REVISION 1

CLERK OF THE BOARD OF SUPERVISORS
BOARD OF SUPERVISORS MEETING
TUESDAY, MAY 6, 2025
Legislative Services Section: (619) 531-5434

INDEX:

Revised Pages

NEW AGENDA PAGES AND BACKUP:

22. **REFORMING THE COUNTY RESERVE POLICY TO PROTECT CORE SERVICES AND VULNERABLE COMMUNITOES AND WAIVE BOARD POLICY A-72 (DISTRICTS: ALL)**
23. **CLOSED SESSION (DISTRICTS: ALL)**

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	3.	ADMINISTRATIVE ITEM: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: NOTICED PUBLIC HEARING: AN ORDINANCE AMENDING ARTICLE XX OF THE SAN DIEGO COUNTY ADMINISTRATIVE ORDINANCE CODE, RELATING TO SAN DIEGO COUNTY FIRE, SAN DIEGO COUNTY EMERGENCY MEDICAL SERVICES, AND COUNTY SERVICE AREA 17 CHARGES AND FEES (4/22/25 - FIRST READING; 5/6/25 - SECOND READING UNLESS ORDINANCE IS MODIFIED ON SECOND READING)
	4.	ADMINISTRATIVE ITEM: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: NOTICED PUBLIC HEARING: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE ARTICLE XX SECTION 364.6, RELATING TO MEDICAL EXAMINER FEES AND CHARGES
Health and Human Services	5.	AUTHORIZE ACCEPTANCE OF OLDER ADULT SERVICES REVENUE AGREEMENTS AND GRANTS FOR FISCAL YEAR 2025-26 THROUGH FISCAL YEAR 2028-29, AND AUTHORIZE APPLICATION FOR FUTURE FUNDING OPPORTUNITIES FOR PROGRAMS SERVING OLDER ADULTS AND PERSONS WITH DISABILITIES
	6.	AUTHORIZE ACTIONS RELATED TO THE 2026-2027 COMMUNITY ACTION PLAN AND APPROVE REVISED BY-LAWS
	7.	APPROVE APPOINTMENT OF NILSA HIGGINS AS TENANT COMMISSIONER FOR THE HOUSING AUTHORITY OF THE COUNTY OF SAN DIEGO BOARD OF COMMISSIONERS
Financial and General Government	8.	APPROVAL OF CONFLICT OF INTEREST CODES: VARIOUS AGENCIES
	9.	APPOINTMENTS: VARIOUS
	10.	COMMUNICATIONS RECEIVED

DISCUSSION ITEMS

Category	#	Subject
Public Safety	11.	ANNUAL REPORT ON GUN VIOLENCE AND UPDATE ON GUN VIOLENCE REDUCTION WORK PLAN
Health and Human Services	12.	APPROVE AN ORDINANCE AMENDING ARTICLE XV-B OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES
	13.	ENDING VETERAN HOMELESSNESS

14. SET A HEARING FOR JUNE 3, 2025:
FALLBROOK - APPROVE ACQUISITION OF APPROXIMATELY 3.04 ACRES OF LAND FROM NORTH COUNTY FIRE PROTECTION DISTRICT (05/06/2025 - SET HEARING; 06/03/2025 - HOLD HEARING), APPROVE EXEMPT SURPLUS PROPERTY DECLARATION AND AUTHORIZE THE ISSUANCE OF REQUEST FOR PROPOSALS FOR DEVELOPMENT OF AFFORDABLE HOUSING AND RELATED CEQA EXEMPTION

15. SUPPORT FOR ONE HOMEKEY+ PARTNERSHIP DEVELOPMENT WITH THE SAN DIEGO HOUSING COMMISSION AND AUTHORIZE AN AGREEMENT TO SUPPORT OPERATIONS OF THE DEVELOPMENT AND RELATED CEQA FINDING

Land Use and Environment

16. EXPANDING ACCESS TO AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) FOR PRIVATE SPORTS FACILITIES AND ORGANIZATIONS

Financial and General Government

17. NOTICED PUBLIC HEARING:
ADOPT A RESOLUTION ESTABLISHING COUNTY COUNSEL HOURLY BILLING RATES FOR ATTORNEY AND PARALEGAL SERVICES

18. SUPPORTING NEW TOOLS TO ADDRESS THE TIJUANA RIVER SEWAGE CRISIS

19. ADOPT AN ORDINANCE AMENDING TITLE 7, DIVISION 3 AND AMENDING TITLE 4, DIVISION 2, CHAPTER 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, RELATING TO UNAUTHORIZED CAMPING AND PROTECTION OF OPEN SPACE AND PUBLIC WORKS INFRASTRUCTURE (5/6/2025 - First Reading; 5/20/25- Second Reading unless ordinance is modified on second reading)

20. PUBLIC HEARING IN COMPLIANCE WITH ASSEMBLY BILL 2561 (AB 2561), CODIFIED IN GOVERNMENT CODE SECTION 3502.3, REGARDING COUNTY OF SAN DIEGO VACANCIES, RECRUITMENT AND RETENTION EFFORTS

21. APPROVAL OF A DISPOSITION AND DEVELOPMENT AGREEMENT AND CEQA EXEMPTIONS FOR DEVELOPMENT OF AFFORDABLE HOUSING ON COUNTY LAND LOCATED AT 5202 UNIVERSITY AVE., SAN DIEGO AND 620 E. VALLEY PKWY., ESCONDIDO

22. REFORMING THE COUNTY RESERVE POLICY TO PROTECT CORE SERVICES AND VULNERABLE COMMUNITIES AND WAIVE BOARD POLICY A-72

23. CLOSED SESSION

BUSINESS IMPACT STATEMENT
N/A

22. SUBJECT: REFORMING THE COUNTY RESERVE POLICY TO PROTECT CORE SERVICES AND VULNERABLE COMMUNITIES AND WAIVE BOARD POLICY A-72 (DISTRICTS: ALL)

OVERVIEW
The County of San Diego's (County) recently released CAO Recommended Operational Plan for Fiscal Year 2025-26, commonly referred to as the recommended budget, is balanced and demonstrates strong fiscal discipline and careful belt-tightening to manage projected funding deficits. County leadership has shown commendable responsibility in safeguarding taxpayer dollars and prioritizing essential local needs.

