

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, NOVEMBER 17, 2020, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order Of Business

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance
- D. Presentation or Announcement of Proclamations and Awards
- E. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- F. Approval of the Statement of Proceedings/Minutes for the meeting of October 27, 2020.
- G. Formation of Consent Calendar
- H. Discussion Items
- I. **Time Certain: 5 p.m.**
Item 01: NOTICED PUBLIC HEARING:
TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION
AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS
DURING 2019 (DISTRICTS: ALL)

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.

Supporting documentation and attachments for items listed on this agenda can be viewed online at www.sandiegocob.com or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101.

ASSISTANCE FOR PERSONS WITH DISABILITIES:

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Board of Supervisors' Agenda Items

Category	#	Subject
Public Safety	1.*	NOTICED PUBLIC HEARING: TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS DURING 2019 TIME CERTAIN: 5 P.M.
	2.	DISTRICT ATTORNEY - RATIFICATION OF APPLICATION FOR THE DEPARTMENT OF JUSTICE PROSECUTING COLD CASES USING DNA GRANT [FUNDING SOURCE: DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE]
	3.	SHERIFF - RATIFY ACCEPTANCE OF DONATIONS FROM THE SAN DIEGO HONORARY DEPUTY SHERIFF'S ASSOCIATION
	4.	SHERIFF - AUTHORIZATION TO EXERCISE A CONTRACT OPTION TO MOTOROLA SOLUTIONS CONTRACT FOR THE REGIONAL COMMUNICATIONS SYSTEM DEVELOPMENT OF THE BLACK MOUNTAIN SITE AND FACILITY
	5.	PROBATION DEPARTMENT - REQUEST FOR PROPOSALS FOR YOUTH DEVELOPMENT, DELINQUENCY PREVENTION AND DIVERSION SERVICES [FUNDING SOURCES: JUVENILE JUSTICE CRIME PREVENTION ACT FUNDS AND GENERAL PURPOSE REVENUE IF AVAILABLE]
	6.	PROBATION – REQUEST TO ISSUE A COMPETITIVE SOLICITATION FOR COGNITIVE BEHAVIORAL THERAPY SERVICES [FUNDING SOURCES: STATE OF CALIFORNIA, LOCAL REVENUE FUND 2011, COMMUNITY CORRECTIONS SUBACCOUNT; AND THE STATE COMMUNITY CORRECTIONS INCENTIVE PERFORMANCE FUND (SB 678)]
*Presentation		

7. NOTICED PUBLIC HEARING:
FISCAL YEAR 2019-20 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR HOUSING AND COMMUNITY DEVELOPMENT SERVICES ENTITLEMENT PROGRAMS; AND A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE APPLICATION, ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM - CORONAVIRUS ROUND 2 [FUNDING SOURCE: STATE OF CALIFORNIA EMERGENCY SOLUTION GRANT CORONAVIRUS GRANT]
- 8.* RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE COVID-19 PANDEMIC
9. REPORT BACK ON HOUSING CONSERVATORSHIP - A NEW TOOL FOR ADDRESSING SERIOUS MENTAL ILLNESS AND SUBSTANCE USE DISORDER
10. AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO, THE CITY OF VISTA AND EXODUS RECOVERY, INC. TO OPERATE A CRISIS STABILIZATION UNIT IN THE CITY OF VISTA [FUNDING SOURCES: REALIGNMENT, INTERGOVERNMENTAL TRANSFER REVENUE (IGT), AND EXISTING COUNTY GENERAL PURPOSE REVENUE]
11. AUTHORIZATION TO NEGOTIATE AND AWARD FUNDING FROM THE INNOVATIVE HOUSING TRUST FUND [FUNDING SOURCE: INNOVATIVE HOUSING TRUST FUND]
12. AUTHORIZE AN EXTENSION FOR THE CONTRACT WITH SAN DIEGO HEALTH CONNECT FOR THE HEALTH INFORMATION EXCHANGE [FUNDING SOURCE: GENERAL PURPOSE REVENUE FOR BOTH HHS AND SHERIFF'S DEPARTMENT AND WILL BE CONSIDERED FOR THE SAME FUNDING SOURCE IN FISCAL YEAR 2021-22 IF AVAILABLE]
13. AUTHORIZE AN AMENDMENT TO THE CONTRACT WITH HEALTH MANAGEMENT ASSOCIATES FOR CONSULTANT SERVICES

*Presentation

14. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE ADDING AND REPEALING PROVISIONS IN THE SAN DIEGO COUNTY CODE REGARDING THE SALE OF TOBACCO PRODUCTS IN THE UNINCORPORATED AREA OF SAN DIEGO COUNTY (10/27/2020 - FIRST READING; 11/17/2020 - SECOND READING)
15. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE CODE AND BOARD POLICY SUNSET REVIEW 2020
16. SEMI-ANNUAL REPORT OF GRANTS, GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE SAN DIEGO COUNTY LIBRARY; ACCEPT GRANT AWARDS AND ESTABLISH APPROPRIATIONS [FUNDING SOURCES: PACIFIC LIBRARY PARTNERSHIP AND THE SAN DIEGO ASSOCIATION OF GOVERNMENTS] (4 VOTES)
17. NEIGHBORHOOD REINVESTMENT AND COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 1) [FUNDING SOURCE: GENERAL PURPOSE REVENUE AND TRANSIENT OCCUPANCY TAX REVENUES]
18. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 2) [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
19. WAIVER OF AMUSEMENT ESTABLISHMENT, ENTERTAINMENT ESTABLISHMENT, PUBLIC DANCE, AND CIRCUS/CARNIVAL LICENSING FEES DURING THE COVID-19 HEALTH CRISIS
20. COMPREHENSIVE EVALUATION OF THE BASE HOSPITAL SYSTEM AND TRAUMA CATCHMENT AREA DESIGNATIONS

Land Use and Environment

Financial and General Government

21. NEIGHBORHOOD REINVESTMENT AND COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 4)
[FUNDING SOURCES: GENERAL PURPOSE REVENUE AND TRANSIENT OCCUPANCY TAX REVENUES]
22. GENERAL SERVICES - AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE REPLACEMENT OF A ROOF AT FRATERNITY HOUSE, INC.
[FUNDING SOURCES: U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS]
23. GENERAL SERVICES - APPROVAL OF LEASE AMENDMENT FOR THE DISTRICT ATTORNEY'S FAMILY JUSTICE CENTER AT 1050 LOS VALLECITOS BOULEVARD, SAN MARCOS
[FUNDING SOURCES: PROPOSITION 172 SPECIAL REVENUE FUND AND WILL BE INCLUDED IN FUTURE YEARS OPERATIONAL PLANS FOR THE DISTRICT ATTORNEY'S OFFICE]
24. GENERAL SERVICES - AUTHORIZATION TO EXECUTE CHANGE ORDERS FOR THE LAKESIDE BRANCH LIBRARY SOIL MITIGATION
[FUNDING SOURCE: GENERAL FUND FUND BALANCE]
(4 VOTES)
25. GENERAL SERVICES - CONTINUATION OF EMERGENCY REPAIRS AT THE HEALTH AND HUMAN SERVICES AGENCY HEALTH SERVICES COMPLEX, 3851 ROSECRANS STREET
[FUNDING SOURCE: CHARGES TO THE CLIENT DEPARTMENT]
(4 VOTES)
26. ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF LA MAESTRA FAMILY CLINIC, INC. IN AN AGGREGATE AMOUNT NOT TO EXCEED \$14,500,000
27. APPROVE AND ADOPT SAN DIEGO COUNTY BOARD OF SUPERVISORS POLICY A-139 LANGUAGE ACCESS

28. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: CITIZENS' LAW ENFORCEMENT REVIEW
BOARD ORDINANCE AND RULES UPDATE
- Communications Received 29. COMMUNICATIONS RECEIVED
- Appointments 30. APPOINTMENTS: VARIOUS
- Financial and General Government 31. LEON L. WILLIAMS SAN DIEGO COUNTY HUMAN RELATIONS COMMISSION BY LAWS AND DUTIES AN DRESPONSIBILITIES FOR APPROVAL
- Public Safety 32. SUNSET REVIEW OF COUNTY REGULATORY CODE ARTICLES ASSIGNED TO THE PUBLIC SAFETY GROUP
- Financial and General Government 33. SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM GRANTS (DISTRICT: 1) [FUNDING SOURCE: FEDERAL CARES ACT CORONAVIRUS RELIEF FUND]
34. SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM GRANTS (DISTRICT: 5) [FUNDING SOURCE: FEDERAL CARES ACT CORONAVIRUS RELIEF FUND]
35. SAN DIEGO COUNTY SMALL BUSINESS STIMULUR PROGRAM GRANTS (DISTRICT: 2) [FUNDING SOURCE: FEDERAL CARES ACT CORONAVIRUS RELIEF FUND]
36. SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM GRANTS (DISTRICT: 4) [FUNDING SOURCE: FEDERAL CARES ACT CORONAVIRUS RELIEF FUND]
37. COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 3) [FUNDING SOURCE: TRANSIENT OCCUPANCY TAX REVENUE]
38. NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 3) [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
39. SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM GRANTS (DISTRICT: 3) [FUNDING SOURCE: FEDERAL CARES ACT CORONAVIRUS RELIEF FUND]
40. CLOSED SESSION

**1. SUBJECT: NOTICED PUBLIC HEARING:
TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION
AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS DURING
2019 (DISTRICTS: ALL)**

OVERVIEW

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

This is a request for the Board of Supervisors to hold a TRUTH Act community forum in order to provide information about ICE’s access to individuals, and to receive and consider public comment. This forum was noticed to the public on October 13, 2020.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Hold a community forum on November 17, 2020, in accordance with Government Code Section 7283.1(d).
2. Receive report from the Sheriff’s Department regarding ICE access to individuals during 2019.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

**2. SUBJECT: DISTRICT ATTORNEY - RATIFICATION OF APPLICATION FOR THE
DEPARTMENT OF JUSTICE PROSECUTING COLD CASES USING
DNA GRANT (DISTRICTS: ALL)**

OVERVIEW

On April 17, 2020, the U.S. Department of Justice, released the Prosecuting Cold Cases Using DNA grant program (PCC). The PCC grant program is a result of the Justice Served Act of 2018, which appropriated \$4.7 million to increase the capacity of state and local prosecution offices to address violent crime cold cases.

