

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, MARCH 12, 2024, 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 February 27, 2024.
- H. Consent Calendar
- I. Discussion Items
- J. 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@sdcountry.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 - LAW ENFORCEMENT AGREEMENT WITH THE PALA BAND OF MISSION INDIANS [FUNDING SOURCE: REVENUE FROM THE PALA BAND OF MISSION INDIANS] (4 VOTES)
	2.	ACCEPTANCE OF FUNDS UNDER THE REGIONAL RESILIENCE GRANT PROGRAM, ESTABLISH APPROPRIATIONS, AND MAKE CEQA FINDINGS [FUNDING SOURCE: CALIFORNIA GOVERNOR'S OFFICE OF PLANNING AND RESEARCH REGIONAL RESILIENCE GRANT PROGRAM] (4 VOTES)

Moved to
Discussion

- 3. ~~LOCAL COUNTY WIDE EMERGENCY REVIEW AND RATIFY: 2024- SEVERE WINTER STORMS~~
- 4. RATIFY ACCEPTANCE OF DONATIONS FROM MARIE E. VAUTOUR REVOCABLE TRUST AND FROM YIN C. FAUNCE AND GARY D. FAUNCE

Health and
Human Services

- 5. APPROVE ACCEPTANCE OF GIFTS AND DONATIONS RECEIVED BY HEALTH AND HUMAN SERVICES AGENCY IN CALENDAR YEAR 2023 TO A.B. AND JESSIE POLINSKY CHILDREN’S CENTER AND CHILD AND FAMILY WELL-BEING AND AUTHORIZE THE CHAIRWOMAN OF THE BOARD OF SUPERVISORS TO SIGN A LETTER OF APPRECIATION TO THE DONORS
- 6. ADOPT A RESOLUTION AUTHORIZING APPLICATION FOR, AND RECEIPT OF, PROHOUSING INCENTIVE PROGRAM GRANT FUNDS AND AUTHORIZE THE ISSUANCE OF NOTICES OF FUNDING AVAILABILITY FOR DEVELOPMENT OF MULTIFAMILY RENTAL HOUSING
[FUNDING SOURCE: STATE OF CALIFORNIA, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PROHOUSING INCENTIVE PROGRAM FUNDS]

Financial and
General
Government

- 7. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ADOPTION OF AN ORDINANCE AUTHORIZING THE DISASTER RELIEF DEFERRAL OF SUPPLEMENTAL PROPERTY TAX PAYMENTS FOR THE OWNERS OF PROPERTY DAMAGED OR DESTROYED IN THE GOVERNOR-PROCLAIMED SEVERE WINTER STORM DISASTERS
- 8. AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION (3/12/24 - First Reading; 4/9/24 - Second Reading, unless the ordinance is modified on second reading)
- 9. AUTHORIZE A COMPETITIVE SOLICITATION FOR FOOD, FOOD PREPARATION SUPPLIES AND EQUIPMENT

Moved to
Discussion

- 10. ~~APPROVAL OF THE TEMPORARY EMPLOYMENT OF MICHAEL WORKMAN IN THE CRITICALLY NEEDED POSITION OF DIRECTOR, COUNTY COMMUNICATIONS OFFICE, BEFORE 180 DAYS HAVE PASSED SINCE THE DATE OF RETIREMENT [FUNDING SOURCE: GENERAL PURPOSE REVENUE]~~
- 11. APPOINTMENTS: VARIOUS
- 12. COMMUNICATIONS RECEIVED

DISCUSSION ITEMS

Category	#	Subject
<u>Public Safety</u>	<u>3.</u>	<u>2024 SEVERE WINTER STORMS: LOCAL COUNTY-WIDE EMERGENCY REVIEW AND RATIFY; RESOLUTION TO APPROPRIATE FUNDING FROM THE GENERAL FUND RESERVE; ESTABLISH APPROPRIATIONS FROM THE GENERAL FUND RESERVE OR OTHER IDENTIFIABLE FUNDING SOURCE AVAILABLE FOR EMERGENCY LODGING AND FOOD SERVICES; AND AUTHORIZE AWARD OR AMENDMENT OF CONTRACTS FOR FOOD SERVICES</u> [FUNDING SOURCE: GENERAL FUND RESERVE, WHICH IS CURRENTLY BELOW THE MINIMUM BALANCE] (4 VOTES)
<u>Financial and General Government</u>	<u>10.</u>	<u>APPROVAL OF THE TEMPORARY EMPLOYMENT OF MICHAEL WORKMAN IN THE CRITICALLY NEEDED POSITION OF DIRECTOR, COUNTY COMMUNICATIONS OFFICE, BEFORE 180-DAYS HAVE PASSED SINCE THE DATE OF RETIREMENT</u> [FUNDING SOURCE: GENERAL PURPOSE REVENUE]
Health and Human Services	13.	INCREASING MEDI-CAL REIMBURSEMENT RATES TO IMPROVE HEALTHCARE FOR NEARLY 1 MILLION SAN DIEGANS [FUNDING SOURCE: ONE-TIME GENERAL PURPOSE REVENUE]
	14.	NOTICED PUBLIC HEARING: FISCAL YEAR 2024-25 ANNUAL PLAN; REALLOCATION OF PROGRAM FUNDS; AND A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING THE FISCAL YEAR 2024-25 ANNUAL PLAN [FUNDING SOURCE: FY 2024-25 UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ENTITLEMENTS GRANT AWARDS: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), EMERGENCY SOLUTIONS GRANT (ESG), HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)]
Financial and General Government	15.	NOTICED PUBLIC HEARING (TEFRA): ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF REPUBLIC SERVICES IN AN AGGREGATE AMOUNT NOT TO EXCEED \$400,000,000
	16.	FISCAL YEAR 2023-24 SECOND QUARTER OPERATIONAL PLAN STATUS REPORT AND BUDGET ADJUSTMENTS [FUNDING SOURCE: GENERAL PURPOSE REVENUE, AB 2890 SUPPLEMENTAL PROPERTY TAX REVENUE AND PRIOR YEAR NRP & CE PROGRAM ALLOCATIONS THAT WERE RETURNED IN THE CURRENT FISCAL YEAR; THE FUNDING SOURCES FOR THE

NET INCREASE ARE BEHAVIORAL HEALTH CONTINUUM INFRASTRUCTURE PROGRAM (BHCIP) AND CRISIS AND BEHAVIORAL HEALTH CONTINUUM GRANT FUNDING ENVIRONMENTAL TRUST FUND, AVAILABLE PRIOR YEAR PLD FUND FUND BALANCE, HABITAT CONSERVATION FUND (HCF) GRANT, OPERATING TRANSFERS IN FROM VARIOUS NON-GENERAL FUND, AVAILABLE PRIOR YEAR PERMANENT ROAD DIVISION (PRD) FUND FUND BALANCE, AVAILABLE PRIOR YEAR COMMUNITY FACILITY DISTRICT (CFD) FUND BALANCE, LOUIS A STELZER TRUST FUND, OPERATING TRANSFERS IN FROM PLD, AVAILABLE PRIOR YEAR COUNTY SERVICE AREA (CSA) FUND BALANCE, SPECIAL ASSESSMENT FOR CFD AND PRD]
(4 VOTES)

17. CAPITAL IMPROVEMENT NEEDS ASSESSMENT - FISCAL YEARS 2024-25 THROUGH 2028-29

Health and
Human Services

18. AUTHORIZE AND APPROVE ACTIONS RELATED TO COMPASSIONATE EMERGENCY SOLUTIONS AND PATHWAYS TO HOUSING PROJECTS, INCLUDING ESTABLISHING APPROPRIATIONS, EXECUTING LEASE, CONTRACT AMENDMENTS, AND REVENUE AGREEMENTS FOR HOUSING SITES, ADMINISTERING THE CONSTRUCTION MANAGER AT RISK CONTRACT, AND RELATED CEQA EXEMPTIONS
[FUNDING SOURCE: AMERICAN RESCUE PLAN ACT (ARPA) FUNDING]
(4 VOTES)

19. AUTHORIZE COMPETITIVE SOLICITATION FOR REGIONAL HOMELESS ASSISTANCE AND INCLEMENT WEATHER PROGRAMS, AND RECEIVE AUTHORITY TO APPLY FOR FUTURE FUNDING OPPORTUNITIES RELATED TO ADDRESSING HOMELESSNESS
[FUNDING SOURCES: EXISTING GENERAL PURPOSE REVENUE AND ANTICIPATED ARPA FUNDS PROJECTED TO BE AVAILABLE WITHIN THE HOMELESS SERVICES COMPONENT OF THE ARPA FRAMEWORK THROUGH FY 2025-26]

Public Safety

20. UPDATE ON THE ALTERNATIVES TO INCARCERATION INITIATIVE; AUTHORITY TO PROCURE A RESOURCE AND REENTRY HUB AND DRAFT A LOCAL FAIR CHANCE ACT ORDINANCE
[FUNDING SOURCE: PUBLIC SAFETY REALIGNMENT]

Financial and
General
Government

21. CANNABIS SOCIAL EQUITY PROGRAM
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]

22. CLOSED SESSION

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1. SUBJECT: SHERIFF - LAW ENFORCEMENT AGREEMENT WITH THE PALA BAND OF MISSION INDIANS (DISTRICT: 5)

OVERVIEW

On March 16, 2021 (7), the Board of Supervisors (Board) approved a three-year law enforcement services agreement between the County of San Diego (County) Sheriff's Department, and the Pala Band of Mission Indians for law enforcement services through March 31, 2024 to work on and around the Pala Indian Reservation. The current agreement provides for two full-time deputies assigned to the Pala Indian Reservation. The Pala Tribal Council is requesting a new three-year agreement, including one additional full-time deputy for the reservation.

Today's request is to authorize a new three-year law enforcement services agreement between the County of San Diego, through the Sheriff's Department, and the Pala Band of Mission Indians for the period of April 1, 2024 through March 31, 2027. Additionally, this request is for Board approval to add one deputy staff year and to purchase one vehicle.

RECOMMENDATION(S)

SHERIFF

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery that requires docketing revenue contracts with the Board at least 60 days prior to effective date of contract.
2. Approve and authorize the Clerk of the Board of Supervisors to execute a three-year revenue agreement between the County of San Diego and the Pala Band of Mission Indians for supplemental law enforcement services in and around the Pala Indian Reservation for the period April 1, 2024 through March 31, 2027.
3. Authorize the Sheriff or her designee to sign all required contract documents, including mid-year service level changes, extensions, amendments, and/or revisions for the period beginning April 1, 2024 and ending March 31, 2027 that do not materially impact the program or funding level.
4. Establish appropriations of \$179,289 in the Sheriff's Department, Salaries & Benefits (\$50,612), Services & Supplies (\$27,281), and Capital Assets Equipment (\$101,396) for law enforcement services based on unanticipated revenue from the Pala Band of Mission Indians. **(4 VOTES)**
5. Transfer appropriations of \$95,000 from the Sheriff's Department, Capital Assets Equipment, to the General Fund Contributions to Fleet Internal Service Fund (ISF), Operating Transfer Out, to purchase a vehicle. **(4 VOTES)**
6. Amend the Fiscal Year 2023-24 Department of General Services Fleet ISF Spending Plan by \$95,000 for the purchase of one vehicle for the Sheriff's Department based on an operating transfer from the General Fund. **(4 VOTES)**

7. Approve and authorize the Sheriff's Department to add one (1.00) staff year for a Sheriff's Deputy, to support the Pala Band of Mission Indians, and direct the Department for Human Resources to classify the position at the appropriate level.

EQUITY IMPACT STATEMENT

By contracting with the Pala Band of Mission Indians for supplemental law enforcement services, the Sheriff's Department aims to further assist the Pala Band of Mission Indians by providing quality public safety services that improve the quality of life for residents and visitors to the Pala Indian Reservation. The Sheriff's Department is committed to assisting the Pala Band of Mission Indians improve access to justice for its members and protecting the well-being of everyone within the Pala Indian Reservation.

SUSTAINABILITY IMPACT STATEMENT

Native Americans experience much higher rates of violence per capita than those of the general population. Shifts in both federal and state laws have begun to strengthen the ability of tribes, like the Pala Band of Mission Indians, to enhance the well-being and public safety of Native American communities. By contracting with the Pala Band of Mission Indians for supplemental law enforcement services, the Sheriff's Department is furthering the County's Sustainability Goal of providing just and equitable access to County services and in particular building resilience in vulnerable populations in partnership with the community.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2023-24 Operational Plan for the Sheriff's Department. A total of \$158,797 is budgeted. If approved, this request will establish appropriations of \$179,289 and result in current year estimated costs and revenue of \$338,086. The funding source is revenue from the Pala Band of Mission Indians. The estimated annual cost of the new agreement for three full-time deputies is \$999,321. Subsequent year costs and revenue will be included in future Operational Plans for the Sheriff's Department and will be adjusted based on negotiated salary increases and other adjustments or service level changes. The Pala Band of Mission Indians will reimburse the County of San Diego for all actual costs for the proposed new three-year agreement for law enforcement services. There will be no change in net General Fund cost and there will be an increase of one (1.00) staff year.

BUSINESS IMPACT STATEMENT

N/A

2. **SUBJECT: ACCEPTANCE OF FUNDS UNDER THE REGIONAL RESILIENCE GRANT PROGRAM, ESTABLISH APPROPRIATIONS, AND MAKE CEQA FINDINGS (DISTRICTS: ALL)**

OVERVIEW

The San Diego region's topography, when fueled by shrub overgrowth, Santa Ana winds and high temperatures, creates an ever-present threat of wildfire. Extreme weather conditions can cause an ordinary fire to become uncontrollable in minutes.

On April 26, 2022 (30), after environmental review, the Board of Supervisors (Board) formally approved a County *Roadside Vegetation Management for Evacuation Preparedness Program* (Roadside Program). Through this program, San Diego County Fire (County Fire) is expanding vegetation management along critical evacuation corridors to 20 feet, beyond the 10 feet of vegetation management that the Department of Public Works (DPW) conducts in the public right-of-way. County Fire coordinates with DPW on the mowing schedules and locations of DPW's work to maximize efficiency between both efforts. Since its implementation, community members, Fire Safe Councils, and key stakeholders have expressed interest in expanding the Roadside Program to additional evacuation routes throughout the region.

