

CLERK OF THE BOARD OF SUPERVISORS
BOARD OF SUPERVISORS MEETING

TUESDAY, DECEMBER 5, 2023

Legislative Services Section: (619) 531-5434

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Health and Human Services	6.	ADOPT RESOLUTION TO GUIDE IMPLEMENTATION OF SENATE BILL (SB) 43 AND ESTABLISH A MULTISECTORAL PLANNING PROCESS TO GUIDE IMPLEMENTATION
	7.	SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: HEALTH AND HUMAN SERVICES AGENCY ADMINISTRATIVE CODE AND BOARD POLICY SUNSET REVIEW 2023; APPROVE AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE GENERAL RELIEF PROGRAM (NOVEMBER 7, 2023 - FIRST READING; DECEMBER 5, 2023 - SECOND READING)

8. AUTHORIZE COMPETITIVE SOLICITATION FOR AS-NEEDED COMMUNITY VACCINATION SERVICES, AND AUTHORIZE FUTURE FUNDING OPPORTUNITIES RELATED TO IMMUNIZATION SERVICES
[FUNDING SOURCE: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH IMMUNIZATION LOCAL ASSISTANCE GRANT IN FY 2024-25 AND THE DEPARTMENT OF PUBLIC HEALTH EPIDEMIOLOGY AND LABORATORY CAPACITY FOR PREVENTION AND CONTROL OF EMERGING INFECTIOUS DISEASES IN FY 2025-26]

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9. RESOLUTION DESIGNATING DATES AND TIMES FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS IN 2024

~~10. RESOLUTION AMENDING THE RULES OF PROCEDURE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS~~

THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF CHAIR NORA VARGAS

11. SOLICITING VOLUNTEERS FOR THE ANNUAL POINT IN TIME COUNT

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

13. 2024 LEGISLATIVE PROGRAM

14. ESCHEATMENT OF UNCLAIMED PROPERTY TAX REFUND MONEY IN COUNTY TRUST FUNDS (PROPERTY TAX)

15. GENERAL SERVICES - APPROVAL OF SECOND AMENDMENT TO LEASE WITH THE SAN DIEGO REGIONAL BUILDING AUTHORITY AND ~~FIRST~~ SECOND AMENDMENT TO SUBLEASE WITH THE SAN DIEGO METROPOLITAN TRANSIT BOARD FOR THE JAMES R. MILLS BUILDING AND NOTICE OF EXEMPTION

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

Appointments 20. APPOINTMENTS: VARIOUS

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	23.	AN ORDINANCE AMENDING SECTION 363 OF ARTICLE XX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO FILING FEES, TO SEAL OR EXPUNGE A RECORD, PURSUANT TO ASSEMBLY BILL 134 [FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE]
Health and Human Services	24.	HOUSING EVERY HOMELESS PERSON IN ADDICTION RECOVERY [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
	25.	ADVANCING REPRODUCTIVE RIGHTS EDUCATION AND PURSUING LITIGATION TO SHUT DOWN FAKE AND FRAUDULENT CRISIS PREGNANCY CENTERS [FUNDING SOURCE: EXISTING ONE-TIME GENERAL PURPOSE REVENUE]

**THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF VICE-
CHAIR TERRA LAWSON-REMER**

Financial and
General
Government

26. ADOPT THE SUSTAINABLE, EQUITABLE, AND LOCAL FOOD SOURCING POLICY AND DIRECT IMPLEMENTATION OF YEAR-TWO OF THE SUSTAINABLE, EQUITABLE, AND LOCAL FOOD SOURCING PROGRAM
[FUNDING SOURCE: ARPA]
27. NOTICED PUBLIC HEARING (TEFRA):
ISSUANCE OF BONDS, IN ONE OR MORE SERIES, FROM TIME TO TIME PURSUANT TO A PLAN OF FINANCE, BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY FOR THE BENEFIT OF SHARP HEALTHCARE AND ITS AFFILIATES IN AN AGGREGATE AMOUNT NOT TO EXCEED \$1.0 BILLION
28. ADOPT ORDINANCE AUTHORIZING A DISPOSITION AND DEVELOPMENT AGREEMENT FOR AFFORDABLE HOUSING ON COUNTY-OWNED LAND - RAMONA SENIOR HOUSING/PASEO NORTE AND RELATED CEQA FINDING
[FUNDING SOURCE: INTERNAL AGREEMENT WITH THE HEALTH AND HUMAN SERVICES AGENCY (HHSA) SUPPORTED BY HHSA'S EXISTING AVAILABLE APPROPRIATIONS FUNDED WITH GENERAL PURPOSE REVENUE]
(4 VOTES)
29. PROTECTING CALIFORNIA RATEPAYERS BY OPPOSING INCOME-GRADUATED FIXED ENERGY CHARGES
30. ENHANCING HUMANITARIAN EMERGENCY RESPONSE AND RELIEF: SUPPORTIVE SERVICES FOR ASYLUM SEEKING MIGRANTS
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31. ENSURING DIVESTMENT OF COUNTY FUNDS IN THE ISLAMIC REPUBLIC OF IRAN
32. CONDUCT COMPREHENSIVE FISCAL STUDY FOR SOLUTIONS TO IMPROVE RETENTION AND RECRUITMENT OF SAN DIEGO COUNTY SHERIFF DEPUTIES
[FUNDING SOURCE: EXISTING ONE-TIME GENERAL PURPOSE REVENUE]
33. ADOPTION OF A RESOLUTION DECLARING ELECTION RESULTS OF THE NOVEMBER 7, 2023 SPECIAL ELECTION