If approved, today’s proposed action would ratify the District Attorney’s submission of a grant application and authorize the acceptance of awarded grant funding from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a period of October 1, 2020 through September 30, 2023. Ratification is requested because the grant solicitation announcement was issued in the early weeks of the COVID-19 pandemic and staff were not able to seek prior approval for the application.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts- Department Responsibility for Cost Recovery, which requires prior approval of grant applications.
2. Ratify the District Attorney’s submission of the grant application for the Prosecuting Cold Cases Using DNA grant program to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance and approve the acceptance of the award in the amount of \$470,000 for the project period of October 1, 2020 through September 30, 2023; and authorize the District Attorney to apply for and accept renewal funding in subsequent years provided there are no material changes to the grant’s purpose, services or funding level.
3. Authorize the District Attorney to execute all required grant documents, including any annual extensions, amendments and/or revisions that do not materially impact or alter the services or funding level.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan for the District Attorney. If approved, this request will result in estimated costs and revenue of \$117,500 in the current fiscal year, \$156,667 in Fiscal Year 2021-22, \$156,667 in Fiscal Year 2022-23 and \$39,166 in Fiscal Year 2023-2024. The funding source is Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. There will be no change in net General Fund cost and no additional staff years. The total cost of the program is \$470,000. The grant award recovers all of the District Attorney’s Office’s costs. The District Attorney’s Office will return to the Board for additional appropriations if needed.

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: SHERIFF - RATIFY ACCEPTANCE OF DONATIONS FROM THE SAN DIEGO HONORARY DEPUTY SHERIFF’S ASSOCIATION (DISTRICTS: ALL)**

OVERVIEW

County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, permit the acceptance of gifts and donations by the administrative heads of each department in the County, subject to approval by the Board of Supervisors.

The San Diego Honorary Deputy Sheriff’s Association (HDSA) is a group of local business and community leaders with a long history of providing support to the San Diego Sheriff’s Department. This is a request to ratify the acceptance of donations valued at \$181,000 for unmanned aerial vehicle cameras, protective equipment, voice projection units, narcotics analyzer and ductless fume hood from the HDSA for the use by the Sheriff’s Department in various law enforcement operations that range from search and rescue operations to tactical operations.

RECOMMENDATION(S)

SHERIFF

1. In accordance with County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, ratify the acceptance of equipment valued at \$181,000 from the San Diego Honorary Deputy Sheriff's Association.
2. Authorize the Chair of the Board of Supervisors to sign a letter of appreciation on behalf of the Board of Supervisors and the County of San Diego to the San Diego Honorary Deputy Sheriff's Association.

FISCAL IMPACT

There is no fiscal impact associated with today's request to ratify the acceptance of donations valued at \$181,000 from the San Diego Honorary Deputy Sheriff's Association. All future costs associated with the donation such as, but not limited to, annual maintenance will be funded by the Sheriff's Department and included in future years' Operational Plan for the department. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

4. **SUBJECT: SHERIFF - AUTHORIZATION TO EXERCISE A CONTRACT OPTION TO MOTOROLA SOLUTIONS CONTRACT FOR THE REGIONAL COMMUNICATIONS SYSTEM DEVELOPMENT OF THE BLACK MOUNTAIN SITE AND FACILITY (DISTRICT: 3)**

OVERVIEW

On June 9, 2015 (1), the Board of Supervisors authorized the Director of the Department of Purchasing and Contracting, to issue a request for proposal and award a contract or contracts for the procurement, implementation, support and optional financing of a Next Generation Regional Communications System (NextGen RCS). On June 27, 2016, the County awarded the contract to Motorola Solutions, Inc.

The NextGen RCS project is divided into three phases: Phase One provides for planning and system design; Phase Two implements contractor recommendations for the equipment, software, and services to upgrade the technology at existing RCS facilities; and Phase Three consists of any necessary development or construction of new RCS sites and facilities or expansion of existing facilities.

Phase Three is divided into subphases for each individual site. Each subphase is representative of a different site. If the development of new sites or the expansion of existing sites is required and the sites have undergone environmental review, staff will return to the Board of Supervisors for approval to proceed with the Phase Three subphases. The Phase Three subphases are optional and may only be exercised by the Director, Department of Purchasing and Contracting.

This is a request to authorize the Director of the Department of Purchasing and Contracting, to exercise a contract option for a Phase Three subphase to construct a new NextGen RCS radio tower for Black Mountain. The proposed construction work consists of a new communications radio tower. The estimated cost of the construction is \$803,056.

RECOMMENDATION(S)

SHERIFF

1. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, Existing Facilities and 15303, New Construction or Conversion of Small Structures, of the CEQA Guidelines.
2. Authorize the Director, Department of Purchasing and Contracting, to exercise an option for a Phase Three subphase of the RCS Replacement Contract, No. 553982, with Motorola Solutions, Inc. for the Black Mountain Regional Communications System (RCS) site facility.

FISCAL IMPACT

Funds in the amount of \$10,631,793 for Phase Three subphases are included in Capital Project 1019587, Regional Communication System (RCS) Upgrade. The Board has previously authorized to execute \$5,661,243 for Phase Three subphases. Capital Project 1019587, Regional Communication System (RCS) Upgrade has remaining available funds of \$3,430,071 in Fiscal Year 2020-21 Operational Plan in the Justice Facility Construction Fund for additional Phase Three subphases. This request is to execute one subphase for an estimated cost of \$803,056, which is representative of one site. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

5. **SUBJECT: PROBATION DEPARTMENT - REQUEST FOR PROPOSALS FOR YOUTH DEVELOPMENT, DELINQUENCY PREVENTION AND DIVERSION SERVICES (DISTRICTS: ALL)**

OVERVIEW

San Diego County's juvenile justice system continues experiencing a steady decline in the number of youth entering the juvenile justice system. This reduction is consistent with state and national trends. Prevention, early intervention, and community-based services focused on treatment and restorative justice are helping to positively impact this change in San Diego County. Over 22 years ago, juvenile justice partners established the Community Assessment Teams (CAT) program to offer prevention and early intervention services delivered by community-based organizations in the regions where youth live and attend school. Youth exhibiting at-risk behaviors such as truancy, substance abuse, or negative home dynamics can be referred by families, schools, faith-based organizations, or caring adults to services. Youth with law enforcement contact can also be referred by the Sheriff and Police Departments for diversion services to safely and effectively reduce the number of youth on probation.

The CAT Program serves all eligible youth countywide, and takes a holistic approach to determining and tailoring the services that best meet the needs of each individual youth. Case management services available to youth include counseling, skill building, behavioral interventions, academic assistance, substance abuse, and community service hours. If approved, this action will authorize the Department of Purchasing and Contracting to issue a Request for Proposals (RFP) to competitively procure the CAT Program. The contracts supporting the current youth development, delinquency prevention, and diversion services are scheduled to expire on June 30, 2021.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

In accordance with Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting, to issue a Request for Proposals (RFP) for a youth development, delinquency prevention and diversion program, and upon successful negotiations and determination of a fair and reasonable price, award a contract for a term of three (3) years, with two (2) option years and up to an additional six (6) months if needed, subject to the availability of funds and a need for services, and to amend the contract as needed to reflect changes to services and funding that do not materially impact or alter the program, subject to the approval of the Chief Probation Officer.

FISCAL IMPACT

Funds for this request will be included in the Fiscal Year 2021-22 Operational Plan for the Probation Department. If approved, this request will result in estimated costs and revenue of \$7,500,000 in Fiscal Year 2021-22. The funding sources will be Juvenile Justice Crime Prevention Act Funds (\$7,000,000) and General Purpose Revenue (\$500,000) if available. Subsequent year costs and revenue will be included in future year Operational Plans for the Probation Department. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 6. **SUBJECT: PROBATION – REQUEST TO ISSUE A COMPETITIVE SOLICITATION FOR COGNITIVE BEHAVIORAL THERAPY SERVICES (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Probation Department (Probation) is committed to providing evidence-based services that help the justice-involved population successfully complete their terms of probation. Cognitive Behavioral Therapy (CBT) is a critical treatment service for adults by providing a psycho-social intervention to improve mental health and avoid criminal thinking. Probation has utilized CBT since 2014. Since 2018, the Office of the District Attorney (District Attorney) has referred qualified clients to this program. The current CBT contract will expire on June 30, 2021, and Probation and the District Attorney’s Office have determined to continue these essential services to treat adults in the justice system, while supporting safer communities. This request is to authorize the Director, Department of Purchasing and Contracting, to issue a competitive solicitation for cognitive behavioral therapy services.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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 cognitive behavioral therapy services for adult clients of Probation and persons referred by the District Attorney, and upon successful negotiation and determination of fair and reasonable price, award a contract to a qualified provider for an initial term of twelve (12) months with four (4) one-year (1) option periods and up to an additional six (6) 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.

FISCAL IMPACT

If approved, this request will result in costs and revenue of approximately \$800,000 in the Probation Department and \$250,000 in the District Attorney's Office for a total of \$1,050,000 in Fiscal Year 2021-22 and for each subsequent year. Funds for the initial twelve-month term will be included in the Fiscal Year 2021-22 Operational Plan for the Probation Department (estimate \$800,000) and the District Attorney's Office (estimate \$250,000). Funds for the remaining years will be budgeted in future years' Operational Plans for the Probation Department and District Attorney's Office. The funding sources for the initial term and subsequent years are the State of California, Local Revenue Fund 2011, Community Corrections Subaccount; and the State Community Corrections Incentive Performance Fund (SB 678). There will be no net change in General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

7. **SUBJECT: NOTICED PUBLIC HEARING:
FISCAL YEAR 2019-20 CONSOLIDATED ANNUAL PERFORMANCE
AND EVALUATION REPORT FOR HOUSING AND COMMUNITY
DEVELOPMENT SERVICES ENTITLEMENT PROGRAMS; AND A
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF SAN DIEGO AUTHORIZING THE APPLICATION, ACCEPTANCE
AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT
PROGRAM - CORONAVIRUS ROUND 2 (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County), as a recipient of the U.S. Department of Housing and Urban Development (HUD) entitlement program funding, is required to prepare a Consolidated Annual Performance and Evaluation Report (CAPER) summarizing Fiscal Year 2019-20 accomplishments. During Fiscal Year 2019-20, the Health and Human Services Agency, Housing and Community Development Services (HCDS) administered a wide variety of housing and community development activities utilizing funds from the three federal entitlement programs: Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Solutions Grant (ESG). The County also administers funding provided by the State of California through the State Emergency Solutions Grant (State ESG) program. The activities, as described in the CAPER, predominately benefited lower income residents.