On August 29, 2023, San Diego County Fire (County Fire), the San Diego City Fire-Rescue Department (SDFR), and the Fire Safe Council of San Diego County (FSCSDC) jointly applied for funding from the California Governor's Office of Planning and Research Regional Resilience Grant Program. The grant proposal focuses on protecting evacuation corridors through hazardous fuels reduction, providing defensible space assistance to residents, and public education. On December 21, 2023, County Fire, SDFR, and the FSCSDC were notified of an award of the grant proposal.

Today's actions include seeking approval to accept grant funds in the amount of \$1,588,838 for the period of approximately April 2024 through September 2026, under the Regional Resilience Grant Program and establish appropriations of \$158,884 in San Diego County Fire for Fiscal Year 2023-24.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions to accept grant funding is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3).
2. Waive Board Policy B-29 (Fees, Grants and Revenue Contracts - Department Responsibility for Cost Recovery), which requires full cost recovery for grants.
3. Authorize the acceptance of \$1,588,838 in funds from the California Governor's Office of Planning and Research Regional Resilience Grant Program.
4. Authorize the Interim Chief Administrative Officer, or designee, to execute all required grant and grant-related documents and agreements, including agreements with other government and non-government agencies for the distribution and/or reimbursement of grant funds where necessary to carry out the purposes of the Regional Resilience Grant Program, and any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
5. Establish appropriations of \$158,884 in San Diego County Fire, Services & Supplies (\$125,231), and Other Charges (\$33,653), to support roadside vegetation management activities, based on California Governor's Office of Planning and Research Regional Resilience Grant Program. **(4 VOTES)**

EQUITY IMPACT STATEMENT

San Diego County Fire (County Fire), the San Diego City Fire-Rescue Department (SDFR), and the Fire Safe Council of San Diego County (FSCSDC), together known as the “Partners”, serve approximately 2 million of the 3.3 million residents in the region. The combined service areas of the Partners cover roughly 2,827 of the 4,526 square miles in the region, thus, this grant has the potential to impact more than 60% of the region. Furthermore, the 2020 Census Bureau American Community Survey data shows that significant portions of the proposed project areas are in low-income communities (a community is considered low-income if the median household income of the zip code is less than 80% of the California-wide median household income).

Because vulnerable populations bear an inequitable share of the risks and the consequences of wildfire, special attention will be given to ensure targeted service to individuals with disabilities or access and functional needs, limited English proficiency, geographically isolated individuals, households with low broadband subscription, seniors and older adults, and low-income individuals or families. The Unequal Impacts of Wildfire Risk data dashboard, produced by Headwaters Economics, highlights the disproportional realities of wildfire. It puts San Diego County in a “very high” wildfire risk and provides the following statistics: 454,089 people over the age of 65; 317,924 people living with disabilities; 210,717 people who don’t speak English well; 62,012 households without a car; 59,259 families living in poverty, and 38,123 mobile homes.

County Fire will utilize equity data, in combination with Fire Hazard Severity risk, to identify priority areas for this grant-funded project, which will encompass approximately 150 miles of roadside vegetation management, a total of 24 community chipping events, and engagement and education for countless residents.

SUSTAINABILITY IMPACT STATEMENT

The *Roadside Vegetation Management for Evacuation Preparedness Program* strengthens the reliability of evacuation corridors. This enhances resilience by ensuring the capability of the community and first responders to react and respond to an emergency incident that requires evacuation, including enhancing the ability to recover from it. Furthermore, preventing wildfire helps with avoidance of water pollution, preserves healthy vegetation, mitigates harm to endangered wildlife, enhances air quality, and minimizes greenhouse gas emissions.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2023-24 Operational Plan for San Diego County Fire. The total grant award is \$1,588,838. If approved, this request will result in estimated costs and revenue of \$158,884 in Fiscal Year 2023-24. Remaining funds of \$1,429,954 will be included in future Operational Plans for San Diego County Fire. The funding source is the California Governor’s Office of Planning and Research Regional Resilience Grant Program. A waiver of Board Policy B-29 is requested because the grant funding does not offset costs for fuel and equipment maintenance, estimated at \$1,892 for FY 2023-24 and \$5,680 for FY 2024-25, which will be covered through existing General Purpose Revenue. There is no match requirement for this grant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: 2024 SEVERE WINTER STORMS: LOCAL COUNTY-WIDE EMERGENCY REVIEW AND RATIFY; RESOLUTION TO APPROPRIATE FUNDING FROM THE GENERAL FUND RESERVE; ESTABLISH APPROPRIATIONS FROM THE GENERAL FUND RESERVE OR OTHER IDENTIFIABLE FUNDING SOURCE AVAILABLE FOR EMERGENCY LODGING AND FOOD SERVICES; AND AUTHORIZE AWARD OR AMENDMENT OF CONTRACTS FOR FOOD SERVICES (DISTRICTS: ALL) LOCAL COUNTY-WIDE EMERGENCY REVIEW AND RATIFY: 2024 SEVERE WINTER STORMS (DISTRICTS: ALL)**

OVERVIEW

On January 24, 2024 (8), the Board of Supervisors ratified the January 22, 2024 Proclamation of Local Emergency (Proclamation) issued by the Chief Administrative Officer, serving as the County’s Director of Emergency Services. The Proclamation was issued as a result of conditions of extreme peril to persons and property from a severe atmospheric river that produced widespread flooding, mudslides, erosion, and storm debris throughout the County. As a result, the County experienced numerous road closures and severe damage to both public and private infrastructure.

The Proclamation was issued pursuant to San Diego County Code of Regulatory Ordinances sections 31.101 et seq. and California Government Code Section 8630. The Proclamation further requested the Governor proclaim a State of Emergency in San Diego County. Government Code Section 8630(b) requires that the Board of Supervisors ratify Proclamations of Local Emergency within seven days of being issued. Government Code section 8630(c) requires local governing bodies to review the need for continuing the local emergency at least once every 60 days until the local emergency is terminated.

On January 30, 2024 (1), the Board of Supervisors approved a short-term, non-congregate sheltering program to provide emergency temporary lodging for residents displaced by the storm and allocated \$10.0 million to fund relief efforts. The County’s Emergency Temporary Non-Congregate Lodging (ETL) Program launched on February 12, 2024. The County continues to coordinate with community partners to transition households from initial emergency lodging into the County’s ETL Program. Projected costs to operate the ETL Program through May 11, 2024, 90 days from launch, is \$16.6 million. Today’s action includes a request to appropriate \$6.6 million to continue to provide lodging to qualified applicants.

On March 8, 2024, the County entered into a one-month agreement to provide food services for individuals in the County’s ETL Program. The need for food support services, including food delivery, continues to increase as new participants are added to the County’s ETL Program. Today’s action includes a request to waive Board Policies A-87 and B-75, authorize award or amendment of contracts for food support services for delivery services to individuals in the County’s ETL Program, and appropriate up to \$3.0 million for these food support services, depending on which option the Board of Supervisors selects.

This is a request to find that a review of the local emergency has been conducted and that the local emergency will remain in effect at this time; award or amend contracts for food services; waive Board Policy A-87; waive Board Policy B-75; and establish appropriations to continue to provide emergency temporary non-congregate lodging for qualified applicants and to provide food services.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that there is a need to continue the local emergency and that the local emergency shall continue subject to review requirements until terminated pursuant to Government Code section 8630(d).
2. Adopt a resolution, RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO MAKING CERTAIN FINDINGS OF EMERGENCY FOR APPROPRIATION OF THE GENERAL FUND RESERVE (4 VOTES)
3. Establish appropriations of \$6,600,000 in the Office of Emergency Services, Services & Supplies, from the General Fund Reserve, to continue to provide lodging for qualified applicants in support of those impacted by the emergency. (4 VOTES)
4. Establish appropriations in the Office of Emergency Services, Services & Supplies, from the General Fund Reserve, to continue to provide food services in support of impacted residents who are in the County's Emergency Temporary Lodging Program, according to one of the following three options:
 - a. One meal per day for sixty days at a total cost of up to \$1,000,000. (4 VOTES)
 - b. Two meals per day for sixty days at a total cost of up to \$2,000,000. (4 VOTES)
 - c. Three meals per day for sixty days at a total cost of up to \$3,000,000. (4 VOTES)
5. Waive Board Policy A-87, Competitive Procurement, and in accordance with Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, subject to successful negotiations and a determination of a fair and reasonable price, to award and/or amend food service contracts for individuals in the County's Emergency Temporary Non-Congregate Lodging Program, subject to the availability of funds; and amend the contracts as required in order to reflect changes to services and funding allocations, subject to the approval of the Director of the Office Emergency Services and Interim Director of the Health and Human Services Agency.
6. Waive Board Policy B-75, County of San Diego Sustainable, Equitable, and Local Food Sourcing, which requires local sourcing, equity-informed sourcing, elevated labor standards, organic or regenerative certification, low-carbon intensity, and nutritional co-benefit.

EQUITY IMPACT STATEMENT

Geographically, the majority of individuals/households displaced as a result of impacts from the atmospheric river resided in the City of National City, the unincorporated area of Spring Valley, and the City of San Diego neighborhoods of Mountain View, Southcrest, and Encanto. These areas are home to some of the county's most vulnerable populations. Recent data from the American Community Survey states that nearly 34% of National City residents' average salary is less than \$35,000 per year. In Spring Valley, more than 17% of the residents live in poverty as

compared to 11% nationally. Additionally, more than 50% of individuals in the affected areas identify as being of an ethnic or racial minority. Often lacking resource lifelines, many of the displaced individuals or households require immediate assistance to meet critical health and safety needs.

SUSTAINABILITY IMPACT STATEMENT

The proposed action contributes to the County of San Diego’s Sustainability Goals by efficiently serving and reinforcing healthy communities, responding to natural disaster related emergencies, remediating environmental harms, and promoting safe governmental practices. This action also assists with ensuring the capability to respond and recover to immediate needs for individuals, families, and the region.

FISCAL IMPACT

~~There is no fiscal impact associated with today’s recommendation. Costs and revenue of \$10.0 million that funded immediate relief to those impacted by the local emergency on January 22, 2024 are included in the Fiscal Year 2023-24 Operational Plan for the Office of Emergency Services. Staff will return to the Board for consideration and approval of additional funds and identification of funding source(s) if unanticipated fiscal impacts related to this proclamation arise.~~

Funds for this request are not included in the Fiscal Year 2023-24 Operational Plan for the Office of Emergency Services. If approved, this request will result in one-time costs of up to \$6,600,000 to fund emergency temporary lodging and related costs for households impacted by the emergency, and up to \$3,000,000 to provide food services to those same households, depending on the option selected by the Board of Supervisors. The funding source is the General Fund Reserve, which is currently below the minimum balance. In accordance with the San Diego County Code of Administrative Ordinances Section 113.1, General Fund Balances and Reserves, all appropriations of the General Fund Reserve below the minimum balance will require at least four votes of the Board. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 4. **SUBJECT: RATIFY ACCEPTANCE OF DONATIONS FROM MARIE E. VAUTOUR REVOCABLE TRUST AND FROM YIN C. FAUNCE AND GARY D. FAUNCE (DISTRICTS: ALL)**

OVERVIEW

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

The County of San Diego’s Department of Animal Services (DAS) received a donation in November 2023 in the amount of \$10,000 from the Marie E. Vautour Revocable Trust and a donation in December 2023 in the amount of \$6,000 from Yin C. Faunce and Gary D. Faunce to support and promote the department’s mission to protect the health, safety and welfare of people and animals throughout the region. Funds will be deposited in the Medical Expense “Spirit”

Trust Fund to help injured and sick animals regain their health through surgery, medicine, and follow-up care.

Today's request is to ratify the acceptance of a \$10,000 donation from the Marie E. Vautour Revocable Trust and a \$6,000 donation from Yin C. Faunce and Gary D. Faunce for the Department of Animal Services.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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 a donation from the Marie E. Vautour Revocable Trust in the amount of \$10,000 and a donation from Yin C. Faunce and Gary D. Faunce in the amount of \$6,000 for the Department of Animal Services.
2. Authorize the Chair of the Board of Supervisors to sign letters of appreciation on behalf of the Board of Supervisors to the Marie E. Vautour Revocable Trust and to Yin C. Faunce and Gary D. Faunce.

EQUITY IMPACT STATEMENT

The County of San Diego Department of Animal Services periodically receives monetary gifts and in-kind donations to benefit animal and public health and safety, including care for orphaned pets in County animal shelters. In Fiscal Year 2022-23, Animal Services served 5,733 animals, the majority of which enter our shelters as strays in need of veterinary care.

Gifts and donations received by DAS help advance equity since they are used to provide access to services for those in historically underserved communities, which are frequently without veterinary care access for beloved family pets. By expanding access to critical veterinary services for those historically underserved, the County can help keep pets in homes with their families and out of shelters.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions to ratify acceptance of a \$10,000 donation from the Marie E. Vautour Revocable Trust and a \$6,000 donation from Yin C. Faunce and Gary D. Faunce, contribute to the County of San Diego Sustainability Goals to maintain adequate resources and fiscal stability to be able to provide critically needed veterinary care services. The Department of Animal Services is committed to the 2004 San Diego Animal Welfare Coalition Asilomar Accords (recently updated in November 2020) goal of saving all healthy and treatable dogs and cats in our care and meeting the standard of care typically provided in the community. These generous donations to the Spirit fund allow DAS to afford necessary but expensive medical care for animals that are treatable.

FISCAL IMPACT

If approved, donations will be deposited into Medical Expense "Spirit" Trust Fund to help injured and sick animals regain their health through surgery, medicine, and follow-up care. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

5. SUBJECT: APPROVE ACCEPTANCE OF GIFTS AND DONATIONS RECEIVED BY HEALTH AND HUMAN SERVICES AGENCY IN CALENDAR YEAR 2023 TO A.B. AND JESSIE POLINSKY CHILDREN'S CENTER AND CHILD AND FAMILY WELL-BEING AND AUTHORIZE THE CHAIRWOMAN OF THE BOARD OF SUPERVISORS TO SIGN A LETTER OF APPRECIATION TO THE DONORS (DISTRICTS: ALL)

OVERVIEW

The San Diego County Board of Supervisors (Board) Policy A-112 and the San Diego County Administrative Code Section 66 requires Board approval to accept gifts and donations over \$5,000. The County of San Diego (County) Health and Human Services Agency, Child and Family Well-Being (CFWB) periodically receives monetary gifts and in-kind donations of over \$5,000 to benefit children temporarily residing at the A.B. and Jessie Polinsky Children's Center (PCC) and children involved with CFWB. PCC is a County-operated Temporary Shelter Care Facility administered by CFWB and provides 24-hour non-medical care for up to 10 calendar days for children and youth under 18 years of age who can no longer safely remain with their family of origin due to abuse, neglect, and/or abandonment.