34. FISCAL YEAR 2023-24 FIRST QUARTER OPERATIONAL PLAN STATUS REPORT AND BUDGET ADJUSTMENTS
[FUNDING SOURCE: JUDICIAL COUNCIL OF CALIFORNIA, RCS TRUST FUND, CALIFORNIA HIGHWAY PATROL CANNABIS TAX FUND GRANT, OVER-REALIZED GENERAL PURPOSE REVENUE, GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT GRANT, OPIOID SETTLEMENT FRAMEWORK, ENVIRONMENTAL PUBLIC HEALTH AND EMERGENCY RESPONSE GRANT AND MISCELLANEOUS REVENUES; OPERATING TRANSFERS IN FROM THE GENERAL FUND, OPERATING TRANSFERS IN FROM JAIL COMMISSARY ENTERPRISE FUND, AVAILABLE PRIOR YEAR JAIL COMMISSARY ENTERPRISE FUND FUND BALANCE, FEDERAL AVIATION ADMINISTRATION, OPERATING TRANSFERS IN FROM INTERNAL SERVICE FUND, AVAILABLE PRIOR YEAR COMMUNITY SERVICE AREA FUND BALANCE, AVAILABLE PRIOR YEAR AIRPORT ENTERPRISE FUND FUND BALANCE, AVAILABLE PRIOR YEAR COMMUNITY FACILITIES DISTRICT FUND BALANCE, AVAILABLE PRIOR YEAR FISH AND GAME PROPAGATION FUND FUND BALANCE AND MISCELLANEOUS REVENUES]
(4 VOTES)

(TIME CERTAIN: 11:00 A.M.)

35. **CLOSED SESSION**

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the Department of Public Health Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases in FY 2025-26. Funds for subsequent years will be incorporated into future operational plans. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

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

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS

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

EQUITY IMPACT STATEMENT

The Board of Supervisors annually adopts a calendar for regular meetings. This ensures that the public is well informed of the meetings and can plan for active participation in local government.

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

There is no business impact associated with this action.

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

OVERVIEW

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

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

**RECOMMENDATION(S)
CHAIRWOMAN NORA VARGAS**

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

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT

There is no business impact associated with this action.

THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF CHAIR NORA VARGAS

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

OVERVIEW

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

RECOMMENDATION(S)

TREASURER TAX-COLLECTOR

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

EQUITY IMPACT STATEMENT

The Treasurer-Tax Collector recognizes the systemic impacts that inequitable policies may create for residents of the County of San Diego. Impacts have historically included outcomes related to racial justice and issues of belonging that are reflected in the programs, services and resources allocated to communities. The Treasurer-Tax Collector has provided widespread public notice that these property tax refunds are available to claim by displaying a full list of items on its website for the past four years, and by placing display ads in local community news publications throughout the County and supplying local shelters with the display ad information to post in their establishment as means to notify the public of the upcoming deadline to claim refunds before they are escheated. The notices and display ads utilize plain language and graphics to convey the message and action that is needed to claim a refund. Concurrent to these efforts staff perform extensive research and make attempts to contact the rightful owner the refund and encourage a claim be submitted. It is anticipated that these actions have a positive impact on groups including Black, Indigenous, People of Color (BIPOC), women, people with disabilities, immigrants, youth, and the LGBTQ community.