However, the County now faces escalating threats from proposed deep cuts to the federal budget–cuts that jeopardize the critical services which thousands of our residents rely on. The proposed reductions include $40 million lost from the Centers for Disease Control, nearly $880 billion in national Medicaid cuts, roughly a third of the County's Medicaid dollars, and significant threats to housing assistance that put local families, seniors, and veterans at risk. These aren't abstract numbers. The proposed cuts will impact our neighbors, children, parents, and seniors, who rely on the services the federal government now wants to walk away from.

The County must step in to fill the void the federal government leaves behind. We can't control what Congress does, but we can ensure our local government has the tools to protect our communities. That means planning responsibly, spending wisely, and updating outdated financial policies that don't reflect the needs or risks we face today.

It is time to update our County's reserve policy. Our current policy, last updated in 2017, is outdated and overly restrictive. It inflates reserve requirements by including one-time capital projects and ignores significant flexible funds already under local control, limiting our ability to respond to federal shortfalls.

Today, the County calculates emergency reserves based on *all* spending, including major one-time capital projects. Such spending could easily be delayed in a crisis. That's like saving for a rainy day by budgeting for a future kitchen remodel. Under national best practices from the Government Finance Officers Association (GFOA), reserves should be based on the regular expenses we cover in day-to-day operations. The inflated formula we currently use requires setting aside approximately $973 million based on Fiscal Year 2024 numbers, tens of millions more than what national best practices suggest. A more accurate standard would be approximately $945 million for Fiscal Year 2024, based on our true operating costs.

In addition, the County's current reserve policy only counts "unassigned" dollars, overlooking hundreds of millions in "assigned" funds that remain flexible and fully within the Board of Supervisors' (Board) control. GFOA best practices recommend counting both, because in a true emergency, what matters most is whether funds are locally controlled and available to protect our communities.

The updates we propose today will free up approximately $380 million in flexible, Board-controlled funds—"Unlocked Reserves." To protect taxpayers and safeguard core services, we propose guardrails on how these funds may be used. We propose that these funds may be used only when the County faces cuts in federal or state funding, or during a recognized economic recession. Even then, no more than 25% could be spent in any single fiscal year. This ensures the County stays ready to respond to real emergencies, not short-term pressures, preserving fiscal strength while protecting San Diego families when they need it most.

The Chief Administrative Officer (CAO) flagged the need to reform the reserve policy earlier this year, on February 11, 2025, recognizing that the County's current approach is not in accord with best fiscal practice. By modernizing our reserve policy, we will ensure our fiscal house remains strong, without forcing false choices between maintaining a prudent reserve and meeting urgent community needs. The ordinance also preserves accountability: any use of reserves would still require a Board vote and must be tied to an emergency or core service protection.

When federal leaders walk away, local government must lead. This ordinance ensures our ability to act with clarity, flexibility, and responsibility, not austerity. Our job isn't just to protect balance sheets or protect people. It's to protect both, ensuring we meet urgent needs today while safeguarding San Diego's future.

This ordinance ensures we can do exactly that.

Today's item is being agendized as a late docket as an urgent response to the CAO's Draft Operational Plan that was released on May 1, 2025.

RECOMMENDATION(S)
SUPERVISOR TERRA LAWSON-REMER AND SUPERVISOR MONICA MONTGOMERY STEPPE

1. Waive Board Policy A-72 Agenda and Related Process, Section 2.C.2.ii, which establishes required timelines for review when preparing a Board Letter.

2. Approve the introduction of the Ordinance:
AN ORDINANCE AMENDING ARTICLE VII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO BUDGET AND FINANCIAL PROCEDURES AND APPROPRIATION, REVENUE AND STAFFING LIMITATIONS

If, on May 6, 2025, the Board takes action as recommended, then on May 20, 2025:

3. Consider and adopt the Ordinance:
AN ORDINANCE AMENDING ARTICLE VII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO BUDGET AND FINANCIAL PROCEDURES AND APPROPRIATION, REVENUE AND STAFFING LIMITATIONS

4. Direct the Chief Administrative Officer to develop a list of options and recommendations for potential allocation of the first fiscal year of the "Unlocked Reserves," consistent with the County's Strategic Plan; accept input from Board offices through memo submissions, if submitted; and return to the Board by October 21, 2025, with a proposed framework for the first year of "Unlocked Reserves" for further Board direction.

EQUITY IMPACT STATEMENT

Modernizing the County's reserve policy enhances our ability to respond to emergencies and fiscal challenges in a way that protects core services relied upon by historically underserved communities. By ensuring greater flexibility and transparency in how reserves are defined and managed, this policy change supports more equitable budget decisions, particularly during times of economic uncertainty when service disruptions disproportionately affect low-income residents, seniors, and working families.

SUSTAINABILITY IMPACT STATEMENT

Aligning the County's reserve policy with best practices strengthens long-term fiscal sustainability by ensuring that reserve targets are realistic, risk-informed, and based on ongoing operational needs. A more accurate and transparent reserve framework allows for better planning, reduces the risk of unnecessary service cuts, and supports a resilient public sector capable of withstanding economic and environmental disruptions over time.