On April 04, 2023 (8), the Board approved to accept the gifts and donations valued at \$63,639 for Calendar Year (CY) 2022. Today's action requests the Board to accept gifts and donations valuing \$144,668 for CY 2023: \$101,822 for the benefit of children at PCC and \$42,846 for the benefit of children involved with CFWB. This item supports the County 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 furthering collective efforts to maximize resources through community partnerships and providing equitable access to these resources.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with County Administrative Code Section 66 and Board Policy A-112, accept gifts and donations totaling \$101,822 to the A.B. and Jessie Polinsky Children's Center from Promises2Kids and Mary Jane Downing Trust; and accept gifts and donations valuing \$42,846 to Child and Family Well-Being from Promises2Kids.
2. Authorize the Chairwoman of the Board of Supervisors to sign letters of appreciation, upon receipt, on behalf of the County of San Diego to the donors.

EQUITY IMPACT STATEMENT

The County of San Diego (County) Health and Human Services Agency (HHSA), Child and Family Well-Being (CFWB) periodically receives monetary gifts and in-kind donations of over \$5,000 to benefit children temporarily residing at the A.B. and Jessie Polinsky Children's Center (PCC) and children involved with CFWB. PCC is a County-operated licensed Temporary Shelter Care Facility administered by CFWB and provides 24-hour non-medical care for up to 10 calendar days for children and youth under 18 years of age who can no longer safely remain with their family of origin due to abuse, neglect, and/or abandonment. Some of the services provided at PCC include physical and mental health services, medication support, and crisis services to all youth entering the facility and throughout their length of stay. In Calendar Year

(CY) 2023, PCC served 813 unduplicated children and of these, 45% were White, 29% were Black, 21% were Hispanic, 1% were Other Asian, and 1% were Native American. Other ethnic groups comprising less than 3% of the population at PCC include Afghan, Asia Indian, Cambodian, Chinese, Cuban Haitian, Filipino, Hawaiian, Laotian, Samoan, Other Eastern, and Unknown.

PCC represents a unique public-private community partnership that continues to generate periodic gifts and donations from individuals and private corporations for the children residing in this temporary shelter. The partnership maximizes resources available and ensures children at PCC and involved in CFWB have equitable access to gifts and donations that aid youth in maintaining connections to their race and identity and fosters their continued sense of belonging despite the barrier of being unable to safely live with their biological families or in their communities.

Expenditures from gifts and donations received provide all children and subgroups within increased access to recreational and special events, celebrations, and other items or activities that support identity and connections that cannot be funded by other funding sources. Additional expenditures made in CY 2023 in support of advancing just and equitable access to donated resources include spiritual/religious reading material as requested by youth, on-site and off-site hair and braiding appointments for youth at PCC, and necessities to support transgender youth. Monetary and in-kind donations received are monitored and publicly disclosed through the Child and Family Strengthening Advisory Board meetings and annual reporting to the San Diego County Board of Supervisors. Expenditures are internally tracked by HHSA and CFWB to ensure transparency and accountability of donations and gifts received and provide for the advancement and equitable distribution of resources.

SUSTAINABILITY IMPACT STATEMENT

As a result of the generous contributions from community members and organizations in San Diego County, donations benefit and enrich the lives of children who are temporarily staying at A.B. and Jessie Polinsky Children’s Center and involved with County of San Diego (County) Health and Human Services Agency (HHSA), Child and Family Well-Being. The proposed action to accept gifts and donations received by HHSA supports the County’s Sustainability Goal #1 by engaging and building strong partnerships with community partners who provide donations. Sustainability Goal #2 is also supported by providing just and equitable access to special events, special activities, and other enhancements that directly benefit the children that would otherwise not be available to them.

FISCAL IMPACT

The County of San Diego Health and Human Services Agency, Child and Family Well-Being (CFWB) received donations valued at \$144,668 between January 2023 and December 2023 to support activities of children at the A.B. and Jessie Polinsky Children’s Center and to support children involved with CFWB. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

6. SUBJECT: ADOPT A RESOLUTION AUTHORIZING APPLICATION FOR, AND RECEIPT OF, PROHOUSING INCENTIVE PROGRAM GRANT FUNDS AND AUTHORIZE THE ISSUANCE OF NOTICES OF FUNDING AVAILABILITY FOR DEVELOPMENT OF MULTIFAMILY RENTAL HOUSING (DISTRICTS: ALL)

OVERVIEW

The need for affordable housing for low-income households in the region is well established and accessing funding available through the State of California (State) increases the County of San Diego's (County) ability to help create and preserve this housing. Today's actions would allow potential access to funds by adopting a resolution that authorizes the County to apply for and, if awarded, accept funds from Round 2 of the State Prohousing Incentive Program (PIP). PIP funds are available to jurisdictions-including the County-that have been awarded a Prohousing Designation by the State, signifying that the awardee has implemented policies that promote the creation of housing within their jurisdiction. If awarded, PIP funds will be used for the predevelopment, development, acquisition, rehabilitation, and/or preservation of multifamily rental housing that is affordable to extremely low-, very low-, and/or low-income households in the unincorporated area of San Diego County.

Today's actions support the County of San Diego's vision of a just, sustainable, and resilient future for all-specifically, for those communities and populations in San Diego County that have been historically disadvantaged. They also demonstrate an ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities by helping ensure that low-income residents have access to decent, safe, and affordable housing.

RECOMMENDATION(S)

INTERIM CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) because the action is not a project as defined in Section 15378 of the CEQA Guidelines.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING APPLICATION FOR, AND RECEIPT OF, PROHOUSING INCENTIVE PROGRAM FUNDS.
3. Authorize the Agency Director, Health and Human Services Agency, or designee, to execute the State's Standard Agreement for acceptance of the grant funds of up to \$1.4 million, any amendments thereto, and any related documents necessary for the County of San Diego's continued participation in the Prohousing Incentive Program.
4. Authorize the Director of Housing and Community Development Services or designee to issue Notices of Funding Availability for development of multifamily rental housing, publish notices, award funding, and execute agreements, as needed, execute certification forms, prepare and execute all necessary documents for regulatory processing and implementation, and take any other actions necessary as required by the State of California Department of Housing and Community Development in order to administer the Prohousing Incentive Program, as applicable.

EQUITY IMPACT STATEMENT

The 6th Cycle Regional Housing Needs Assessment, a planning process that identifies existing and future housing needs through 2029, indicates that 68,959 units are needed regionally for very low- and low-income households. All units reserved for low-income households serve tenant populations earning below 80% area median income, currently \$77,200 for a one-person household and \$110,250 for a four-person household. Restricted affordable housing for low-income households may serve elderly, families, persons experiencing or at-risk of homelessness, veterans, persons with serious mental illness, and transitional age youth.

If the County is successful in securing an award of PIP funds, stakeholders will be notified to apply for development funding through a Notice of Funding Availability. Eligible affordable housing development in the unincorporated areas of the County may be considered for an award of PIP funds. Affordable housing meets the immediate needs of lower-income individuals and families and contributes to housing stock that will serve vulnerable families in the future. Prohousing Incentive Program Grant funds contribute to the County of San Diego investment to address local housing shortages, help increase access to quality affordable housing, and create private sector jobs and economic opportunities in San Diego County.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed actions support the County of San Diego Sustainability Goal #2 to provide just and equitable access. This will be done by ensuring affordable housing developments are restricted to low-income individuals and by cultivating strong relationships with community partners, thereby creating a mutually beneficial relationship that has, at its core, a mission-driven goal to serve the communities that have been disproportionately impacted by poverty.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2024-26 CAO Recommended Operational Plan in Health and Human Services Agency. If approved and awarded, this request will result in estimated costs and revenue of up to \$1.4 million in Fiscal Year 2024-25 to fund the predevelopment, development, acquisition, rehabilitation, and/or preservation of multifamily rental housing in the unincorporated area of the county. If an award is issued, staff would return to the Board with mid-year actions to adjust the budget as necessary. The funding source is State of California, Department of Housing and Community Development Prohousing Incentive Program funds. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

If funding is awarded by the State, this proposal will have a positive impact on the business community, as the recommended actions will result in construction work to be performed at selected properties. Contracts resulting from these recommendations may be executed with private sector firms and will involve a competitive bid process.

7. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ADOPTION OF AN ORDINANCE AUTHORIZING THE DISASTER
RELIEF DEFERRAL OF SUPPLEMENTAL PROPERTY TAX
PAYMENTS FOR THE OWNERS OF PROPERTY DAMAGED OR
DESTROYED IN THE GOVERNOR-PROCLAIMED SEVERE WINTER
STORM DISASTERS (DISTRICTS: ALL)**

OVERVIEW

On February 27, 2024 (15), the Board of Supervisors took action to further consider and adopt the Ordinance on March 12, 2024.

In the winter of 2024, San Diego County experienced severe storms bringing intense rainfall and causing widespread flooding, mudslides, and debris flows threatening life and safety, structures, and other critical infrastructure (“2024 Winter Storms”). The impacts from these winter storms also caused evacuations, road and school closures, and widespread damage to public and private property.

The San Diego County Assessor (Assessor) is working to deliver the maximum property tax relief aid allowed under the law to those affected by the 2024 Winter Storms and now facing extensive recovery efforts.

The Assessor is responsible for assessing all taxable property for property tax purposes. The Assessor is also responsible for reassessing real property upon a change in ownership or new construction. The Assessor is responsible to administering property tax relief from calamity claims received from a Governor proclaimed disaster.

Revenue and Taxation Code Section 170 provides that every owner of taxable property, or any person liable for the taxes thereon, whose property was damaged or destroyed due to misfortune or calamity, may apply for reassessment of that property in its damaged condition. Upon receiving a proper application, the Assessor shall reduce the values appearing on the assessment roll by the percentages of damage or destruction and the taxes due on the property shall be adjusted accordingly.

Revenue and Taxation Code Section 194.1 provides for the deferral of an upcoming property tax installment payment where an application for misfortune or calamity reassessment is filed due to a disaster for which the Governor proclaimed a state of emergency. Any owner of eligible property on or before the next property tax installment payment date may, in conjunction with the claim for reassessment, apply to the Assessor to defer payment of that upcoming installment of property taxes on the regular secured roll for the current fiscal year.

Additionally, Revenue and Taxation Code Section 194.9 provides that counties may adopt an ordinance to permit the deferral of unpaid nondelinquent current fiscal year supplemental roll taxes on eligible property if the owner files with the assessor a claim for deferral on or before the next property tax installment payment date. Supplemental taxes deferred shall be due on the last day of the month following the month in which the corrected bill is mailed or the delinquent date of the next installment of the original bill, whichever is later.

Today’s proposed actions include the introduction of an ordinance authorizing the deferral of supplemental roll property taxes for owners of properties damaged or destroyed by the governor-proclaimed severe winter storm disasters. If approved, the ordinance will be scheduled for adoption on March 12, 2024. If the proposed ordinance is altered on March 12, 2024, then on that date a subsequent meeting date will be selected for the ordinance’s adoption.

RECOMMENDATION(S)

CHAIR NORA VARGAS AND SUPERVISOR MONICA MONTGOMERY STEPPE AND ASSESSOR/RECORDER/COUNTY CLERK JORDAN Z. MARKS

Submit the Ordinance for further Board consideration and adoption:

AN ORDINANCE AUTHORIZING THE DISASTER RELIEF DEFERRAL OF SUPPLEMENTAL PROPERTY TAX PAYMENTS FOR THE OWNERS OF PROPERTY DAMAGED OR DESTROYED IN THE GOVERNOR-PROCLAIMED SEVERE WINTER STORM DISASTERS

EQUITY IMPACT STATEMENT

The current law allows property tax relief when there is a Governor proclaimed disaster. This relief is not extended to new homeowners. Adoption of this ordinance would allow equitable application of property tax disaster relief.

SUSTAINABILITY IMPACT STATEMENT

The adoption of this Ordinance, to provide for the deferral of supplemental roll property taxes, will provide immediate financial relief to property owners who have experienced loss due to the disaster caused by the most recent severe winter storms. It will contribute to the health and well-being of San Diego County residents and allow them to concentrate on recovering from the disaster, securing housing, food, healthcare, and property repairs, rather than paying scheduled property taxes.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan as part of projected General-Purpose Revenue in Finance Other. If adopted, the Ordinance authorizing the deferral of supplemental roll property taxes for the owners of property damaged or destroyed in this governor-proclaimed severe winter storm disasters, will result in a projected deferral of up to an additional \$250,000 in supplemental property tax revenue, based on a 1% tax rate. The County of San Diego receives and would realize a delay in receipts for only a small fraction of this amount. Supplemental property tax revenue is apportioned under modified Assembly Bill 8 (AB8) factors, which allocates supplemental property tax revenue and refunds amongst all jurisdictions, excluding basic aid school districts, regardless of the jurisdiction where the subject properties are located. There will be no change in net general fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

8. **SUBJECT: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION (3/12/24 - First Reading; 4/9/24 - Second Reading, unless the ordinance is modified on second reading) (DISTRICTS: ALL)**

OVERVIEW

On January 9, 2024 (14), recommendation #5 Supporting County Workforce Well-Being and Hiring and Retention Goals by Investing in Healthcare Stipends, the Board directed labor negotiators to meet and confer with the labor organizations representing the County workforce to establish one-time payments. These one-time payments are to address the impacts of the projected increases in healthcare costs and to support County employee well-being and hiring and retention goals. Today's recommendations are for the Board to approve the introduction of the ordinance (first reading) to amend the Compensation Ordinance. If the Board takes action as recommended, then on April 9, 2024, staff recommends the Board adopt the ordinance (second reading). If the proposed ordinance is altered on April 9, 2024, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On March 12, 2024:

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

If, on March 12, 2024, the Board takes action as recommended in item 1 above, then, on April 9, 2024:

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

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

EQUITY IMPACT STATEMENT

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

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

Funds for this request are included in the 2023-24 Adopted Operational Plan. The estimated one-time cost for employee wellness compensation payments is \$13.0 million and will be funded by American Rescue Plan Act (ARPA) funds allocated to the Evergreen component of the ARPA Framework as approved by the Board of Supervisors on January 9, 2024 (14). ARPA funds may be used directly or leveraged through a lost revenue strategy to redirect existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

9. SUBJECT: AUTHORIZE A COMPETITIVE SOLICITATION FOR FOOD, FOOD PREPARATION SUPPLIES AND EQUIPMENT (DISTRICTS: ALL)

OVERVIEW

On July 21, 2015 (1), the San Diego County Board of Supervisors (Board) authorized a competitive solicitation for food and food preparation supplies and equipment. These services were solicited using a request for proposal and were awarded in April 2017. This contract is primarily utilized to meet the needs of County of San Diego (County) programs that provide food and related services to those that are in the care and/or custody of the County, which at minimum include the Sheriff's Department, and the Health and Human Services Agency's Edgemoor Distinct Part Skilled Nursing Facility. However, the countywide food contract can be utilized by all County departments.