To provide an opportunity for public input, HUD requires a public comment period and a public hearing to be held before the CAPER is submitted. This hearing provides an opportunity for the Board of Supervisors to receive public comment on the Fiscal Year 2019-20 CAPER. The CAPER has also been posted online and at the HCDS office for public comment since October 30, 2020. The public comment period ends on November 17, 2020. Today's hearing also seeks to obtain an authorizing resolution for authority to apply for, accept, and administer State ESG Coronavirus (ESG-CV) Round 2 funds. ESG provides funding for emergency shelter and rapid re-housing programs which serve persons who are experiencing or at risk of homelessness. The County has been allocated \$2.1 million in ESG-CV funds by the State of California.

Today's action supports the County's *Live Well San Diego* vision by ensuring low-income residents and persons experiencing homelessness have access to suitable living environments and to prevent and end homelessness through accessible housing and supportive services.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Hold this public hearing to receive public comment on the Fiscal Year 2019-20 Consolidated Annual Performance and Evaluation Report (CAPER).
2. Adopt a Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE APPLICATION, ACCEPTANCE AND ADMINISTRATION OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM - CORONAVIRUS ROUND 2.
3. Authorize the Agency Director, Health and Human Services Agency or designee, to apply for State of California ESG Coronavirus Round 2 grant funds of up to \$2,100,000.
4. Authorize the Agency Director, Health and Human Services Agency or designee, in consultation with the Department of Purchasing and Contracting, to accept, if awarded, State of California ESG Coronavirus Round 2 grant funds, and issue Notices of Funding Availability; publish notices; award contracts; execute agreements; amend existing contracts as needed to reflect changes to services and funding; execute certification forms; prepare and execute all necessary documents for the submittal, regulatory processing and program implementation; and take any other actions necessary as required by the State of California for projects funded with State of California ESG program funds.

FISCAL IMPACT

Recommendation #1 (Consolidated Annual Performance and Evaluation Report (CAPER))

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

Recommendations #2, #3 and #4 (Emergency Solutions Grant (ESG))

Funds for the State of California ESG Coronavirus Round 2 grant are not included in the Fiscal Year 2020-22 Operational Plan in the Health and Human Services Agency. If approved, today's recommendation to apply for the grant will result in estimated costs and revenue of \$0.8 million in Fiscal Year 2020-21 and \$1.3 million in Fiscal Year 2021-22. Upon award of the grant, HHS will request appropriations as needed for Fiscal Year 2020-21, and appropriations for Fiscal Year 2021-22 will be included in the Fiscal Year 2021-22 CAO Recommended Operational Plan. The funding source is the State of California Emergency Solution Grant Coronavirus grant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

8. SUBJECT: RECEIVE UPDATE ON THE COVID-19 RESPONSE, RATIFY ACTIONS, AND AUTHORIZE ANY OTHER ACTION NECESSARY TO ADDRESS THE COVID-19 PANDEMIC (DISTRICTS: ALL)

OVERVIEW

A novel coronavirus (COVID-19) was detected in Wuhan City, Hubei Province in China in December 2019. Since then, the virus has rapidly spread across the globe, resulting in the World Health Organization (WHO) declaring COVID-19 a pandemic on March 11, 2020.

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

The County continues to make significant efforts to slow the spread of COVID-19. Today's action requests the San Diego County Board of Supervisors (Board) to receive an update on the local COVID-19 response and ratify all actions taken by the CAO, Public Health Officer, Director, Department of Purchasing and Contracting and Director, Department of General Services in response to the local health emergency and local emergency. It is also recommended that the Board take any other action necessary to address the COVID-19 pandemic emergency response. Today's proposed actions support the County's *Live Well San Diego* vision by protecting the health of residents against the COVID-19 pandemic.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive an update on the COVID-19 response.
2. Ratify all actions taken by the Chief Administrative Officer, Public Health Officer, Director, Department of Purchasing and Contracting and Director, Department of General Services in response to the local health emergency and local emergency.
3. Take any other action necessary to address the COVID-19 pandemic emergency response.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

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

9. **SUBJECT: REPORT BACK ON HOUSING CONSERVATORSHIP - A NEW TOOL FOR ADDRESSING SERIOUS MENTAL ILLNESS AND SUBSTANCE USE DISORDER (DISTRICTS: ALL)**

OVERVIEW

In 2018, the Governor signed Senate Bill (SB) 1045, which allows certain counties, including San Diego County, the ability to implement a pilot conservatorship procedure - known as a “housing conservatorship” - for eligible individuals who are unable to care for their own health and well-being due to serious mental illness and substance use disorder. The law was later amended in 2019 by SB 40 (Chapter 467), which added several procedural changes intended to allow participating counties to further tailor their efforts to the target population. In an action brought forward by Supervisor Jacob and Supervisor Fletcher on October 29, 2019 (04), the San Diego County Board of Supervisors (Board) directed the Chief Administrative Officer to develop a conservatorship procedure pilot program, and report back to the Board with recommendations for implementation in one year.

As outlined by SB 1045/SB 40, the housing conservatorship would allow counties to place eligible individuals who routinely end up in emergency rooms, psychiatric facilities, or jail on a conservatorship that focuses on providing supportive housing and intensive wraparound services to keep individuals out of these systems and focus on their health and well-being. To assess the feasibility of implementing a conservatorship procedure pilot program per SB 1045/SB 40, the County established and convened a “Housing Conservatorship Working Group” (Working Group). The Working Group evaluated the effectiveness of the new conservatorship law in serving conservatees with serious mental illness and substance use disorders in San Diego County.

Today’s action presents the Working Group’s findings and a recommendation to forgo implementation of SB 1045/SB 40 in San Diego County and instead continue to build upon existing Care Coordination work through the Behavioral Health Continuum of Care.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive an update on developing a housing conservatorship procedure pilot program as directed by the San Diego County Board of Supervisors on October 29, 2019 (04).
2. Accept the recommendation to forgo implementation of Senate Bill 1045/Senate Bill 40 in San Diego County and instead, employ existing Care Coordination work through the Behavioral Health Continuum of Care.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

10. SUBJECT: AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO, THE CITY OF VISTA AND EXODUS RECOVERY, INC. TO OPERATE A CRISIS STABILIZATION UNIT IN THE CITY OF VISTA (DISTRICTS: ALL)

OVERVIEW

In 2018, the San Diego County Board of Supervisors (Board) initiated several actions to enhance, expand, and innovate behavioral health programs and services in the region. This body of work is broadly referred to as the Behavioral Health Continuum of Care (Continuum). To advance the Continuum, areas of focus and key investments fall into three categories: long-term care, care coordination, and diversionary services. Among diversionary services, the County of San Diego (County) has made significant investments in crisis stabilization units (CSUs), which are critical to ensure those experiencing a behavioral health crisis receive the most appropriate care. CSU services include law enforcement drop-offs, as a safe alternative to a jail or hospital, psychiatric services, medication, peer support, and transition planning, with stays of less than 24 hours.

In 2018, Tri-City Healthcare District (Tri-City) suspended its Behavioral Health Unit (BHU), which provided adult inpatient psychiatric services, and its CSU, which provided adult crisis stabilization services. Since then, meeting the urgent and emergent behavioral health needs of North San Diego County has become increasingly challenging.

On March 26, 2019 (02), to address the immediate need for critical crisis services throughout the County, the Board approved a recommendation to establish regional CSUs that provide 24/7 walk-in mental health and substance use disorder services for those in behavioral health crisis. On June 25, 2019 (1), the Board approved the recommendation to enhance the capacity for community-based CSU services in North County and approved one-time and ongoing funding to establish and operate a North Coastal community-based CSU within the City of Vista.

Today's item requests the Board's approval to execute an agreement between the County of San Diego, City of Vista (Vista), and Exodus Recovery, Inc. (Exodus), the contracted service provider. This agreement outlines Vista's commitment to present to the Vista City Council, for approval, an amendment to the Vista Development Code and a special use permit (SUP) to allow rehabilitative mental health services facilities providing CSU services to be a permitted land use within Vista. Upon execution of the agreement, Vista would grant Exodus a SUP to operationalize a North Coastal community-based CSU within Vista, which would become operational within Fiscal Year 2020-2021. If Vista does not grant Exodus a SUP, then the agreement would automatically terminate.

This action will complement and support ongoing work to review the full continuum of local behavioral health care services across the entire region, in alignment with the County's *Live Well San Diego* vision for a region where all residents have the opportunity to build better health, live safely and thrive.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Authorize the Agency Director, Health and Human Services Agency, to execute an agreement between the County of San Diego, City of Vista, and Exodus Recovery, Inc. to operate a crisis stabilization unit within the City of Vista, and to amend the agreement subject to changing service needs and funding requirements, subject to the approval of the Agency Director, Health and Human Services Agency.

FISCAL IMPACT

Funding for this request is included in the Fiscal Year 2020-22 Adopted Operational Plan in the Health and Human Services Agency. If approved, this request will allow for work to proceed to operationalize a North Coastal community-based CSU within the City of Vista, resulting in estimated one-time costs and revenues of \$1,500,000 in Fiscal Year 2020-21 for initial tenant improvements. Additionally, pursuant to the Agreement, the County will provide one additional full-time sworn Sheriff's deputy assigned to Vista once the CSU is operational. The funding sources are Realignment, Intergovernmental Transfer Revenue (IGT), and existing County General Purpose Revenue. There will be no additional net County General Fund cost. One staff year for the Sheriff's Department will be requested as part of the Fiscal Year 2021-23 Operational Plan process.

BUSINESS IMPACT STATEMENT

N/A

11. SUBJECT: AUTHORIZATION TO NEGOTIATE AND AWARD FUNDING FROM THE INNOVATIVE HOUSING TRUST FUND (DISTRICTS: ALL)

OVERVIEW

On June 20, 2017 (21), the San Diego County Board of Supervisors (Board) established the Innovative Housing Trust Fund (Trust Fund) to address shrinking affordable housing options across the region. The Board has provided a total of \$50 million for the Trust Fund to foster the creation of affordable housing; this total is comprised of \$25 million invested at the establishment of the Trust Fund and a second infusion of \$25 million added in April 30, 2019 (7).