FISCAL IMPACT

There is no fiscal impact associated with today's recommended action. There will be no change in General Fund costs and no additional staff years as a result of acting on the recommendations within this Board letter.

The proposed amendments will include, in part, amounts in the General Fund Reserve that have already been encumbered for operations of the County. While these amounts are identified to support ongoing programs and services, they remain within the control of the Board and may be reallocated. The proposed amendments will also make available an amount of Unassigned General Fund balance, and the proposed direction to the CAO will provide information for the Board's consideration as it relates to management of fund balances and the use of one-time resources in light of federal decisions.

BUSINESS IMPACT STATEMENT

Modernizing the County's reserve policy supports a more stable and predictable fiscal environment, which benefits the broader business community. By aligning with best practices and ensuring greater transparency in reserve planning, this policy change reduces the likelihood of abrupt service reductions that could disrupt local economic activity. A well-calibrated reserve framework also signals strong fiscal governance, reinforcing confidence among private sector partners, vendors, and investors in the County's long-term financial health.

23. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
T.H. v. County of San Diego;
San Diego Superior Court Case No.: 37-2021-00032808-CU-PO-CTL

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

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Nura Kanj, et. al. v. County of San Diego, et. al.;
San Diego Superior Court Case No.: 37-2023-000038557-CU-PA-CTL

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Thomas Rainey, et al v. County of San Diego, et al.;
United States District Court, Southern District of California Case No.: 3:19-cv-01650-DMS-SBC

COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

AGENDA ITEM

DATE: **May 6, 2025** 22

TO: Board of Supervisors

SUBJECT
REFORMING THE COUNTY RESERVE POLICY TO PROTECT CORE SERVICES AND VULNERABLE COMMUNITIES AND WAIVE BOARD POLICY A-72 (DISTRICTS: ALL) (DISTRICTS: ALL)

OVERVIEW
The County of San Diego's (County) recently released CAO Recommended Operational Plan for Fiscal Year 2025-26, commonly referred to as the recommended budget, is balanced and demonstrates strong fiscal discipline and careful belt-tightening to manage projected funding deficits. County leadership has shown commendable responsibility in safeguarding taxpayer dollars and prioritizing essential local needs.

However, the County now faces escalating threats from proposed deep cuts to the federal budget–cuts that jeopardize the critical services which thousands of our residents rely on. The proposed reductions include $40 million lost from the Centers for Disease Control, nearly $880 billion in national Medicaid cuts, roughly a third of the County's Medicaid dollars, and significant threats to housing assistance that put local families, seniors, and veterans at risk. These aren't abstract numbers. The proposed cuts will impact our neighbors, children, parents, and seniors, who rely on the services the federal government now wants to walk away from.

The County must step in to fill the void the federal government leaves behind. We can't control what Congress does, but we can ensure our local government has the tools to protect our communities. That means planning responsibly, spending wisely, and updating outdated financial policies that don't reflect the needs or risks we face today.

It is time to update our County's reserve policy. Our current policy, last updated in 2017, is outdated and overly restrictive. It inflates reserve requirements by including one-time capital projects and ignores significant flexible funds already under local control, limiting our ability to respond to federal shortfalls.

Today, the County calculates emergency reserves based on *all* spending, including major one-time capital projects. Such spending could easily be delayed in a crisis. That's like saving for a rainy day by budgeting for a future kitchen remodel. Under national best practices from the Government Finance Officers Association (GFOA), reserves should be based on the regular expenses we cover in day-to-day operations. The inflated formula we currently use requires setting aside approximately $973 million based on Fiscal Year 2024 numbers, tens of millions more than what national best practices suggest. A more accurate standard would be approximately $945 million for Fiscal Year 2024, based on our true operating costs.

In addition, the County's current reserve policy only counts "unassigned" dollars, overlooking hundreds of millions in "assigned" funds that remain flexible and fully within the Board of Supervisors' (Board) control. GFOA best practices recommend counting both, because in a true emergency, what matters most is whether funds are locally controlled and available to protect our communities.

The updates we propose today will free up approximately $380 million in flexible, Board-controlled funds—"Unlocked Reserves." To protect taxpayers and safeguard core services, we propose guardrails on how these funds may be used. We propose that these funds may be used only when the County faces cuts in federal or state funding, or during a recognized economic recession. Even then, no more than 25% could be spent in any single fiscal year. This ensures the County stays ready to respond to real emergencies, not short-term pressures, preserving fiscal strength while protecting San Diego families when they need it most.

The Chief Administrative Officer (CAO) flagged the need to reform the reserve policy earlier this year, on February 11, 2025, recognizing that the County's current approach is not in accord with best fiscal practice. By modernizing our reserve policy, we will ensure our fiscal house remains strong, without forcing false choices between maintaining a prudent reserve and meeting urgent community needs. The ordinance also preserves accountability: any use of reserves would still require a Board vote and must be tied to an emergency or core service protection.

When federal leaders walk away, local government must lead. This ordinance ensures our ability to act with clarity, flexibility, and responsibility, not austerity. Our job isn't just to protect balance sheets or protect people. It's to protect both, ensuring we meet urgent needs today while safeguarding San Diego's future.

This ordinance ensures we can do exactly that.

Today's item is being agendized as a late docket as an urgent response to the CAO's Draft Operational Plan that was released on May 1, 2025.

RECOMMENDATION(S)
SUPERVISOR TERRA LAWSON-REMER AND SUPERVISOR MONICA MONTGOMERY STEPPE

SUBJECT: REFORMING THE COUNTY RESERVE POLICY TO PROTECT CORE SERVICES AND VULNERABLE COMMUNITIES AND WAIVE BOARD POLICY A-72 (DISTRICTS: ALL)

1. Waive Board Policy A-72 Agenda and Related Process, Section 2.C.2.ii, which establishes required timelines for review when preparing a Board Letter.