On December 5, 2023 (26), the Board adopted Board Policy B-75: Sustainable, Equitable, and Local Food Sourcing Policy. Board Policy B-75 outlines six value categories to guide the County's food procurement process: Local Sourcing, Equity-Informed Sourcing, Elevated Labor Standards, Organic or Regenerative Certification, Low-Carbon Intensity and Nutritional Co-Benefit.

The current contract for food, food preparation supplies and equipment is scheduled to expire in August 2024. Today's action requests the Board to authorize a competitive solicitation for food, food preparation supplies and equipment. If approved, procurement will be conducted competitively via a request for proposals that will incorporate the requirements of the multiple departments that administer food service programs and the components of Board Policy B-75.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

In accordance with Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for food, food preparation supplies and equipment, and upon successful negotiations and determination of a fair and reasonable price, award contracts for a term of one (1) year, with four (4) option years and up to an additional six months if needed, and to amend the contract as needed to reflect changes to services and funding.

EQUITY IMPACT STATEMENT

The County of San Diego (County) provides millions of meals annually to some of the most vulnerable people in the region, including youth and adults residing in public hospitals and detention facilities, older adults, foster youth, and individuals living with HIV/AIDS. Multiple departments across the County enterprise purchase food, food preparation supplies and equipment on a large scale to meet obligations required by State and Federal law. As a large purchaser of food and overall, one of the larger buyers in the region, advancing equity in the County's food procurement process has the potential to focus public funds to positively impact the food system for local food producers, workers, and businesses owned and/or operated by underserved communities. Today's action implements the requirements of Board Policy B-75 and advances the County's strategic initiatives of equity and sustainability.

The County Department of Purchasing and Contracting (DPC) will actively conduct outreach to food service operators and those in related business industries throughout the procurement process. Businesses that are currently registered in the County's procurement portal, BuyNet, with commodity profiles that match the requirements of the solicitation will be notified of this procurement opportunity. DPC will also collaborate with the County departments that administer food service programs and operations and leverage their partnership with organizations that provide technical assistance to small businesses, as well as other government agencies to engage the community.

The current contract for food, food preparation supplies and equipment will expire in August 2024. Authorization to issue a competitive solicitation is needed to continue to provide these critical goods and services. If approved, the County will continue the practice of making this contract available as a Countywide Agreement, which will streamline the procurement process and allow departments to purchase these routine items in bulk.

SUSTAINABILITY IMPACT STATEMENT

The proposed action implements the requirements of Board Policy B-75: The County of San Diego Sustainable, Equitable, and Local Food Sourcing Policy. Board Policy B-75 outlines the following six value categories to guide food procurement and implementation of food service programs and operations: Local Sourcing, Equity-Informed Sourcing, Elevated Labor Standards, Organic or Regenerative Certification, Low-Carbon Intensity and Nutritional Co-Benefit. The purpose of Board Policy B-75 is to support a sustainable, equitable, and local food system through County of San Diego food service programs and operations by directing public funds to food purchases that align with the six value categories. As part of the implementation of Board Policy B-75, today's action supports the County of San Diego's Sustainability Goal #2, to provide just and equitable access to County services, policy decision-making, and resource allocation in support of sustainable communities; the County Sustainability Goal # 4, to protect the health and well-being of everyone in the region, with a focus on collaborating with community partners and advocating for environmental justice for communities that have been disproportionately impacted; and Sustainability Goal #7, to reduce pollution and waste and demonstrate reduction in consumption of resources.

FISCAL IMPACT

If approved, this request will result in the establishment of a Countywide contract with an estimated annual expenditure of \$10 million, based on Fiscal Year 2022-23 expenditures for the use of the existing food contract. Costs and revenue are included in the Fiscal Year 2023-24 Operational Plan and will be included in future Operational Plans in the departments using the food contract. There will be no change in net General Fund cost and no additional staff years as a result of today's recommendation. There may be fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval.

BUSINESS IMPACT STATEMENT

N/A

- 10. SUBJECT: APPROVAL OF THE TEMPORARY EMPLOYMENT OF MICHAEL WORKMAN IN THE CRITICALLY NEEDED POSITION OF DIRECTOR, COUNTY COMMUNICATIONS OFFICE, BEFORE 180-DAYS HAVE PASSED SINCE THE DATE OF RETIREMENT (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego's current Director, County Communications Office (CCO), Michael Workman, will retire on March 21, 2024 and will receive a pension from the San Diego County Employees' Retirement Association (SDCERA). The Director, CCO position will become vacant as of March 22, 2024. The Director, CCO is an important and integral position that reports directly to the Chief Administration Officer (CAO). The Director, CCO is a critically needed position and Michael Workman has agreed to return as a retiree-rehire and continue to serve in the role until a replacement is identified and onboarded. The permanent CAO should be included in the recruitment and selection process of this critical position.

According to California Government Code section 7522.56, any retired person receiving a pension from a public retirement system shall not be employed by an employer in the same retirement system for a period of 180 days following the date of retirement. An exception to this rule is when the employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed since the date of retirement. Such appointment must be approved by the governing body of the employer in a public meeting.

Today's action will approve the employment of Michael Workman as a retiree-rehire Director, CCO to perform work of limited duration and which is critically needed before 180 days have passed since Mr. Workman's retirement date as the vital position will become vacant. Mr. Workman possesses strong institutional knowledge of almost 25 years in the position and experience to effectively discharge the duties of the Director, CCO and ensure a smooth transition for the next Director.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

Approve the temporary employment of Michael Workman as the Director, CCO that is critically needed before 180 days have passed since Mr. Workman’s retirement date in order to effectively discharge the duties of a Director, CCO and ensure a smooth transition for the next Director.

EQUITY IMPACT STATEMENT

The Director, CCO has significant responsibility for formulating policy, managing, and directing a centralized public information and media program that serves as the official channel of communication between the County and the public. Today’s action will ensure continuity of operations in the County, including effective implementation of the Board’s diversity, equity and inclusion policies and programs.

SUSTAINABILITY IMPACT STATEMENT

The proposed action provides stability and continuity in ongoing communication and will ensure a continuous option for County/public information and media program.

FISCAL IMPACT

Funds for this request are included in the Fiscal year 2023-24 Operational Plan in the County Communications Office. The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years. As a retiree-rehire, Michael Workman’s pay rate cannot be less than the minimum, nor exceed the maximum, paid by the County to other employees performing comparable duties, divided by 173.333 to equal an hourly rate. The maximum base monthly salary for this position is \$23,426.00 and the hourly equivalent is \$135.15, and the minimum base monthly salary for this position is \$14,433.47 and the hourly equivalent is \$83.27. Michael Workman’s hourly pay rate will be \$83.27 for no more than 960 hours per fiscal year.

BUSINESS IMPACT STATEMENT

N/A

11. 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)
SUPERVISOR JOEL ANDERSON**

Appoint Courtney Etnyre to the JAMUL/DULZURA COMMUNITY PLANNING GROUP, Seat No. 9, for a term to expire January 6, 2025.

CHIEF ADMINISTRATIVE OFFICER

Appoint Tina M. King to the TREASURY OVERSIGHT COMMITTEE, Seat No. 5, for an indefinite term.

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

12. 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

- 13. SUBJECT: INCREASING MEDI-CAL REIMBURSEMENT RATES TO IMPROVE HEALTHCARE FOR NEARLY 1 MILLION SAN DIEGANS (DISTRICTS: ALL)**

OVERVIEW

In a time when access to quality healthcare has never been more crucial, the California Medicaid program, also known as Medi-Cal, stands as a vital lifeline for some our county's most vulnerable community members. The program's unwavering commitment to ensuring that no one is left behind in the pursuit of healthcare has never been more significant. In San Diego County, nearly one million individuals, including approximately 325,000 children, rely on this program as a vital support system to safeguard their health and well-being.

However, the stark reality is that there are challenges that need our immediate attention to make the paper promise of healthcare coverage a reality for Medi-Cal recipients in our county. We must deliver on its pledge and ensure that access to healthcare is not a privilege limited by circumstances, but a fundamental right upheld for all.

The critical issue of addressing Medi-Cal reimbursement rates must be centered as we secure healthcare access for Medicaid recipients. Historically, California has ranked near the bottom in the United States when it comes to Medicaid reimbursement rates. Extensive research underscores the adverse consequences of these low rates, which can lead to restricted access to quality healthcare and poorer outcomes for Medicaid beneficiaries. Civil rights advocates and attorneys contend that these excessively low reimbursement rates are not just problematic but discriminatory, constituting a substantial racial justice issue.

Scarcity of providers willing to accept these low reimbursement rates result in delayed and inadequate care, perpetuating the cycle of health disparities. The present reimbursement rates exert an unsustainable level of pressure on healthcare providers, rendering the entire Medicaid system precarious. According to the American Hospital Association, hospitals received payments equivalent to only 88 cents for every dollar spent on Medicaid patients in 2020, resulting in an underpayment of totaling nearly \$25 billion. Achieving pay equity in healthcare is

a pivotal step toward advancing health equity, ensuring that every individual has a fair and just opportunity to achieve optimal health. Augmented reimbursement rates have the potential to attract more providers to clinics and practices serving Medi-Cal beneficiaries but also ensure that they deliver high-quality care.

The issue of low Medicaid reimbursement rates significantly impacts the financial sustainability of healthcare institutions, and the number of health care practices that care for patients with Medicaid insurance, thus decreasing access to care for Medi-Cal beneficiaries. When healthcare providers are inadequately compensated for the services they render to Medicaid beneficiaries, the entire healthcare systems bear the brunt of the financial strain. As a result, they are forced to make difficult decisions, including downsizing, or limiting their services, creating an environment that is less conducive to attracting and retaining healthcare professionals. These organizations, grappling with tight budgets due to inadequate Medicaid reimbursement, find it challenging to offer competitive salaries and benefits that attract and retain healthcare staff.

Furthermore, the strain placed on healthcare providers can lead to increased workloads, burnout, and high turnover among existing staff. In an environment characterized by understaffing and an increased demand for healthcare services, healthcare professionals are often stretched thin, leading to fatigue and decreased job satisfaction. Consequently, this challenging work environment becomes less attractive to potential recruits and exacerbates the shortage. This interconnection between low Medicaid reimbursement rates and the healthcare workforce shortage are felt most acutely by Medicaid beneficiaries, who are often among the most vulnerable and underserved populations. With fewer healthcare professionals available to provide care, access to essential medical services becomes increasingly limited. This restricted access not only hampers the quality of care but also leads to delays in medical treatment, exacerbating health disparities within these communities. These delays can lead to worsening chronic conditions, complications, decreased quality of life, and contribute to health conditions that become emergent. This ultimately stresses the capacities of our local emergency departments.

San Diego County is currently facing a severe healthcare workforce shortage, compounded by challenges related to low Medicaid reimbursement rates. This crisis not only strains healthcare providers but also impacts access to essential health coverage provided to Medi-Cal beneficiaries.

Recognizing the urgency and complexity of these interconnected issues, today's board action is taking a significant step forward in finding comprehensive solutions that encompass low Medi-Cal reimbursement rates and ultimately improve essential health coverage for Medi-Cal recipients. California has taken a pioneering role in introducing progressive policies that extend Medi-Cal access to historically underserved populations. The challenges faced by healthcare workers, providers, and recipients in San Diego County are multifaceted, but today's action signifies a robust commitment to ensuring that our paper promise of healthcare is a reality for all in our county.

RECOMMENDATION(S)

SUPERVISOR TERRA LAWSON-REMER

1. Direct the Interim Chief Administrative Officer to conduct an analysis of Medi-Cal reimbursable services provided by the County of San Diego, to increase revenue and reimbursement opportunities for those services, in order to enhance access to and quality of care for residents of San Diego County. This includes but is not limited to:
 - a. Identifying strategies to leverage existing expenditures/resources through intergovernmental transfers (IGTs) and other mechanisms to obtain Medicaid matching funds; and
 - b. Assessing what is being done in other California jurisdictions and/or nationally to optimize Medicaid revenue and reimbursement for services provided by counties; and
 - c. Evaluating new or additional sources of funding that could be available to the County to increase Medi-Cal reimbursement; and
 - d. Exploring other possible strategies and opportunities to increase Medi-Cal reimbursement to improve access to and quality of healthcare to further these goals.

2. Direct the Interim Chief Administrative Officer to explore opportunities to increase Medi-Cal reimbursement to providers in the San Diego region. This includes but is not limited to:
 - a. Convening county staff, healthcare professionals, hospitals, FQHCs, labor organizations, healthcare workers, consumer advocacy organizations, state and local government leaders, and community-based organizations; and
 - b. Assessing what is being done in other California jurisdictions to enhance reimbursement rates and incentivize providers to expand access to Medi-Cal services in San Diego County; and
 - c. Engaging California Department of Health Care Services (DHCS) and Centers for Medicare and Medicaid Services (CMS) to seek partnership and approval on initiatives to increase Medicaid reimbursement rates in San Diego County; and
 - d. Exploring other possible strategies and opportunities available through Medi-Cal Transformation to increase Medi-Cal reimbursement rates to further these goals.