The County of San Diego (County) Health and Human Services Agency (HHSA) issued two Notices of Funding Availability (NOFA) for the first \$25 million of the Trust Fund, one in December 2017 and another in November 2018. These NOFAs resulted in awards to 10 developments with 752 permanent affordable housing units. After a second infusion of \$25 million was approved by the Board, the third NOFA opened in July 2019 and closed in September 2019. This NOFA resulted in allocations totaling almost \$15.9 million to six more developments with 375 affordable housing units, increasing affordable housing units funded by the Trust Fund to 1,127 total units.

On March 27, 2020, HHSA issued a fourth NOFA for the remaining \$9.1 million of the Trust Fund. The NOFA closed on May 8, 2020 with 12 proposals received. Of these proposals, eight were deemed ready to proceed to underwriting and financial feasibility review. The eight proposals included requests for over \$29 million in funding. If approved by the Board, the remaining amount will fully fund three proposals with the top scores and partially fund the fourth highest scoring proposal. Funding awarded to the four developments will increase affordable units throughout the region by 271 units.

Today's action is a request for the Board to authorize staff to negotiate and award the remaining \$9.1 million of the Trust Fund to the top scoring proposals, fully committing all \$50 million allocated to the Trust Fund.

The Trust Fund spurs the production and preservation of affordable housing through enhanced partnerships with regional stakeholders. These efforts align with the County of San Diego's *Live Well San Diego* vision for a healthy, safe, and thriving region.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find pursuant to Section 15061(b)(3) of the State of California Environmental Quality Act (CEQA) that the proposed actions are exempt from environmental review because it can be seen with certainty that there is no possibility that delegating authority to negotiate and conditionally award funding may have a significant effect on the environment.
2. Authorize the Agency Director, Health and Human Services Agency, or designee(s) to negotiate the terms and conditions of funding awards for proposals identified in Summary of Developments.
3. Authorize the Agency Director, Health and Human Services Agency or designee, to negotiate and execute all contracts, related documents and/or amendments, and to take all necessary actions for the submittal and/or regulatory processing for implementation of the awarded projects.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2020-21 Operational Plan for the Health and Human Services Agency. If approved, funds for subsequent years will be incorporated into future Operational Plans to align with the anticipated timing of the loan disbursements. The funding source is the Innovative Housing Trust Fund. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

The recommended actions will have a positive impact on the business community and result in construction work to be performed at selected properties. Contracts resulting from these recommendations may be executed with private sector firms and will involve a competitive bid process. Additionally, affordable rents can significantly increase the residual income that households have at their disposal after meeting necessary housing costs. Local businesses stand to gain from the increased buying power made possible by the availability of affordable housing. The National Association of Home Builders estimates that for each 100 units of affordable housing developed, 100-160 jobs are created in the first year, and 30-32 jobs are created in ongoing years of operation.

- 12. SUBJECT: AUTHORIZE AN EXTENSION FOR THE CONTRACT WITH SAN DIEGO HEALTH CONNECT FOR THE HEALTH INFORMATION EXCHANGE (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Health and Human Services Agency (HHS) and Public Safety Group (PSG) provide care coordination, and behavioral and physical healthcare services

in a variety of clinical settings to patients, many of whom receive healthcare from several organizations in the San Diego region. To optimize patient care, the healthcare providers must be able to exchange patient information quickly, accurately, and cost effectively. An electronic health information exchange (HIE) enables multiple providers to securely access and share patient data, thus improving the speed, quality, safety, and cost of patient care.

On July 24, 2014, the County Department of Purchasing and Contracting (DPC) authorized a sole source procurement of services with San Diego Regional Healthcare Information Exchange, Inc., doing business as San Diego Health Connect (SDHC). The purpose of the contract was to formalize HHSAs' participation in the local effort to develop the San Diego region's first HIE, facilitated by SDHC. On May 12, 2015 (07), the San Diego County Board of Supervisors (Board) approved an extension of the contract for one year with up to four additional option year periods. The current contract is scheduled to expire December 31, 2020.

SDHC qualifies for a single source exception because it is the only entity with the technology and expertise required to operate and continue development of a local HIE. It is a public HIE serving San Diego and Imperial Counties which includes modules for retrieving and transmitting data relevant to public health (i.e., the Public Health Hub and the Emergency Medical Services Hub).

Today's action requests Board authority for the Director of DPC to enter negotiations with SDHC to extend the contract for six months with up to six additional months, if needed. Extending this contract will enable the County to continue participation in the San Diego region's only HIE and maintain the ability to receive critical public health immunization, communicable disease, and COVID-19 testing data while continuing a dialogue with SDHC regarding concerns of ongoing fiscal stability of the organization recently identified during a fiscal review.

This item supports the vision of *Live Well San Diego* through the Building Better Health and Operational Excellence initiatives of the 2020-2025 County of San Diego Strategic Plan by utilizing an HIE to optimize the health delivery system and make it an industry leader in efficiency, integration, and innovation.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with County of San Diego Code of Administrative Ordinances section 401, approve and authorize the Director, Department of Purchasing and Contracting, to enter negotiations regarding contract 549622 with the San Diego Regional Healthcare Information Exchange, Inc., doing business as San Diego Health Connect (SDHC), for health information exchange (HIE) services; and upon successful negotiations and determination of a fair and reasonable price, amend the contract to extend the contract term for six months from January 1, 2021 through June 30, 2021; and to authorize up to six additional months through December 31, 2021. Subject to the availability of funds; and to amend the contract as required to reflect changes in services and funding allocations; and to continue inclusion of Public Safety Group (PSG) departments as participants, subject to the approval of the Agency Director, Health and Human Services Agency. Waive the advertising requirement of A-87.
2. Authorize the Agency Director, Health and Human Services Agency (HHSAs) to apply for any additional funding opportunities that support the County's utilization of Exchange services.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-22 Operational Plan in HHSA and Sheriff's Department. If approved, this request will result in estimated annual costs and revenue of up to \$250,000 in Fiscal Year 2020-21 and in Fiscal Year 2021-22. The Fiscal Year 2020-21 funding source is General Purpose Revenue for both HHSA and Sheriff's Department and will be considered for the same funding source in Fiscal Year 2021-22 if available. There will be no net change in General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 13. SUBJECT: AUTHORIZE AN AMENDMENT TO THE CONTRACT WITH HEALTH MANAGEMENT ASSOCIATES FOR CONSULTANT SERVICES (DISTRICTS: ALL)**

OVERVIEW

On August 4, 2020 (01), the San Diego County Board of Supervisors (Board) directed the Chief Administrative Officer to evaluate the feasibility of the County of San Diego (County) Health and Human Services Agency (HHSA), to administer jail medical services and provide an analysis to the Sheriff's Department, prior to the completion of competitive solicitation to be considered with the results of the Request for Proposals and Request for Interest. In order to respond to this request, HHSA contracted with Health Management Associates (HMA) to conduct an analysis of the potential of HHSA administering medical services, including integrated medical and behavioral health services, at County Detention facilities.

Due to the complexity of this project to develop a comprehensive analysis and framework for potential implementation, additional services are needed from HMA, which will exceed the limits of the initial single source authority under Board Policy A-87. If approved, today's action would authorize an amendment to the current contract with HMA and increase the contract amount up to \$250,000 annually, to complete the analysis and develop a framework to administer medical services at County Detention Facilities, in accordance with accreditation standards of the National Commission on Correctional Health Care.

Today's action aligns with the Building Better Health component of *Live Well San Diego* by supporting the design of an integrated approach to healthcare service delivery.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

In accordance with Board Policy A-87, Competitive Procurement, and County of San Diego Code of Administrative Ordinances section 401, authorize the Director, Department of Purchasing and Contracting, to enter into negotiations regarding contract 563474 with Health Management Associates, for consultant services to complete an analysis of the potential of HHSA administering medical services, including integrated medical and behavioral health services, at County Detention facilities and, upon successful negotiations and determination of a fair and reasonable price, amend the contract to increase the contract amount up to \$250,000 through June 30, 2021 and six one-month option periods, if needed, subject to the availability of funds; and to amend the contract as required to reflect changes in services and funding allocations, subject to the approval of the Agency Director, Health and Human Services Agency.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2020-2022 Operational Plan in Health and Human Services Agency (HHSA). If approved, this request will result in costs and revenue of up to \$250,000 in Fiscal Year 2020-2021. HHSA will use existing available appropriations funded with Health Realignment. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

On October 27, 2020 (4), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on November 17, 2020.

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

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

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

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt (second reading):

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

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

- 15. SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE CODE AND BOARD POLICY SUNSET REVIEW 2020 (DISTRICTS: ALL)**

OVERVIEW

On October 27, 2020 (10), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on November 17, 2020.

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

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

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

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

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

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

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

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

16. SUBJECT: SEMI-ANNUAL REPORT OF GRANTS, GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE SAN DIEGO COUNTY LIBRARY; ACCEPT GRANT AWARDS AND ESTABLISH APPROPRIATIONS (DISTRICTS: ALL)

OVERVIEW

San Diego County Library (SDCL) receives gifts and donations from individuals and groups that are interested in supporting library services for their communities. This allows SDCL to offer additional programs to the public as well as purchase additional library materials and supplies to accommodate the diverse population of the San Diego region. During the period of January 1, 2020 to June 30, 2020, SDCL received donations totaling \$10,799.70 (\$5,175.00 in cash donations and \$5,624.70 in non-cash donations). County of San Diego (County) Administrative Code Section 66, *Acceptance of Gifts*, and Board of Supervisors (Board) Policy A-112, *Acceptance and Use of Gifts and Donations*, permits the acceptance of gifts and donations by the administrative head of each department of the County that exceed \$5,000, subject to ratification by the Board, and requires a semi-annual report to the Board of gifts and donations accepted by a department head not exceeding \$5,000 individually. A portion of the cash donations received (\$5,175.00) was matched by the Library Fund. The matching fund program was created for community participation in the growth of their community library. Donations received during this reporting period were used to purchase library materials, such as books and eBooks, and equipment for library branches and to support programs, such as the Summer Learning Program.

Today's proposed actions are to accept the SDCL's Report of Gifts and Donations for the period of January 1, 2020 to June 30, 2020, and to ratify the acceptance of those gifts and donations by the SDCL that exceeded \$5,000. Today's action also authorizes the Chair of the Board of Supervisors to sign a letter of appreciation to the donors exceeding \$5,000.