2. Approve the introduction of the Ordinance:

   AN ORDINANCE AMENDING ARTICLE VII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO BUDGET AND FINANCIAL PROCEDURES AND APPROPRIATION, REVENUE AND STAFFING LIMITATIONS

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4. Direct the Chief Administrative Officer to develop a list of options and recommendations for potential allocation of the first fiscal year of the "Unlocked Reserves," consistent with the County's Strategic Plan; accept input from Board offices through memo submissions, if submitted; and return to the Board by October 21, 2025, with a proposed framework for the first year of "Unlocked Reserves" for further Board direction.

EQUITY IMPACT STATEMENT

Modernizing the County's reserve policy enhances our ability to respond to emergencies and fiscal challenges in a way that protects core services relied upon by historically underserved communities. By ensuring greater flexibility and transparency in how reserves are defined and managed, this policy change supports more equitable budget decisions, particularly during times of economic uncertainty when service disruptions disproportionately affect low-income residents, seniors, and working families.

SUSTAINABILITY IMPACT STATEMENT

Aligning the County's reserve policy with best practices strengthens long-term fiscal sustainability by ensuring that reserve targets are realistic, risk-informed, and based on ongoing operational needs. A more accurate and transparent reserve framework allows for better planning, reduces the risk of unnecessary service cuts, and supports a resilient public sector capable of withstanding economic and environmental disruptions over time.

FISCAL IMPACT

There is no fiscal impact associated with today's recommended action. There will be no change in General Fund costs and no additional staff years as a result of acting on the recommendations within this Board letter.

SUBJECT: REFORMING THE COUNTY RESERVE POLICY TO PROTECT CORE SERVICES AND VULNERABLE COMMUNITIES AND WAIVE BOARD POLICY A-72 (DISTRICTS: ALL)

The proposed amendments will include, in part, amounts in the General Fund Reserve that have already been encumbered for operations of the County. While these amounts are identified to support ongoing programs and services, they remain within the control of the Board and may be reallocated. The proposed amendments will also make available an amount of Unassigned General Fund balance, and the proposed direction to the CAO will provide information for the Board's consideration as it relates to management of fund balances and the use of one-time resources in light of federal decisions.

BUSINESS IMPACT STATEMENT

Modernizing the County's reserve policy supports a more stable and predictable fiscal environment, which benefits the broader business community. By aligning with best practices and ensuring greater transparency in reserve planning, this policy change reduces the likelihood of abrupt service reductions that could disrupt local economic activity. A well-calibrated reserve framework also signals strong fiscal governance, reinforcing confidence among private sector partners, vendors, and investors in the County's long-term financial health.

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The federal government is retreating from core responsibilities, and San Diego families are already feeling the consequences. The Centers for Disease Control and Prevention (CDC) has cut $40 million for County of San Diego (County) infectious disease testing and emergency preparedness. House Republicans have proposed $880 billion in Medicaid cuts, roughly a third of the County's Medicaid dollars, threatening behavioral health, maternal care, and lifesaving treatment for thousands. Proposed cuts to the Department of Housing and Urban Development (HUD) could affect up to 1,500 low-income residents in San Diego County, putting many at risk of displacement or homelessness.

These cuts aren't abstract. They will hit home. We have a responsibility to use every tool at our disposal to protect our communities and ensure stability in uncertain times. We can't control federal decisions, but we can make sure our local fiscal tools are ready for when those federal decisions are enacted. This proposal doesn't authorize new spending, but it ensures the County can make clear-eyed decisions when urgent needs arise.

The County's reserve policy, last updated in 2017, is outdated, overly restrictive, and misaligned with the best practices from the Government Finance Officers Association (GFOA). Today, our minimum reserve target is inflated by including one-time capital expenses, like large infrastructure projects, rather than focusing on recurring, day-to-day operating costs. It's like budgeting for a future kitchen remodel as part of your emergency savings even though it's a purchase you can postpone.

The current policy also overlooks and thereby undercounts the true amount of funds that would be available to the County in a crisis. It only recognizes "unassigned" funds, fully flexible dollars available to the Board, as money available during an emergency. But it ignores that "assigned" funds are also under County control and free to be used in an emergency to meet urgent and important needs. That's why GFOA recommends including both "unassigned" and "assigned" funds in reserve calculations, as both these funds are discretionary, locally controlled, and available when our communities need help.

Updating how we define and report reserves is smart fiscal governance. It improves transparency, aligns San Diego County with national best practices, and gives the Board a clearer picture to guide responsible decisions. With hundreds of millions in flexible reserves, it's simply unsound policy to move toward service cuts that harm our most vulnerable residents when it isn't necessary. A more prudent reserve policy helps us deliver stability and accountability, especially in uncertain times.

Modernizing the County's reserve policy will make available approximately $380 million in flexible, Board-controlled funds, which will strengthen our ability to safeguard essential services including during this tumultuous period.

Consistent with Keynesian economic theory, which recognizes countercyclical public investment as a foundation of responsible governance, we propose strict, prudent rules for how these newly-available funds may be used. Funds may only be drawn for countercyclical purposes, in periods of economic stress: when federal or state budget cuts cause a decrease in County revenue, or when a recession is formally recognized, typically defined by two consecutive quarters of negative Gross Domestic Product (GDP) growth or a determination by the National Bureau of Economic Research. Even then, no more than 25% of the one-time reserve release could be spent in any single fiscal year, ensuring reserves remain available across multiple years of fiscal strain.