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

The James R. Mills Building (Building) and adjacent parking structure are located at 1255 Imperial Avenue in San Diego. The Building is currently leased to the County of San Diego (County) by the San Diego Regional Building Authority (SDRBA) and County subleases a portion of the Building to the San Diego Metropolitan Transit Board (MTB). The County's Health and Human Services Agency (HHS) currently occupies approximately 110,888 square feet of space in the Building and MTB occupies approximately 59,379 square feet.

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

EQUITY IMPACT STATEMENT

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

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

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

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

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

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

RECOMMENDATION(S)

SUPERVISOR TERRA LAWSON-REMER

- ~~1. Direct the County Counsel, in consultation with the Chief Administrative Officer, to bring back recommendations to the Board regarding options for initiation of litigation against, including but not limited to shutting down such centers, whether in Closed or Open Session, as appropriate.~~
- ~~2. Direct the Chief Administrative Officer to create and implement a public education campaign plan that potentially include billboards and social media ads, to (a) increase local awareness around "Crisis Pregnancy Centers," and (b) educate the public about resources available under California Senate Bill (SB) 245, as well as reproductive services for Medi-Cal recipients.~~
- ~~3. Authorize the Agency Director for Health and Human Services to apply for additional funding opportunities, if available, to fund efforts to increase awareness around reproductive health services.~~

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF VICE-CHAIR TERRA LAWSON-REMER

18. Transfer appropriations within departments between Services & Supplies and Operating Transfers Out, as noted in Appendix C, in the net amount of \$4,430,001 for major maintenance projects listed in Appendix C that were subsequently reclassified, based on capitalization thresholds, for financial reporting purposes; *and* establish and cancel appropriations, as noted in Appendix C for a net increase of \$4,430,001 in the Major Maintenance Capital Outlay Fund and adjust related funding sources as noted to accurately classify major maintenance projects for financial reporting purposes. **(4 VOTES)**
19. Establish appropriations of \$667,307 in Board of Supervisors District 1 (\$200,000), District 2 (\$50,968), District 3 (\$16,339), District 4 (\$200,000), and District 5 (\$200,000), Services & Supplies, for one-time expenses based on over-realized General Purpose Revenue. **(4 VOTES)**

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

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

EQUITY IMPACT STATEMENT

After the Board of Supervisors adopts the Operational Plan, it is monitored by the departments, Groups, and the Board. Departments are expected to work within their respective budgets. Budgets may, however, be modified during the year as circumstances warrant. In conjunction with the fund balance projection process, the Chief Administrative Officer meets with each Group to review accomplishments, emergent issues, and budget status. Department heads are required to communicate any potential problems or errors to the appropriate authority. Groups complete fund balance projections quarterly providing explanations of significant variances of

their budget. The recommended actions are intended to provide resources to address inequities in County services and to identify disparities, develop meaningful outcomes, and create a County government culture of equity, belonging, and racial justice.

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

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

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

BUSINESS IMPACT STATEMENT

N/A

35. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

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

- B.** **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Gabreul Milyard v. Dean Christian Meyer, et al.; San Diego Superior Court,
Case No.: 37-2021-00050734-CU-PA-CTL

- C.** **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Daniel Walsh et al v. County of San Diego.; San Diego Superior Court,
Case No.: 37-2021-00007166-CU-PA-NC

- D.** **CONFERENCE WITH LABOR NEGOTIATORS**
(Government Code section 54957.6)
Designated Representatives: Susan Brazeau, Clint Obrigewitch
Employee Organizations and Unrepresented Employees: Teamsters 911, Deputy
District Attorney Association, Deputy Sheriff's Association of San Diego County,
San Diego Deputy County Counsels Association, District Attorney Investigators'
Association, San Diego County Probation Officers' Association, Public Defender
Association of San Diego County, San Diego County Supervising Probation
Officers' Association, Service Employees International Union, Local 221 and all
unrepresented employees

- E.** **PUBLIC EMPLOYMENT**
(Government Code section 54957)
Chief Administrative Officer

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NORA VARGAS
CHAIRWOMAN
SUPERVISOR, FIRST DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM

DATE: December 5, 2023

10

TO: Board of Supervisors

SUBJECT

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

OVERVIEW

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

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

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS

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

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

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

FISCAL IMPACT

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT

There is no business impact associated with this action.

THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF CHAIR NORA VARGAS

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The Board of Supervisors has adopted the “Rules of Procedure” which define meeting protocol, public access, and public participation at Board of Supervisors meetings, among other aspects. The Rules were first adopted in 1970.

