

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, OCTOBER 24, 2023, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order Of Business

- A. Roll Call
- B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.
- C. Invocation
- D. Pledge of Allegiance
- E. Presentation or Announcement of Proclamations and Awards
- F. 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.
- G. Approval of the Statement of Proceedings/Minutes for the meeting of October 10, 2023.
- H. Consent Calendar
- I. Discussion Items
- J. **Time Certain: 5:30 p.m.**
Item 15: NOTICED PUBLIC HEARING:
TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION
AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS
DURING 2022
- K. Board Member Committee Updates. This is an opportunity for Members of the Board to provide informational updates on their committee assignments. No action may be taken.

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

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. To access the meeting virtually and offer public comment via a call-in option, please go to: www.sandiegocounty.gov/telecomments for instructions.

ASSISTANCE FOR PERSONS WITH DISABILITIES:

Agendas and records are available in alternative formats upon request. Contact the Clerk of the Board of Supervisors office at 619-531-5434 with questions or to request a disability-related accommodation. Individuals requiring sign language interpreters should contact the Countywide ADA Title II Coordinator at (619) 531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.

LANGUAGE TRANSLATION ASSISTANCE:

Language translation services for public speakers are available upon request to the Clerk of the Board of Supervisors at least 72 hours prior to the meeting (refer to Board Policy A-139 for additional information). Please contact the Clerk of the Board's office at (619) 531-5434 or via e-mail at publiccomment@sdcounty.ca.gov.

LEVINE ACT NOTICE: DISCLOSURES REQUIRED ON SPECIFIED ITEMS (GOVERNMENT CODE § 84308)

The Levine Act states that parties to any proceeding involving a license, permit or other entitlement for use pending before the Board must disclose on the record of the proceeding any campaign contributions of more than \$250 (aggregated) made by the parties or their agents to Board Members within the preceding 12 months. Participants with financial interests, and agents of either parties or participants, are requested to disclose such contributions also. The disclosure must include the name of the party or participant and any other person making the contribution; the name of the recipient; the amount of the contribution; and the date the contribution was made. This disclosure can be made orally during the proceeding or in writing on a request to speak.

Board of Supervisors' Agenda Items

CONSENT CALENDAR

All agenda items listed under this section are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the Board of Supervisors or the Chief Administrative Officer so requests, in which event, the item will be considered separately in its normal sequence.

Category	#	Subject
Public Safety	1.	SHERIFF - ADOPT A GOVERNING BODY RESOLUTION FOR THE OPERATION STONEGARDEN GRANT PROGRAM
	2.	SHERIFF - RATIFY ACCEPTANCE OF DONATION FROM 7-ELEVEN, INC.
Health and Human Services	3.	AUTHORIZE ACCEPTANCE OF UNIVERSITY OF CALIFORNIA SAN DIEGO GRANT FUNDING FROM CENTERS FOR DISEASE CONTROL AND PREVENTION CENTER FOR FORECASTING AND OUTBREAK ANALYTICS, AND AUTHORIZE APPLICATIONS FOR FUTURE FUNDING OPPORTUNITIES [FUNDING SOURCE: FEDERAL CENTERS FOR OUTBREAK ANALYTICS AND DISEASE MODELING GRANT, THROUGH THE UNIVERSITY OF CALIFORNIA, SAN DIEGO]

4. ACCEPT ENCAMPMENT RESOLUTION GRANT FUNDING, ESTABLISH APPROPRIATIONS TO SUPPORT ENCAMPMENT GRANT ACTIVITIES, AUTHORIZE COMPETITIVE PROCUREMENTS AND THE ABILITY TO EXECUTE AGREEMENTS WITH GRANT PARTNER ENTITIES, AND REQUEST A WAIVER OF BOARD POLICY B-29
[FUNDING SOURCE: ENCAMPMENT RESOLUTION FUNDING GRANT PROGRAM; EXISTING GENERAL PURPOSE REVENUE]
(4 VOTES)
5. AUTHORIZE AND EXECUTE AN INTERGOVERNMENTAL TRANSFER AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND REVIVE PATHWAY, WHOLLY OWNED BY THE VIEJAS BAND OF KUMEYAAY INDIANS AND ESTABLISH APPROPRIATIONS
(4 VOTES)
- Land Use and Environment 6. APPROPRIATE GRANT FUNDS FOR TRANSFORMATIVE CLIMATE COMMUNITIES PLANNING GRANT
[FUNDING SOURCE: TRANSFORMATIVE CLIMATE COMMUNITIES (TCC) GRANT FROM THE STATE OF CALIFORNIA]
(4 VOTES)
7. AUTHORITY TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE TIJUANA RIVER VALLEY DREDGING PROJECT AND RELATED CEQA ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT
[FUNDING SOURCE: EXISTING ONE-TIME GENERAL PURPOSE REVENUE IN OTHER, AND GRANT FUNDING SECURED FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE]
(4 VOTES)
8. SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE SAN DIEGO COUNTY LIBRARY
- Financial and General Government 9. SUPPORTING PROPOSITION 13 TO KEEP RESIDENTS IN THEIR HOMES
10. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
APPROVE THE SAN DIEGO COUNTY ARTS AND CULTURE COMMISSION BYLAWS AND ADOPT THE ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE ARTICLE IIIW, RELATING TO THE ARTS AND CULTURE COMMISSION (October 10, 2023 - First Reading; October 24, 2023 - Second Reading, unless the ordinance is modified on second reading)

	11.	TRANSFER OF TERRITORY BETWEEN BONSALL UNIFIED SCHOOL DISTRICT, FALLBROOK UNION ELEMENTARY SCHOOL DISTRICT, AND FALLBROOK UNION HIGH SCHOOL DISTRICT
	12.	GENERAL SERVICES - ACCEPTANCE OF DONATION OF ENERGY-RELATED EQUIPMENT FROM SAN DIEGO GAS & ELECTRIC PURSUANT TO WILDFIRE MITIGATION PLAN AND AUTHORIZATION OF ACCEPTANCE OF FUTURE EQUIPMENT DONATIONS
Appointments	13.	APPOINTMENTS: VARIOUS
Communications Received	14.	COMMUNICATIONS RECEIVED

DISCUSSION ITEMS

Category	#	Subject
Public Safety	15.	<p>NOTICED PUBLIC HEARING: TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS DURING 2022</p> <p>(TIME CERTAIN: 5:30 P.M.)</p>
Health and Human Services	16.	<p>NOTICED PUBLIC HEARING: COMMUNITY INPUT FOR FISCAL YEAR 2024-25 ANNUAL PLAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS, AND EMERGENCY SOLUTIONS GRANT</p>
	17.	<p>RECEIVE UPDATE ON THE DEPARTMENT OF HOMELESS SOLUTIONS AND EQUITABLE COMMUNITIES, OFFICE OF IMMIGRANT AND REFUGEE AFFAIRS AND ACCEPT FUNDING FROM THE LOCAL IMMIGRANT INTEGRATION AND INCLUSION GRANT, AND REQUEST A WAIVER OF BOARD POLICY B-29 [FUNDING SOURCE: LOCAL IMMIGRANT INTEGRATION AND INCLUSION GRANT PROVIDED THROUGH THE CALIFORNIA GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT; EXISTING GENERAL-PURPOSE REVENUE]</p>
Financial and General Government	18.	<p>RESOLUTION IN SUPPORT OF GOVERNOR GAVIN NEWSOM'S RIGHT TO SAFETY AMENDMENT & CALL FOR CONSTITUTIONAL CONVENTION</p>

19. ESTABLISHING AN UNSAFE CAMPING ORDINANCE IN SAN DIEGO COUNTY

20. REQUESTING THAT THE PRESIDENT ORDER THE FLYING OF THE UNITED STATES FLAG AT HALF-STAFF TO HONOR THE AMERICAN LIVES LOST IN THE OCTOBER 7, 2023, TERRORIST ATTACK ON ISRAEL

Closed Session 21. CLOSED SESSION

THIS PAGE IS INTENTIONALLY LEFT BLANK.

1. SUBJECT: SHERIFF - ADOPT A GOVERNING BODY RESOLUTION FOR THE OPERATION STONEGARDEN GRANT PROGRAM (DISTRICTS: ALL)

OVERVIEW

The Operation Stonegarden (OPSG) federal grant program supports enhanced cooperation and coordination among federal, state, tribal, local, and territorial law enforcement agencies to increase operational, material, and technological capabilities against border-related crimes and violence. On December 5, 2017 (1), the Board of Supervisors authorized the Sheriff's Department (Sheriff) to apply for and accept OPSG grant funds in subsequent years. The purpose of OPSG is crime suppression and does not include immigration enforcement. The Sheriff does not engage in or support immigration enforcement activities.

This is a request to adopt a governing body resolution and to authorize the Sheriff and/or designee, to perform any actions necessary, including the execution of agreements with other government and non-government agencies, as well as any annual extensions, amendments and/or revisions thereof, for the purpose of the federal Fiscal Year 2023 OPSG grant program, effective this grant year and in subsequent years provided there are no material changes to the grant terms or funding levels.

**RECOMMENDATION(S)
SHERIFF**

1. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE OPERATION STONEGARDEN GRANT PROGRAM.
2. Authorize the Sheriff, and/or designee, to perform any actions necessary, including the execution of agreements with other government and non-government agencies, as well as any annual extensions, amendments and/or revisions thereof, for the purpose of the Fiscal Year 2023 Operation Stonegarden grant program, effective this grant year and in subsequent years provided there are no material changes to the grant terms or funding levels.

EQUITY IMPACT STATEMENT

Combating illicit drug and weapons smuggling into the region enhances the overall safety and health of everyone in San Diego County and adjacent counties. Operation Stonegarden grant funds will be used to coordinate law enforcement activity that enhances equitable outcomes in our communities. Preventing weapons, illicit drugs, and other contraband from entering our communities, improves the overall quality of life for the residents of San Diego County.

SUSTAINABILITY IMPACT STATEMENT

By enhancing the delivery of law enforcement services, the department is furthering the County's Sustainability Goal of protecting the health and well-being of everyone in the region. These grant funds will be used by the region's law enforcement agencies to coordinate their efforts to best combat the threat of border violence and border-related crimes, not least of which is illicit drug smuggling. The prevention of illicit drugs from entering our region directly impacts the health and well-being of people in our region.

