed in compliance with CEQA and State and County CEQA Guidelines, that the Board of Supervisors has reviewed and considered the information contained therein before approving the project; and find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously certified FEIR dated June 7, 2012, that there is no substantial increase in the severity of the previously identified significant effects, and that no new information of substantial importance has become available since the FEIR was certified.

**SUBJECT: GENERAL SERVICES – AUTHORIZATION TO APPROVE CHANGE ORDERS TO THE DESIGN-BUILD CONTRACT FOR THE CEDAR AND KETTNER DEVELOPMENT PARKING STRUCTURE (DISTRICT 4)**

2. In accordance with California Public Contract Code Section 20137, authorize the Director, Department of Purchasing and Contracting to execute change orders to Contract # 545636 in an amount up to \$400,000. **(4 VOTES)**

**Fiscal Impact**

Funds for this request are included in the Fiscal Year 2014-15 Operational Plan in the Capital Outlay Fund for Capital Project 1015093, Cedar and Kettner Development. If approved, the cost to complete demolition of the Star Building is estimated to be \$400,000, and will be paid from contingency funds. Total project cost, including contingency, is \$36,100,000. The funding sources are Aid from Redevelopment Agencies (\$7,000,000), San Diego County Capital Asset Leasing Corporation (SANCAL) Bond Proceeds (\$27,840,000), an Operating Transfer from the General Fund (\$660,000), and Rents and Concessions (\$600,000). There will be no change in net General Fund costs and no additional staff years.

**Business Impact Statement**

The demolition task will impact the San Diego regional economy by providing technical and construction-related local employment opportunities.

**Advisory Board Statement**

N/A

**Background**

On June 19, 2012 (7), the Board of Supervisors authorized the advertisement and award of a design-build contract for the construction of the Cedar and Kettner Development Parking Structure and a separate contract for the removal of all structures and improvements on the County-owned property bounded by Cedar Street, Kettner Boulevard, Beech Street and the Metropolitan Transit System light rail right of way. All demolition was anticipated to be substantially complete in advance of the work of the design-build contractor. Demolition work under a County-assigned job order contract started with the warehouse structure at the southeast property corner. Work continued with the start of demolition of the Star Building, but was halted by a lawsuit. The Star Building was sealed for weather protection and secured during the litigation process. After the award of the design-build parking structure contract to McCarthy Building Companies, construction of the parking structure on the site began in winter 2014 and is ongoing.

A recent court of appeal decision in favor of the County will allow the resumption of demolition as soon as that decision becomes final. Approval is requested to add the remaining demolition work to the parking structure contract, for safety and efficiency of execution and completion.

The cost of demolition is included in the capital project budget for Cedar and Kettner Parking Structure. Since the value of the proposed change orders exceeds the amount that staff is authorized to approve pursuant to the California Public Contract code, it must be approved by the Board.

Approval of this request will result in the execution of contract change orders of no more than



**SUBJECT:** GENERAL SERVICES – AUTHORIZATION TO APPROVE CHANGE ORDERS TO THE DESIGN-BUILD CONTRACT FOR THE CEDAR AND KETTNER DEVELOPMENT PARKING STRUCTURE (DISTRICT 4)

\$400,000 for the Cedar and Kettner Development Parking Structure project. Demolition will commence when the court of appeal decision is final, which is expected in early September 2014.

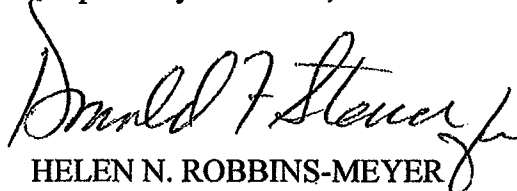
**Environmental Statement**

On June 19, 2012 (7), the Board of Supervisors certified the Final Environmental Impact Report (FEIR) for the Cedar and Kettner Parking Structure, SCH #2011031092. The action proposed to be taken today is consistent with the project described and analyzed in the FEIR. There is no change in the project or in the circumstances under which it is undertaken that involve significant new environmental impacts that were not considered in the previously certified FEIR, and there is no substantial increase in severity of previously identified significant effects. Additionally no new information of substantial importance has become available since the FEIR was certified. Therefore, no additional environmental review or findings are necessary under CEQA Guidelines Section 15162.

**Linkage to the County of San Diego Strategic Plan**

Today's proposed action to authorize change orders to the Cedar and Kettner Development Parking Structure contract supports the County of San Diego's 2014-2019 Strategic Plan Required Discipline For Excellence of Essential Infrastructure by replacing the County's aging facilities and incorporating private sector involvement.