Over time, these Rules of Procedure have been amended to recognize changes in technology and other new processes. The proposed changes are focused on several areas, described below, as well as some non-substantive changes. All changes are reflected with strikeout/underline text in Exhibit A to the proposed resolution.

- **Time and Place of Meetings:** The proposed change for the time and place of the meeting would allow for flexibility in the start time of Board meetings. Meetings would commence at 9:00 a.m., or at the time specified in the Board Meeting calendar. This would allow the Chairperson to set the start time of meetings in the annual meeting calendar. For 2024, it is recommended that Wednesday Land Use Sessions start at 10:00 a.m. This would allow more time for constituents that are traveling further distances for land use matters to timely arrive at the meeting.
- **Tuesday Session Name:** The proposed changes adjust the name of the Tuesday Session to be the Legislative Session. This provides clearer language to differentiate the Tuesday and Wednesday session as the Legislative and Land Use sessions, respectively.
- **Refining Public Participation Rules:** First, the section for speaking on the Consent Calendar is amended to reiterate that comments must pertain to agenda items on the Consent Calendar. It is important that speakers use this time to address the agenda items that are on consent and not exploit the time to speak on matters not on the agenda.

Second, the current rules require speaker slips for non-agenda public communication to be submitted before the meeting starts. This can be confusing for the public because it is different than the speaker slip deadline for discussion items. To keep it consistent with the deadline for discussion items, it is recommended that the deadline for speaker slips for non-agenda public comment be submitted before the start of non-agenda public comment.

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

Third, the proposed changes would give discretion to the Chairperson to limit each speaker to one (1) minute for non-agenda public communication. This is consistent with the Chairperson's discretion setting time limits for discussion items.

Finally, the proposed changes would specifically allow clapping for the proclamations and awards portions of the session.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

The proposed action supports the Strategic Initiative of Community Engagement in the County of San Diego's 2023-2028 Strategic Plan by providing information, programs, public forums or other avenues that increase access for individuals or communities to use their voice, their vote, and their experience to impact change.

Respectfully submitted,



NORA VARGAS
Supervisor, First District

ATTACHMENT(S)

1. RESOLUTION AMENDING THE RULES OF PROCEDURE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS
2. Proposed Changes to the Rules of Procedure (Exhibit A of the Resolution)

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COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

VACANT
Fourth District

JIM DESMOND
Fifth District

DATE: December 5, 2023

15

TO: Board of Supervisors

SUBJECT

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

OVERVIEW

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

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

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

3. Approve and authorize the Director, Department of General Services, to execute the second amendment to sublease with the San Diego Metropolitan Transit Board.

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The San Diego Metropolitan Transit Board (MTB) and the County of San Diego (County) jointly occupy and operate the James R. Mills Building (Building) located at 1255 Imperial Avenue in San Diego. The Building was completed in 1989 by the San Diego Regional Building Authority (SDRBA), a joint powers agency formed in 1987. The 10 floor Building is approximately 170,267 square feet in size and is located on land owned by the MTB and leased to the SDRBA pursuant to a ground lease. An adjoining parcel of land was purchased by the SDRBA for the construction of a parking structure that serves the Building. The Building and parking structure (Project) are leased to the County by the SDRBA. The County subleases portions of the Project to the MTB, including retail space on the first floor, office space on the eighth, ninth and tenth floors, and the right to use up to 220 parking spaces in the parking structure. The County’s Health and Human Services Agency (HHS) currently occupies approximately 110,888 square feet of space in the Building and the MTB occupies approximately 59,379 square feet.

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

Based on an assessment of their space needs HHSa determined that administrative staff located in Suite 820 could be relocated to the 7th floor. MTB determined that additional office space is needed to accommodate future growth and is interested in occupying the entire 8th floor of the Building. Staff from the Department of General Services have negotiated an amendment to lease with SDRBA and an amendment to sublease with MTB that will incorporate the changes in occupancy. If approved, MTS will occupy an additional 4,539 square feet in the Building. Today's request is for approval of the lease amendments.

ENVIRONMENTAL STATEMENT

The proposed lease and sublease amendments are categorically exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it involves amending an existing lease and sublease for use of an existing facility for office space that involves no expansion of the existing or former use of the James R. Mills Building.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

The requested action supports the Equity Initiative in the County of San Diego's 2023-2028 Strategic Plan by supporting Departments that provide efficient and innovated services to residents of San Deigo County.