In addition, the Board is being asked to accept two grant awards and establish the necessary appropriations. The San Diego Association of Governments (SANDAG) has awarded a total of \$120,577 in grant funds to SDCL for Fiscal Year 2019-20. SANDAG is dedicated to supporting SDCL's programs through funding the Census 2020 grant. The Pacific Library Partnership has awarded a total of \$13,500 in grant funds to SDCL for Fiscal Year 2019-20. The Pacific Library Partnership is dedicated to supporting SDCL's educational and literacy programs during summer reading through funding various projects under the Lunch At The Library grant.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and (3) because it does not have a direct or indirect effect on the environment and the action is not a project as defined in Section 15378(b)(5) of the State CEQA Guidelines.
2. In accordance with Administrative Code Section 66, *Acceptance of Gifts*, and Board of Supervisors (Board) Policy A-112, *Acceptance and Use of Gifts and Donations*, accept the San Diego County Library Report of Gifts and Donations for the period of January 1, 2020 through June 30, 2020.

3. In accordance with Administrative Code Section 66 and Board Policy A-112, ratify the acceptance of gifts from January 1, 2020 through June 30, 2020, for \$10,799.70 that exceeded \$5,000.
4. Authorize the Chair of the Board of Supervisors to sign letters of appreciation on behalf of the County of San Diego to donors listed on Attachments B and C.
5. Accept the San Diego Association of Governments (SANDAG) grant award and establish appropriations of \$120,577 in the Library Fund, Services & Supplies. **(4 VOTES)**
6. Accept the Lunch At the Library grant award from the Pacific Library Partnership and establish appropriations of \$13,500 in the Library Fund, Services & Supplies. **(4 VOTES)**

FISCAL IMPACT

The matching funds for this request were not included in the Fiscal Year 2020-21 Operational Plan for the San Diego County Library (SDCL) Fund. If approved, these requests would result in current year costs and revenue of \$134,077. The funding sources are the Pacific Library Partnership (\$13,500) and the San Diego Association of Governments (\$120,577). There will be no change in net General Fund cost and no additional staff years.

SDCL received \$10,799.70 in cash and non-cash donations exceeding \$5,000 in value between January 1, 2020, and June 30, 2020. Of these donations, \$5,175 qualified for an equal amount of matching funds from SDCL, which was completed in Fiscal Year 2019-20 based on available prior year Library Fund fund balance.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

RECOMMENDATION(S)

CHAIRMAN GREG COX

1. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15650) to Sharp HealthCare Foundation to fund a hospital-grade ventilator to treat COVID-19 patients at Sharp Chula Vista Medical Center.
2. Allocate \$12,500 from the Neighborhood Reinvestment Program budget (Org 15650) to The Environmental Health Coalition to fund computer technology, including computer equipment and software, for remote working and participation in virtual meetings during the COVID-19 pandemic.

3. Allocate \$12,500 from the Neighborhood Reinvestment Program budget (Org 15650) to the Chula Vista Fire Department Heritage Foundation to fund the restoration of the department's first fire engine and a centennial anniversary museum display at the Heritage Museum of the Chula Vista Library.
4. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the Chula Vista Chamber of Commerce to fund various facility improvements located at 233 4th Avenue in Chula Vista, including new fencing (involving the demolition of old walls and installation of new walls), a new air conditioning system, and an update of restrooms and plumbing.
5. Allocate \$14,400 from the Neighborhood Reinvestment Program budget (Org 15650) to Access Youth Academy to fund the interior furnishings at the new Southeast San Diego Academic & Athletic Community Center, including office equipment, desktop computer stations, and miscellaneous office supplies.
6. Allocate \$11,500 from the Neighborhood Reinvestment Program budget (Org 15650) to Just in Time for Foster Youth to fund technology upgrades, including laptops, WIFI, headphones, and small workspace set-ups, as well as a video conferencing system.
7. Allocate \$17,500 from the Neighborhood Reinvestment Program budget (Org 15650) to the San Diego Futures Foundation to fund a cargo van to distribute computers throughout the county.
8. Allocate \$6,588 from the Neighborhood Reinvestment Program budget (Org 15650) to Mandate Project Impact, Inc. to fund computer equipment for educational training.
9. Allocate \$9,000 from the Neighborhood Reinvestment Program budget (Org 15650) to Friends of Balboa Park to fund an elevated viewing platform and new fencing for the Moreton Bay Fig tree project.
10. Allocate \$11,271 from the Neighborhood Reinvestment Program budget (Org 15650) to the Elementary Institute of Science to fund essential repairs to the roof of the EIS learning center.
11. Allocate \$12,500 from the Neighborhood Reinvestment Program budget (Org 15650) to the San Diego Community Churches Collaborative to fund the acquisition of food and food containers for the Homeless Juvenile Diversion and Food Pantry program.
12. Allocate \$29,800 from the Neighborhood Reinvestment Program budget (Org 15650) to A Reason to Survive (ARTS) to fund the "ARTS in the Park" project, by funding improvements to outdoor space for such things as seating, lumber, and a canopy, and providing for improvements to develop a well-ventilated indoor digital fabrication and design lab.
13. Allocate \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to the Department of Parks and Recreation, Services and Supplies, to improve the Wild Willow Access Road.

14. Transfer appropriations of \$50,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to the Department of Parks and Recreation, Services and Supplies, to improve the Wild Willow Access Road.
15. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15650) to the Department of Planning and Development Services for updates to the East Otay Mesa Business Park Specific Plan that regulates standards for development, environmental conservation, and public facilities that benefit the County's neighborhoods and communities by aligning with objectives of the County of San Diego General Plan and Otay Mesa Sub Regional Plan.
16. Transfer appropriations of \$20,000 from the Neighborhood Reinvestment Program budget (Org 15650), Other Charges, to the Department of Planning and Development Services, Services and Supplies, for updates to the East Otay Mesa Business Park Specific Plan that regulates standards for development, environmental conservation, and public facilities that benefit the County's neighborhoods and communities by aligning with objectives of the County of San Diego General Plan and Otay Mesa Sub Regional Plan.
17. Amend the purpose of the 1/28/20 (10) Neighborhood Reinvestment Program budget (Org 15650) allocation of \$15,550 to the St. Vincent de Paul Village, Inc. dba Father Joe's Villages to include costs for the repair of showers in the Joan Kroc Center. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
18. Award Community Enhancement Program grants to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A.
19. Waive Board Policy B-58, as indicated in Attachment B with respect to the County's contribution not exceeding fifty percent (50%) of the recipient's fiscal year operating budget.
20. Find that the grant awards described above and in Attachment A each have a public purpose.
21. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment Program and Community Enhancement Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
22. Find that the Neighborhood Reinvestment Program grants identified in Recommendation Nos. 4, 9, 10, 12, 13 and 17 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$277,559 from the Neighborhood Reinvestment Program budget (Org 15650) and \$93,500 from the Community Enhancement Program budget (Org 12900) totaling \$371,059. Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the Neighborhood Reinvestment Program (Org 15650) and Community Enhancement Program (Org 12900). The funding source is General Purpose Revenue and Transient Occupancy Tax Revenues. These actions will not result in the addition of staff years or other costs. The actions amending grant purposes have no fiscal impact; the total of these recommendations is \$15,550.

BUSINESS IMPACT STATEMENT

N/A

18. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS (DISTRICT: 2)

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR DIANNE JACOB

1. Allocate \$50,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Grossmont Hospital Foundation to help fund a Radixact TomoTherapy treatment system for the benefit of thousands of east county oncology patients.
2. Allocate \$150,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Ramona Union School District for the resurfacing of a new track at Ramona High School.
3. Allocate \$62,500 from the District Two Neighborhood Reinvestment Program (org 15655) to the Grossmont Union High School District to purchase a protective barrier between El Capitan High School's softball fields and to fund the repair and undergrounding of pipes adjacent to the fields.
4. Allocate \$10,000 from the District Two Neighborhood Reinvestment Program (org 15655) to the Volcan Mountain Foundation (VMF) for a solar power system improvement project at VMF's Volcan Mountain Nature Center.
5. Allocate \$21,400 from the District Two Neighborhood Reinvestment Program (org 15655) to the Mt. Helix Park Foundation to remediate and prevent the erosion of the Foundation's lot adjacent to the San Miguel Fire Station located at the corner of Vivera Drive and Mt. Helix Drive, which includes rock swale and concrete removal, French drain/ditch, biofiltration basins, diversion berms, biowattles and mulch.
6. Find that the grant awards described above have a public purpose.
7. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment Program funds establishing terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
8. Find that the grant identified in Recommendation Nos. 1-5 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$293,900. Funds for these requests are included in the Fiscal Year 2020-2021 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). The funding source is General Purpose Revenue. These actions will result in the addition of no new staff years and no additional costs.

BUSINESS IMPACT STATEMENT

N/A

- 19. SUBJECT: WAIVER OF AMUSEMENT ESTABLISHMENT, ENTERTAINMENT ESTABLISHMENT, PUBLIC DANCE, AND CIRCUS/CARNIVAL LICENSING FEES DURING THE COVID-19 HEALTH CRISIS (DISTRICTS: ALL)**

OVERVIEW

The COVID-19 health crisis has had an enormous impact on our communities and small businesses. Businesses that require amusement establishment, entertainment establishment, public dance, and circus/carnival licenses from the Sheriff’s Department, such as bars, restaurants, and carnivals, have not been able to hold events since the State health order went into effect in March 2020. Business owners should not have to pay license fees for these activities, which they are unable to hold at their establishments due to the on-going State health executive orders.

Therefore, today’s action will adopt a resolution to waive Sheriff’s licensing fees associated with amusement establishment, entertainment establishment, public dance, and circus/carnival licenses during the local health emergency.

RECOMMENDATION(S)

SUPERVISOR DIANNE JACOB

- 1. Adopt a Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO WAIVING CERTAIN SHERIFF’S LICENSING FEES (Attachment A).
- 2. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for services where fees may be charged.

FISCAL IMPACT

Funds for this request are included in Fiscal Year 2020-21 Operational Plan for the Sheriff’s Department. If the recommendations are approved, this will result in loss of revenue of up to \$75,000 annually in the Sheriff’s Department which the department will manage internally. There will be no net General Fund cost and no additional staffing.