Respectfully submitted,



HELEN N. ROBBINS-MEYER  
Chief Administrative Officer

ATTACHMENT(S)

N/A

**SUBJECT:** GENERAL SERVICES – AUTHORIZATION TO APPROVE CHANGE ORDERS TO THE DESIGN-BUILD CONTRACT FOR THE CEDAR AND KETTNER DEVELOPMENT PARKING STRUCTURE (DISTRICT 4)

**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**       Yes     No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
 Yes     No

**PREVIOUS RELEVANT BOARD ACTIONS:**

June 19, 2012 (7), Board authorized advertisement and award of design build contract for Cedar and Kettner Development Project Parking Structure and a separate contract for site preparation and demolition, December 7, 2010 (12) authorized the preparation of planning documents for the development of the county’s Cedar/Kettner property; January 29, 2008 (10) authorize certain preliminary costs for CAC Waterfront Park project related to work being done on the Cedar and Kettner project; March 7, 2007 (11) authorized the issuance of a request for proposals for the development of the county’s Cedar/Kettner property; November 8, 2005 (2), approved the Capital Improvements Needs Assessment (CINA) Program which included the CAC Waterfront Park Project; June 18, 2002 (18), approved in concept the Master Plan for the Waterfront Park; June 18, 2002 (6), authorized the issuance of a Request for Proposals (RFP) for development of the Kettner/Cedar property for up to 500 parking stalls with the potential for other office, retail, and residential uses.

**BOARD POLICIES APPLICABLE:**

F-41-Public Works Construction Projects

**BOARD POLICY STATEMENTS:**

N/A

**MANDATORY COMPLIANCE:**

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):**

Contract #545636

**ORIGINATING DEPARTMENT:** General Services

**OTHER CONCURRENCES(S):** Purchasing & Contracting

**CONTACT PERSON(S):**

Jeff Redlitz, Project Manager  
Name  
(858) 694-8834  
Phone  
jeff.redlitz@sdcounty.ca.gov  
E-mail

Thomas Fincher, Chief Project Management  
Name  
(858) 694-2153  
Phone  
thomas.fincher@sdcounty.ca.gov  
E-mail

**Approval Log For:**

Star Building Demo-golden rod for late agenda080514.doc

DGS-08052014-Authorize Change Orders Cedar and Kettner Parking Structure-Star Bldg Demolition.docx

Approver's Name	Approver's Job Title	Approver's Department	Time and Date of Final Approval
Shiri Hoffman		County Counsel	7/29/2014 1:38:34 PM
Lou Cavagnaro	Assistant Director	General Services	7/29/2014 1:53:35 PM
Kaye Hobson	Group Finance Director	CSG Executive Office	7/29/2014 1:38:34 PM
Kathleen Bute		FGG-OfP	7/29/2014 2:02:06 PM
Janice Downs	Staff Officer	Exec Office	7/29/2014 4:42:09 PM
Jack Pellegrino	Director, Department of Purchasing & Contracting	Purchasing & Contracting	7/29/2014 4:25:09 PM
Donald Steuer	Assistant Chief Administrative Officer/ Chief Operating Officer	CAO	7/29/2014 4:33:39 PM

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# COUNTY OF SAN DIEGO

## AGENDA ITEM

### BOARD OF SUPERVISORS

GREG COX  
First District

DIANNE JACOB  
Second District

DAVE ROBERTS  
Third District

RON ROBERTS  
Fourth District

BILL HORN  
Fifth District

2014 JUL 32 AM 9 10

CLERK OF THE BOARD  
OF SUPERVISORS

COUNTY OF SAN DIEGO

20

**DATE:** August 5, 2014  
**TO:** Board of Supervisors  
**SUBJECT:** CLOSED SESSION (DISTRICTS: ALL)

### Overview

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Olive Lane Industrial Park, LLC, et al. v. County of San Diego, et al.; San Diego  
County Superior Court No. 37-2011-00071151-CU-MC-EC
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Government Code section 54956.8)  
Property: Parcel 3 of Parcel Map 20177 located west of Riverview Parkway and north  
of Transit Way, Santee, CA

### Negotiating Parties:

*County:* Craig Gibson  
*Other:* Ryan Companies US, Inc.

Under Negotiation: Price and Terms

**Recommendation(s)**  
**CHIEF ADMINISTRATIVE OFFICER**  
At the direction of the Board.

**Fiscal Impact**  
N/A

**Business Impact Statement**  
N/A

**Advisory Board Statement**  
N/A

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


**Background**

N/A

**Linkage to the County of San Diego Strategic Plan**

N/A

Respectfully submitted,

  
THOMAS E. MONTGOMERY  
County Counsel

**ATTACHMENT(S)**

N/A

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

**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**      Yes    No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
 Yes    No

**PREVIOUS RELEVANT BOARD ACTIONS:**  
N/A

**BOARD POLICIES APPLICABLE:**  
N/A

**BOARD POLICY STATEMENTS:**  
N/A

**MANDATORY COMPLIANCE:**  
N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):**  
N/A

**ORIGINATING DEPARTMENT:** County Counsel

**OTHER CONCURRENCES(S):** N/A

**CONTACT PERSON(S):**

THOMAS E. MONTGOMERY

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Name  
619-531-4860  
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Phone  
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