3. Direct the Interim Chief Administrative Officer in collaboration with the Behavioral Health Services Director, to offer updates to the ad hoc subcommittee on State and Federal policy germane to integrate behavioral and physical health, along with successful models of value-based purchasing and risk and incentive driven care management under capitation, noting that such updates do not involve County of San Diego mental health plan specific actions. Of note is the fact that Behavioral Health Services (BHS) statutorily operates as the County's Mental Health Plan (MHP). Owing to the fact that County's MHP is in the midst of behavioral health payment reform inclusive of rate setting and provider-specific negotiations, the BHS Director in consultation with county counsel will not share any information to the ad hoc subcommittee that would generate a conflict of interest.

4. Direct the Interim Chief Administrative Officer to return to the Board at the end of the calendar year with a progress report, findings, and recommendations addressing low Medi-Cal reimbursement rates including all the elements enumerated above after having first met with the Board ad hoc subcommittee for input.
5. Direct the Interim Chief Administrative Officer to add to the County's 2024 Legislative Program, Priority Issues, support for legislation and administrative actions that will lead to increased Medicaid reimbursement rates for California, as well as engage in ongoing conversations at the State and Federal level to ensure the Medi-Cal recipients in San Diego County have access to a robust and adequately funded system of care, including but not limited to the bringing down the cost of critical prescription medications, especially those on Medicaid and Medicare.
6. Establish an ad hoc subcommittee of this Board and appoint Supervisor Terra Lawson-Remer and Supervisor Monica Montgomery Steppe for the following purposes, including but not limited to:
 - a. Receive and review the information gathered by and provide input to the Interim Chief Administrative Officer on the strategies and opportunities identified through the work outlined in Recommendations 1 for increasing Medicaid reimbursement rates and for obtaining new or additional sources of funding to increase Medi-Cal reimbursement; and
 - b. Provide input regarding the feedback obtained from those stakeholders contacted in 2(a); and
 - c. Provide input regarding the updates received in recommendation 3; and
 - d. Provide input to the Interim Chief Administrative Officer on the development of the progress report, findings, and recommendations to be submitted to the Board, and upon presentation of the final report, findings, and recommendations to the Board by the Interim Chief Administrative Officer, the ad hoc subcommittee will be concluded.
 - e. The scope of activities of this ad hoc subcommittee pertains only to policy matters and should in no way be construed as including or concerning the negotiations of specific contracts or specific contract terms.

EQUITY IMPACT STATEMENT

Individuals receiving Medicaid face significant equity challenges that impact their access, quality of care, and health outcomes. The current disparities in Medicaid reimbursement rates contribute to differential access to quality healthcare services, disproportionately affecting BIPOC communities. The impact of low reimbursement rates extends beyond the immediate challenges in accessing quality healthcare. It perpetuates systemic disparities in health outcomes, exacerbating existing inequalities among different demographic groups. Moreover, the racial bias in reimbursement rates has implications for healthcare workforce. BIPOC healthcare professionals are often concentrated in facilities serving Medicaid beneficiaries, facing challenges of working in under-resourced environments. This not only hampers their ability to provide optimal care but also contributes to workforce disparities, further entrenching racial inequities within the healthcare system. Recognizing the intersectionality of race, socioeconomic status, and health outcomes is essential to fostering a healthcare system that is truly inclusive and just.

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 for San Diego residents through the support for actions that will get quality healthcare services to those that need it most.

FISCAL IMPACT

Recommendation 1

Funds for this request are partially included in the Fiscal Year (FY) 2023-25 Operational Plan in the Health and Human Services Agency. If approved, recommendation 1 is estimated to result in one-time costs of approximately \$1 million dollars, which includes funding for multiple consultant agreements to assess strategies and opportunities to optimize Medi-Cal revenue received for services provided by the County. This recommendation aligns with existing efforts underway by County staff funded with a one-time award of \$555,000 of Providing Access and Transforming Health (PATH) Capacity and Infrastructure Transition Expansion and Development (CITED) grant funds for an assessment of Medi-Cal Transformation Enhanced Care Management and Community Supports Readiness and Infrastructure Assessment and \$250,000 of General Purpose Revenue allocated for a Medi-Cal billing capacity assessment. It is estimated that an additional \$200,000 would be needed for additional work requested as part of recommendation 1. That amount can be absorbed into available FY 2023-24 Operational Plan spending authority; the funding source will be one-time General Purpose Revenue. Approving these recommendations will reduce operating results by \$200,000, which would otherwise replenish the General Fund Reserve. There will be no additional staff years. There may be future fiscal impacts associated with future related recommendations, which staff would bring back to the Board for consideration and approval.

Recommendation 2

If approved, recommendation 2 is estimated to result in initial one-time costs of approximately \$500,000 to begin the work, which includes funding for consultant services to support the broader regional assessment requested as part of recommendation 2. That amount can be absorbed into available FY 2023-24 Operational Plan spending authority; the funding source will be one-time General Purpose Revenue. Approving these recommendations will reduce operating results by \$500,000, which would otherwise replenish the General Fund Reserve; together with Recommendation 1, the total potential impact to the replenishment of the General Fund Reserve is estimated to be \$700,000. There will be no additional staff years. If additional appropriations are needed for this effort, recommendations will be included in the progress updates to the Board, and staff would bring back to the Board for consideration and approval as needed.

BUSINESS IMPACT STATEMENT

N/A

**14. SUBJECT: NOTICED PUBLIC HEARING:
FISCAL YEAR 2024-25 ANNUAL PLAN; REALLOCATION OF
PROGRAM FUNDS; AND A RESOLUTION OF THE SAN DIEGO
COUNTY BOARD OF SUPERVISORS APPROVING THE FISCAL
YEAR 2024-25 ANNUAL PLAN (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County), as a recipient of the United States Department of Housing and Urban Development (HUD) entitlement program funding, develops a required five-year Consolidated Plan for long term planning purposes. The Consolidated Plan sets the goals for four federal funding programs, locally administered by County Health and Human Services Agency (HHSA), Housing and Community Development Services (HCDS), including:

- Community Development Block Grant (CDBG);
- HOME Investment Partnerships (HOME);
- Housing Opportunities for Persons with AIDS (HOPWA); and
- Emergency Solutions Grant (ESG).

Funds from these 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. Today's action requests approval of the draft Fiscal Year (FY) 2024-25 Annual Plan. The Annual Plan includes specific projects identified for funding based on the anticipated funding allocations for each program.

The recommendations in the Annual Plan represent a wide range of services and projects that will support community revitalization and affordable housing for low-income residents and persons with special needs. Recommendations are based on estimated funding allocations, anticipated program income, and reallocations from prior years' program balances. In total, it is anticipated that \$30,735,115 will be available in FY 2024-25.

Today's requested action concludes a formal public comment period for the FY 2024-25 Annual Plan, which opened February 9, 2024. During the comment period, the draft FY 2024-25 Annual Plan was available for the public to review and comment. The draft Annual Plan will be updated to reflect any appropriate revisions from public testimony and final funding amounts made by HUD. After adjustments, the final Annual Plan will be submitted to HUD.

Approval of today's action authorizes the FY 2024-25 project funding and memorializes the steps taken to engage the public and stakeholders in planning, reporting, and program administration. Today's action also authorizes the Agency Director, Health and Human Services Agency, or designee, to reallocate funding as necessary due to changes in funding amounts, program income, or project cost savings. Finally, today's actions authorize HHSA to execute contracts related to projects identified in the FY 2024-25 Annual Plan and issue Notices of Funding Availability as necessary.

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 by ensuring low-income residents and persons with special needs have access to suitable living environments and enhancing the quality of life for residents by encouraging decent and affordable housing. Additionally, this item aligns to the County Framework for Ending Homelessness by implementing programs that create permanent affordable and emergency housing options for the most vulnerable residents of San Diego County.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Hold this public hearing to receive testimony and approve the proposed Fiscal Year 2024-25 Annual Plan outlining the proposed use of Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) Program funds for submittal to United States Department of Housing and Urban Development (HUD).
2. Adopt a Resolution entitled A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE FISCAL YEAR 2024-25 ANNUAL PLAN certifying compliance with the Housing and Community Development Act of 1974, as amended, to authorize the execution and transmittal of necessary documents and amendments for the Fiscal Year 2024-25 Annual Plan.
3. Authorize the reallocation of up to \$600,000 in prior years’ CDBG allocations to supplement the Fiscal Year 2024-25 CDBG Program.
4. Authorize the reallocation of up to \$13,000,000 in prior years’ HOME allocations to supplement the Fiscal Year 2024-25 HOME Program.
5. Authorize the reallocation of up to \$800,000 in prior years’ HOPWA allocations to supplement the Fiscal Year 2024-25 HOPWA Program.
6. Authorize the Agency Director, Health and Human Services Agency or designee, to issue Notices of Funding Availability, publish notices, award contracts and execute agreements, amend existing contracts as needed to reflect changes to services and funding, execute certification forms, prepare and execute all necessary documents for the submittal, regulatory processing and implementation, and take any other actions necessary as required by HUD for Recommendations 2 through 5, and the Fiscal Year 2024-25 recommended and/or alternative CDBG, HOME, ESG, and HOPWA programs following the completion of environmental processing and HUD release of funds, as applicable.
7. Authorize the Agency Director, Health and Human Services Agency or designee to adjust the amount of funding to projects identified within the Fiscal Year 2024-25 Annual Plan as necessary to reflect the actual entitlement grant amounts when they are determined by HUD.

8. Authorize the Agency Director, Health and Human Services Agency or designee, to reallocate as necessary, in accordance with the Citizen Participation Plan, project balances from cancelled or completed projects and program income, to existing approved and/or alternative CDBG, HOME, ESG, and HOPWA projects.

EQUITY IMPACT STATEMENT

The Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs were established to meet community development, housing, and public service needs of low-income households and certain limited clientele groups. These limited clientele groups include persons experiencing homelessness, domestic violence survivors, abused or neglected children, seniors, and individuals with disabilities.

As an entitlement grantee, County of San Diego (County) Health and Human Services Agency, Housing and Community Development Services (HCDS) is responsible for conducting a robust community engagement process every five years for the development of the Consolidated Plan. This includes community forums to provide updates to the community and receive feedback on United States Department of Housing and Urban Development entitlement programs. The forums for the 2020-2024 Consolidated Plan were held throughout the San Diego County unincorporated area, including Borrego Springs, Campo, Fallbrook, Julian, Lincoln Acres, and central San Diego.

To prepare for the Fiscal Year 2024-25 Annual Plan, HCDS held community forums in eligible jurisdictions and historically underrepresented communities, and developed online engagement strategies to ensure community input and engagement opportunities were available across the region. The input gathered from community members, local non-profit organizations, and stakeholders such as community planning groups guide the County on how to best utilize its entitlement funds equitably. All projects incorporated into the Annual Plan are aligned to key Consolidated Plan goals that prioritize affordable housing, homelessness, community infrastructure, and housing for individuals living with HIV/AIDS. Today's action ensures compliance with federal requirements that will allow the County to continue utilizing more than \$14 million in HUD funding, annually, to serve historically vulnerable populations.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports the County of San Diego Sustainability Goal #1 to engage the community, Sustainability Goal #2 to provide just and equitable access, and Sustainability Goal #4 to protect health and well-being. Sustainability Goal #1 was accomplished by providing diverse engagement opportunities to shape the path of the programs described in this item moving forward. Each accomplishment described in this item aligns to goals and priorities set out through robust annual community engagement for the development of the Consolidated Plan. Sustainability Goal #2 will be accomplished through programs that prioritize underserved populations and communities, and create opportunities for affordable housing, public recreation, shelter, and supportive services for the most vulnerable residents of San Diego County. Sustainability Goal #4 will be accomplished through building safe and affordable neighborhoods with access to sidewalks, playgrounds, and green space, assisting non-profit organizations who provide care and services to residents in need, and supporting access to diverse housing options, which impact individual and community-level health.

FISCAL IMPACT

Funds in the amount of \$30,735,115 for this request are included in the Fiscal Year (FY) 2024-26 CAO Recommended Operational Plan for the Health and Human Services Agency, Department of Parks and Recreation, and Department of Public Works.

The funding sources for these requests are anticipated to be \$14,335,115 for FY 2024-25 United States Department of Housing and Urban Development entitlements grant awards: Community Development Block Grant (CDBG) - \$4,227,770, HOME Investment Partnerships (HOME) - \$3,496,403, Emergency Solutions Grant (ESG) - \$370,070, Housing Opportunities for Persons with AIDS (HOPWA) - \$6,240,872. Today's request also includes a total reallocation of \$14,400,000 from prior years' funds which includes up to \$600,000 in prior years' CDBG funds, \$13,000,000 in prior years' HOME funds and up to \$800,000 in prior years' HOPWA funds. Lastly, this request also includes the reallocation of an estimated \$2,000,000 in program income. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The proposed recommendations will have a positive impact on the business community. Many of the recommended projects include construction that will be implemented by private firms who will be selected through competitive bid processes.

15. **SUBJECT: NOTICED PUBLIC HEARING (TEFRA):
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL
FINANCE AUTHORITY FOR THE BENEFIT OF REPUBLIC
SERVICES IN AN AGGREGATE AMOUNT NOT TO EXCEED
\$400,000,000 (DISTRICTS: 1 and 2)**

OVERVIEW

The County has received a request from the California Municipal Finance Authority ("CMFA" or "Authority") to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority's issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$70,000,000 as part of a statewide issuance of revenue bonds in an aggregate principal amount not to exceed \$400,000,000 (the "Bonds"), for the benefit of Republic Services, Inc., a corporation duly organized and existing under the laws of the State of Delaware (the "Borrower"), and/or affiliates thereof. The portion of the Bond proceeds to be allocated to certain capital projects located in the County of San Diego, in a principal amount not to exceed \$70,000,000, are to be loaned to the Borrower to finance and/or refinance certain capital projects at the following locations and currently owned and/or operated by the following affiliates of the Borrower: (i) Otay Landfill, 1700 Maxwell Road, Chula Vista, CA, owned and/or operated by Otay Landfill, Inc. (up to \$20,000,000 of Bonds), and (ii) Sycamore Landfill, 8514 Mast Boulevard, Santee, CA, owned and/or operated by Sycamore Landfill, Inc. (up to \$50,000,000 of Bonds). The other Bond-financed facilities located outside of the County of San Diego will be subject to separate approval by the respective governmental body in the geographic jurisdiction which contains the site of each facility.