Respectfully submitted,



HELEN N. ROBBINS-MEYER
Interim Chief Administrative Officer

ATTACHMENT(S)

Attachment A: Notice of Exemption

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COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

VACANT
Fourth District

JIM DESMOND
Fifth District

DATE: December 5, 2023

15

TO: Board of Supervisors

SUBJECT

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

OVERVIEW

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

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

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

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

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

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

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

Building. Staff from the Department of General Services have negotiated an amendment to lease with SDRBA and an amendment to sublease with MTB that will incorporate the changes in occupancy. If approved, MTS will occupy an additional 4,539 square feet in the Building. Today's request is for approval of the lease amendments.

ENVIRONMENTAL STATEMENT

The proposed lease and sublease amendments are categorically exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it involves amending an existing lease and sublease for use of an existing facility for office space that involves no expansion of the existing or former use of the James R. Mills Building.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

The requested action supports the Equity Initiative in the County of San Diego's 2023-2028 Strategic Plan by supporting Departments that provide efficient and innovated services to residents of San Deigo County.

Respectfully submitted,



HELEN N. ROBBINS-MEYER
Interim Chief Administrative Officer

ATTACHMENT(S)

Attachment A: Notice of Exemption

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BOARD LETTER APPROVAL LOG

BOARD LETTER TITLE:	GENERAL SERVICES – APPROVAL OF SECOND AMENDMENT TO LEASE WITH THE SAN DIEGO REGIONAL BUILDING AUTHORITY AND SECOND AMENDMENT TO SUBLEASE WITH THE SAN DIEGO METROPOLITAN TRANSIT BOARD FOR THE JAMES R. MILLS BUILDING AND NOTICE OF EXEMPTION (DISTRICT: 1)
ATTACHMENTS:	NOE
ORIGINATING DEPT:	Department of General Services

Approval Signature

Signature Verification

Inna Zazulevskaya

Inna Zazulevskaya

E-signed 2023-11-30 05:10PM PST
Inna.Zazulevskaya@sdcounty.ca.gov
SAN DIEGO COUNTY

Kathleen Mendoza

Kathleen Mendoza

E-signed 2023-11-30 04:09PM PST
Kathleen.Mendoza@sdcounty.ca.gov
SAN DIEGO COUNTY

Marko Medved

Marko Medved

E-signed 2023-11-30 05:39PM PST
Marko.Medved@sdcounty.ca.gov
SAN DIEGO COUNTY

ES
Ebony N. Shelton (Nov 30, 2023 16:34 PST)

Ebony N. Shelton

E-signed 2023-11-30 04:34PM PST
ebony.shelton@sdcounty.ca.gov
SAN DIEGO COUNTY

Judy Ying

Judy Ying

E-signed 2023-11-30 04:27PM PST
Judy.Ying@sdcounty.ca.gov
SAN DIEGO COUNTY

Eric C McDonald

Eric McDonald

E-signed 2023-11-30 04:08PM PST
Eric.McDonald@sdcounty.ca.gov
SAN DIEGO COUNTY

AT
Amy Thompson (Nov 30, 2023 17:40 PST)

Amy Thompson

E-signed 2023-11-30 05:40PM PST
Amy.Thompson@sdcounty.ca.gov
SAN DIEGO COUNTY

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NOTICE OF EXEMPTION

TO: Mail Stop: A-33
ARCC-Recorder
Attn: Jobell Russit
1600 Pacific Highway
San Diego, CA 92101
 State Clearinghouse

FROM: Mail Stop: 0-368
County of San Diego,
Department of General Services
Attn: Marcus Lubich
5560 Overland Avenue, Suite 410
San Diego, CA 92123

SUBJECT: FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name: Approval of Second Amendment to Lease with the San Diego Regional Building Authority and ~~First~~ Second Amendment to Sublease with the San Diego Metropolitan Transit Board for the James R. Mills Building

Project Location: 1255 Imperial Avenue, San Diego 92101; APN: 538-010-35-00

Project Applicant: County of San Diego, Department of General Services
5560 Overland Avenue, Suite 410, San Diego, CA 92123

Project Description: The project will consist of a second lease amendment with the San Diego Regional Building Authority and a second sublease amendment with the San Diego Metropolitan Transit Board (MTB) to allow MTB to occupy the entire 8th floor of the James R. Mills Building to accommodate future space needs. The leases terminate November 1, 2086.