FISCAL IMPACT

There is no fiscal impact associated with today's request to adopt a resolution for the federal Fiscal Year 2023 Operation Stonegarden grant program. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

2. SUBJECT: SHERIFF - RATIFY ACCEPTANCE OF DONATION FROM 7-ELEVEN, INC. (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, provide a process for accepting gifts by the administrative heads of each department in the County, subject to approval by the Board of Supervisors. This is a request to ratify the acceptance of a donation from 7-Eleven, Inc. for Slurpee coupons valued at \$16,000 for the Sheriff's Department. The donation will be used as part of the Sheriff's youth outreach and engagement efforts.

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 Slurpee coupons valued at \$16,000 from 7-Eleven, Inc. for the Sheriff's Department.
2. Authorize the Chairwoman 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 7-Eleven, Inc.

EQUITY IMPACT STATEMENT

This donation of coupons assists the department in engaging youth as part of community outreach efforts. The department will ensure equitable access to community outreach events by promoting awareness of the program across the county, furthering its impact on promoting equity.

SUSTAINABILITY IMPACT STATEMENT

These proposed actions contribute to the County of San Diego's Sustainability Goal of engaging the community in meaningful ways and continually seeking stakeholder input to foster inclusive and sustainable communities.

FISCAL IMPACT

There is no fiscal impact associated with today's request to ratify the acceptance of a donation valued at \$16,000 from 7-Eleven, Inc. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: AUTHORIZE ACCEPTANCE OF UNIVERSITY OF CALIFORNIA SAN DIEGO GRANT FUNDING FROM CENTERS FOR DISEASE CONTROL AND PREVENTION CENTER FOR FORECASTING AND OUTBREAK ANALYTICS, AND AUTHORIZE APPLICATIONS FOR FUTURE FUNDING OPPORTUNITIES (DISTRICTS: ALL)**

OVERVIEW

In April 2022, the Centers for Disease Control and Prevention (CDC), Center for Forecasting and Outbreak Analytics was established to improve preparedness and response to infectious diseases through data, modeling, and analytics. In May 2023, the CDC published a Notice of Funding Opportunity and awarded the Centers for Outbreak Analytics and Disease Modeling grant opportunity, intended to support State and local leaders during outbreaks of infectious diseases through developing and implementing new analytical tools best suited for their respective jurisdictions, based on the best available information. This grant supports building and scaling disease outbreak response capabilities, and working with private sector, academic, and jurisdictional partners to allow communities to more effectively use data to help identify and respond to emerging public health threats. The University of California, San Diego (UCSD) applied for the CDC grant funding which includes a subaward for the County of San Diego.

Today's action requests the San Diego County Board of Supervisors authorize acceptance of an estimated \$1,312,584 CDC grant subaward from UCSD for the period of September 30, 2023, through September 29, 2028, to improve preparedness and response to infectious disease through data, modeling, and analytics; and authorize the Agency Director, Health and Human Services Agency, or designee, to apply for additional funding opportunities to support infectious disease preparedness and response.

Today's action supports the County of San Diego's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as the ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This grant opportunity will support State and local leaders during public health emergencies by using advanced modeling, forecasts, and outbreak analytics.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize acceptance of an estimated \$1,312,584 in Centers for Outbreak Analytics and Disease Modeling grant funding from the University of California, San Diego and the Centers for Disease Control and Prevention, for the period of September 30, 2023 through September 29, 2028, to improve preparedness and response to infectious disease through data, modeling, and analytics, and authorize the Agency Director, Health and Human Services Agency, to execute all required grant documents, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
2. Authorize the Agency Director, Health and Human Services Agency, or designee, to apply for future funding opportunities to support infectious disease preparedness and response.

EQUITY IMPACT STATEMENT

Funding from the Centers for Outbreak Analytics and Disease Modeling grant will enable the County of San Diego (County) Health and Human Services Agency, Public Health Services to advise State and local leaders on the incorporation of data and outputs to ensure health disparities continue to be addressed during public health prevention and response. Addressing health disparities is a priority of the County, which has already implemented programs to better characterize existing disparities and prioritized addressing access issues during emergencies through the use of such data. The County acts as a partner to health care groups providing medical care, emergency response, and prevention services, as well as community groups, including those in communities facing health disparities. The Centers for Outbreak Analytics and Disease Modeling grant will help facilitate and communicate outbreak response activities with these long-standing partners.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to accept University of California, San Diego grant funding from the Centers for Outbreak Analytics and Disease Modeling grant funding opportunity contributes to the County of San Diego Sustainability Goal #1 to engage the community in meaningful ways, and Sustainability Goal #4 to protect health and well-being of everyone in the region by utilizing forecasting and analysis to support outbreak responses. The Centers for Outbreak Analytics and Disease Modeling grant will provide support to State and local leaders during public health emergencies using advanced modeling, forecasts, and outbreak analytics. The program aims to establish a network to support State and local leaders before and during public health emergencies.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-25 Operational Plan for the Health and Human Services Agency. If approved, today's action will result in estimated costs and revenue of \$262,517 for FY 2023-24, and estimated costs and revenue of \$262,517 for FY 2024-25, with total costs and revenue of \$1,312,584 for FY 2023-24 through FY 2028-29. Costs for FY 2023-24 will be covered by existing appropriations. Funds for subsequent years will be incorporated into future operational plans. The funding source is the federal Centers for Outbreak Analytics and Disease Modeling grant, through the University of California, San Diego. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

4. **SUBJECT: ACCEPT ENCAMPMENT RESOLUTION GRANT FUNDING, ESTABLISH APPROPRIATIONS TO SUPPORT ENCAMPMENT GRANT ACTIVITIES, AUTHORIZE COMPETITIVE PROCUREMENTS AND THE ABILITY TO EXECUTE AGREEMENTS WITH GRANT PARTNER ENTITIES, AND REQUEST A WAIVER OF BOARD POLICY B-29 (DISTRICTS: ALL)**

OVERVIEW

On December 1, 2022, the State of California Governor Gavin Newsom announced the Notice of Funding Availability for \$240 million from the Encampment Resolution Funding Grant

Program, part of the \$700 million two-year program to close encampments and move people into housing and shelter. The County of San Diego (County) Health and Human Services Agency (HHSA), Department of Homeless Solutions and Equitable Communities, submitted an application for these funds on April 28, 2023, specifically to address homelessness in the Plaza Bonita area commonly known as “The Jungle”. This area stretches along the banks of the Sweetwater River in National City and Chula Vista around the Plaza Bonita Mall area, including Caltrans property where freeways 805 and 54 intersect. On average there are an estimated 75 individuals experiencing homelessness in this area. The entities that collaborated on this application include the City of Chula Vista, City of National City, and Caltrans. On September 12, 2023, the State of California Business, Consumer Services and Housing Agency, California Interagency Council on Homelessness, notified the County of the award for the Encampment Resolution Funding Round Three Lookback (ERF-3-L) grant in the amount of \$5,095,063.03.

Today’s item requests the San Diego County Board of Supervisors (Board) authorize the acceptance of ERF-3-L grant funds, establish appropriations to support grant activities, authorize competitive solicitations, and authorize the Agency Director, HHSA, or designee, to execute necessary agreements. Additionally, today’s item requests a waiver of Board Policy B-29.

Today’s actions support the County’s vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This item also advances the Framework for Ending Homelessness by ensuring our most vulnerable community members, including youth experiencing homelessness have access to housing, care coordination, and connections to healthcare and workforce opportunities.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize acceptance of the State of California Business, Consumer Services and Housing Agency, California Interagency Council on Homelessness, Encampment Resolution Funding Round Three Lookback (ERF-3-L) grant in the amount of \$5,095,063.03, for the period of October 1, 2023, through June 30, 2026.
2. Establish appropriations of \$1,389,563 in Health and Human Services Agency, Services & Supplies, to support encampment grant activities based on ERF-3-L grant funding.
(4 VOTES)
3. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue a competitive solicitation for services, housing subsidies, and supplies related to the implementation of the Encampment Resolution Funding Rolling grant program for the Plaza Bonita area and upon successful negotiations and determination of a fair and reasonable price, award contracts for an initial term of up to one year, with four one-year options, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program funding or service requirements, subject to the availability of funds and the approval of the Agency Director, Health and Human Services Agency or designee.

4. Authorize the Chief Administrative Officer, or designee, upon successful negotiations, to execute a sub-recipient grant agreement of up to \$111,000 with the City of National City for costs associated with the administration of the grant in the City of National City jurisdiction and to amend the subrecipient agreement as necessary, subject to the approval of the Agency Director, Health and Human Services Agency, or designee.
5. Authorize the Agency Director, Health and Human Services Agency, or designee, to execute agreements including sub-recipient agreements with ERF-3-L grant partner entities, certification forms, prepare and execute all necessary documents for the submittal, regulatory processing, and implementation, and take any other actions necessary as required by the State of California for the ERF-3-L funding.
6. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires prior approval of revenue agreement applications and full-cost recovery of grants.

EQUITY IMPACT STATEMENT

The County of San Diego (County) Health and Human Services Agency, Department of Homeless Solutions and Equitable Communities' mission is to ensure equity among all San Diegans, foster a community that is welcoming to new residents, and reduce homelessness in the region. The County is dedicated to addressing the root causes of homelessness and providing equitable access to preventative and supportive services for vulnerable residents.

In 2023, the We All Count Point-in-Time Count, identified 10,264 individuals as living on the streets or in shelters throughout San Diego County on one night. Of the 5,171 individuals who were unsheltered, 29% were 55 years of age or older, 6% were youth and 44% reported chronic homelessness. People of color are disproportionately impacted among those experiencing homelessness, with 19% identifying as Black or African American, which is nearly five times the proportion of African Americans in the region; 3% identify as American Indian or Alaska Native, which is nearly three times the proportion in the region. In addition to the We All Count Point-in-Time Count, the Regional Task Force on Homelessness monthly Community Snapshot Dashboard, shows that approximately 30% of people experiencing homelessness identified as Hispanic.