This approach reflects best practices in public finance: one-time resources should protect against external shocks, not fund ongoing operations. By aligning with proven countercyclical strategies, the County will preserve fiscal strength, protect community services, and respond to future crises with clarity, resilience, and responsibility.

Fiscal Principles Behind the Reserve Policy Update:

- **Accuracy**: Reserve targets should reflect actual operating costs, not one-time capital projects.
- **Flexibility**: Acknowledge in the reserve policy that Assigned Funds are under local control and available in emergencies.
- **Accountability**: Better data means better Board decisions and public trust.

To implement these changes, we are introducing an ordinance based on the February 11, 2025 (11) recommendation from the Chief Administrative Officer. Although the original item was withdrawn before Board discussion, its docketing reflected consensus among County administrative staff that the policy needed updating. This ordinance carries that work forward through a clear, public process.

Key Policy Reforms:

SUBJECT: REFORMING THE COUNTY RESERVE POLICY TO PROTECT CORE SERVICES AND VULNERABLE COMMUNITIES AND WAIVE BOARD POLICY A-72 (DISTRICTS: ALL)

1. Align Reserve Targets with GFOA Best Practices

Current Policy: 2 Months of All Expenses
The County's current reserve target is based on two months of total expenditures, including one-time capital costs like infrastructure projects. This inflates the reserve requirement and doesn't reflect the County's ongoing, day-to-day fiscal needs. GFOA guidance recommends setting reserve targets based on operating expenses only, to align reserves with actual, recurring financial risk.

Updated Policy to Align with GFOA: 2 Months of Operating Expenses
The updated policy brings the County in line with GFOA best practices by computing the reserve target based on two months of operating expenses, excluding one-time capital outlays. It provides a more accurate and appropriate benchmark, ensuring we're setting aside the right amount to maintain core services during disruptions without overcommitting public funds.

Minimum Reserve Target	How Much County Needs to Set-Aside *(in millions)*
Current Policy (2 months all expenses)	$973
Updated Policy Estimate (2 months operating expenses only)	$945

Source: COSD Annual Comprehensive Financial Report Fiscal Year End 2024

2. Align Reserve Definitions with GFOA Best Practices

Current Policy: Unassigned Funds Only
The County's current reserve policy counts only unassigned fund balance, dollars not tied to any specific use and fully available for the Board to allocate. This approach is more restrictive than best practices from the GFOA. It paints an incomplete picture of the resources the Board controls and limits our ability to respond effectively in times of crisis.

Updated Policy to Align with GFOA: Also Include Assigned Funds
This change authorizes no new spending. It simply updates how we define and measure reserves—bringing our policy in line with GFOA best practices. The updated approach includes both unassigned and assigned fund balances (while continuing to exclude "committed" and "restricted" funds). It is appropriate to include assigned funds because even though they are set aside for anticipated operational needs, they remain fully within the Board's control and can be reallocated in an emergency. This change offers a clearer picture of the County's true fiscal capacity—supporting transparency, flexibility, and sound decision-making when it matters most in crisis situations.

What Counts Towards the Reserve	Total *(in millions)*

Current Policy ("Unassigned" funds only)	$692
Updated Policy ("Unassigned" and "Assigned" funds)	$1,327

Source: COSD Annual Comprehensive Financial Report Fiscal Year End 2024

Together, these updates ensure our reserve targets are realistic and risk-informed, enabling us to plan responsibly, protect vital services, and respond effectively when challenges arise. They modernize how we calculate and report reserves, bringing our policy in line with best-in-class financial standards. Most importantly, they give the Board and the public a clearer picture of the resources we control, so when urgent needs arise, we're ready to act with clarity, urgency, and accountability.

In addition to preparing the County to deal with current challenges, this proposal will also serve as a much-needed fix to how the County budgets its funds. By aligning with national standards, we're building a reserve policy that not only meets the moment we're in, but also can stand the test of time. Without reform, we risk false choices between fiscal cushion and maintaining essential services, when in fact, we have the means to sustain both.

Modernizing the County's reserve policy ensures we can meet rising demand across our core responsibilities, without sacrificing flexibility or passing the burden to others. It also aligns our budgeting practices with community realities, because rainy day funds are meant to be used when it's raining.

This proposed ordinance strengthens our readiness while preserving public accountability: any use of reserves will still require a Board vote and must be tied to an emergency or the protection of core services. It establishes strict guardrails for the use of newly-available funds, ensuring that funds can only be used to respond to federal or state funding cuts or a formally recognized recession, and even then, no more than 25% of the newly-available funds may be used in any single fiscal year. These safeguards are critical to protecting taxpayer dollars, maintaining the County's long-term financial health, and ensuring we can respond quickly and effectively when our communities need us most.

The ordinance will be introduced on May 6, 2025. If approved, it will be scheduled for adoption on May 20, 2025.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

This action directly advances the County's Strategic Plan goal of fostering safe, healthy, and thriving communities; protecting vulnerable populations; and delivering a responsive and effective government that meets the needs of all San Diegans.