Agency Approving Project: County of San Diego Date Form Completed: ~~October 31~~ November 30, 2023

County Contact Person: Marcus Lubich

Telephone: (858) 414-4593

This is to advise that the San Diego County Board of Supervisors has approved the above-described project on December 5, 2023 (#) and found the project to be exempt from the CEQA under the following criteria:

Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one)

- Declared Emergency [C 21080(b)(3); G 15269(a)]
- Emergency Project [C 21080(b)(4); G 15269(b)(c)]
- Statutory Exemption. C Section(s):
- Categorical Exemption. G Sections: 15301 Existing Facilities
- G 15182 – Residential Projects Pursuant to a Specific Plan
- Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
- G 15061(b)(3) - It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.

Statement of reasons why project is exempt:

This lease and sublease amendments are categorically exempt from CEQA pursuant to Section 15301, Existing Facilities as it involves amending an existing lease and sublease for use of an existing facility for office space that involves no expansion of the existing or former use of the James R. Mills Building. Additionally, the project will not impact environmental resources of hazardous or critical concern that are designated, precisely mapped and officially adopted by government agencies; does not contribute to cumulative environmental impact; will not have a significant impact on the environment due to unusual circumstances; does not damage scenic resources within a designated state scenic highway; and is not on the list of Hazardous Waste and Substance Sites pursuant to Section 65962.5 of the Government Code.

The following is to be filled in only upon formal project approval by the appropriate County of San Diego decision-making body.

Signature: Marcus Lubich Telephone: 858-414-4593

Name (Print): Marcus Lubich Title: Project Manager

This Notice of Exemption has been signed and filed by the County of San Diego.

This notice must be filed with the Recorder/County Clerk as soon as possible after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15062.

NOTICE OF EXEMPTION

TO: Mail Stop: A-33
ARCC-Recorder
Attn: Jobell Russit
1600 Pacific Highway
San Diego, CA 92101
 State Clearinghouse

FROM: Mail Stop: 0-368
County of San Diego,
Department of General Services
Attn: Marcus Lubich
5560 Overland Avenue, Suite 410
San Diego, CA 92123

SUBJECT: FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name: Approval of Second Amendment to Lease with the San Diego Regional Building Authority and Second Amendment to Sublease with the San Diego Metropolitan Transit Board for the James R. Mills Building

Project Location: 1255 Imperial Avenue, San Diego 92101; APN: 538-010-35-00

Project Applicant: County of San Diego, Department of General Services
5560 Overland Avenue, Suite 410, San Diego, CA 92123

Project Description: The project will consist of a second lease amendment with the San Diego Regional Building Authority and a second sublease amendment with the San Diego Metropolitan Transit Board (MTB) to allow MTB to occupy the entire 8th floor of the James R. Mills Building to accommodate future space needs. The leases terminate November 1, 2086.

Agency Approving Project: County of San Diego

Date Form Completed: November 30, 2023

County Contact Person: Marcus Lubich

Telephone: (858) 414-4593

This is to advise that the San Diego County Board of Supervisors has approved the above-described project on December 5, 2023 (#) and found the project to be exempt from the CEQA under the following criteria:

Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one)

- Declared Emergency [C 21080(b)(3); G 15269(a)]
- Emergency Project [C 21080(b)(4); G 15269(b)(c)]
- Statutory Exemption. C Section(s):
- Categorical Exemption. G Sections: 15301 Existing Facilities
- G 15182 – Residential Projects Pursuant to a Specific Plan
- Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
- G 15061(b)(3) - It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.

Statement of reasons why project is exempt:

This lease and sublease amendments are categorically exempt from CEQA pursuant to Section 15301, Existing Facilities as it involves amending an existing lease and sublease for use of an existing facility for office space that involves no expansion of the existing or former use of the James R. Mills Building. Additionally, the project will not impact environmental resources of hazardous or critical concern that are designated, precisely mapped and officially adopted by government agencies; does not contribute to cumulative environmental impact; will not have a significant impact on the environment due to unusual circumstances; does not damage scenic resources within a designated state scenic highway; and is not on the list of Hazardous Waste and Substance Sites pursuant to Section 65962.5 of the Government Code.

The following is to be filled in only upon formal project approval by the appropriate County of San Diego decision-making body.

Signature: Marcus Lubich Telephone: 858-414-4593

Name (Print): Marcus Lubich Title: Project Manager

This Notice of Exemption has been signed and filed by the County of San Diego.

This notice must be filed with the Recorder/County Clerk as soon as possible after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15062.