BUSINESS IMPACT STATEMENT

N/A

20. SUBJECT: COMPREHENSIVE EVALUATION OF THE BASE HOSPITAL SYSTEM AND TRAUMA CATCHMENT AREA DESIGNATIONS (DISTRICTS: ALL)

OVERVIEW

As a region, San Diego offers a robust system of emergency, specialty, and trauma medical care through its cooperating hospitals making up one of the finest emergency medical systems (EMS) in the nation. The County of San Diego, in its role as the Local Emergency Medical Services Agency (LEMSA) oversees and upholds the standards of the EMS System, which includes the Base Station Hospitals and hospitals in the Trauma system.

The Base Station Hospital System is currently made up of seven hospitals in the county that are designated to provide medical direction to paramedics in the field. The seven base station hospitals are Tri-City Medical Center, Palomar Medical Center, Scripps Memorial Hospital La Jolla, Scripps Mercy Hospital San Diego, Sharp Memorial Hospital, UCSD Medical Center Hillcrest, and Sharp Grossmont Hospital. All but Grossmont and Tri-City are also Trauma designated hospitals. There are 14 hospitals with emergency departments that are not Base Station Hospitals.

The Trauma designated hospitals are engaged through a Trauma Center “catchment” area map developed many years ago. Geographic lines were drawn years ago to evenly balance the number of trauma patients that go to each trauma center.

A comprehensive evaluation of the base hospital system and trauma catchment area designations would be advantageous and timely within the next year to two years, for both residents who may be served and providers whose services are vital to the system.

Today’s action directs the Chief Administrative Officer to develop a plan for a comprehensive evaluation of the base station hospital system and trauma catchment area designations, which could include contracting for a consultant, and return to the Board within 90 days with the cost and optimum time to begin the evaluation.

RECOMMENDATION(S)

SUPERVISOR DIANNE JACOB AND SUPERVISOR NATHAN FLECHER

Direct the Chief Administrative Officer to develop a plan for a comprehensive evaluation of the base station hospital system and trauma catchment area designations, which could include contracting for a consultant, and return to the Board within 90 days with the cost and optimum time to begin the evaluation.

FISCAL IMPACT

No fiscal impact with this action.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR NATHAN FLETCHER

1. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Ronald McDonald House Charities of San Diego, Inc. for renovations at 2929 Children's Way in San Diego, CA 92123 to make essential upgrades such as the replacement of carpet with easy-to-sanitize "green" vinyl tile flooring which will decrease sanitation time between family stays in response to COVID-19.
2. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15665) to Home Start, Incorporated for renovations at 4778 34th St. in San Diego, CA 92116 to make essential improvements such as exterior renovations/repairs including the front unit's stairs and porch, roofing areas, exterior stucco, new gutters, painting, and lighting.
3. Allocate \$10,000 from the Community Enhancement Program budget (Org 12900) to San Diego Lesbian, Gay, Bisexual, Transgender Pride to support their Accessibility Team Program which provides American Sign Language interpretation for LGBTQ virtual community events, accessibility training to LGBTQ lead program volunteers on how to successfully engage people with disabilities, and other support for LGBTQ people living with disabilities. Also, funding will support their Pride LGBTQ Virtual Volunteer Training which decreases social isolation and encourages positive, socially distanced community engagement.
4. Allocate \$15,000 from the Community Enhancement Program budget (Org 12900) to Straight From the Heart Inc. to pay facilities rent due to lack of income from COVID-19 impact.
5. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to the San Diego Opera Association to support costs to produce their outdoor, socially distanced performance of the drive-in opera.
6. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to the Japanese Friendship Garden Society of San Diego to support costs to produce their Museum Pop-Up Building Resilience project.
7. Allocate \$5,000 from the Community Enhancement Program budget (Org 12900) to Unscripted Learning to support costs incurred by their Connections program and Active Minds program. The Connections program uses virtual improvisational theatre to keep teenagers and young adults with Autism Spectrum Disorder connected to their peers and community, while helping them to develop a variety of social and communication skills, and the Active Minds program prevents seniors from suffering from social isolation caused by COVID-19, by using virtual improvisational theatre to increase their social connections and improve their cognitive ability to foster brain health and broaden their creative expression.

8. Find that the grant awards described above have a public purpose.
9. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements or amendments to existing agreements with the organizations awarded Neighborhood Reinvestment Program funds and Community Enhancement Program funds establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grant.
10. Find that the proposed allocations in Recommendation Nos. 1 and 2 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$40,000 from the Community Enhancement Program budget (Org 12900) and \$40,000 from the Neighborhood Reinvestment Program budget (Org 15665) totaling \$80,000. Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the Neighborhood Reinvestment Program (Org 15665) and Community Enhancement Program (Org 12900). The funding sources are General Purpose Revenue and Transient Occupancy Tax Revenues. These actions will not result in the addition of staff years or other costs.

BUSINESS IMPACT STATEMENT

N/A

22. **SUBJECT: GENERAL SERVICES - AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE REPLACEMENT OF A ROOF AT FRATERNITY HOUSE, INC. (DISTRICT: 5)**

OVERVIEW

Fraternity House, Inc. operates a licensed Residential Care Facility for the Chronically Ill (RCF-CI) specializing in the care of vulnerable persons living with HIV/AIDS. Located at 20702 Elfin Forest Road, Escondido CA 92029, the facility is owned by the County of San Diego. Housing and Community Development Services (HCDS) provides U.S. Department of Housing and Urban Development (HUD) Housing Opportunity for Persons with AIDS (HOPWA) funding for their housing operations. The roof of the Fraternity House, Inc. property is leaking and in need of replacement.

On October 13, 2020 (2), the San Diego County Board of Supervisors authorized an amendment to the Fiscal Year 2020-21 County of San Diego Consortium Annual Plan for the reallocation of \$180,000 in Housing Opportunities for Persons with AIDS program funds for the necessary roof repairs and/or replacement at Fraternity House. Today's request is for the Board of Supervisors to authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract for replacing the roof at the Fraternity House, Inc. property in Escondido. If approved, construction is expected to begin in January 2021 with estimated completion in March 2021.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project for the roof work at the Fraternity House, Inc. property is exempt from the California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15301.
2. Authorize the Director, Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code, with respect to contracting for the replacement of a roof at the Fraternity House, Inc. property.
3. Designate the Director, Department of General Services as the County Officer responsible for administering the construction contract for the replacement of a roof at the Fraternity House, Inc. property.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan for General Services in the Major Maintenance Internal Service Fund. If approved, this request will result in approximately \$180,000 in costs and revenue. The funding source is U.S. Department of Housing and Urban Development (HUD), Housing Opportunities for Persons with AIDS (HOPWA) program funds. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

County construction contracts are competitively bid and help stimulate the local economy.

- 23. SUBJECT: GENERAL SERVICES - APPROVAL OF LEASE AMENDMENT FOR THE DISTRICT ATTORNEY'S FAMILY JUSTICE CENTER AT 1050 LOS VALLECITOS BOULEVARD, SAN MARCOS (DISTRICT: 5)**

OVERVIEW

The County of San Diego (County) District Attorney's Office is the largest provider of victim services in the County, assisting approximately 15,000 crime victims annually. However, data indicates there are thousands of other crime victims that either report crime but are unable to access victim services or crime victims who do not report a crime but are nonetheless in need of such services.

On January 28, 2020 (13), the Board of Supervisors (Board) approved a lease for approximately 41,379 square feet of office space in a building located at 1050 Los Vallecitos Boulevard, San Marcos, for use as a Family Justice Center. This Family Justice Center will provide support to victims in a regionalized one-stop facility where criminal justice and victim service providers are co-located to provide comprehensive services. Additional space will be available in the building and the District Attorney is interested in expanding the premises to provide for additional victim's services.

Staff from the Department of General Services has negotiated a lease amendment with the lessor, 1050 Los Vallecitos, LLC, that would add approximately 20,000 square feet to the premises, extend the term of the lease, provide for additional tenant improvement allowance and add parking spaces. The expanded premises will allow for the addition of self-sufficiency programs

and access to expanded legal services. The amendment and County's obligation to lease the expansion space are contingent upon the space being available for lease within 90 days of Board approval of the amendment (Contingency). This Contingency can be extended beyond the 90-day period to June 30, 2021 at the discretion of the District Attorney. Today's request is for Board approval of the first amendment to the lease agreement.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed lease amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA guidelines section 15301.
2. Approve and authorize the Director, Department of General Services, to execute the first amendment to lease agreement for space located at 1050 Los Vallecitos Boulevard in San Marcos.

FISCAL IMPACT

Funds for this request will be included the Fiscal Year 2021-22 Operational Plan for the District Attorney's Office. If approved, this request will result in costs and revenue of approximately \$1,865,304 in Fiscal Year 2021-22 for rent, utilities and janitorial service based on an estimated lease commencement of July 1, 2021. The funding source is Proposition 172 Special Revenue Fund and will be included in future years operational plans for the District Attorney's Office. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 24. SUBJECT: GENERAL SERVICES - AUTHORIZATION TO EXECUTE CHANGE ORDERS FOR THE LAKESIDE BRANCH LIBRARY SOIL MITIGATION (DISTRICT: 2)**

OVERVIEW

On July 10, 2018 (06), the Board of Supervisors authorized advertisement and award of a design-build contract to construct a new 16,500 SF, Lakeside Branch Library.

On June 9, 2020 the Department of Purchasing and Contracting issued a Notice to Proceed and signed a Contract (562168) with PCL Construction Services, Inc. to construct the Lakeside Branch Library in the amount of \$14,350,000.