SUBJECT: REFORMING THE COUNTY RESERVE POLICY TO PROTECT CORE SERVICES AND VULNERABLE COMMUNITIES AND WAIVE BOARD POLICY A-72 (DISTRICTS: ALL)

Respectfully submitted,

TERRA LAWSON-REMER
Supervisor, Third District

MONICA MONTGOMERY STEPPE
Supervisor, Fourth District

ATTACHMENT(S)
Attachment A: AN ORDINANCE AMENDING ARTICLE VII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO BUDGET AND FINANCIAL PROCEDURES AND APPROPRIATION, REVENUE AND STAFFING LIMITATIONS
Attachment B: GFOA Fund Balance Guidelines for the General Fund

County of San Diego Board of Supervisors
AGENDA ITEM INFORMATION SHEET

AGENDA ITEM SUBJECT/TITLE:
REFORMING THE COUNTY RESERVE POLICY TO PROTECT CORE SERVICES AND VULNERABLE COMMUNITIES AND WAIVE BOARD POLICY A-72

	Yes	No
REQUIRES FOUR VOTES:	☐	☑
WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION §1000.1 REQUIRED:	☐	☑
NOTICED PUBLIC HEARING REQUIRED:	☐	☑
PROJECT UNDER CEQA:	☐	☑
If Yes, approval of CEQA document required?	☐	☑
DECISION WITHIN GOVERNMENT CODE SECTION 84308:	☐	☑

PREVIOUS RELEVANT BOARD ACTIONS:
N/A

BOARD POLICIES APPLICABLE:
N/A

BOARD POLICY STATEMENTS:
N/A

MANDATORY COMPLIANCE:
N/A

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

ORIGINATING DEPARTMENT: District 3 and District 4

OTHER CONCURRENCE(S): N/A

INTERNAL REVIEW COMPLETED: YES ☐ NO ☑ Craig Schaffer Digitally signed by Craig Schaffer Date: 2025.05.01 09:41:30 -07'00'

Signature

CONTACT PERSON(S):

Jeffrey Yuen	Randall Khalil
Name	Name
858-285-0403	858-264-7294
Phone	Phone
jeffrey.yuen@sdcounty.ca.gov	randall.khalil@sdcounty.ca.gov
E-mail	E-mail
Jeffrey.Yuen@sdcounty.ca.gov Digitally signed by Jeffrey.Yuen@sdcounty.ca.gov Date: 2025.04.29 21:14:33 -07'00'	Randall.Khalil@sdcounty.ca.gov Digitally signed by Randall.Khalil@sdcounty.ca.gov Date: 2025.05.01 12:50:17 -07'00'
Signature	Signature

ORDINANCE NO. ________(N.S.)

AN ORDINANCE AMENDING ARTICLE VII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO BUDGET AND FINANCIAL PROCEDURES AND APPROPRIATION, REVENUE AND STAFFING LIMITATIONS

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 113.1 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 113.1. GENERAL FUND BALANCES AND RESERVES.

(a) The purpose of this code is to establish guidelines in accordance with industry best practices, specifically the Government Finance Officers Association (GFOA) and the National Advisory Council on State and Local Budgeting, regarding the maintenance and use of General Fund Unrestricted Fund balance and the use of one-time revenues to help protect the fiscal health and stability of the County. Available Unrestricted General Fund balance shall be determined by excluding Unrestricted Fund balances that have been Committed ~~or Assigned thereby focusing solely on Unassigned Fund balance~~.

A portion of ~~Unassigned~~ Unrestricted General Fund ~~Fund~~ balance shall be maintained as a reserve (General Fund Reserve) at a minimum of two months of ~~audited~~ regular General Fund ~~expenses~~ operating expenditures (which is the equivalent of 16.7% of ~~audited~~ regular General Fund ~~expenses~~ operating expenditures). The General Fund Reserve will protect the County against expenditure and revenue volatility, natural disasters and other unforeseen emergencies, economic downturns, unfunded pension liabilities, and aging infrastructure.

Appropriation of the General Fund Reserve minimum balance requires at least one of the following criteria to be met:

- ~~A.~~ (1) An unanticipated revenue shortfall or expenditure increase where total expenditures exceeds total revenues.
- ~~B.~~ (2) A legally declared emergency as defined in Government Code Section 29127.
- ~~C.~~ (3) To absorb unforeseen changes in pension liability, including changes in the assumed rate of return, market losses, to maintain or reduce the unfunded pension liability, or other related changes as recommended by the Chief Administrative Officer (CAO).
- ~~D.~~ (4) To help mitigate risk due to maintaining aging infrastructure including capital improvements, new construction, or other recommendations made by the CAO.
- ~~E.~~ (5) To the extent reserves are available, a recommendation made by the CAO to promote the long-term fiscal health and stability of the County.

Furthermore, all appropriation of the General Fund Reserve minimum balance and/or transfers from the General Fund Reserve appropriation, shall require a 4/5th vote of the Board of Supervisors.

To the extent that available ~~Unassigned~~ Unrestricted General Fund ~~Fund~~ balance is available in excess of General Fund Reserve minimum balance, the CAO or any Supervisor may recommend the appropriation or ~~commitment~~ specific designation of the available balance for one-time uses. These recommendations may appear in the CAO Recommended Operational Plan or as an agenda item for a regularly scheduled meeting of the Board of Supervisors.

(b) Available Unrestricted General Fund balance in excess of the General Fund Reserve minimum upon the effective date of the ordinance adding this subdivision shall be known as the "Unlocked Reserves".

(1) Appropriation of the Unlocked Reserves requires at least one of the following criteria to be met:

(A) A reduction in total federal or total state revenue allocations to the County from the prior fiscal year.

(B) Mitigation of local impacts of a recession as recognized by either: (i) two consecutive quarters of negative national gross domestic product growth as reported by the U.S. Bureau of Economic Analysis or, (ii) a determination of a national recession by the National Bureau of Economic Research.

(C) Funding for time-sensitive operational expenditures as recommended by the CAO through the budget process in alignment with the County's Strategic Plan.

(D) Funding for additional reserve minimum requirements as needed and as recommended by the CAO.

(2) No more than twenty five percent (25%) of the Unlocked Reserves, as calculated at the time this subdivision becomes effective, may be appropriated in any single fiscal year.

(3) This subdivision shall not restrict use of Unrestricted General Fund balance recognized in the 2025-26 or subsequent fiscal years.