To address the root causes of these statistics and provide a plan to end homelessness, the Framework for Ending Homelessness was created, outlining the County's strategic path for ending homelessness across five strategic domains: Root Causes and Prevention; Diversion and Mitigation; Services, Treatment and Outreach; Emergency/Interim Housing and Resources; and Permanent Housing and Support. The Framework for Ending Homelessness also provides a vision for building capacity across these strategic domains to ensure an equitable approach to service delivery. Ensuring racial and social equity in all aspects of homelessness prevention and response is one of the key principles guiding the Framework for Ending Homelessness and efforts that fall under its strategic domains. Additionally, securing equitable housing, supports, and funding will assist those who are experiencing homelessness or at-risk of homelessness throughout the region.

People at-risk of or experiencing homelessness, impacted community members, community partners, and other key stakeholders are engaged during the development of County plans to address homelessness and their feedback is valued and incorporated into the development of

programs. The County has conducted lived experience forums in the North, East, and South Regions to gain valuable information on shaping programs. Ensuring racial and social equity in all aspects of homelessness prevention and response is one of the key principles that guides the Framework for Ending Homelessness, and all items that fall under its strategic domains. It is anticipated that the Encampment Resolution Funding Grant, will provide needed housing and supports to individuals in the Sweetwater riverbed area, including youth and those who are disproportionately represented in the homeless system including, justice involved individuals and individuals with a range of health and social needs, as well as Black, Indigenous and People of Color.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed actions support the County of San Diego's Sustainability Goal #1 to engage the community; Sustainability Goal #2 to provide just and equitable access services and resources; and Sustainability Goal #3 to protect health and well-being. By working collaboratively with city and community partners, these partners will be able to utilize Encampment Resolution Funding Grant Program to address the homelessness crisis, by adding emergency shelters, providing supportive services, rental assistance, and other innovative housing solutions and services. These actions also align with the goal to protect health and well-being, which will be accomplished by ensuring the most vulnerable community members have access to housing and connections to healthcare and workforce opportunities. The recommended actions will also provide just and equitable access to housing and support countywide, including to youth and those who are disproportionately represented in the homeless system, have a range of health and social needs, or are of the Black, Indigenous and People of Color community.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year (FY) 2023-25 Operational Plan for the Health and Human Services Agency (HHSA). If awarded and approved, this request will result in estimated costs of \$5,255,045 and revenue of \$5,095,063 for FY 2023-24 through FY 2025-26, as noted in the table below. The funding source is the Encampment Resolution Funding Grant Program.

	FY 2023-24	FY2 024-25	FY 2025-26	Total
Total Cost	\$ 1,433,195	\$ 1,910,925	\$ 1,910,925	\$ 5,255,045
ERF-3-L Grant Revenue	\$ 1,389,563	\$ 1,852,750	\$ 1,852,750	\$ 5,095,063

A waiver of Board Policy B-29 is requested because the funding does not offset all costs. The costs which will not be recovered are estimated at \$159,982 for FY 2023-24 through FY 2025-26. The funding source for FY 2023-24 is existing General Purpose Revenue. The public benefit for providing these services far outweighs these costs.

Funds for subsequent years will be incorporated into future operational plans. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

5. **SUBJECT: AUTHORIZE AND EXECUTE AN INTERGOVERNMENTAL TRANSFER AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND REVIVE PATHWAY, WHOLLY OWNED BY THE VIEJAS BAND OF KUMEYAAY INDIANS AND ESTABLISH APPROPRIATIONS (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Health and Human Services Agency, Behavioral Health Services provides a comprehensive array of community-based behavioral health services to vulnerable populations with complex mental health and substance use conditions. On March 27, 2018 (2), the San Diego County Board of Supervisors (Board) approved actions to implement the Drug Medi-Cal Organized Delivery System (DMC-ODS) that dramatically transformed the local substance use disorder (SUD) system by funding comprehensive, evidence-based care to support each person's long-term wellness.

Counties providing services funded by DMC-ODS must comply with applicable requirements in relation to Indian Health Care Programs (IHCPs) and American Indian/Alaska Native Medi-Cal beneficiaries. As a federally recognized Indian Tribe, the Viejas Band of Kumeyaay Indians (Viejas) will provide opioid treatment program services at Revive Pathway, an IHCP located in El Cajon and wholly owned by Viejas. Services will include medication assisted treatment, which reduces drug use, disease rates, and overdose events, as well as promoting recovery among individuals with substance use conditions. As a DMC-certified Tribal Compact Clinic, Revive Pathway will serve Tribal and non-Tribal Medi-Cal beneficiaries and individuals with private insurance within San Diego County. Today's actions request the Board authorize an Intergovernmental Transfer agreement with Revive Pathway and establish appropriations.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as the ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished through collaboration with community partners to provide care, support, outreach, and education for those impacted by substance use conditions.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Agency Director, Health and Human Services Agency, or designee, to execute an Intergovernmental Transfer (IGT) Agreement with Revive Pathway, an Indian Health Care Program (IHCP) provider and entity wholly owned by the Viejas Band of Kumeyaay Indians, a Federally recognized Indian Tribe, or its designee, and transfer non-County funds to and from Revive Pathway, as specified in the agreement, and authorize the Agency Director, Health and Human Services Agency, or designee, to execute, upon receipt, future updates or amendments to the agreement, as required, that do not materially impact or alter the services providing the facility remains Drug Medi-Cal certified and the provider maintains good standing with the County of San Diego, and as long as applicable State and federal requirements in relation to IHCPs and American Indian/Alaska Native Medi-Cal beneficiaries are in place for Drug Medi-Cal Organized Delivery System counties.

2. Establish appropriations of \$11.0 million in the County of San Diego Health and Human Services Agency, Services & Supplies, for purposes of implementing the Tribal Compact Clinic IGT agreement. **(4 VOTES)**

EQUITY IMPACT STATEMENT

Every San Diegan experiences the world differently and has unique circumstances and opportunities that can impact health, lifestyle behaviors, and overall well-being, leading to differences in health outcomes, or health inequities. Health disparities exist among communities, including when it comes to overdose and substance use, and particularly among the County's American Indian/Alaska Native (AIAN) population. According to the 2020/2021 California Health Interview Survey, AIAN residents were more likely to report needing help for an emotional/mental health problem or use of alcohol/drugs compared to the general San Diego County population.

Additionally, San Diego County has been facing an unprecedented overdose crisis, largely driven by opioids and particularly illicit fentanyl. Data from the County of San Diego Medical Examiner and the San Diego Association of Governments indicate that the rate of opioid overdose deaths increased by 209% from 2017 to 2021. Additionally, data indicate that in 2021, opioids accounted for 69% of all San Diego County drug overdose deaths, with 814 of the 898 opioid deaths involving fentanyl. In 2021, rates of opioid overdose deaths among Non-Hispanic American Indian/Alaska Native and non-Hispanic Black residents were three times and two times that of the general county population, respectively. In addition, the impact of nonfatal overdose has also increased over time; from 2017 to 2021, rate of emergency department encounters due to nonfatal opioid overdoses increased by 83%, with residents living in the Central and East Regions of the county experiencing the highest rates. Today's action is another step toward addressing health inequities experienced by the county's AIAN and those residing in the county's East Region. This will be accomplished through collaboration with community partners to provide care, support, outreach, and education.

SUSTAINABILITY IMPACT STATEMENT

Today's actions support the County of San Diego (County) Sustainability Goal #2 to provide just and equitable access to County services by pursuing available funding focused on serving historically underserved client populations that are most in need of care and ensure that the American Indian Alaska Native (AIAN) community, which is disproportionately impacted by mental health concerns and the opioid overdose crisis, has increased access to culturally responsive opioid treatment services. In addition, today's action supports the County Sustainability Goal #4 to protect the health and well-being of everyone in the region by increasing the capacity of opioid treatment services in the East region of San Diego County as services provided by Revive Pathway will be available to Tribal and non-Tribal Medi-Cal beneficiaries.

FISCAL IMPACT

Funds for these requests are not included in the Fiscal Year (FY) 2023-25 Operational Plan in the Health and Human Services Agency (HHS). If approved, today's recommendations will result in new costs and revenue of approximately \$11.0 million in FY 2023-24 and \$35.8 million in FY 2024-25. The estimate is based on the rates outlined in the Federal Register by the Indian Health Service for qualifying services published and adjusted annually. There will be no County cost to provide the opioid treatment program (OTP) services outlined within this agreement.

Revive Pathway will fund, in its entirety, the County portion of the non-federal share of cost (the match) for Medicaid and Medicare reimbursement for OTP services provided for the full term of the program, as long as the requirement is in place. Therefore, the County will serve as a passthrough for the Intergovernmental Transfer (IGT) match requirement through the existing IGT agreement with the Department of Health Care Services established for California Advancing and Innovating Medi-Cal Behavioral Health Payment Reform implementation. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

6. SUBJECT: APPROPRIATE GRANT FUNDS FOR TRANSFORMATIVE CLIMATE COMMUNITIES PLANNING GRANT (DISTRICTS: 1 AND 4)

OVERVIEW

On February 9, 2022 (5), the San Diego County (County) Board of Supervisors (Board) directed the preparation of an application to the State of California for the Transformative Climate Communities (TCC) grant program. TCC grants support program development and infrastructure projects that achieve major environmental, health, and economic benefits in California's most underserved communities. On June 29, 2022 (5), the Board adopted a resolution to apply for and accept TCC planning grant funds. As a result of its June 2022 application, the County was awarded a \$300,000 TCC planning grant for the Spring Valley Sustainable Environments and Engaged Development Strategies (S.E.E.D.S.) planning effort on October 27, 2022. S.E.E.D.S. is a community-centered project that will undertake five distinct planning tasks that intend to increase economic resiliency, reduce greenhouse gas emissions, and address public and environmental health issues. The grant agreement was fully executed on July 11, 2023. Today's request is to appropriate the \$300,000 grant award from the California Strategic Growth Council's Transformative Climate Communities program, which is paid through the Governor's Office of Planning and Research.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not a project pursuant to the California Environmental Quality Act (CEQA) Section 21065 and Guidelines Section 15378(a)(b)(3), 15061(b) because it does not have a potential to result in a direct or indirect foreseeable physical change in the environment.
2. Establish appropriations of \$300,000 in the Office of Sustainability and Environmental Justice (OSEJ), Services & Supplies, based on grant funds from the California Strategic Growth Council's Transformative Climate Communities program. **(4 VOTES)**
3. Spend appropriated grant funds from the Strategic Growth Council's Transformative Climate Communities program, which is allocated through the Governor's Office of Planning and Research, pursuant by the Board of Supervisors' action on June 29, 2022.