Today's proposed actions would authorize the Director, Department of Purchasing and Contracting to execute a change order or change orders not to exceed \$760,000 to address the organic material discovered during the contractor's geotechnical investigations. There will be no net increase appropriations to the Capital Project 1021160 Lakeside Branch Library. The funds for the change order will be taken out of the existing Capital Project budget.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find on the basis of the whole record, that none of the conditions found in the CEQA Section 15162 calling for the preparation of a subsequent MND have occurred and consider the previously certified Final Mitigated Negative Declaration (MND) in accordance with CEQA Section 15164 and find that it reflects the independent judgement and analysis of the Board of Supervisors.
2. Authorize the Director, Department of Purchasing and Contracting, in accordance with Public Contract Code Section 20137, to execute a change order or change orders not to exceed \$760,000 to address contaminated soil at the site. Authorize the Director, Department of Purchasing and Contracting, in accordance with Public Contract Code Section 20137, to execute a change order or change orders not to exceed \$760,000 to address contaminated soil at the site. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-2021 Adopted Operational Plan in the Capital Outlay Fund for Capital Project 1021160, Lakeside Branch Library. If approved, this request will result in costs and revenue of up to \$760,000 in Fiscal Year 2020-2021. The funding source is General Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

On October 13, 2020 (15), the San Diego County Board of Supervisors (Board) found that there is a need for emergency repairs at the HHSA HSC, located at 3851 Rosecrans Street, San Diego, and provided authorization to continue the emergency action. Pursuant to Public Contract Code Section 22050, until the emergency repairs are completed, the Board is required to determine at every regularly scheduled meeting that there is a need to continue the emergency action. Today's action requests the Board to find there is a need to continue the emergency repair, remediation, and restoration work at the HHSA HSC.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed project is statutorily exempt from California Environmental Quality Act (CEQA) review pursuant to Sections 15269(b) and 15301 of the CEQA Guidelines because the proposed project is for emergency repairs to a publicly owned service facility necessary to maintain service essential to the public health, safety or welfare, and because it consists of the minor alteration of existing public facilities involving negligible or no expansion of existing use.
2. Pursuant to Public Contract Code Section 22050(c)(2)(a), find that there is a need to continue emergency repair, remediation, and restoration of the Health Services Complex without giving notice for bids to let a contract. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan for the Department of General Services Facilities Management Internal Service Fund. If approved, this request will result in costs and revenue of approximately \$210,000. The funding source are charges to the client department. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

26. **SUBJECT: ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF LA MAESTRA FAMILY CLINIC, INC. IN AN AGGREGATE AMOUNT NOT TO EXCEED \$14,500,000 (DISTRICT: 4)**

OVERVIEW

The County has received a request from the California Municipal Finance Authority ("CMFA" or "Authority") to approve the Authority's issuance of one or more series of tax-exempt revenue bonds in an aggregate principal amount not to exceed \$14,500,000 (the "Bonds"), for the benefit of La Maestra Family Clinic, Inc., a California nonprofit public benefit corporation (the "Borrower"). The Borrower has applied for the financial assistance of the Authority to: (a) refinance the debt of the Borrower incurred in connection with the acquisition, construction, improvement and equipping of a health clinic owned and operated by the Borrower and located in San Diego, California, (b) funding a reserve account in connection with the issuance of the Bonds, and (c) paying certain costs of issuing the Bonds.

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 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

Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING AND APPROVING THE FINANCING TO BE UNDERTAKEN BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF LA MAESTRA FAMILY CLINIC, INC. IN AN AGGREGATE AMOUNT NOT TO EXCEED \$14,500,000 FOR THE PURPOSE OF REFINANCING DEBT INCURRED FOR THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF A HEALTH CLINIC AND CERTAIN OTHER MATTERS RELATING THERETO.

FISCAL IMPACT

If approved, the proposal will result in approximately \$1,030 of unanticipated revenue to be used to reimburse the County for costs associated with this non-County financing.

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

BUSINESS IMPACT STATEMENT

N/A

27. **SUBJECT: APPROVE AND ADOPT SAN DIEGO COUNTY BOARD OF SUPERVISORS POLICY A-139 LANGUAGE ACCESS (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego is committed to valuing diversity and practicing inclusion in a way that exemplifies our values of Integrity, Stewardship and a Commitment to excellence in all we do. The Board recognizes the linguistic diversity of the region, with approximately 37.68% of persons in San Diego County speaking a language other than English at home and 14.63% of the county's population speaking English less than "very well" and 7.28% are considered Limited English Proficient as they speak English less than "well", according to the U.S. Census Bureau.

Therefore, in order to ensure meaningful access to members of the public, today's actions request adoption of a Board Policy A-139 Language Access to promote increased access to County services, programs and resources for Limited English-Speaking persons in our region in a way that enables us to fulfill our mission of providing public services that build strong and sustainable communities.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt the Board of Supervisors Policy A-139 relating to Language Services with a sunset review date of December 31, 2027.

FISCAL IMPACT

Funding for language services is included in various departments in the Fiscal Year 2020-21 Operation Plan, including \$2,500,000 added during budget deliberations for Countywide translation services based on available prior year General Fund fund balance. There will be no change in net General Fund costs and no additional staff years as a result of this action.

BUSINESS IMPACT STATEMENT

N/A

- 28. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
CITIZENS' LAW ENFORCEMENT REVIEW BOARD ORDINANCE
AND RULES UPDATE (DISTRICTS: ALL)**

OVERVIEW

On October 27, 2020 (18), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on November 17, 2020.

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

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

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

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

AN ORDINANCE AMENDING SECTION 340.9 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES PERTAINING TO THE DUTIES OF THE CITIZENS’ LAW ENFORCEMENT REVIEW BOARD.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

29. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Note and file.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

30. 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-77, "Appointments to Fill Vacancies and Cancellation of Election where Insufficient Nominations Filed Prior to Uniform District Election and Citizen Planning Group Election," and Policy A-134, "Procedures for Appointment to Resource Conservation District Boards of Directors."

RECOMMENDATION(S)

VICE-CHAIRMAN JIM DESMOND

Appoint Dawn Apsley to the BONSALL COMMUNITY SPONSOR GROUP, Seat No. 1, for a term to begin January 5, 2021 and expire January 6, 2025.

Re-appoint Steven Norris to the BONSALL COMMUNITY SPONSOR GROUP, Seat No. 5, for a term to begin January 5, 2021 and expire January 6, 2025.

Appoint Toby Roy to the ENVIRONMENTAL HEALTH ADVISORY BOARD, SAN DIEGO COUNTY, Seat No. 7, for a term to expire November 17, 2023.

Re-appoint Mike Ott to the NORTH COUNTY CEMETERY DISTRICT, Seat No. 5, for a term to begin January 5, 2021 and expire January 6, 2025.

Appoint Greg Doud to the RAINBOW COMMUNITY PLANNING GROUP, Seat No. 9, for a term to begin January 5, 2021 and expire January 6, 2025.

Re-appoint Andrew Lyall to the UPPER SAN LUIS REY RESOURCE CONSERVATION DISTRICT, Seat No. 4, for a term to begin November 28, 2020 and expire November 29, 2024.

Re-appoint Greg Kamin to the UPPER SAN LUIS REY RESOURCE CONSERVATION DISTRICT, Seat No. 5, for a term to begin November 28, 2020 and expire November 29, 2024.

SUPERVISOR DIANNE JACOB

Appoint Stephen Miller to the CUYAMACA WATER DISTRICT, Seat No. 4, for a term to expire December 2, 2022.

Appoint Kathryn Graze to the JACUMBA HOT SPRINGS SPONSOR GROUP, Seat No. 2, for a term to expire January 2, 2023.

Appoint Jeffrey Osborne to the JACUMBA HOT SPRINGS SPONSOR GROUP, Seat No. 4, for a term to expire January 2, 2023.

Re-appoint Donald H. Butz to the RESOURCE CONSERVATION DISTRICT OF GREATER SAN DIEGO COUNTY, Seat No. 5, for a term to begin November 28, 2020 and expire November 29, 2024.

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint Marilyn Huntamer to the RESOURCE CONSERVATION DISTRICT OF GREATER SAN DIEGO COUNTY, Seat No. 6, for a term to begin November 28, 2020 and expire November 29, 2024.

CHIEF ADMINISTRATIVE OFFICER

Re-appoint Munqith Alhadjaj to the COMMUNITY ACTION PARTNERSHIP ADMINISTERING BOARD, Seat No. 8, for a term to begin December 6, 2020 and expire December 5, 2023.

Waive Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," and re-appoint David Kellum to the ENVIRONMENTAL HEALTH ADVISORY BOARD, SAN DIEGO COUNTY, Seat No. 15, for a term to expire November 3, 2023.

Re-appoint Zohir Chowdhury to the ENVIRONMENTAL HEALTH ADVISORY BOARD, SAN DIEGO COUNTY, Seat No. 17, for a term to expire November 4, 2023.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

31. SUBJECT: LEON L. WILLIAMS SAN DIEGO COUNTY HUMAN RELATIONS COMMISSION BYLAWS AND DUTIES AND RESPONSIBILITIES FOR APPROVAL (DISTRICTS: ALL)

OVERVIEW

On May 19, 2020 (26), the Board of Supervisors established the Leon L. Williams San Diego County Human Relations Commission (Commission). (Resolution No. 20-054.) The Resolution requires the Commission’s bylaws be approved by the Board of Supervisors. The Resolution also requires that the Commission create its duties and responsibilities within ninety (90) days of the full Commission being confirmed by the Board, and that they are forwarded to the Board for approval. Today’s action seeks Board approval of the Commission’ bylaws and their duties and responsibilities.

If approved, today’s action would approve the bylaws of the Commission (Attachment A) and the duties and responsibilities (Attachment B). The Commission formed two subcommittees: 1) the Bylaws Subcommittee to review and recommend bylaws for approval; and, 2) the Duties and Responsibilities Subcommittee to recommend duties and responsibilities for approval. The subcommittees each met and forwarded their recommendations to the Commission. The Commission reviewed the recommended changes and unanimously approved both the bylaws and the duties and responsibilities at their November 10, 2020 meeting.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve the Bylaws of the Leon L. Williams San Diego County Human Relations Commission; and,

2. Approve the Duties and Responsibilities of the Leon L. Williams San Diego County Human Relations Commission.

FISCAL IMPACT

There is no fiscal impact associated with these actions.