Section 2. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY
Claudia G. Silva, County Counsel
BY: Walter de Lorrell III, Chief Deputy County Counsel

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A portion of Unrestricted General Fund balance shall be maintained as a reserve (General Fund Reserve) at a minimum of two months of regular General Fund operating expenditures (which is the equivalent of 16.7% of regular General Fund operating expenditures). The General Fund Reserve will protect the County against expenditure and revenue volatility, natural disasters and other unforeseen emergencies, economic downturns, unfunded pension liabilities, and aging infrastructure.

Appropriation of the General Fund Reserve minimum balance requires at least one of the following criteria to be met:

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(5) To the extent reserves are available, a recommendation made by the CAO to promote the long-term fiscal health and stability of the County.

Furthermore, all appropriation of the General Fund Reserve minimum balance and/or transfers from the General Fund Reserve appropriation, shall require a 4/5th vote of the Board of Supervisors.

To the extent that available Unrestricted General Fund balance is available in excess of General Fund Reserve minimum balance, the CAO or any Supervisor may recommend the appropriation or specific designation of the available balance for one-time uses. These recommendations may appear in the CAO Recommended Operational Plan or as an agenda item for a regularly scheduled meeting of the Board of Supervisors.

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APPROVED AS TO FORM AND LEGALITY
Claudia G. Silva, County Counsel
BY: Walter de Lorrell III, Chief Deputy County Counsel

BEST PRACTICES

Fund Balance Guidelines for the General Fund

Governments should establish a formal policy on the level of unrestricted fund balance that should be maintained in the general fund for GAAP and budgetary purposes.

In the context of financial reporting, the term *fund balance* is used to describe the net position of governmental funds calculated in accordance with generally accepted accounting principles (GAAP). Budget professionals commonly use this same term to describe the net position of governmental funds calculated on a government's budgetary basis.[1] While in both cases *fund balance* is intended to serve as a measure of the financial resources available in a governmental fund; it is essential that differences between GAAP *fund balance* and budgetary *fund balance* be fully appreciated.

1. GAAP financial statements report up to five separate categories of fund balance based on the type and source of constraints placed on how resources can be spent (presented in descending order from most constraining to least constraining): *nonspendable fund balance*, *restricted fund balance*, *committed fund balance*, *assigned fund balance*, and *unassigned fund balance*.[2] The total of the amounts in these last three categories (where the only constraint on spending, if any, is imposed by the government itself) is termed *unrestricted fund balance*. In contrast, budgetary fund balance, while it is subject to the same constraints on spending as GAAP fund balance, typically represents simply the total amount accumulated from prior years at a point in time.

2. The calculation of GAAP fund balance and budgetary fund balance sometimes is complicated by the use of sub-funds within the general fund. In such cases, GAAP fund balance includes amounts from all of the subfunds, whereas budgetary fund balance typically does not.

3. Often the timing of the recognition of revenues and expenditures is different for purposes of GAAP financial reporting and budgeting. For example, encumbrances arising from purchase orders often are recognized as expenditures for budgetary purposes, but never for the preparation of GAAP financial statements.

The effect of these and other differences on the amounts reported as *GAAP fund balance* and *budgetary fund balance* in the general fund should be clarified, understood, and documented.

It is essential that governments maintain adequate levels of fund balance to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures) and to ensure stable tax rates. In most cases, discussions of fund balance will properly focus on a government's general fund. Nonetheless, financial resources available in other funds should also be considered in assessing the adequacy of unrestricted fund balance in the general fund.

GFOA recommends that governments establish a formal policy on the level of unrestricted fund balance that should be maintained in the general fund for GAAP and budgetary purposes.[3] Such a guideline should be set by the appropriate policy body and articulate a framework and process for how the government would increase or decrease the level of unrestricted fund balance over a specific time period.[4]In particular, governments should provide broad guidance in the policy for how resources will be directed to replenish fund balance should the balance fall below the level prescribed.

Appropriate Level. The adequacy of unrestricted fund balance in the general fund should take into account each government's own unique circumstances. For example, governments that may be vulnerable to natural disasters, more dependent on a volatile revenue source, or potentially subject to cuts in state aid and/or federal grants may need to maintain a higher level in the unrestricted fund balance. Articulating these risks in a fund balance policy makes it easier to explain to stakeholders the rationale for a seemingly higher than normal level of fund balance that protects taxpayers and employees from unexpected changes in financial condition. Nevertheless, GFOA recommends, at a minimum, that general-purpose governments, regardless of size, maintain unrestricted budgetary fund balance in their general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditures.5 The choice of revenues or expenditures as a basis of comparison may be dictated by what is more predictable in a government's particular circumstances.6 Furthermore, a government's particular situation often may require a level of unrestricted fund balance in the general fund significantly in excess of this recommended minimum level. In any case, such measures should be applied within the context of long-term forecasting, thereby avoiding the risk of placing too much emphasis upon the level of unrestricted fund balance in the general fund at any one time. In establishing a policy governing the level of unrestricted fund balance in the general fund, a government should consider a variety of factors, including:

1. The predictability of its revenues and the volatility of its expenditures (i.e., higher levels of unrestricted fund balance may be needed if significant revenue sources are subject to unpredictable fluctuations or if operating expenditures are highly volatile);
2. Its perceived exposure to significant one-time outlays (e.g., disasters, immediate capital needs, state budget cuts);
3. The potential drain upon general fund resources from other funds, as well as, the availability of resources in other funds;
4. The potential impact on the entity's bond ratings and the corresponding increased cost of borrowed funds;
5. Commitments and assignments (i.e., governments may wish to maintain higher levels of unrestricted fund balance to compensate for any portion of unrestricted fund balance already committed or assigned by the government for a specific purpose). Governments may deem it appropriate to exclude from consideration resources that have been committed or assigned to some other purpose and focus on unassigned fund balance, rather than on unrestricted fund balance.