EQUITY IMPACT STATEMENT

The County is leading a regional effort to focus on environmental justice, through the Office of Sustainability and Environmental Justice (OSEJ). OSEJ strives to reduce disparities and expand opportunities in traditionally underserved communities by establishing meaningful connections, actively listening, and intentionally elevating community needs as we work to achieve zero carbon emissions and safeguard the health of our region's people and natural resources. OSEJ serves as a central point for the County to shepherd collaborative solutions that are equitable, cost-effective, and feasible.

SUSTAINABILITY IMPACT STATEMENT

The recommended action supports the County's sustainability initiative by elevating the environmental justice work of the unincorporated Spring Valley community and bolstering community-driven climate action and resilience work to enhance well-being of our residents and our environments.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2023-24 Operational Plan in the Office of Sustainability and Environmental Justice (OSEJ). If approved, this request will result in costs and revenue of \$300,000 for grant activities which include the procurement of a community land trust consultant (\$50,000), indirect expenses (\$30,000), and five sub-grants made to partner community-based organizations (\$220,000). The funding source is the Transformative Climate Communities (TCC) grant from the State of California.

The grant is to be paid on a quarterly reimbursement basis, upon the County's submittal of required invoicing and reporting documentation. Sub-grantees will provide documentation of their activities and incurred costs to the County on a quarterly basis, which will inform the County's requests to the State. Funds to sub-grantees will be paid by the County to the sub-grantees on a reimbursement basis, also, following the County's receipt of funds from the State.

The Board approved a waiver of Board Policy B-29 for LUEG grants on June 24, 2020 (12), therefore a waiver is not requested as part of this action. If a grant is awarded, any unrecovered cost per Board Policy B-29 would be funded by available General Purpose Revenue in OSEJ.

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

BUSINESS IMPACT STATEMENT

NA

7. **SUBJECT: AUTHORITY TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE TIJUANA RIVER VALLEY DREDGING PROJECT AND RELATED CEQA ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT (DISTRICT: 1)**

OVERVIEW

The County of San Diego's (County) Tijuana River Valley Regional Park (TRVRP) is located near the United States/Mexico border adjacent to the Nestor community in the City of San Diego

and the City of Imperial Beach. The TRVRP encompasses approximately 1,800 acres of land west of Interstate 5, as shown in the Vicinity Map (Attachment A). The park includes 22.5 miles of multi-use trails, a bird and butterfly garden, the County's largest community garden, baseball fields, soccer fields, and natural open space. The Department of Parks and Recreation (DPR) manages the recreation spaces and actively works to restore habitat within the TRVRP. Part of managing recreation and open space areas within the TRVRP includes efforts to manage issues arising from transboundary flows of sewage, trash, and sediment that enter the United States from Mexico. Over the last several years federal, state, and local agencies have identified potential projects and management strategies to address issues associated with transboundary flows. An identified short-term management strategy includes removing trash and sediment from the Tijuana River and associated channels to increase the capacity of the channels to accommodate future rain events.

In 2018, DPR received a \$1,328,000 grant from the California Department of Fish and Wildlife (CDFW) Proposition 1 Watershed Restoration Grant Program for a variety of efforts in the Tijuana River Valley. This funding was allocated to evaluate current hydrological conditions and prepare plans and other necessary documentation to improve hydrology in the Tijuana River. After storm events, significant amounts of trash and sediment accumulate within the Tijuana River and adjacent drainage channels limiting the conveyance capacity of the channels which often leads to flooding, road closures, and impacts to recreational activities within the Tijuana River Valley. As part of the CDFW grant analysis to improve the hydrology of the Tijuana River, \$100,000 of the \$1,328,000 was specifically allocated to identify locations for removal of trash and sediment within the Tijuana River and prepare necessary designs plans for removal efforts. In 2023, DPR received a \$4,250,000 grant from the California State Water Resources Control Board (State Board) through Senate Bill 170 to implement channel maintenance (dredging) activities in existing channels in the Tijuana River Valley as necessary to improve hydrology and reduce localized flood risks. In accordance with the CDFW and State Board grants, DPR has completed planning, obtained necessary permits, and completed California Environmental Quality Act (CEQA) documentation to allow the Tijuana River Valley Dredging Project to proceed with construction. The proposed project will complete the mechanized removal of sediment, vegetation, trash, and debris from existing channels known as Smuggler's Gulch and the Pilot Channel, as shown in the Project Location Map (Attachment B). In previous years, DPR has spent roughly \$500,000 annually to remove trash and sediment from a portion of the Smuggler's Gulch channel. The remainder of the Smuggler's Gulch channel and the Pilot Channel have previously been maintained by the City of San Diego. The proposed project will combine and coordinate County and City efforts and provide a regional approach to address the issue.

Today's proposed actions are to adopt the Addendum to a Environmental Impact Report for the proposed project and authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract for the Capital Project 1025467, TJRV Smuggler's Gulch Dredging Bridge Install. Planning and environmental costs for the project totaled \$100,000. Construction costs are estimated at \$4,850,000, including contingency, and an additional approximately \$150,000 will be used for related project expenses, including project administration, monitoring, and reporting, for a total project cost of \$5,100,000. If approved, construction is expected to begin in Winter 2023-24 and is anticipated to be complete by the end of 2024.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Environmental Impact Report (EIR) for the Municipal Waterways Maintenance Plan (State Clearinghouse No. 2017071022), on file with the City of San Diego, has been completed in compliance with California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, that the Board of Supervisors has reviewed and considered the information contained in the EIR and Addendum thereto dated October 11, 2023, on file (Attachment C) before approving the project, and that the Addendum reflects the independent judgment and analysis of the Board of Supervisors; and,

Find that there are no changes in the project, or in the circumstances under which the project is undertaken, that involve significant new impacts which were not considered in the previously certified EIR dated June 2020. Furthermore, find that there is no substantial increase in the severity of the previously identified significant effects, and that no new information of substantial importance has become available since the EIR was certified, as explained in the Environmental Review Update Checklist Form (October 24, 2023).

2. Establish appropriations of \$850,000 in the Capital Outlay Fund for Capital Project 1025467 TJRV Smuggler's Gulch Dredging Bridge Install, based on an Operating Transfer In from the General Fund (\$750,000) and California Department of Fish and Wildlife (\$100,000); establish appropriations of \$750,000 in the Contributions to Capital Outlay Fund, Operating Transfers Out based on funding from Finance Other; and cancel appropriations of \$850,000 in the Department of Parks and Recreation, Services & Supplies, based on Costs Applied in the General Fund (\$750,000) and California Department of Fish and Wildlife (\$100,000). **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code for contracting for the construction of the Tijuana River Valley Dredging Project.
4. Designate the Director, Department of Parks and Recreation, as the County of San Diego Officer responsible for administering the construction contract for the construction of the Tijuana River Valley Dredging Project in accordance with Section 430.4 of the County Code of Administrative Ordinance and Board Policy F-41, Public Works Construction Projects.

EQUITY IMPACT STATEMENT

The Tijuana River Valley Regional Park (TRVRP) is located near the communities of Imperial Beach, San Ysidro, and Otay Mesa. These communities are identified by Senate Bill 535 (2012) and on CalEnviroScreen 4.0 Environmental Justice communities as having high pollution burdens for impaired water bodies, elevated particulate matter pollution, elevated linguistic isolation, and poverty rates.

The proposed Tijuana River Valley Dredging Project includes construction activities necessary to maintain existing channels in the TRVRP to remove sediment, trash, and debris and increase the conveyance capacity of these channels to improve local flood conditions. The proposed activities will positively impact the community by removing accumulated materials that have been transported to the area via transboundary flows originating in Mexico. By removing these accumulated materials, the project will improve conveyance capacity of the existing channels, which will help reduce localized flood risks. Additionally, by removing accumulated trash and debris from the area, the project will improve the quality of life for residents and visitors of the TRVRP.

SUSTAINABILITY IMPACT STATEMENT

The proposed Tijuana River Valley Dredging Project contributes to many of the County of San Diego's Sustainability Goals: protect health and well-being; protect ecosystems, habitats, and biodiversity; and reduce pollution and waste. This project is contributing to the health and well-being of the residents of Tijuana River Valley. This underserved community is directly impacted by transboundary flows of sewage, trash, and sediment that enter the area from Mexico.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2023-24 Operational Plan. If approved, this request will result in additional costs and revenue of \$850,000 for Capital Project 1025467 TJRV Smuggler's Gulch Dredging Bridge Install. The funding source is existing one-time General Purpose Revenue in Finance Other (\$750,000), and grant funding secured from the California Department of Fish and Wildlife (\$100,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

8. **SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE SAN DIEGO COUNTY LIBRARY (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Library (County Library) operates 33 branches, two bookmobiles, and five 24/7 Library-To-Go kiosks. The County Library serves over one million residents across all unincorporated communities and the cities of Del Mar, El Cajon (& Fletcher Hills), Encinitas (& Cardiff-by-the-Sea), Imperial Beach, La Mesa, Lemon Grove, Poway, Solana Beach, San Marcos, Santee, and Vista. From time to time, individuals, service groups, and businesses offer gifts and donations to our County Library. Gifts and donations help expand important services and programs provided to the public, as well as the opportunity to purchase additional library materials and supplies to accommodate the diverse population of the region.

Board of Supervisors (Board) Policy A-112, Acceptance, and Use of Gifts and Donations permits the acceptance of donations by the administrative head of each department of the County. County Administrative Code Section 66, Acceptance of Gifts, requires Board ratification of the acceptance of such gifts and approval prior to the expenditure of the gift if the gift exceeds \$5,000.