TERRA LAWSON-REMER

**SUPERVISOR, THIRD DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS**

AGENDA ITEM

DATE: December 5, 2023

25

TO: Board of Supervisors

SUBJECT

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

OVERVIEW

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

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

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

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

**SUBJECT: ADVANCING REPRODUCTIVE RIGHTS EDUCATION AND
 PURSUING LITIGATION TO SHUT DOWN FAKE AND
 FRAUDULENT CRISIS PREGNANCY CENTERS**

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

**RECOMMENDATION(S)
SUPERVISOR TERRA LAWSON-REMER**

- ~~1. Direct the County Counsel, in consultation with the Chief Administrative Officer, to bring back recommendations to the Board regarding options for initiation of litigation against, including but not limited to shutting down such centers, whether in Closed or Open Session, as appropriate.~~
- ~~2. Direct the Chief Administrative Officer to create and implement a public education campaign plan that potentially include billboards and social media ads, to (a) increase local awareness around “Crisis Pregnancy Centers,” and (b) educate the public about resources available under California Senate Bill (SB) 245, as well as reproductive services for Medi-Cal recipients.~~
- ~~3. Authorize the Agency Director for Health and Human Services to apply for additional funding opportunities, if available, to fund efforts to increase awareness around reproductive health services.~~

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

**THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF VICE-CHAIR TERRA
LAWSON-REMER**

**SUBJECT: ADVANCING REPRODUCTIVE RIGHTS EDUCATION AND
 PURSUING LITIGATION TO SHUT DOWN FAKE AND
 FRAUDULENT CRISIS PREGNANCY CENTERS**

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

In the wake of *Roe v. Wade* being overturned, California Governor Gavin Newsom immediately took action to protect both patients and health providers within California and proposed a reproductive healthcare package to expand access to these services for both residents and those seeking these resources from outside the state. The Governor also launched a billboard campaign in several anti-abortion states, to educate people about what services were available in California.

In March 2022, Governor Newsom signed Senate Bill 245 into law, which expands access to reproductive health care by eliminating out-of-pocket costs for abortion services covered by health plans. SB 245 prohibits health plans and insurers from imposing a co-pay, deductible, or other cost-sharing requirement for abortion and abortion-related services. The legislation also prohibits health plans and insurers from imposing utilization management practices on covered abortion and abortion-related services. In addition, all public universities student health centers must provide medical abortion services through on-site staff, telehealth services, or contracted providers. California is also one of six states that require health insurance plans to cover abortion services.

While robust action has been taken to ensure reproductive health care access, San Diego communities are still greatly impacted by “Crisis Pregnancy Centers” which mimic reproductive healthcare clinics offering abortion services. These centers misleadingly offer free consultations for services, but then present individuals with anti-abortion information and actively try to stop individuals from terminating their pregnancy. They actively interfere with a person’s agency and decisions about whether to start a family and can also have detrimental and long-term health and emotional impacts.

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

California and the County have been at the forefront of ensuring continued access to abortion and contraception, as well as the protection of reproductive healthcare rights. However, more must be done. This action will be another step in ensuring that there continues to be broad public access to vital services, and that an individual’s right to choose is not jeopardized.

In May 2022, Chairwoman Nora Vargas and Vice Chair Terra Lawson-Remer also put forward a resolution at the County which supported enshrining a pregnant person’s right to choose within the California constitution. This resolution foregrounded the importance of an individual’s right

**SUBJECT: ADVANCING REPRODUCTIVE RIGHTS EDUCATION AND
 PURSUING LITIGATION TO SHUT DOWN FAKE AND
 FRAUDULENT CRISIS PREGNANCY CENTERS**

to privacy to choose to have an abortion as well as the health impacts and risks of pregnant persons, particularly for individuals living in poverty and people of color who are three times as likely to die in childbirth than white individuals. It committed the County of San Diego to defending and fighting for the right to choose for all who seek care.

In June of 2022, California Attorney General Rob Bonta announced a statewide consumer alert to increase public awareness around “Crisis Pregnancy Centers” that deceptively mimic reproductive healthcare clinics offering abortion services, several of which operate in San Diego County. In September 2023, legal action was initiated by California State Attorney General Rob Bonta against two Northern California “Crisis Pregnancy Centers.”

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

This Board Letter aligns with the County of San Diego’s Healthy Equity focus of its Strategic Plan, which states the County intends to "reduce disparities and disproportionality and ensure access for all through a fully optimized health and social service delivery system and upstream strategies” and “focus on policy, systems and environmental approaches that ensure equal opportunity for health and well-being through partnerships and innovation.”

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Terra Lawson-Remer', with a stylized flourish at the end.