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

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

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF SOLID WASTE DISPOSAL REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION, INSTALLATION, REHABILITATION, IMPROVEMENT AND/OR EQUIPPING OF SOLID WASTE DISPOSAL FACILITIES BY REPUBLIC SERVICES, INC. AND CERTAIN AFFILIATES THEREOF, AND CERTAIN OTHER MATTERS RELATING THERETO

EQUITY IMPACT STATEMENT

Republic Services' operations in San Diego County contribute to local employment opportunities and waste management infrastructure, positively impacting economic growth and environmental sustainability. The company's commitment to community engagement and environmental stewardship aligns with the county's goals for equitable development and responsible resource management.

SUSTAINABILITY IMPACT STATEMENT

The proposed action would result in economic benefits for the community by allowing the borrower to continue providing quality waste management services to the households in the County of San Diego. This financing will allow the Borrower to maintain and improve solid waste facilities to be able to sustain long term quality service.

FISCAL IMPACT

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

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

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

This report summarizes the status of the County's Fiscal Year 2023-24 Adopted Operational Plan, as measured by projected year-end fund balance from current year operations. The projected year-end balance for the General Fund is \$86.0 million (or 1.1% of the General Fund budget), and \$140.8 million (or 1.3% of the Overall budget) for all budgetary funds combined. The projected fund balance anticipates an overall positive expenditure variance and an overall positive revenue variance from the Fiscal Year 2023-24 Amended Budget. The projection assumes General Purpose Revenue will perform better than estimated, and all business groups will produce operating balances except for the Health and Human Services Agency (HHSA) which is projecting negative operating balance due to projected slowing of sales tax receipts for related programs and increased costs for the General Relief Program. The projected balance for all other funds combined is \$54.8 million (1.8% of the other funds combined budget).

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

In the Public Safety Group (PSG), recommendations include appropriation adjustment for Incompetent to Stand Trial penalty payment due to the Department of State Hospital, for unanticipated increases in operational costs primarily for psychological evaluations and lease spaced costs, and to support the ambulance services program in San Diego County Fire Protection District.

In the Health and Human Services Agency (HHSA), recommendations include appropriation adjustments for the East County Crisis Stabilization Unit and Recovery Bridge Center, and the Edgemoor Acute Psychiatric Unit.

In the Land Use and Environment Group (LUEG), recommendations include appropriation adjustments to provide funding for the construction of a terrarium at the new ranger station and visitor center, to support the planned restoration efforts of Kumeyaay Valley park, for Butterfield Ranch Acquisition, for the installation of an additional water meter required by Otay Water District, for Hidden Meadows Park, for maintenance projects for Palomar Airport Landfill and unanticipated fees for the San Pasqual Burn Site, for ongoing fire protection and paramedic services, for landscape/road maintenance and planning services in various county Permanent

Road Division zones, to fund operations and maintenance costs for the Sweetwater park, and to support the construction of the classroom and bridge for Los Penasquitos Canyon Preserve Amphitheater.

In the Finance and General Government Group (FGG), recommendations include appropriation adjustments for the Neighborhood Reinvestment Program, for the Community Enhancement Program, and to fund unanticipated costs to complete the implementation of the Integrated Property Tax System.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

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

Increases to the Overall Budget and/or Transfers Between Budgetary Funds

(Recommendations 2 through 20):

2. Establish appropriations of \$3,000,000, in Public Safety Group Executive Office, Services & Supplies, for Incompetent to Stand Trial penalty payment due to the Department of State Hospital, based on over-realized General Purpose Revenue. **(4 VOTES)**
3. Establish appropriations of \$1,360,000 in Public Defender, Services & Supplies, for unanticipated increases in operational costs primarily for psychological evaluations, lease spaced costs and unanticipated payments of leave balances for retired employees, based on over-realized General Purpose Revenue. **(4 VOTES)**
4. Establish appropriations of \$6,000,000 in San Diego County Fire, Operating Transfers Out, to support the ambulance services program in San Diego County Fire Protection District, based on over-realized General Purpose Revenue. **(4 VOTES)**
5. Establish appropriations of \$1,450,000 in the County Health Complex Fund, for Capital Project 1024603, East County Crisis Stabilization Unit and Recovery Bridge Center, based on Institutional Care Hospital Revenue; *and* cancel appropriations of \$1,450,000 based on Other State and Health Grant Funding. **(4 VOTES)**
6. Establish appropriations of \$16,763,699 in the County Health Complex Fund, for Capital Project 1023737, Edgemoor Acute Psychiatric Unit, based on Behavioral Health Continuum Infrastructure Program (BHCIP) Crisis and Behavioral Health Continuum Grant funding; *and* cancel appropriations of \$13,000,000 based on Institutional Care Hospital Revenue. **(4 VOTES)**
7. Establish appropriations of \$141,000 in the Capital Outlay Fund for Capital Project 1021904 Stelzer Park Ranger Station and Visitor Center, to provide funding for the construction of a terrarium at the new ranger station and visitor center, based on available Louis A Stelzer Trust Fund fund balance. **(4 VOTES)**
8. Establish appropriations of \$500,000 in the Capital Outlay Fund for Capital Project 1024372 Kumeyaay Valley Park, to support the planned restoration efforts, based on Habitat Conservation Fund (HCF) grant. **(4 VOTES)**

9. Establish appropriations of \$15,961.91 in Park Land Dedication (PLD) Area 38 Valley Center, Operating Transfer Out, based on available prior year PLD Area 38 Valley Center Fund fund balance; *and* establish appropriations of \$15,961.91 in the Capital Outlay Fund for Capital Project 1026477 Butterfield Ranch Acquisition, based on Operating Transfer In from PLD Area 38 Valley Center Fund, to support acquisition of the property. **(4 VOTES)**
10. Establish appropriations of \$60,000 in PLD Area 45 Valle De Oro, Operating Transfer Out, based on available prior year PLD Area 45 Valle De Oro Fund fund balance; *and* establish appropriations of \$60,000 in the Capital Outlay Fund for Capital Project 1022916 Lonny Brewer Leash Free Area, based on Operating Transfer In from PLD Area 45 Valle De Oro Fund, for the installation of an additional water meter required by Otay Water District. **(4 VOTES)**
11. Establish appropriations of \$874,905 in PLD Area 29 Escondido, Operating Transfer Out, based on available prior year PLD Area 29 Escondido Fund fund balance; *and* establish appropriations of \$916,158 in PLD Area 30 San Marcos, Operating Transfers Out, based on available prior year PLD Area 30 San Marcos Fund fund balance; *and* establish appropriations of \$208,937 in PLD Area 37 Vista, Operating Transfer Out, based on available prior year PLD Area 37 Vista Fund fund balance, for Capital project 1026156 Hidden Meadows Park. **(4 VOTES)**
12. Establish appropriations of \$2,920,000 in Inactive Waste Site Management, Services & Supplies, for maintenance projects for Palomar Airport Landfill and unanticipated fees for the San Pasqual Burn Site, based on revenue from the Environmental Trust Fund. **(4 VOTES)**
13. Establish appropriations of \$18,295 in Harmony Grove CFD 08-01 Fire Protection Services Special Tax B Fund, Services & Supplies, to provide funds for ongoing fire protection and paramedic services, based on revenue from special assessments (\$14,335) and available prior year Harmony Grove CFD 08-01 Fire Protection Services Special Tax B Fund fund balance (\$3,960). **(4 VOTES)**
14. Establish appropriations of \$50,000 in the County Service Area 26, Zone B - Monte Vista Zone B Fund, Services & Supplies, for landscape maintenance and planning services, based on available prior year County Service Area 26, Zone B Fund fund balance. **(4 VOTES)**
15. Establish appropriations of \$379,500 in the county Permanent Road Division (PRD) zones, Services & Supplies, for road maintenance and planning services, based on available prior year PRD zones fund balance (\$357,868) and special assessments (\$21,632) as noted in Appendix D. **(4 VOTES)**
16. Establish appropriations of \$246,908 in Community Facilities District (CFD) No. 19-02 Sweetwater Place Maintenance - Special Tax Fund, for the release of the security deposit provided by the developer, based on available prior year CFD No. 19-02 Sweetwater Place Maintenance - Special Tax Fund fund balance. **(4 VOTES)**

17. Establish appropriations of \$16,911 in the Neighborhood Reinvestment Program (NRP) budget (\$10,783 in Org 15650 for District 1 and \$6,128 in Org 15670 for District 5) based on the return of unused portions of prior year allocations so the funds can be allocated to other projects. **(4 VOTES)**
18. Establish appropriations of \$4,261 in the Community Enhancement (CE) Program budget (Org 12900 for District 4) based on the return of unused portions of prior year allocations so the funds can be allocated to other projects. **(4 VOTES)**
19. Establish appropriations of \$1,231,576 in Finance & General Government Group Executive Office (\$838,965), Auditor & Controller (\$261,083) and Treasurer-Tax Collector (\$131,528), Services & Supplies, based on over-realized General Purpose Revenue (\$838,965) and AB 2890 Supplemental Property Tax Revenue (\$392,611), and transfer appropriations of \$1,692,611 from Auditor & Controller (\$761,083) and Treasurer-Tax Collector (\$931,528), Services & Supplies, to the Finance & General Government Group Executive Office, Services & Supplies, to fund unanticipated costs to complete the implementation of the Integrated Property Tax System (IPTs). **(4 VOTES)**
20. Transfer appropriations within departments between Services & Supplies and Operating Transfers Out, as noted in Appendix C, in the net amount of \$162,463 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 \$162,463 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)**

**Transfers Within Budgetary Funds and/or Cancellation of Appropriations
(Recommendation 21):**

21. Transfer appropriations of \$1,200,000 within the Capital Outlay Fund and related Operating Transfer In from the General Fund to provide funding for Capital project 1024825 Los Penasquitos Canyon Preserve Amphitheater, to support the construction of the classroom and the bridge, based on a transfer from Capital Project 1022922 San Dieguito Local Park.

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 \$11,612,748, transfers between budgetary funds of \$1,692,611, transfers within budgetary funds of \$247,828, and no cancellation of appropriations. The funding sources for the increase are based on over-realized General Purpose Revenue (\$11,198,965), AB 2890 Supplemental Property Tax Revenue (\$392,611), and prior year NRP & CE program allocations that were returned in the current fiscal year (\$21,172).

In all other funds combined, these actions will result in a net increase to the overall budget of \$10,333,789, transfers within budgetary funds of \$1,610,291, and no cancellation of appropriations. The funding sources for the net increase are Behavioral Health Continuum Infrastructure Program (BHCIP) and Crisis and Behavioral Health Continuum Grant funding (\$3,763,699), Environmental Trust Fund (\$2,920,000), available prior year PLD Fund fund balance (\$2,075,962), Habitat Conservation Fund (HCF) grant (\$500,000), Operating Transfers In from various non-General Fund (\$444,537), available prior year Permanent Road Division (PRD) Fund fund balance (\$357,868), available prior year Community Facility District (CFD) fund balance (\$250,868), Louis A Stelzer Trust Fund (\$141,000), Operating Transfers In from PLD (\$75,962), available prior year County Service Area (CSA) fund balance (\$50,000), Special assessment for CFD and PRD (\$35,967). These are offset by a decrease in Operating Transfers In from the General Fund (\$282,074).

BUSINESS IMPACT STATEMENT

N/A

17. SUBJECT: CAPITAL IMPROVEMENT NEEDS ASSESSMENT - FISCAL YEARS 2024-25 THROUGH 2028-29 (DISTRICTS: ALL)

OVERVIEW

Having a network of well-maintained infrastructure and amenities is essential to the quality of life, as well as health and safety, of the residents of San Diego County and the people who staff and use the infrastructure. The Capital Improvement Needs Assessment (CINA) is a strategic, long-term infrastructure assessment of the County of San Diego's (County's) need to take care of its aging infrastructure while enhancing sustainability and improving resilience of our capital investments. The CINA is reviewed and revised annually through an iterative process that considers community needs, County operational needs, and financial resources available to meet those needs.

The Fiscal Years 2024-25 through 2028-29 CINA process has identified a need for the County to modernize rural fire and sheriff stations, revitalize existing infrastructure, meet statewide stormwater mandates, and improve access to the County's extensive network of parks and trails. Today's request would approve the Fiscal Years 2024-25 through 2028-29 CINA and refer it to the Interim Chief Administrative Officer for funding identification and timelines to implement individual projects.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Approve the Capital Improvement Needs Assessment (CINA) prioritizing County of San Diego (County) capital projects for Fiscal Years 2024-25 through 2028-29, as filed with the Clerk of the Board, and refer it to the Interim Chief Administrative Officer for funding identification and timelines for implementation of individual projects.

EQUITY IMPACT STATEMENT

Equity is incorporated throughout the Capital Improvement Needs Assessment (CINA) planning cycle and carried through to the design and execution of each capital project. The planning cycle includes multiple touchpoints with the community and requires departments to identify how each of their capital projects promote equity and positively impact the residents of San Diego County. Approval of the Fiscal Years 2024-25 through 2028-29 CINA will result in the continued planning, design and construction of infrastructure that will ultimately improve accessibility to behavioral health, recreational services, and public safety services in the region. If approved, today's action will further improve the equitable distribution of facilities that provide services for some of the region's most vulnerable and under-served populations including individuals with complex behavioral health needs, and individuals with justice involvement.

SUSTAINABILITY IMPACT STATEMENT

Today's board letter supports the County of San Diego's sustainability goals of engaging the community, providing just and equitable access to County services, protecting the health and wellbeing of the region, safeguarding ecosystems, habitats, and biodiversity throughout the County, and reducing pollution and waste. Development of the CINA is an iterative process designed to maximize engagement opportunities with the community and provide the upmost transparency into the capital project planning process.