During the period of January 1, 2023, to June 30, 2023, donations totaled \$122,087.96. Of the total amount, there were \$63,925.67 in cash donations and \$58,162.29 in non-cash donations. All the cash donations received (\$100.00) were matched by the Library Fund budget through the Dollar-for-Dollar Donation Matching Program. The matching fund program was created by the Board to give donors a sense of pride for taking part in the growth of their local County Library. Donations received during this reporting period were used to purchase library materials, such as books and eBooks, music, equipment for library branches, cultural celebrations, and to support Library programs.

Today's proposed actions are to accept the County Library's Report of Gifts and Donations for the period of January 1, 2023, to June 30, 2023, to ratify the acceptance of those gifts and donations by the County Library totaling \$122,087.96 and authorize the Chairwoman of the Board of Supervisors to sign a letter of appreciation to the donors whose donations exceed \$5,000.

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 CEQA Guidelines Section 15060(c)(3) because it is not a project as defined in Section 15378(b)(5) of the CEQA Guidelines because it involves organizational or administrative governmental activities that will not result in direct or indirect physical changes in the environment.
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, 2023, through June 30, 2023.
3. In accordance with Administrative Code Section 66 and Board Policy A-112, ratify the acceptance of gifts from January 1, 2023, through June 30, 2023, for \$122,087.96 that exceeded \$5,000.
4. Authorize the Chairwoman of the Board of Supervisors to sign letters of appreciation on behalf of the County of San Diego to donors listed in Attachment B.

EQUITY IMPACT STATEMENT

The acceptance of donations will allow for the purchase of library materials, such as books and eBooks, equipment for library branches, and bookmobiles to support programs that encourage participants of all ages to engage in reading and participate in activities that bring the community together.

Donations and grants allow the San Diego County Library (County Library) to provide additional supplies and services to youth, families, and communities to encourage the sharing of experiences, cultural traditions, and resources to strengthen a sense of belonging. Gifts and donations received are monitored and publicly disclosed in accordance with all County policies. Expenditures are internally tracked by the County Library to ensure transparency and accountability of donations and gifts received and to provide for the equitable distribution of resources.

SUSTAINABILITY IMPACT STATEMENT

The San Diego County Library (County Library) is committed to implementing sustainability initiatives through operational sustainable practices, providing space to promote enterprise-wide sustainability programs, and sharing library materials focused on environmental and climate justice. Growing the County Library digital materials and resources assists in the reduction of greenhouse gas emissions across the region. Gifts and donations provided to County Library support these sustainability goals fiscally, foster civic engagement, and provide supplies and resources to customers throughout the region without the need for additional tax dollars.

FISCAL IMPACT

The County Library received \$122,087.96 in cash and non-cash donations exceeding \$5,000 in value between January 1, 2023, and June 30, 2023. Of these donations, \$63,925.67 was in cash, and \$58,162.29 in non-cash donations. The \$100.00 qualified for an equal amount of matching funds from the County Library at the request of the donors, which was completed in Fiscal Year 2022-23 based on the available prior year County Library Fund fund balance.

BUSINESS IMPACT STATEMENT

N/A

9. SUBJECT: SUPPORTING PROPOSITION 13 TO KEEP RESIDENTS IN THEIR HOMES (DISTRICTS: ALL)

OVERVIEW

Proposition 13, an amendment to the California Constitution passed by voters in June 1978, has long been a cornerstone of property tax policy in California. It introduced the concepts of base year values for property tax assessments, rate of increase limits, and property tax limits, allowing for stability, predictability and protections for property owners.

Amidst the continued rising cost of living and the looming housing crisis in our region, Proposition 13 plays a crucial role in protecting County homeowners from the risk of being forced out of their homes due to escalating property taxes. The imposition of a 1% property tax base, combined with the maximum 2% limit on annual assessment increases, provides homeowners with the ability to anticipate and budget for their property tax obligations at an equitable level. This stability holds particular significance for our retired citizens and individuals living on fixed incomes, who may find it challenging to accommodate higher tax rates within their budgets. In addition to serving as a consistent “backbone” for the taxpayer, Proposition 13 also benefits government agencies as revenues remain predictable even during periods of

economic downturn. For County employees and the services they provide, the steady baseline revenue allows for the consistent delivery of services to our constituents, such as seniors and those living in disadvantaged communities.

Proposition 13 also empowers local communities by requiring voter approval for any bonded indebtedness that would increase property taxes beyond the 1% base. This democratic process fosters accountability and transparency, allowing residents to have a say in how their tax dollars are collected and allocated to support local services, schools, and infrastructure projects. It ensures that our constituents have a voice in shaping our County's fiscal policies.

Because of the role that Proposition 13 continues to play in allowing County homeowners to continue to afford living in their homes, we are recommending that the Board of Supervisors adopt an official position in support of Proposition 13 and register the County's support of legislation that upholds Proposition 13 to help ensure equity in homeownership and prevent our residents from being displaced from their homes.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON AND ASSESSOR/RECORDER/COUNTY CLERK

1. Adopt an official position supporting the current provisions in Article XIII A of the California Constitution as enacted under Proposition 13 (1978) and communicate via letter the County of San Diego's position to the County's State Legislative delegation.
2. Direct the Chief Administrative Officer to include in the Board's Legislative Program support for legislation that upholds the tenets of Proposition 13 and opposition to legislation that would weaken Proposition 13.

EQUITY IMPACT STATEMENT

Proposition 13's limits are established fairly and equitably within the property tax system, providing stability, protection, and a voice for local homeowners, including those who are seniors, BIPOC homeowners, or who are economically vulnerable due to being low-income earners.

SUSTAINABILITY IMPACT STATEMENT

Proposition 13 has demonstrated sustainability in revenue resources for our local programs, infrastructure, and services. It has also proven to uphold economic sustainability for homeowners in the region through consistency in expected percent-generated property tax increases. Supporting Proposition 13 allows for the continuation of a sustainable revenue and taxation system.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

10. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
APPROVE THE SAN DIEGO COUNTY ARTS AND CULTURE
COMMISSION BYLAWS AND ADOPT THE ORDINANCE
AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE
ARTICLE IIIW, RELATING TO THE ARTS AND CULTURE
COMMISSION (October 10, 2023 - First Reading; October 24, 2023 -
Second Reading, unless the ordinance is modified on second reading)
(DISTRICTS: ALL)**

OVERVIEW

On October 10, 2023 (8), the Board of Supervisors took action to further consider and adopt the Ordinance on October 24, 2023.

On June 28, 2022 (16), the San Diego County Arts and Culture Commission (“Commission”) was created. One of their first orders of business was to create bylaws to govern their Commission. After multiple working meetings, the Commission completed a set of bylaws, as well as proposed edits to San Diego County Administrative Code Article IIIw, for approval by the Board of Supervisors. Changes to the Administrative Code would recast and modify the duties of the Arts and Culture Commission in order to align with the proposed bylaws, provide clear guidance, and ensure that the needs of the arts and culture sector are met. It also proposes to modify the provisions for removal of Commissioners for absences to removal for unexcused absences in order to ensure the continued work of the Commission. The ordinance also makes non-substantive changes in language.

The ordinance will be introduced on October 10, 2023, and, if approved, it will be scheduled for adoption on October 24, 2023. If the proposed ordinance is altered on October 24, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE
CODE ARTICLE IIIW, RELATING TO THE ARTS AND CULTURE COMMISSION
(Attachment B, on file with the Clerk of the Board.)

EQUITY IMPACT STATEMENT

The proposed action to approve the Arts and Culture Commission bylaws and adopt the amendments to the ordinance should improve equity in the arts, including representation in which works and artists are selected, in the County and regionally, as well as access to the arts and arts education. There is more work that needs to be done to learn about where the gaps and needs are when it comes to equity in the arts, though observationally, people have commented on differences in representation when it comes to age and race. The Commission plans on examining the matter further and is committed to ensuring equity in the arts and culture sector.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to approve the Arts and Culture Commission bylaws and adopt the amendments to the ordinance may lead to positive impacts to sustainability through the work that the Commission will do. They may advise on use of sustainable materials in art, as well as use of art to support sustainability efforts and topics.

FISCAL IMPACT

There is no fiscal impact associated with approval of the bylaws and introduction and adoption of the ordinance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

If approved, these recommendations will have a positive impact on the business community, specifically the creative sector which consists largely of entrepreneurs and small-scale enterprises. The Arts and Culture Commission will be focused on promoting equity and opportunities for this sector as part of their duties and responsibilities.

11. **SUBJECT: TRANSFER OF TERRITORY BETWEEN BONSALL UNIFIED SCHOOL DISTRICT, FALLBROOK UNION ELEMENTARY SCHOOL DISTRICT, AND FALLBROOK UNION HIGH SCHOOL DISTRICT (DISTRICT: 5)**

OVERVIEW

California Education Code Section 35765 requires the Board of Supervisors (Board) to order the transfer of territory between local school districts, after receiving proper evidence that an action to reorganize school districts has been approved by law. Petitions for transfer of territory between the Bonsall Unified, Fallbrook Union Elementary and the Fallbrook Union High School Districts have been approved by their respective Board of Trustees, as well as the San Diego County Board of Education, following public hearings. On September 20, 2023, the Board received the transmittal of petition for the transfer of territory from the San Diego County Board of Education. Today's action requests that the Board adopt a resolution approving the transfer of territory.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Adopt the Resolution entitled: TRANSFER OF TERRITORY BETWEEN BONSALL UNIFIED SCHOOL DISTRICT, FALLBROOK UNION ELEMENTARY SCHOOL DISTRICT, AND FALLBROOK UNION HIGH SCHOOL DISTRICT (Attachment B, on file with the Clerk of the Board).

EQUITY IMPACT STATEMENT

The proposed transfer will ensure that the prospective students within the proposed development are all afforded the same educational opportunities. By placing all students located within the same community into the same appropriate school district, the learning opportunities for students will be enhanced, as they will have reduced travel times to their designated educational facilities.

Additionally, this avoids having students living in the same street assigned to different school districts, which could negatively impact the solidarity within the proposed neighborhoods and their community identity. This agreement provides for an equitable education for all of the prospective students in the development.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to adopt a resolution approving the transfer of territory between the Bonsall Unified, Fallbrook Union Elementary and the Fallbrook Union High School Districts is anticipated to reduce travel miles, ease the administration of school bus routes, and increase cohesion among the communities within the proposed development, outcomes pertaining to all aspects of sustainability.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

The territory is within a proposed development of a community of 844 homes in Fallbrook within the unincorporated area of San Diego County. The proposed development will equitably split between the Fallbrook Districts and the Bonsall Unified School District (BUSD), with 349 of the homes becoming part of the Fallbrook Districts, and 495 homes becoming part of the BUSD. As a result, the County Auditor and Controller will transfer base property tax revenue of the transferred territory between these school districts.