BUSINESS IMPACT STATEMENT

N/A

32. SUBJECT: SUNSET REVIEW OF COUNTY REGULATORY CODE ARTICLES ASSIGNED TO THE PUBLIC SAFETY GROUP (DISTRICTS: ALL)

OVERVIEW

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Public Safety Group periodically reviews Board policies and provisions of the County Administrative Code and Regulatory Code to ensure policies reflect current Board standards and practices. Today's actions seek Board approval to amend and extend sunset review for the following sections of the Regulatory Code:

- Title 2, Licenses Business Regulations and Business Taxes
 - I. Division 1, Business Regulations
 - a. Chapters 6, 8, and 13
- Title 3, Public Safety, Morals and Welfare

Today's actions also seek to approve sunset review dates for the following sections of the Regulatory Code:

- Title 2, Licenses Business Regulations and Business Taxes
 - I. Division 1, Business Regulations
 - a. Chapters 1, 3-4, 7, 9-12, 14-15, 18-19, and 21-24

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Determine no change is necessary and approve the sunset review date of December 31, 2027 for the following sections of the County Regulatory Code:
 - Title 2, Licenses Business Regulations and Business Taxes
 - I. Division 1, Business Regulations
 - a. Chapters 1, 3-4, 7, 9-12, 14-15, 18-19, and 21-24
2. Approve the introduction of the Ordinance (First Reading), read title and waive further reading of the Ordinance:

AN ORDINANCE AMENDING DIVISION 1 OF TITLE 2 AND TITLE 3 OF THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO LICENSES BUSINESS REGULATIONS AND BUSINESS TAXES AND PUBLIC SAFETY, MORALS AND WELFARE.

If the Board takes the action recommended in item 2, then on December 8, 2020:

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

AN ORDINANCE AMENDING DIVISION 1 OF TITLE 2 AND TITLE 3 OF THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO LICENSES BUSINESS REGULATIONS AND BUSINESS TAXES AND PUBLIC SAFETY, MORALS AND WELFARE.

FISCAL IMPACT

There is no cost associated with the requested action. There will be no change in General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

If approved, these recommendations will have an impact on junk yard, motor vehicle wrecking yard, and swap meet-based businesses. The proposed code revisions will enhance regulations to improve fire department access and the businesses' capacity to properly prepare for emergency events. The affected businesses will benefit from the new fire prevention and fire severity reduction requirements.

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

OVERVIEW

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

RECOMMENDATION(S) **CHAIRMAN GREG COX**

1. Cancel the grant awards made to the Proposed Grant Recipients identified in Attachment A, Table 1.
2. Subject to determination of eligibility, award San Diego County Small Business Stimulus Program grants to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A, Table 2.
3. Find that the grant awards described in Attachment A, Table 2, each have a public purpose.
4. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.

5. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
6. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to cancel any grant awarded for the Program if grantee does not return documentation by the deadline provided.
7. Find that the proposed allocations identified in Attachment A are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the San Diego County Small Business Stimulus Program (Org 31590). The funding source is the federal CARES Act Coronavirus Relief Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

RECOMMENDATION(S)
VICE-CHAIRMAN JIM DESMOND

1. Cancel the grant awards made to the Proposed Grant Recipients identified in Attachment A, Table 1.
2. Subject to determination of eligibility, award San Diego County Small Business Stimulus Program reallocated grant funds to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A, Table 2.
3. Authorize the Deputy Chief Administrative Officer, or designee to cancel any grant awarded for the Program if grantee does not return documentation by the deadline provided.

4. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
5. Find that the proposed allocations identified in Attachment A are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the San Diego County Small Business Stimulus Program (Org 31590). The funding source is the federal CARES Act Coronavirus Relief Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

RECOMMENDATION(S) **SUPERVISOR DIANNE JACOB**

1. Cancel the grant awards made to the Proposed Grant Recipients identified in Attachment A, Table 1.
2. Subject to determination of eligibility, award San Diego County Small Business Stimulus Program reallocated grant funds to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A, Table 2.
3. Authorize the Deputy Chief Administrative Officer, or designee to cancel any grant awarded for the Program if grantee does not return documentation by the deadline provided.
4. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.

5. Find that the proposed allocations identified in Attachment A are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.
6. Authorize the DCAO or designee to cancel any grant awarded for the Program if grantee does not return documentation by the deadline provided.

FISCAL IMPACT

Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the San Diego County Small Business Stimulus Program (Org 31590). The funding source is the federal CARES Act Coronavirus Relief Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

RECOMMENDATION(S) **SUPERVISOR NATHAN FLETCHER**

1. Cancel the grant awards made to the Proposed Grant Recipients identified in Attachment A, Table 1.
2. Subject to determination of eligibility, award San Diego County Small Business Stimulus Program reallocated grant funds to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached hereto as Attachment A, Table 2.
3. Find that the grant awards described in Attachment A, Table 2 each have a public purpose.
4. Authorize the grant #148 approved on 9/29/20 to also use grant funds for the additional purposes contained in Table 3.
5. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
6. Authorize the DCAO or designee to cancel any grant awarded for the Program if grantee does not return documentation by the deadline provided.

7. Find that the proposed allocations identified in Attachment A and Attachment B are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$0. Funds for these requests are included in the Fiscal Year 2020-21 operating budget for the San Diego County Small Business Stimulus Program (Org 31590). The funding source is the federal CARES Act Coronavirus Relief Fund. These actions will result in the addition of no staff years and no additional costs.

BUSINESS IMPACT STATEMENT

N/A

37. SUBJECT: COMMUNITY ENHANCEMENT PROGRAM GRANTS (DISTRICT: 3)

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR KRISTIN GASPAR

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

FISCAL IMPACT

The fiscal impact of these recommendations is \$253,820. Funds for these requests are included in the Fiscal Year 2020-21 preliminary operating budget for the Community Enhancement Program (Org 12900). The funding source is Transient Occupancy Tax Revenue. These actions will result in the addition of no staff years and no additional costs.

BUSINESS IMPACT STATEMENT

N/A

38. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM GRANTS
(DISTRICT: 3)

OVERVIEW

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

RECOMMENDATION(S)

SUPERVISOR KRISTIN GASPAR

1. Allocate \$78,870 from the Neighborhood Reinvestment Program budget (Org 15660) to Del Norte High School Athletic Booster Club to purchase a batting cage, bullpen fencing, mobile storage units, rolling backstop, and windscreen for junior varsity field.
2. Allocate \$100,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Humans Against Trafficking to fund functionality improvements such as the production and development of the Radlee app which is used as a preventative tool to protect youth against potential online predators.
3. Allocate \$100,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Jacobs & Cushman San Diego Food Bank to purchase and install a security system, replacement glass and mullions to secure their facility for the safety of their staff and volunteers.
4. Allocate \$100,000 from the Neighborhood Reinvestment Program budget (Org 15660) to NCSD Veterans Stand Down to purchase pre-packaged food, clothing, ID lanyards, printer supplies, SD cards, Verizon modem, laptops, printers, printer paper, computer cables, wristbands, print collateral, t-shirts, hats, masks, gloves, and hand sanitizers to support their annual North County Stand Down event.
5. Allocate \$75,000 from the Neighborhood Reinvestment Program budget (Org 15660) to North County Education Foundation, Inc. dba The Classical Academies to purchase new Chromebooks and to help offset construction costs for their quad remodel located at 144 W. Woodward Avenue, Escondido, 92025.
6. Allocate \$22,440 from the Neighborhood Reinvestment Program budget (Org 15660) to Scripps Ranch High School Baseball Booster Club (SRBBC) to purchase storage containers, equipment lockers, windscreens, infield mower, batting cage tarp, infield tarp, and distance markers.
7. Allocate \$97,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Solutions for Change, Inc. to fund the design, development, and implementation of a business intelligence and analytics platform, along with the technology hardware and software required to support it.
8. Allocate \$20,000 from the Neighborhood Reinvestment Program budget (Org 15660) to Therapeutic Neuroscience Research Group (TNRG) to purchase teacher guides, educational posters, purchase thumb drives, purchase books, personalized boxes, and shipping materials for distribution in San Diego County.

9. Allocate \$7,000 from the Neighborhood Reinvestment Program budget (Org 15660) to The People's Alliance for Justice to purchase a tent, eating utensils, Christmas decorations, Christmas toys for children to support their 4th Annual Shane Harris Community Christmas Breakfast.
10. Find that the grant awards described above have a public purpose.
11. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer to execute grant agreements with the organizations awarded Neighborhood Reinvestment funds establishing terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
12. Find that the proposed grants identified in Recommendation Nos. 1, 3, 5, and 6 are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

The fiscal impact of these recommendations is \$600,310. Funds for these requests are included in the Fiscal Year 2020-21 Operational Plan for the Neighborhood Reinvestment Program (Org 15660). The funding source is General Purpose Revenue. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

39. SUBJECT: SAN DIEGO COUNTY SMALL BUSINESS STIMULUS PROGRAM GRANTS (DISTRICT: 3)

OVERVIEW

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

RECOMMENDATION(S) SUPERVISOR KRISTIN GASPAR

1. Cancel the grant awards made to the Proposed Grant Recipients identified in Attachment A, Table 1.
2. Subject to determination of eligibility, award San Diego County Small Business Stimulus Program grants to organizations in amounts and for the purposes identified in the Schedule of Proposed Grant Recipients attached here to as Attachment A, Table 2.
3. Authorize the Deputy Chief Administrative Officer, or designee to cancel any grant awarded for the Program if grantee does not return documentation by the deadline provided.

4. Authorize the Deputy Chief Administrative Officer/Chief Financial Officer, or designee, to execute grant agreements with the organizations awarded San Diego County Small Business Stimulus Program funds, to establish terms for receipt of the funds and make minor amendments to the agreements that are consistent with the general purpose of the grants but do not increase the grants.
5. Find that the proposed allocations identified in Attachment A are exempt from review under the California Environmental Quality Act (CEQA) by Section 15301 of the CEQA Guidelines.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

40. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Robinson Major v. County of San Diego; Workers' Compensation Appeals Board, San Diego District No. ADJ11055981
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Terrie Best v. San Diego County District Attorney, et al.; San Diego County Superior Court Case No. 37-2018-00026542-CU-MC-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
D.C., a minor v. County of San Diego, et al; United States District Court, Southern District Case No. 15-cv-1868-MMA-NLS
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Voice of San Diego v. County of San Diego; San Diego County Superior Court Case No. 37-2020-00026510-CU-WM-CTL
- E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
640 Tenth, LP, et al. v. Gavin Newsom, et al.; San Diego County Superior Court Case No. TBD

- F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Paul Silva, et al. v. County of San Diego, et al.; United States District Court, Southern District Case No. 18-cv-02282-L-MSB

- G. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Cesar Jaramillo, et al. v. County of San Diego Sheriff's Deputy Alawati, et al.; United States District Court, Southern District Case No. 19-cv-1140-BAS-MDD

- H. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)

- I. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Sierra Club, et al. v. County of San Diego; San Diego County Superior Court Case No. 37-2018-00014081-CU-TT-CTL

- J. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)

- K. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)

- L. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)

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