Referring the Fiscal Years 2024-25 through 2028-29 CINA to the Interim Chief Administrative Officer for consideration within the larger Operational Plan process will start the process for implementation of a variety of capital projects, including upgrades to and replacements of aged infrastructure to improve access and remove barriers for persons of all abilities, behavioral health projects that will fill unmet needs for mental health services, public safety projects that will improve the County's ability to provide services, parks projects that will increase access to recreational facilities, trails and open spaces, and the expansion of the County's Electric Vehicle (EV) charging infrastructure that will reduce emissions and protect the region's air quality.

This Board action will also continue to implement the Zero Carbon Portfolio Plan, which seeks to reduce County facilities greenhouse gas emissions by 90% by 2030. Additionally, the projects included in the CINA are aligned to the Climate Action Plan and our regional efforts to decarbonize.

FISCAL IMPACT

The Fiscal Years 2024-25 through 2028-29 CINA contains partially funded and unfunded capital projects of approximately \$1.2 billion for the five-year period. The first year of the CINA, Fiscal Year 2024-25, contains \$100.6 million in projects. The first year of the CINA is used to identify immediate priorities for funding. Actual timing of project implementation and funding for the projects will be subject to funding availability and project readiness which will vary from year to year. Once approved, departments and programs estimate funding needs for capital projects and identify funding sources as part of the CAO Recommended Operational Plan for the Board's consideration. Ongoing costs including operations and maintenance are part of the departmental and countywide planning processes for each of the capital projects listed in the CINA. These additional costs and funding sources will be incorporated into department budgets in the CAO Recommended Operational Plan annually, as needed.

There is no fiscal impact associated with the Board's approval of the CINA. There will be no change to net General Fund cost and no additional staff years. There may be fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval.

BUSINESS IMPACT STATEMENT

N/A

- 18. SUBJECT: AUTHORIZE AND APPROVE ACTIONS RELATED TO COMPASSIONATE EMERGENCY SOLUTIONS AND PATHWAYS TO HOUSING PROJECTS, INCLUDING ESTABLISHING APPROPRIATIONS, EXECUTING LEASE, CONTRACT AMENDMENTS, AND REVENUE AGREEMENTS FOR HOUSING SITES, ADMINISTERING THE CONSTRUCTION MANAGER AT RISK CONTRACT, AND RELATED CEQA EXEMPTIONS (DISTRICTS: ALL)**

OVERVIEW

On February 8, 2022 (14), the San Diego County Board of Supervisors (Board) approved the expansion of emergency housing options by implementing a plan for Compassionate Emergency Solutions and Pathways to Housing (CESPH) for people experiencing homelessness. The plan included leveraging and expanding the existing Regional Homeless Assistance Program (RHAP) as the primary emergency housing option for the unincorporated communities while other emergency housing options were being assessed and established. To address the need for emergency housing resources in the unincorporated areas of San Diego County and per the approved CESPH implementation plan, the County of San Diego (County) Health and Human Services Agency, Department of Homeless Solutions and Equitable Communities in partnership with the County General Services reviewed numerous properties for emergency housing solutions, including County-owned sites. Sites that were deemed viable were then further assessed based on the programmatic needs of people experiencing homelessness to ensure that the sites were in locations that met their needs and would potentially substitute services provided through RHAP. As part of CESPH efforts, one safe parking site was opened in August 2022, and

another is currently under construction and set to open in the spring of 2024. Two other sites with different strategies, Willow Recreational Vehicle (RV) Senior and Family Parking and Jamacha Sleeping Cabins, are currently in the assessment phase.

Today's item provides an update on actions related to CESP and requests the Board authorize the design, development, and construction of the Willow RV Senior and Family Parking and the Jamacha Sleeping Cabin sites. In addition, today's item requests the Board authorize the acceptance of \$10 million in funding from the State of California to offset the construction costs of the Jamacha site, amend a construction contract, approve a lease agreement with the State of California, Department of Transportation for the Jamacha site, and find that these actions are exempt from the California Environmental Quality Act.

Today's actions support the County 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 County Framework for Ending Homelessness by ensuring our most vulnerable community members have access to housing, care coordination, and connections to more stable housing opportunities.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15061(b)(3) of the State of California Environmental Quality Act (CEQA) Guidelines that it can be seen with certainty that there is no possibility that receiving State funds, establishing appropriations, and amending the Compassionate Emergency Solutions and Pathways to Housing (CESPH) project contract may have a significant effect on the environment and is, therefore, exempt from CEQA.
2. Find that the proposed lease with the State of California, Department of Transportation and the work proposed at the Jamacha Sleeping Cabins site are exempt from CEQA pursuant to State CEQA Guidelines sections 15301, 15303, 15304, 15311 and 15269(c).
3. Find that future sites for the CESP project, not yet identified, will be reviewed pursuant to CEQA.
4. Establish appropriations of \$4,900,000 in the Major Maintenance Capital Outlay Fund for the Willow Recreational Vehicle (RV) Senior and Family Parking MMCOF Project 1026799, based on American Rescue Plan Act (ARPA) funding. **(4 VOTES)**
5. Establish appropriations of \$18,500,000 in the Major Maintenance Capital Outlay Fund for Jamacha Sleeping Cabins MMCOF Project 1026800, based on ARPA funding. **(4 VOTES)**
6. Approve and authorize the Director, General Services, to execute the lease and any amendments to the lease with the State of California, Department of Transportation for Jamacha Sleeping Cabins site located at 8534 Jamacha Road, Spring Valley.

7. In accordance with Board Policy A-87, Competitive Procurement and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with Turner Construction, and upon successful negotiations and determination of a fair and reasonable price, amend contract #569169, to increase the Budget Not-to-Exceed amount to add the cost of developing the Willow RV Senior and Family Parking site, and Jamacha Sleeping Cabins site, subject to the availability of funds; and to amend the contract as required to reflect changes to services and funding allocation, for the CESP project.
8. Designate the Director, General Services, as the County of San Diego officer responsible for administering the Construction Manager at Risk Contract (CMAR) Contract #569169 and authorize the Director, General Services to execute any and all documents necessary for the implementation of the CMAR contract.
9. Authorize the Agency Director, Health and Human Services Agency, or designee, to execute any agreements with the State of California, 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 to receive the \$10 million in State of California funding to support the site development of Jamacha Sleeping Cabins site.

EQUITY IMPACT STATEMENT

The 2023 Point-in-Time Count (PITC) of persons experiencing homelessness identified 10,264 individuals living on the streets or in San Diego County shelters on one night. Of this number, 5,171 individuals were reportedly unsheltered, approximately 44% of whom reported chronic homelessness, 29% were 55 years of age or older, 29% were female, 9% were veterans, 6% were youth, and 1% of the unsheltered population were families. People of color are disproportionately impacted among those experiencing homelessness, with 19% identifying as Black, African, or African American, which is more than three times the proportion of African Americans in the region; 2% identify as American Indian, which is double the proportion in the region. Of 5,171 unsheltered individuals, 200 were counted in the unincorporated areas of the county.

The County of San Diego (County) Framework for Ending Homelessness (Framework) was created to provide a strategic path for ending homelessness in the County across five strategic domains and ensures an equitable approach to service delivery. Ensuring racial and social equity in all aspects of homelessness prevention and response is one of the key drivers guiding the Framework and efforts. Securing equitable housing, supports, and funding will assist those who are experiencing homelessness or at-risk of homelessness throughout the region. The County has conducted lived experience forums in the North, East, and South Regions to gain valuable information on shaping programs and has implemented regular lived experience feedback questionnaires.

The County Health and Human Services Agency, Department of Homeless Solutions and Equitable Communities administers both Regional Homeless Assistance Program (RHAP) and Compassionate Emergency Solutions and Pathways to Housing (CESPH) programs, which serve the same populations experiencing homelessness in the unincorporated communities. Both items are being presented to the San Diego County Board of Supervisors today and are intended to address the needs of this vulnerable population in the unincorporated areas of San Diego County. It is anticipated that CESPH and RHAP will provide needed housing and support to people across the unincorporated areas of San Diego County, including youth and those who are disproportionately represented in the homeless system including, justice involved people and people 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 (County) Sustainability Goal #1 to engage the community in meaningful ways and continually seek stakeholder input, Sustainability Goal #2 to provide just and equitable access to services and resources, and Sustainability Goal #4 to protect the health and well-being of everyone in 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. Today's action related to the Compassionate Emergency Solutions and Pathways to Housing program supports the most vulnerable community members in the unincorporated communities to have just and equitable access to housing, services, and resources. This includes connections to healthcare and behavioral health support.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2023-25 Operational Plan for the Major Maintenance Capital Outlay Fund (MMCOF) Project 1026799, Willow Recreational Vehicle Senior and Family Parking or MMCOF Project 1026800, Jamacha Sleeping Cabins. If approved, today's action will result in estimated design and construction costs and revenues of \$18.5 million for the Jamacha Sleeping Cabins and \$4.9 million for Willow Recreational Vehicle Senior and Family Parking. The funding source is American Rescue Plan Act (ARPA) funding. Once operational, annual ongoing costs for these sites are estimated to be \$5-\$6 million for the 150 sleeping cabins and \$860,000 for the 17 recreational vehicle sites. Establishing the 150 sleeping cabins would allow for the reduction of 150 rooms in the Regional Homeless Assistance Program (RHAP), which currently have an estimated \$9 million annual operating cost. One-time use of ARPA funds was included in the revised ARPA Framework reallocation, approved on February 27, 2024 (11) to support one-time costs and operational costs for emergency housing efforts through FY 2025-26. The Health and Human Services Agency will continue to pursue additional funding opportunities and incorporate in future Operational Plans should funding become available as ongoing revenue beyond FY 2025-26 has not been identified. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

19. SUBJECT: AUTHORIZE COMPETITIVE SOLICITATION FOR REGIONAL HOMELESS ASSISTANCE AND INCLEMENT WEATHER PROGRAMS, AND RECEIVE AUTHORITY TO APPLY FOR FUTURE FUNDING OPPORTUNITIES RELATED TO ADDRESSING HOMELESSNESS (DISTRICTS: ALL)

OVERVIEW

Over the last several years, the San Diego County Board of Supervisors (Board) has demonstrated their commitment to addressing the needs of people at risk of and experiencing homelessness. On November 2, 2021 (4), the Board implemented and approved the County of San Diego (County) Framework for Ending Homelessness (Framework), which created a unified strategic approach to support the coordination of homeless services in San Diego County. The Regional Homeless Assistance Program (RHAP) and Inclement Weather Program (IWP) are two critical components within the Framework.

On January 27, 2016 (HA01), the Board approved the IWP, which would temporarily house unsheltered homeless individuals and families in response to high-risk inclement weather events. Subsequently on May 19, 2020 (17), the Board approved RHAP, an emergency housing program that supports people experiencing homelessness by using local hotels and motels as emergency housing options coupled with case management, and housing navigation with the goal of connecting people to more permanent housing solutions. In addition, on February 8, 2022 (14), the Board approved the Compassionate Emergency Solutions and Pathways to Housing (CESPH), which includes leveraging RHAP as an emergency housing option. Both RHAP and IWP serve individuals in the unincorporated area of San Diego County. Most recently, on February 27, 2024 (11), the Board approved the ongoing operational costs of RHAP through FY 2025-26.

Today's actions request the Board authorize a competitive solicitation for RHAP that includes an IWP component and authorize applications for future funding opportunities related to addressing homelessness. Today's actions support the County vision of a just, sustainable, and resilient future for all, specifically for 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 by ensuring our most vulnerable community members have access to housing, care coordination, and connections to more stable housing opportunities.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue a competitive solicitation for a Regional Homeless Assistance Program that includes an Inclement Weather Program component, and upon successful negotiations and determination of a fair and reasonable price, award a contract for an initial term of up to two years, with three one-year options, and up to an additional six months, if needed; and to amend the contract(s) to reflect changes in program, funding or service requirements, subject to availability of funds and the approval of the Agency Director, Health and Human Services Agency.

2. Authorize the Agency Director, Health and Human Services Agency, or designee, to apply for future funding opportunities related to addressing homelessness throughout the region in the current and future fiscal years.

EQUITY IMPACT STATEMENT

The County of San Diego (County) is dedicated to addressing the root causes of homelessness and providing equitable access to preventative and supportive services for vulnerable residents. The mission of the County Health and Human Services Agency, Department of Homeless Solutions and Equitable Communities (HSEC) is to support under-resourced and vulnerable groups, immigrant, and refugee communities, and those at risk of homelessness. HSEC administers both RHAP and CESP programs which serve the people experiencing homelessness in the unincorporated communities.

The 2023 Point-in-Time Count of people experiencing homelessness identified 10,264 individuals who were living on the streets or in shelters throughout San Diego County on one night. Of this number, 19% identified as Black, African, or African American, which is more than three times the proportion of African Americans in the San Diego County region, and 2% identified as American Indian, which is double the proportion in the region. In addition, of the 10,264 individuals, over 50% were reportedly unsheltered, approximately 44% of whom reported chronic homelessness, 29% were aged 55 years or older, 29% were female, 9% were veterans, 6% were youth, and 1% comprised of unsheltered families. People of color are disproportionately impacted among those experiencing homelessness.

The County engages people at-risk of or experiencing homelessness, impacted community members, community partners, and other key stakeholders in developing County plans to address homelessness. 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 and has implemented regular lived experience feedback questionnaires. The Regional Homeless Assistance Program and the Inclement Weather Program will provide needed housing and support to people across the unincorporated areas of San Diego County. This includes youth and those who are disproportionately represented in the homeless system including, justice involved people and people with a range of health and social needs, as well as Black, Indigenous and People of Color.

SUSTAINABILITY IMPACT STATEMENT

Today's actions support the County of San Diego 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 Regional Homeless Assistance Program and the Inclement Weather Program support the most vulnerable community members in the unincorporated communities to have just and equitable access to housing, services, and resources including connections to healthcare and behavioral health support.

FISCAL IMPACT

Funds for these requests are included in the Fiscal Years 2024-26 CAO Recommended Operational Plan for the Health and Human Services Agency. On February 27, 2024 (11), the Board approved American Rescue Plan Act (ARPA) funding for the operational costs of the Regional Homeless Assistance Program (RHAP) through Fiscal Year (FY) 2025-26. If approved

today, this request will result in estimated costs and revenue of \$7.5 million for FY 2024-25 prorated for six months and \$6-\$7 million in FY 2025-26, based on the Compassionate Emergency Solutions and Pathways to Housing projects that are projected to open, which will reduce the Regional Housing Assistance Program capacity by almost 60%. The Health and Human Services Agency will continue to pursue additional funding opportunities and incorporate in future Operational Plans should funding become available as ongoing revenue beyond FY 2025-26 has not been identified. The Health and Human Services Agency will continue to pursue additional funding opportunities and incorporate in future Operational Plans should funding become available as ongoing revenue for RHAP beyond FY 2025-26 has not been identified.