12. SUBJECT: GENERAL SERVICES - ACCEPTANCE OF DONATION OF ENERGY-RELATED EQUIPMENT FROM SAN DIEGO GAS & ELECTRIC PURSUANT TO WILDFIRE MITIGATION PLAN AND AUTHORIZATION OF ACCEPTANCE OF FUTURE EQUIPMENT DONATIONS (DISTRICTS: ALL)

OVERVIEW

As a byproduct of statewide regulation of public utilities relating to wildfire mitigation and preparedness, San Diego Gas & Electric (SDGE) has offered to provide the County of San Diego (County)-at no direct cost to the County-both renewable and traditional energy-related equipment at three locations in rural San Diego County. This letter requests that the Board of Supervisors (Board) ratify SDGE's donation of such equipment to the Department of General Services (DGS) for placement in the communities of Ramona, Fallbrook, and Valley Center. The letter likewise requests that the Board delegate authority and discretion to the Director of DGS to

accept future donations from SDGE relating to SDGE's Wildfire Mitigation Plan.

The California Public Utilities Commission (CPUC) regulates SDGE. Pursuant to CPUC Guidance Decision D.19-05-036 and Senate Bill 901 (2018), CPUC requires SDGE to provide residential and non-residential customer protections for wildfire and other emergencies. To comply with the CPUC's requirements, SDGE has developed a Wildfire Mitigation Plan and implemented a Fixed Back-up Power Program. As a result of its program, SDGE has contacted DGS seeking to provide the County with back-up power at three locations throughout rural San

Diego County. The back-up power consists of a battery fueled by new onsite solar panels and a traditional generator fueled by natural gas or diesel. This equipment will help ensure key community gathering areas located in target communities remain energized in the event of a Public Safety Power Shutoff (PSPS). DGS anticipates that SDGE may seek to expand its program to additional sites throughout the County at some future date.

County of San Diego Administrative Code Article III, Section 66 and Board of Supervisors Policy A-112, Acceptance of Gifts and Donations, permit the County to accept gifts and donations where the value of the donation exceeds \$5,000 with Board approval. To the extent that the County's receipt of equipment pursuant to SDGE's Wildfire Mitigation Plan and Fixed Back-up Power Program amounts to a receipt of a donation under the Code and Policy A-112, DGS requests that the Board allow DGS to accept such donations for the Ramona, Fallbrook, and Valley Center proposed projects. Additionally, Board delegation of authority to the Director of DGS to accept future donations from SDGE pursuant to its Wildfire Mitigation Plan will streamline the donation process, make it easier for the County to better take advantage of CPUC and SDGE's wildfire-prevention initiatives, and enhance fire-safety and energy-sustainability efforts. Accordingly, DGS likewise requests that the Board delegate authority and discretion to the Director of DGS to accept future energy-related equipment donations from SDGE that SDGE offers pursuant to its Wildfire Mitigation Plan.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15061(b)(3) and 15378(b)(5).
2. To the extent such approval is required under Administrative Code Section 66, Acceptance of Gifts, and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, authorize the Director, Department of General Services, to accept energy-related equipment from SDGE for the Ramona, Fallbrook and Valley Center proposed projects.
3. To the extent required under Administrative Code Section 66 and Board Policy A-112, delegate authority to the Director, Department of General Services, to accept future donations from SDGE of energy-related equipment related to SDGE's Wildfire Mitigation Plan and Fixed Back-up Power Program. Such future donations will be reported to the Board in the Semi-Annual Report of Gifts and Donations Totaling Over \$5,000.

EQUITY IMPACT STATEMENT

The County's acceptance of San Diego Gas & Electric (SDGE)'s energy-related equipment will allow for backup power at three County libraries which also serve as Community Resource Center (CRC) sites. The purpose behind these donations is to ensure that the CRC sites, crucial for the communities in which they operate, can remain open and functional during any Public Safety Power Shutoff (PSPS) or other catastrophic event for a period of several days. Keeping these locations energized will provide critical "cool zones" for the public in the case of wildfire, excessive heat, or both.

According to SDGE’s Wildfire Mitigation Plan, residents of such rural areas are disproportionately, to an overwhelming degree, in High Fire-Threat Districts. The CRCs will also serve to promote public safety for these rural County residents; serving as potential sites for planning, evacuation, internet access, and electronics charging. Focusing resources related to wildfire and PSPS risk on these rural communities will aid in addressing the outsized danger of wildfire-induced harm that individuals in these communities face.

SUSTAINABILITY IMPACT STATEMENT

Today’s proposed action paves the way for acceptance of donations of energy-related equipment, including installation of solar panels and renewable-based backup power, at no direct cost to the County. As such, the proposed action both seeks to protect San Diego’s natural resources and develops sustainable infrastructure. Additionally, with regard to equity in relation to climate change, the proposed action will help ensure that safe, temperature-controlled locations remain available for residents of the target communities in the case of wildfire, PSPS, or other extreme weather conditions.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. If approved, these actions would result in acceptance of energy-related equipment with an estimated value of up to \$900,000 from San Diego Gas & Electric (SDGE). Ongoing maintenance of the donated equipment will be provided by SDGE for an initial 5-year period, following which maintenance will be accomplished with existing County staff and resources and no additional funding will be required.

The potential value of any future equipment donations is unknown at this time. Acceptance of any future energy-related equipment donations from SDGE will be reported to the Board in the Semi-Annual Report of Gifts and Donations Totaling Over \$5,000. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

13. SUBJECT: APPOINTMENTS: VARIOUS (DISTRICTS: ALL)

OVERVIEW

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

RECOMMENDATION(S)

VICE-CHAIR TERRA LAWSON-REMER

Appoint Jessica Kramer to the BEHAVIORAL HEALTH ADVISORY BOARD (BHAB), COUNTY OF SAN DIEGO, Seat No. 9, for a term to expire October 24, 2026.

SUPERVISOR JOEL ANDERSON

Appoint Darla Kasmedo to the JAMUL/DULZURA COMMUNITY PLANNING GROUP, Seat No. 2, for a term to expire January 4, 2027.

SUPERVISOR JIM DESMOND

Appoint Jared Rowley to the I-15 CORRIDOR DESIGN REVIEW BOARD, Seat No. 6, for a term to expire October 24, 2025.

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

14. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)**OVERVIEW**

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

RECOMMENDATION(S)**CHIEF ADMINISTRATIVE OFFICER**

Note and file.

EQUITY IMPACT STATEMENT

N/A

SUSTAINABILITY STATEMENT

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

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

15. SUBJECT: NOTICED PUBLIC HEARING: TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS DURING 2022 (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.” As part of the TRUTH Act, Government Code Section 7283.1(d) requires that the governing body of a county 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 September 22, 2023.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Hold a community forum on October 24, 2023 in accordance with Government Code Section 7283.1(d).
2. Receive a report from the Sheriff’s Department regarding ICE access to individuals during 2022.

EQUITY IMPACT STATEMENT

To increase transparency and public access to information, the County will hold a community forum and solicit public comment regarding any County departments that have provided access to Immigration and Customs Enforcement (ICE) with a summary of data. Additionally, all records related to ICE access are available for public access. Information reported includes the number of individuals to whom the agency has provided ICE access and their demographic characteristics, the date ICE access was provided, and how ICE access was provided, either through a hold, transfer, notification request or through other means.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions to hold a public Transparent Review of Unjust Transfers and Holds Act (TRUTH) Act Community Forum and receive a report from the Sheriff's Department regarding Immigration and Customs Enforcement access to individuals during 2022 contribute to the County of San Diego's Sustainability Goals of engaging the community and providing just and equitable access. To engage the community in meaningful ways and solicit stakeholder input in the civic process, the County of San Diego is hosting a community forum in a publicly accessible space and with at least 30 days of public notice with the goal of designing public processes that encourage people and diverse stakeholders to participate in decisions that impact their lives and communities. Furthermore, by inviting public comment to all community members wishing to participate, and by offering translated materials and interpretation services in Arabic, Chinese (Mandarin), Korean, Persian (Farsi and Dari), Somali, Spanish, Filipino (Tagalog), and Vietnamese, the proposed TRUTH Act Community Forum furthers the County of San Diego's vision of investing in just and equitable access to County services for all residents.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

16. **SUBJECT: NOTICED PUBLIC HEARING:
COMMUNITY INPUT FOR FISCAL YEAR 2024-25 ANNUAL PLAN
DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK
GRANT, HOME INVESTMENT PARTNERSHIPS, HOUSING
OPPORTUNITIES FOR PERSONS WITH AIDS, AND EMERGENCY
SOLUTIONS GRANT (DISTRICTS: ALL)**

OVERVIEW

On April 7, 2020 (2), the San Diego County Board of Supervisors (Board) approved the Fiscal Years (FY) 2020-2024 (July 1, 2020, to June 30, 2025) Consolidated Plan. As a recipient of United States Department of Housing and Urban Development (HUD) entitlement program funding, the County of San Diego (County) develops a five-year Consolidated Plan for long term planning purposes. The Consolidated Plan sets the goals for the four federally funded programs locally administered by the County Health and Human Services Agency, Housing and Community Development Services (HCDS) including, the Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities for Persons with AIDS, and Emergency Solutions Grant.

Funds from the federal entitlement programs support a variety of housing and community development activities in the region. For each of the five years included in the Consolidated Plan, HCDS follows an annual cycle which includes three key documents: the Annual Plan Strategy, the Annual Plan, and the Consolidated Annual Performance and Evaluation Report. The Annual Plan Strategy is developed through community engagement and sets forth the priorities for which activities should be funded in the upcoming year's Annual Plan.

Based on the key themes that emerged through Annual Plan Strategy community engagement, projects that will be prioritized in the Annual Plan will include those that:

- Provide new affordable housing units, or
- Serve groups facing substantial housing instability such as people experiencing homelessness and seniors on a fixed income, or
- Support services that allow people to remain housed and remove barriers to housing, or
- Create quality of life improvements to low-income neighborhoods through infrastructure or community improvements.