Use and Replenishment.

The fund balance policy should define conditions warranting its use, and if a fund balance falls below the government's policy level, a solid plan to replenish it. In that context, the fund balance policy should:

1. Define the time period within which and contingencies for which fund balances will be used;
2. Describe how the government's expenditure and/or revenue levels will be adjusted to match any new economic realities that are behind the use of fund balance as a financing bridge;
3. Describe the time period over which the components of fund balance will be replenished and the means by which they will be replenished.

Generally, governments should seek to replenish their fund balances within one to three years of use. Specifically, factors influencing the replenishment time horizon include:

1. The budgetary reasons behind the fund balance targets;
2. Recovering from an extreme event;
3. Political continuity;
4. Financial planning time horizons;
5. Long-term forecasts and economic conditions;
6. External financing expectations.

Revenue sources that would typically be looked to for replenishment of a fund balance include nonrecurring revenues, budget surpluses, and excess resources in other funds (if legally permissible and there is a defensible rationale). Year-end surpluses are an appropriate source for replenishing fund balance.

Unrestricted Fund Balance Above Formal Policy Requirement. In some cases, governments can find themselves in a position with an amount of unrestricted fund balance in the general fund over their formal policy reserve requirement even after taking into account potential financial risks in the foreseeable future. Amounts over the formal policy may reflect a structural trend, in which case governments should consider a policy as to how this would be addressed.

Additionally, an education or communication strategy, or at a minimum, explanation of large changes in fund balance is encouraged. In all cases, use of those funds should be prohibited as a funding source for ongoing recurring expenditures.

Notes:

1. For the sake of clarity, this recommended practice uses the terms GAAP fund balance and budgetary fund balance to distinguish these two different uses of the same term.
2. These categories are set forth in Governmental Accounting Standards Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions.*
3. Sometimes restricted fund balance includes resources available to finance items that typically would require the use of unrestricted fund balance (e.g., a contingency reserve). In that case, such amounts should be included as part of unrestricted fund balance for purposes of analysis.
4. See Recommended Practice 4.1 of the National Advisory Council on State and Local Budgeting governments on the need to "maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees because of temporary revenue shortfalls or unpredicted one-time expenditures" (Recommended Practice 4.1).
5. In practice, a level of unrestricted fund balance significantly lower than the recommended minimum may be appropriate for states and America's largest governments (e.g., cities, counties, and school districts) because they often are in a better position to predict contingencies (for the same reason that an insurance company can more readily predict the number of accidents for a pool of 500,000 drivers than for a pool of fifty), and because their revenues and expenditures often are more diversified and thus potentially less subject to volatility.
6. In either case, unusual items that would distort trends (e.g., one-time revenues and expenditures) should be excluded, whereas recurring transfers should be included. Once the decision has been made to compare unrestricted fund balance to either revenues

and/or expenditures, that decision should be followed consistently from period to period.

This best practice was previously titled Appropriate Level of Unrestricted Fund Balance in the General Fund.

Board approval date: Wednesday, September 30, 2015

COUNTY OF SAN DIEGO

AGENDA ITEM

23

DATE: **May 6, 2025**

TO: Board of Supervisors

SUBJECT
CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
T.H. v. County of San Diego;
San Diego Superior Court Case No.: 37-2021-00032808-CU-PO-CTL

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

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Nura Kanj, et. al. v. County of San Diego, et. al.;
San Diego Superior Court Case No.: 37-2023-000038557-CU-PA-CTL

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Thomas Rainey, et al v. County of San Diego, et al.;
United States District Court, Southern District of California Case No.: 3:19-cv-01650-DMS-SBC

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

EQUITY IMPACT STATEMENT
N/A

SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

SUSTAINABILITY IMPACT STATEMENT
N/A

FISCAL IMPACT
N/A

BUSINESS IMPACT STATEMENT
N/A

ADVISORY BOARD STATEMENT
N/A

BACKGROUND
N/A

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

Respectfully submitted,

Heidi G. Skinner for

CLAUDIA G. SILVA
County Counsel

ATTACHMENT(S)
N/A

County of San Diego Board of Supervisors
AGENDA ITEM INFORMATION SHEET

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

	Yes	No
REQUIRES FOUR VOTES:	☐	☑
WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION §1000.1 REQUIRED:	☐	☑
NOTICED PUBLIC HEARING REQUIRED:	☐	☑
PROJECT UNDER CEQA:	☐	☑
If Yes, approval of CEQA document required?	☐	☐
DECISION WITHIN GOVERNMENT CODE SECTION 84308:	☐	☑

PREVIOUS RELEVANT BOARD ACTIONS:
N/A

BOARD POLICIES APPLICABLE:
N/A

BOARD POLICY STATEMENTS:
N/A

MANDATORY COMPLIANCE:
N/A

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

ORIGINATING DEPARTMENT: County Counsel

OTHER CONCURRENCE(S): N/A

INTERNAL REVIEW COMPLETED: YES ☑ NO ☐

Claudia.Silva@sdcounty.ca.gov Digitally signed by Claudia.Silva@sdcounty.ca.gov Date: 2025.05.02 08:50:48 -07'00'
Signature

CONTACT PERSON(S):

Claudia Silva
Name

(619) 531-4860
Phone

Claudia.Silva@sdcounty.ca.gov
E-mail

Claudia.Silva@sdcounty.ca.gov Digitally signed by Claudia.Silva@sdcounty.ca.gov Date: 2025.05.02 08:50:58 -07'00'
Signature

Name

Phone

E-mail

Signature

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