If approved, the Inclement Weather Program will result in estimated costs and revenue of \$250,000 prorated for six months for FY 2024-25 and \$1 million for FY 2025-26. The funding sources are existing General Purpose Revenue and anticipated ARPA funds projected to be available within the homeless services component of the ARPA Framework through FY 2025-26. The Health and Human Services Agency will continue to pursue additional funding opportunities and incorporate in future Operational Plans should funding become available as ongoing revenue for the Inclement Weather Program beyond FY 2025-26 has not been identified.

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

BUSINESS IMPACT STATEMENT

N/A

20. SUBJECT: UPDATE ON THE ALTERNATIVES TO INCARCERATION INITIATIVE; AUTHORITY TO PROCURE A RESOURCE AND REENTRY HUB AND DRAFT A LOCAL FAIR CHANCE ACT ORDINANCE (DISTRICTS: ALL)

OVERVIEW

On October 19, 2021 (3), the Board of Supervisors (Board) directed a series of actions that established the County of San Diego's (County) Alternatives to Incarceration (ATI) initiative, building on previous collaborative action by criminal justice partners. The direction came amid the COVID-19 pandemic, when emergency public health measures restricted people from being in jail on nonviolent and low-level charges, significantly lowering jail populations. The San Diego Association of Governments (SANDAG), engaged as a project consultant, conducted extensive analysis and developed recommendations for expanding supportive services that could permanently reduce incarceration for people who do not pose a public safety threat. This work is centered on advancing health, equity, and public safety outcomes. County and regional partners reviewed SANDAG's analysis and developed an initial ATI work plan (Attachment D) with specific actions and service enhancements that create new pathways to supportive services to prevent or reduce justice system involvement. On May 23, 2023 (20), the Board authorized steps to enact the work plan and directed the Chief Administrative Officer to return in early 2024 with plans for continuing the ATI initiative, including an enterprise structure, proposed evaluation framework, and initial update on work plan actions.

The ATI initiative embraces the collaboration required to make the work a success, with justice, health, and equity-focused partners and community stakeholders outlined in the ongoing ATI enterprise structure (Attachment A). The enterprise structure includes an ATI Advisory Group with community members and County representatives, sharing responsibility among the Public Safety Group, Health and Human Services Agency, and the Office of Equity and Racial Justice. The Office of Evaluation, Performance, and Analytics developed an ATI Measurement and Evaluation Framework (Attachment B) in consultation with the ATI Advisory Group and other stakeholders to measure program performance and evaluate the initiative's design and implementation.

Today's action provides an initial update on ATI, a proposed enterprise structure, and a proposed Monitoring and Evaluation Framework and requires Board action for additional steps, including issuing a procurement for a justice-involved resource and reentry hub and exploring local enforcement options for the California Fair Chance Act to expand employment for people with criminal histories. Today's action would also direct a return to the Board with updates in early 2025.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Receive a presentation on Alternatives to Incarceration (ATI) updates, including the planned enterprise structure (Attachment A) and Measurement and Evaluation Framework (Attachment B).
2. Direct the Chief Administrative Officer to explore the feasibility of establishing a local enforcement mechanism to the California Fair Chance Act through the Office of Labor Standards and Enforcement and return to the Board in 120 days with a draft ordinance.
3. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, subject to available funding, to issue a competitive solicitation(s) and/or amend existing contracts for a resource and reentry hub focused on justice-involved clients and, upon successful negotiations and determination of a fair and reasonable price, award contracts for a term of up to one (1) year, with up to four (4) one-year option periods and up to an additional six (6) months if needed, subject to approval by the Deputy Chief Administrative Officer for the Public Safety Group or the Health and Human Services Agency as appropriate, and to amend such contracts as needed to reflect changes to services and funding.
4. Direct the Interim Chief Administrative Officer to return to the Board in early 2025 with updates on ATI evaluation, current ATI work plan actions, and additional work plan actions and recommendations informed by the ATI Advisory Group and community input.

EQUITY IMPACT STATEMENT

Nationally and in San Diego County, arrest and incarceration disproportionately impact people of color and those who are low-income, disabled, experiencing homelessness, and/or have behavioral health needs. For example, San Diego County jail data indicate that Black individuals composed more than 21% of the average daily jail population in 2023, while only 5.6% of San

Diego County’s overall population are Black, according to the 2020 Census. Data reflect similar disparities for people identifying as Hispanic or Latino/a/x. Additionally, 32% of incarcerated individuals surveyed during the 2023 Jail Point in Time Count reported they were experiencing homelessness at the time of their arrest.

The Alternatives to Incarceration initiative aims to create durable and coordinated pathways to services that reduce justice system contact and episodes of incarceration, with the goal of advancing equity and addressing systemic disparities in the justice system by ensuring that these services reach communities that are disproportionately incarcerated. By providing evidence-based, community-driven alternatives to incarceration, programs implemented through this initiative address unmet needs of justice-involved individuals by directly connecting people who commit low-level, nonviolent offenses to community-based services.

SUSTAINABILITY IMPACT STATEMENT

The actions proposed in today’s item contribute to the County of San Diego’s Sustainability Goals of engaging the community, providing just and equitable access, and protecting health and well-being. The ongoing initiative to strengthen prevention, diversion, and reentry services is intended to positively impact the communities and socioeconomic groups historically burdened by incarceration with better long-term health, well-being, and opportunity. Extensive community engagement through surveys, community listening sessions, and an external Advisory Group including individuals with lived experience is a major component of the initiative.

FISCAL IMPACT

There is no fiscal impact associated with receiving today’s update. Staff will return to the Board after the contract is awarded for the resource hub to establish appropriations. The funding source is Public Safety Realignment. There is no change in net General Fund costs or staff years.

BUSINESS IMPACT STATEMENT

N/A

21. SUBJECT: CANNABIS SOCIAL EQUITY PROGRAM (DISTRICTS: ALL)

OVERVIEW

On January 27, 2021 (4), the Board of Supervisors (Board) directed staff to implement measures to provide economic access and equity in the cannabis industry. These measures included components of a Social Equity Program (SEP), Zoning Ordinance amendments, and a licensing/permitting system. The Board further directed that grant funding be secured to support implementation of the SEP, which would include numerous elements to prioritize equity, access, and business opportunities to help rectify the injustices caused by the War on Drugs and be in place prior to issuance of the first cannabis business license.

Further, on March 3, 2021 (11), the Board directed the Office of Equity and Racial Justice (OERJ) to lead the development of the framework and strategy, including grant funding options, needed to initiate a SEP and coordinate this with the land use permitting system being developed by Planning & Development Services (PDS).

The goal of the SEP is to ensure that those negatively or adversely impacted by cannabis criminalization are provided with the opportunity to successfully participate in the regulated cannabis market and for people and communities impacted by the War on Drugs to receive assistance and benefits. This assistance and benefits will be vital to the success of these future entrepreneurs and beneficiaries. OERJ will continue to work with PDS on ensuring social equity is a priority for all programming related to cannabis.

Today's action provides an update on the coordinated development of the Cannabis Social Equity Program focusing on and development of the SEP components of the Social Equity Entrepreneurs Program and the Social Equity Beneficiaries Program. The recommendations include receiving an update on the program, providing policy direction on the social equity eligibility criteria, and the SEP related ordinance components, as well as approving the structure of the program's oversight body.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Receive the updates on development of the Social Equity Program from the Office of Equity and Racial Justice.
2. Consider and adopt the Social Equity Criteria Tiers. The main criteria is focused on being incarcerated, deported, arrested or convicted for a cannabis related crime in San Diego, and being low income.
3. Consider and provide policy direction on the attached Cannabis Social Equity Ordinance Matrix (Attachment B, on file with the Clerk of the Board) focusing on four main topics:
 - a. Social Equity Ownership Requirements (51% minimum ownership);
 - b. Timeframe for Social Equity Businesses to Open Prior to Non-Social Equity (3-year timeframe);
 - c. License Ceiling for Cannabis Storefront Businesses (25 total storefront licenses, no ceiling for other license types); and
 - d. Social Equity Storefront Retail Licenses (minimum 50% storefront retail licenses reserved for social equity businesses).
4. Consider and adopt the Cannabis Oversight Community Collaborative Resolution (Attachment C, on file with the Clerk of the Board).

EQUITY IMPACT STATEMENT

Throughout the country, a disproportionate number of Black, Indigenous, and People of Color (BIPOC) individuals remain incarcerated for the criminalization of cannabis. In San Diego County specifically, as analyzed in the Social Equity Assessment for Commercial Cannabis (Equity Assessment - Attachment A, on file with the Clerk of the Board), from 2012-2017 cannabis-related arrest data shows that Black San Diegans were arrested at a rate that is 5 times the White arrest rate; Pacific Islander San Diegans are arrested at a rate that is 3 times the White arrest rate; Latinx San Diegans are arrested at a rate that is 2 times the White arrest rate; and Indigenous San Diegans are arrested at a rate that is 30% higher than the arrest rate for White

San Diegans. As cannabis is legalized and permitted in San Diego County, the Socially Equitable Cannabis Program will help guide the County's approach to this new market and paradigm shift for how cannabis is perceived and regulated.

In support of the Program, the Office of Equity and Racial Justice (OERJ) commissioned the development of a comprehensive Social Equity Assessment which included several community outreach sessions to inform the Social Equity Program and a Program for Social Equity Entrepreneurs. Womxn's Work Consulting, LLC collected qualitative and quantitative data, and conducted research into best practices and lessons learned, throughout the state, to inform the Equity Assessment. A total of 28 semi-structured interviews were conducted with community members, activists, politicians and cannabis growers and retail owners. Additionally, 5-semi structured focus groups were completed with a diverse set of stakeholder groups. A total of 271 responses were received for the community survey. OERJ also held seven outreach and listening sessions from October 2022 through February 2024 with cannabis and social equity stakeholders to gain additional feedback on Social Equity Assessment recommendations, possible program eligibility requirements and program benefits. Additionally, OERJ and PDS staff partnered to host six webinars and seven small group stakeholder sessions centered around select June 15, 2022 (7) Board-directed measures including Measure 9, the establishment of a Community Equity Contribution Program. The Cannabis Social Equity Program survey was open on the Engage San Diego County platform from February through June of 2023 and focused on gathering feedback from participants on the program's programming goals and objectives. It should be noted that less than 10% of the respondents challenged the purpose of the program, citing they did not want additional cannabis businesses in the unincorporated area. There were over 90% neutral and positive responses provided by respondents stating that the County's efforts should focus on grants for social equity businesses, permit fee waivers, economic development, educational programming, technical assistance and other behavioral health services to facilitate access to the cannabis industry and those harmed by the War on Drugs. Over 60% of respondents either work or live in the unincorporated area. And 75% are interested in participating in the upcoming Social Equity Program. This was a small sample size and would not be considered a representative sample of the unincorporated County population, though this survey provides insight into the thoughts of the participants. As such, it cannot be used as a definitive method of determining all public sentiment around each of the suggestions or topics.

All recommendations have been reviewed and feedback from stakeholders has been considered in the development of the framework for the social equity program, including the program for social equity entrepreneurs and social equity beneficiaries. The Equity Assessment proposed a detailed plan for advancing racial equity, continuing community engagement in a manner that is both empowering and healing, evaluation, and most importantly, County accountability to the most-harmed communities in the development and implementation of the Socially Equitable Cannabis Program.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions to receive an update on the Social Equity Program, approve recommendations related to social equity ordinances, eligibility and cannabis oversight group contributes to many of the County of San Diego Sustainability Goals: engage the community; provide just and equitable access; transition to a green and circular economy; and protect health

and wellbeing. In terms of sustainability in equity, economy, and health/wellbeing, it will impact the communities and socio-economic groups historically burdened by the War on Drugs and the over criminalization of marijuana by reinvesting in those communities and providing support, resources, and opportunities for those who were most impacted. Extensive community engagement through surveys and focus groups has been a critical piece of this work. The goals of the social equity programming will work to reinvest in communities that were harmed by the War on Drugs and provide sustainable opportunities for growth and positive outcomes of those individuals and communities.

FISCAL IMPACT

Funding of \$350,000 for grants directly to social equity applicants was received from the State in June 2023 from the Governor’s Office of Business and Economic Development for Cannabis Equity Grants Program for Local Jurisdictions and are included in the Fiscal Year 2023-24 Operational Plan of the Office of Equity & Racial Justice. There will be no change in net General Fund cost and no additional staff years.

Funding for the Cannabis Oversight Community Collaborative request are included in the Fiscal Year 2023-24 Operational Plan of the Office of Equity & Racial Justice. If approved, this request will result in costs of approximately \$2,500 in Fiscal Year 2023-24, and annual costs of approximately \$5,000 in Fiscal Year 2024-25 and beyond. The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

Total cost and funding source for Social Equity Beneficiaries Programming has yet to be determined and will be included in the CAO Recommended Operational Plan Fiscal Years 2024-25 & 2025-26 in the Office of Equity and Racial Justice. There may be fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval.

BUSINESS IMPACT STATEMENT

N/A

22. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Nicholas Yphantides v. County of San Diego and SDCERA;
San Diego County Superior Court, Case No. 37-2021-00026013-CU-OE-CTL

- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
County of San Diego v. AmerisourceBergen Drug Corp, et al.;
U.S. Dist. Court for the Northern District of Ohio, Case No. MDL 2804;

- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Francisco Valenzuela Ochoa v. Frank Haskell and County of San Diego;
Riverside County Superior Court, Case No. CVSW2109638

- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
James Harold Lynch v. County of San Diego, et al.;
San Diego County Superior Court, Case No. 37-2020-00016745-CU-PO-CTL

- E. 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 County Superior Court, Case No.: 37-2021-00050734-CU-PA-CTL

- F. PUBLIC EMPLOYMENT
(Government Code section 54957)
Title: Chief Administrative Officer

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