Today's action requests the Board hold this public hearing to receive public input on housing and community development needs and approve the FY 2024-25 Annual Plan Strategy.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as the ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities by ensuring low-income residents have access to suitable living environments thereby enhancing the quality of life for residents.

Additionally, this item aligns with the County's Framework for Ending Homelessness by ensuring the County continues to receive funding that creates permanent affordable and emergency housing options for the county's most vulnerable residents.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Hold this public hearing to receive public input on housing and community development needs and approve the Fiscal Year 2024-25 Annual Plan Strategy.

EQUITY IMPACT STATEMENT

The Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities for Persons with AIDS, and Emergency Solutions Grant programs were established to meet the community development, housing, and public service needs of low-income households and individuals with special needs. The San Diego County region has seen an increased need for housing and community development investment, particularly among the most vulnerable residents. According to the 2022 United States Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy data, 68% of low and moderate-income households in the county are housing-cost burdened, and nearly 61% experience some form of housing problem, such as overcrowding or nonfunctional utilities. Additionally, specific groups within the population of the county are more susceptible to poverty and housing affordability issues, including seniors, persons experiencing homelessness, people with disabilities, and those living with HIV/AIDS. For example, data from the 2021 American Community Survey indicates individuals with a disability are nearly twice as likely to live at or below 30% Area Median Income compared to individuals without a disability.

As the administrator of HUD entitlement programs in the region, the County of San Diego (County) Health and Human Services Agency, Housing and Community Development Services conducts community engagement in eligible jurisdictions to ensure all residents, including low-income and historically underserved residents, can express their communities' needs. The

input gathered from the community forums guide the County on how best to utilize entitlement funds equitably. Additionally, robust community engagement is held every five years for the development of the Consolidated Plan, as well as annual community engagement to update county residents and receive feedback on HUD entitlement programs. Data collected through community engagement identified the need for additional affordable housing opportunities and supportive services. These identified needs align to the needs identified in the Consolidated Plan.

The Fiscal Year 2024-25 Annual Plan Strategy outlines the County's priorities on how it plans to use its entitlement programs to narrow the gap in housing and services for populations in need. Today's action ensures compliance with federal requirements that will allow the County to continue utilizing more than \$14.3 million in HUD funding annually to serve historically vulnerable populations.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports the County of San Diego's Sustainability Goal #1 to engage the community in meaningful ways, Sustainability Goal #2 to provide just and equitable access to resources and services, and Sustainability Goal #4 to protect the health and well-being of everyone in the region. Sustainability Goal #1 will be accomplished by providing diverse engagement opportunities to shape the path of the programs described in this item. Sustainability Goal #2 will be accomplished by investing in programs that prioritize underserved populations and communities and create opportunities for affordable housing, public recreation, shelter, and supportive services for the San Diego County region's most vulnerable residents. Sustainability Goal #4 will be accomplished by building safe and affordable neighborhoods with access to sidewalks, playgrounds, and green space, assisting non-profits who provide care and services to residents in need, and supporting access to diverse housing options as a social determinant of health.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

There is no business impact associated with this action.

- 17. SUBJECT: RECEIVE UPDATE ON THE DEPARTMENT OF HOMELESS SOLUTIONS AND EQUITABLE COMMUNITIES, OFFICE OF IMMIGRANT AND REFUGEE AFFAIRS AND ACCEPT FUNDING FROM THE LOCAL IMMIGRANT INTEGRATION AND INCLUSION GRANT, AND REQUEST A WAIVER OF BOARD POLICY B-29 (DISTRICTS: ALL)**

OVERVIEW

On June 8, 2021 (10), the San Diego County Board of Supervisors (Board) established the County of San Diego's (County), Health and Human Services Agency (HHSA), Department of Homeless Solutions and Equitable Communities (HSEC), Office of Immigrant and Refugee Affairs (OIRA), to build on existing refugee programs and establish a priority of devoting

County resources to the community regardless of immigration status. HSEC-OIRA will update the Board annually on accomplishments, demographics of the immigrant and refugee population, gaps in services and funding, improvement of program implementation, and coordination at the local, State, and federal policy level as well as community engagement activities to ultimately improve life in San Diego County for immigrants and refugees. On August 30, 2022 (17), HSEC presented their first annual update, which included an update on HSEC-OIRA key milestones and accomplishments.

Today's actions request the Board receive an update on HSEC-OIRA milestones and accomplishments. In addition, HSEC-OIRA is seeking acceptance of the California Governor's Office of Business and Economic Development, Local Immigrant Integration and Inclusion Grant that was awarded to HSEC-OIRA in the amount of \$430,529 to establish and operationalize a Welcome Center in North San Diego County to serve as a hub for services, resources, and information for immigrants and refugees and requests waiver of Board Policy B-29, Fees, Grants, Revenue Contracts.

Today's actions support the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by continuing to remove barriers to resources for refugee and immigrant populations, thereby supporting regional inclusion and equity.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive update on the County of San Diego Health and Human Services Agency, Department of Homeless Solutions and Equitable Communities, Office of Immigrant and Refugee Affairs.
2. Authorize the acceptance of Local Immigrant Integration and Inclusion Grant funding in the amount of \$430,529 for project period October 1, 2023, through September 30, 2024.
3. Waive Board Policy B-29 Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires prior approval of revenue agreement applications and full-cost recovery of grants.

EQUITY IMPACT STATEMENT

Since being established in 2021, the County of San Diego (County) Health and Human Services Agency, Department of Homeless Solutions and Equitable Communities (HSEC), Office of Immigrant and Refugee Affairs (OIRA) has worked collaboratively with County departments and community partners to address economic and social inequalities. HSEC-OIRA is committed to serving immigrants and refugees in a culturally competent and linguistically responsive manner and is dedicated to fostering a community that is welcoming to all regardless of immigration status.

According to the most recent United States Census Bureau data, approximately 27% of California's 39 million residents are foreign-born. The Public Policy Institute of California found 30% of foreign-born residents reported speaking limited or no English at all. The United States Census Bureau data reports over 22.7% of the 3.3 million San Diego County residents are immigrants or foreign-born, including refugees. In the City of San Diego alone, approximately 27.1% of the nearly 1.4 million residents are foreign-born, with 50.9% reporting limited English proficiency (LEP). The most recent available Census data also found approximately 400,000 people in San Diego County had LEP and more than 100 languages are spoken by county residents. Between October 2022 through September 2023, the San Diego County region settled nearly 4,000 refugees, adding to the over 5,000 refugees that arrived between October 2021 through September 2022. The diverse make-up of San Diego County's residents amplifies the need to provide culturally competent community engagement to link immigrant and refugee populations to necessary resources.

HSEC-OIRA prioritizes engaging with stakeholders that are representative of the immigrant and refugee community, providing services to refugees through partnerships with contract providers, increasing bilateral communication with immigrant and refugee populations via language translation and interpretation efforts, and strengthening collaboration with internal and external partners. These community engagement efforts help identify trends and needs of immigrant and refugee communities for better coordination amongst programs and services. HSEC-OIRA continues to work directly with community stakeholders to receive input and apply regional academic research, data, and best practices to advance equity and opportunity for immigrants and refugees, regardless of immigration status. Built upon the success of the community and stakeholder engagement process completed during the Afghan response, HSEC-OIRA has been holding public facing engagements related to the lifting of Title 42, updating of the Refugee Support Services Plan and hosting virtual and in person listening sessions.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed actions support the County of San Diego's (County) Sustainability Goal #1 of engaging the community, Sustainability Goal # 2 of providing just and equitable access to services and resources, and Sustainability Goal #4 to protect the health and well-being of everyone in the region. The County Health and Human Services Agency, Department of Homeless Solutions and Equitable Communities, Office of Immigrant and Refugee Affairs engages with the community through collaborative partnerships and regional listening sessions, forums, workgroups, and steering committees, and conducts surveys to collect community input. The information collected serves to improve refugee and immigrant programs. To facilitate just and equitable access to these programs, language translation and interpretation services are utilized to increase access to vital information, services, and resources in a culturally competent manner. Opportunities for equitable access to resources assist with protecting the health and well-being of everyone in the region.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-25 Operational Plan for the Health and Human Services Agency (HHS). If awarded and approved, this request will result in estimated costs of \$400,246 and revenues of \$322,897 in FY 2023-24, and costs of \$131,576 and revenues of \$107,632 in FY 2024-25. This will result in total estimated costs of \$531,822

and revenue of \$430,529 for FY 2023-24 through FY 2024-25. The FY 2023-24 costs will be absorbed by existing appropriations. The funding source is the Local Immigrant Integration and Inclusion Grant provided through the California Governor's Office of Business and Economic Development.

A waiver of Board Policy B-29 is requested because the funding does not offset all costs. The costs which will not be recovered are estimated at \$101,293 for FY 2023-24 through FY 2024-25. The funding source for the FY 2023-24 costs is existing General Purpose Revenue. The public benefit for providing these services far outweighs these costs.

Funds for subsequent years will be incorporated into future operational plans, pending successful award of grant funding. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

**18. SUBJECT: RESOLUTION IN SUPPORT OF GOVERNOR GAVIN NEWSOM'S
RIGHT TO SAFETY AMENDMENT & CALL FOR CONSTITUTIONAL
CONVENTION (DISTRICTS: ALL)**

OVERVIEW

In the past, San Diego County leaders did not do enough to tackle the issue of gun violence in our communities. The Board of Supervisors (Board) actively defended the 2nd Amendment and did not use their authority to its fullest potential to better protect residents from people who recklessly aim to harm others.

Over the last three years, the new Board and passionate gun violence prevention advocates here in San Diego County have made ghost guns illegal, secured training for County social workers to know the signs of potential gun violence in a home, required firearms in unincorporated areas to be safely stored, and fought for the county to investigate and bring back recommendations to the Board to initiate or join litigation against manufacturers.