TERRA LAWSON-REMER
Supervisor, Third District

Resolution No.: _____
 Meeting Date: December 5, 2023

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO
 DECLARING THE RESULTS OF THE NOVEMBER 7, 2023 SPECIAL ELECTION
 RELATING TO COUNTY OF SAN DIEGO OFFICE**

WHEREAS, pursuant to Articles IV and VI of the Charter of the County of San Diego, a special election was held and conducted on November 7, 2023, during which the electors of the County of San Diego nominated candidates to fill the office of County of San Diego Supervisor – 4th District; and

WHEREAS, on November 28, 2023, the Registrar of Voters of the County of San Diego certified to the Clerk of the Board of Supervisors the results of the canvass of said election; NOW, THEREFORE,

IT IS RESOLVED AND ORDERED that the results of said special election are as follows:

COUNTY OF SAN DIEGO SUPERVISOR – 4th DISTRICT		
Monica Montgomery Steppe	60,383	61.58%
Amy Reichert	37,681	38.42%

IT IS FURTHER RESOLVED, DETERMINED, AND ORDERED that more than a majority of the electors voting for the office of the Board of Supervisors – District 4 at said special election have voted in favor of Monica Montgomery Steppe, and, therefore, Monica Montgomery Steppe is hereby declared elected to the office of Board of Supervisors – District 4.

APPROVED AS TO FORM AND LEGALITY
 CLAUDIA G. SILVA, County Counsel
 By: David Stotland, Senior Deputy County Counsel

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COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

VACANT
Fourth District

JIM DESMOND
Fifth District

DATE: December 05, 2023

35

TO: Board of Supervisors

SUBJECT

CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Lisa Joy Kelly v. County of San Diego, et al.; San Diego Superior Court,
Case No.: 37-2022-00018907-CU-PO-NC
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Gabreul Milyard v. Dean Christian Meyer, et al.; San Diego Superior Court,
Case No.: 37-2021-00050734-CU-PA-CTL
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Daniel Walsh et al v. County of San Diego.; San Diego Superior Court,
Case No.: 37-2021-00007166-CU-PA-NC
- D. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.6)
Designated Representatives: Susan Brazeau, Clint Obrigewitch
Employee Organizations and Unrepresented Employees: Teamsters 911, Deputy
District Attorney Association, Deputy Sheriff's Association of San Diego County,
San Diego Deputy County Counsels Association, District Attorney Investigators'
Association, San Diego County Probation Officers' Association, Public Defender
Association of San Diego County, San Diego County Supervising Probation
Officers' Association, Service Employees International Union, Local 221 and all
unrepresented employees

SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

E. PUBLIC EMPLOYMENT
(Government Code section 54957)
Chief Administrative Officer

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER
At the direction of the Board.

EQUITY IMPACT STATEMENT
N/A

SUSTAINABILITY IMPACT STATEMENT
N/A

FISCAL IMPACT
N/A

BUSINESS IMPACT STATEMENT
N/A

ADVISORY BOARD STATEMENT
N/A

BACKGROUND
N/A

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN
N/A

Respectfully submitted,

Silva,
Claudia

Digitally signed by Silva,
Claudia
Date: 2023.11.30
16:23:03 -08'00'

CLAUDIA G. SILVA
County Counsel

ATTACHMENT(S)
N/A

County of San Diego Board of Supervisors
AGENDA ITEM INFORMATION SHEET

AGENDA ITEM SUBJECT/TITLE:
CLOSED SESSION (DISTRICTS: ALL)

REQUIRES FOUR VOTES:

Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION §1000.1 REQUIRED:

Yes No

NOTICED PUBLIC HEARING REQUIRED:

Yes No

PROJECT UNDER CEQA:

Yes No

If Yes, approval of CEQA document required?

Yes No

DECISION WITHIN GOVERNMENT CODE SECTION 84308:

Yes No

PREVIOUS RELEVANT BOARD ACTIONS:

N/A

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

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

N/A

ORIGINATING DEPARTMENT: County Counsel

OTHER CONCURRENCE(S): N/A

INTERNAL REVIEW COMPLETED: YES NO **Silva, Claudia** Digitally signed by Silva, Claudia
Date: 2023.11.30 16:22:02 -08'00'

Signature

CONTACT PERSON(S):

Claudia Silva

Name

(619) 531-4860

Phone

Claudia.Silva@sdcounty.ca.gov

E-mail

Name

Phone

E-mail

Silva, Claudia Digitally signed by Silva, Claudia
Date: 2023.11.30 16:22:12 -08'00'

Signature

Signature

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