On September 29, 2023, the office of Supervisor Lawson-Remer hosted a Gun Violence Reduction Summit that was attended in person and virtually by nearly two hundred community members, experts, and federal, state, county, and city elected leaders. This served as a launching pad for new ideas as it relates to gun violence prevention. Many of the individuals who attended the summit indicated we need more commonsense solutions that will keep San Diegans as safe as possible. Governor Gavin Newsom's Right to Safety Amendment is a great next step in this direction.

California is leading the way as the first state in the nation to call for a Constitutional Convention for gun safety. The item today, requests the adoption of a resolution by the County of San Diego in support of Governor Newsom's Right to Safety Amendment and call for a Constitutional Convention on gun safety. This action would leave the 2nd Amendment unchanged, but the addition of the 28th Amendment would permanently prioritize a federal

minimum age to purchase a firearm from age 18 to 21. An exception for law enforcement would be recommended. The Governor's amendment will also mandate universal background checks, institute a reasonable waiting period, and bar civilian purchase of assault weapons within the United States Constitution.

RECOMMENDATION(S)

VICE-CHAIR TERRA LAWSON-REMER

Adopt the resolution titled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO IN SUPPORT OF THE RIGHT TO SAFETY AMENDMENT & CALL FOR A CONSTITUTIONAL CONVENTION FOR GUN SAFETY

EQUITY IMPACT STATEMENT

Communities of color and those living in poverty are disproportionately impacted by gun violence, and for every gun homicide, there are more than two nonfatal gun shootings. Those that are exposed to gun violence are much more likely to experience stress, depression, anxiety, and post-traumatic stress disorders (PTSD). The long-term repercussions of this are immeasurable. It is imperative that all of our communities are provided with the right to safety through commonsense gun regulations and interventions.

SUSTAINABILITY IMPACT STATEMENT

The proposed item contributes to the County of San Diego's Sustainability Goals by prioritizing the long-term health, safety, and well-being of San Diego residents through support for actions that will reduce gun violence.

FISCAL IMPACT

There is no fiscal impact associated with this item.

BUSINESS IMPACT STATEMENT

N/A

19. SUBJECT: ESTABLISHING AN UNSAFE CAMPING ORDINANCE IN SAN DIEGO COUNTY (DISTRICTS: ALL)

OVERVIEW

The County of San Diego (County), under the direction of the Board of Supervisors (Board), has undertaken a series of strategic measures to combat homelessness and address its underlying root causes. The Board continues to explore, develop, and implement additional policies that prioritize our most vulnerable residents experiencing homelessness and proactively mitigate the far-reaching impacts this public health crisis imposes on our communities.

In a ruling last month by the U.S. 9th Circuit Court of Appeals in the case of Johnson v. Grants Pass, the Appeals Court reiterated its 2018 decision in Martin v. Boise which prohibits jurisdictions from enforcing bans on certain activities by homeless individuals. These activities include camping and sleeping in public spaces that may cause a risk to public health and safety, including homeless encampments near schools and parks. The City of Grants Pass is expected to

appeal the 9th Circuit Court of Appeals ruling to the U.S. Supreme Court. On September 18th, the City of San Diego's City Council overwhelmingly approved filing an amicus brief in support of the action being taken by the City of Grants Pass. Governor Newsom and the California State Association of Counties have likewise filed amicus briefs urging the court to grant review in this case. I am recommending the County join the other jurisdictions who have filed similar amicus briefs by registering our support for the City of Grants Pass in their continued legal action.

On June 13, 2023, the San Diego City Council approved the establishment of an ordinance to prohibit encampments on public property located in the City. The City's ordinance prohibits camping and maintaining an encampment on public property when shelter is available and prohibits camping regardless of available shelter in specified locations, including near schools and shelters, in all parks, open space, trolley platforms and transit hubs. It further outlines the process the City will use to abate or conduct enforcement, which includes outreach to educate individuals living in encampments prior to enforcement. The City of Poway approved a similar unsafe camping ordinance July allowing law enforcement to abate illegal encampments and remove improperly stored property. The intent of these ordinances is to help ensure public areas are properly maintained, that public property is used for its intended purposes and that it remains safe and accessible to residents and visitors. The City of Santee also enacted an ordinance to protect the San Diego River corridor from fires and pollution. This ordinance made it illegal for anyone to possess an ignition source in the corridor, to use camping equipment that could obstruct the flow of water or cause damage to any threatened or endangered species, or critical habitat within the San Diego River corridor. The City of Chula Vista City Council is also expected to receive a report back from City staff regarding the potential to enact a similar unsafe camping ordinance.

Although the County and its partners successfully cleared encampments such as the North Magnolia Avenue site in unincorporated El Cajon, the County enactment of an unsafe camping ordinance will provide another tool to help clean up similar encampments on a wider scale throughout the County's unincorporated communities. I am, therefore asking my colleagues to support the introduction of an Unsafe Camping Ordinance that would apply to the County's unincorporated area. I am also asking for support for direction to County staff to identify potential properties that could serve as regional homeless shelter solutions to help ensure the availability of shelter space to move those living in encampments and connect them with wrap around services and a path to permanent housing.

This proposed action aligns with the Board's commitment to implement comprehensive and compassionate solutions for those who continue to experience homelessness.

RECOMMENDATION(S)
SUPERVISOR JOEL ANDERSON

1. Adopt an official position of the County of San Diego supporting the actions by the City of Grants Pass to overturn the U.S. 9th Circuit Court of Appeals' ruling in Johnson v. Grants Pass and direct County Counsel to file an amicus brief urging the U.S. Supreme Court to grant review in this case.

2. Direct the Chief Administrative Officer to bring forward to the Board of Supervisors draft an Unsafe Camping Ordinance, that would allow law enforcement to prohibit and abate illegal encampments, remove improperly stored property on public property, and protect vacant property, such as the San Diego River corridor, from fire and pollution.
3. Direct the Chief Administrative Officer to develop a list of properties that create the capacity needed to enforce an Unsafe Camping Ordinance and explore partnerships with other jurisdictions on regionally serving facilities. This list should include a feasibility assessment for each property that includes consideration of program operations and financial impacts, and the availability of County-owned property that fit programmatic needs and it should include consideration of vacant properties such as the former Fry's Electronics site in the City of San Diego.

EQUITY IMPACT STATEMENT

The recommended actions strike a balance between public safety and the rights and dignity of individuals experiencing homelessness. The proposed regional shelter strategy, focusing on increasing capacity for unhoused individuals will provide equitable access to shelter, addressing the immediate needs of those experiencing homelessness while working toward long-term solutions.

SUSTAINABILITY IMPACT STATEMENT

The recommended actions help to foster the sustainability of communities by addressing the continued and increasing homelessness in our region, reducing the impact on public spaces, and promoting a safer environment for all residents. It further ignites the County's commitment to holistic, equitable, and sustainable solutions to complex social challenges while reducing public health and safety risks.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years. There may be future fiscal impacts based on recommendations following from today's action. Any such recommendation(s) would return back for consideration and approval by the Board. Upon return by staff, funding for future costs will need to be identified by the department.

BUSINESS IMPACT STATEMENT

This policy seeks to contribute to a more stable and secure business environment by addressing homelessness-related challenges that can impact businesses and their customers. By offering compassionate and comprehensive solutions, such as those recommended, we are able to build on the County's commitment to social responsibility and ensuring an attractive environment for local businesses to operate.

20. SUBJECT: REQUESTING THAT THE PRESIDENT ORDER THE FLYING OF THE UNITED STATES FLAG AT HALF-STAFF TO HONOR THE AMERICAN LIVES LOST IN THE OCTOBER 7, 2023, TERRORIST ATTACK ON ISRAEL (DISTRICTS: ALL)

OVERVIEW

During the October 7, 2023, terrorist attack on Israel by Hamas, 32 Americans were reported killed. There is also concern that more American citizens are being held hostage by Hamas. As the families and friends of these victims grieve for our fellow Americans whose lives were unnecessarily extinguished by terrorists, it is our solemn duty to express our nation's solidarity with their loved ones.

Flying the United States flag at half-staff is a traditional and powerful symbol of our nation's collective grief and empathy. This act serves as a reminder that the whole nation joins those who lost loved ones in their mourning. Throughout our nation's history, Presidents have ordered that our flag be flown at half-staff on buildings, grounds, and naval vessels to recognize and honor the lives of notable individuals and events involving significant loss that results in a period of national mourning.

I am recommending that the County of San Diego officially request that the President of the United States order the flying of our flag at half-staff in remembrance of the 32 American lives lost during the October 7, 2023, terrorist attack on Israel. This action will allow other jurisdictions, including the County of San Diego to also fly the United State flag at half-staff to demonstrate to the families and friends of these victims that the nation shares their grief and mourns with them.

This item requires immediate action at the next board meeting to express solidarity for the 32 American lives lost in the recent terrorist attack in Israel and address potential hostage situations. Delaying action would have a negative impact, as it would postpone showing support for grieving families and hinder our ability to convey national unity through the symbolic act of lowering the flag at half-staff.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON

Direct the Chief Administrative Officer to send a request to the Administration requesting that the President order United States flags be flown at half-staff in remembrance of the American lives lost during the October 7, 2023, terrorist attack on Israel.

EQUITY IMPACT STATEMENT

Ensuring the flag is flown at half-staff to honor the American lives lost in Israel reflects a commitment to equity and inclusivity. It signifies our dedication to recognizing the inherent worth of every individual and sends a powerful message that our nation values and mourns the lives of all its citizens, irrespective of where they may be, fostering a sense of unity and belonging within our diverse society.

SUSTAINABILITY IMPACT STATEMENT

By flying the flag at half-staff to honor American lives lost in Israel, we promote the enduring values of empathy and solidarity, which are essential for the long-term sustainability of a harmonious and interconnected global community.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations.

BUSINESS IMPACT STATEMENT

N/A

21. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)

C. CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)

Designated Representatives: Susan Brazeau and Clint Obrigewitch.

Employee Organizations and Unrepresented Employees: Teamsters 911, Deputy District Attorney Association, Deputy Sheriff's Association of San Diego County, San Diego Deputy County Counsels Association, District Attorney Investigators' Association, San Diego County Probation Officers' Association, Public Defender Association of San Diego County, San Diego County Supervising Probation Officers' Association, Service Employees International Union, Local 221 and all unrepresented employees.

THIS PAGE IS INTENTIONALLY LEFT BLANK.