

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, OCTOBER 22, 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 October 8, 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.

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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

Agenda #	Subject
1.	AN ORDINANCE AMENDING SECTION 21.2111 OF CHAPTER 21 AND ADDING SECTION 21.2214 TO CHAPTER 22 OF TITLE 2, DIVISION 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO ENTERTAINMENT ESTABLISHMENTS AND PUBLIC DANCES
2.	AN ORDINANCE AMENDING SECTION 33.107 OF TITLE 3, DIVISION 3, CHAPTER 1 OF THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO THE SHERIFF'S OFFICE (10/22/24 - FIRST READING; 12/10/24 - SECOND READING UNLESS ORDINANCE IS MODIFIED ON SECOND READING)
3.	SHERIFF - REPORT OF INCARCERATED PERSONS' WELFARE FUND EXPENDITURES FOR FISCAL YEAR 2023-24
4.	ACCEPT THE FISCAL YEAR 2024-25 COMMUNITY CORRECTIONS PARTNERSHIP PLAN
5.	AUTHORIZE ACCEPTANCE OF FUNDING FROM THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES FOR AFGHAN REFUGEE SUPPORTIVE SERVICES AND HOUSING ASSISTANCE FOR UKRAINIANS; AND APPLY FOR FUTURE FUNDING

6. AUTHORITY TO PROCURE ELECTRONIC HEALTH RECORD SYSTEM FOR HEALTH AND HUMAN SERVICES AGENCY
7. AUTHORIZE ACCEPTANCE OF HIV SERVICES GRANT FUNDING AND APPLICATIONS FOR FUTURE FUNDING OPPORTUNITIES
8. AUTHORIZE ACCEPTANCE OF COMMUNITY PROJECT FUNDING / CONGRESSIONALLY DIRECTED SPENDING: FACILITIES AND/OR EQUIPMENT GRANT FUNDING
9. LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL CRISIS AND RELATED CEQA EXEMPTION
10. REQUEST FOR SINGLE-SOURCE CONTRACT FOR DIGITAL MEDIA COLLECTIONS AND INSTANT DIGITAL LIBRARY CARDS FOR SAN DIEGO COUNTY LIBRARY
11. SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS AND RATIFICATION OF ACCEPTANCE OF GIFTS AND DONATIONS EXCEEDING \$5,000 TO THE SAN DIEGO COUNTY LIBRARY AND RELATED CEQA EXEMPTION
12. SOLICITING VOLUNTEERS FOR THE ANNUAL POINT IN TIME COUNT
13. GENERAL SERVICES - APPROVAL IN PRINCIPLE TO LEASE SPACE FOR RELOCATION OF THE SANTEE BRANCH LIBRARY
14. GENERAL SERVICES - APPROVAL IN PRINCIPLE TO LEASE SPACE FOR SAN DIEGO LAW ENFORCEMENT COORDINATION CENTER
15. CHAPTER VIII AGREEMENT NO. 7093 TO PURCHASE TAX-DEFAULTED LAND BY ANZA-BORREGO FOUNDATION
16. CHAPTER VIII AGREEMENT NO. 7094 TO PURCHASE TAX-DEFAULTED LAND BY COUNTY OF SAN DIEGO, DEPARTMENT OF PARKS AND RECREATION
17. REGISTRAR OF VOTERS - MAKE APPOINTMENTS TO SPECIAL DISTRICT BOARDS AND COMMUNITY PLANNING GROUPS AND POST VACANCIES
18. BIENNIAL REVIEW OF CONFLICT OF INTEREST CODES - APPROVAL OF SECOND BATCH OF CONFLICT OF INTEREST CODE AMENDMENTS RECEIVED THROUGH OCTOBER 1, 2024: VARIOUS AGENCIES
19. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES, COUNTY ADMINISTRATIVE CODE, AND COUNTY REGULATORY CODE PROVISIONS ASSIGNED TO THE FINANCE AND GENERAL GOVERNMENT GROUP (10/8/24 - First Reading; 10/22/24 - Second Reading, unless the ordinances are modified on second reading)

20. APPOINTMENTS: VARIOUS
21. COMMUNICATIONS RECEIVED
22. COMMUNITY RESPONSE AND RECOVERY: STRENGTHENING OUR REGIONAL CAPABILITIES IN THE FOUR PHASES OF EMERGENCY MANAGEMENT
23. A REQUEST FOR THE SAN DIEGO COUNTY BOARD OF SUPERVISORS TO AUTHORIZE AN AUDIT OF ARBOR E&T, LLC DBA EQUUS WORKFORCE SOLUTIONS (CONTRACT #564750)
24. REDUCING GUN VIOLENCE THROUGH RESPONSIBLE FIREARM PROCUREMENT ORDINANCE
25. SHERIFF - RECEIVE A PRESENTATION ON AUTOMATED LICENSE PLATE RECOGNITION CAMERAS IN UNINCORPORATED AREAS OF SAN DIEGO COUNTY
26. NOTICED PUBLIC HEARING:
2025-29 CONSOLIDATED PLAN AND FISCAL YEAR 2025-26 ANNUAL PLAN STRATEGY DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS AND EMERGENCY SOLUTIONS GRANT
27. AUTHORIZE COMPETITIVE SOLICITATIONS, SINGLE SOURCE PROCUREMENTS, AMENDMENTS TO EXTEND EXISTING CONTRACTS, AND ACCEPTANCE OF MENTAL HEALTH STUDENT SERVICES ACT GRANT FUNDS FROM THE MENTAL HEALTH SERVICES OVERSIGHT AND ACCOUNTABILITY COMMISSION
28. RECEIVE UPDATE ON EXPANDING MOBILIZATION AGAINST THE TIJUANA RIVER SEWAGE CRISIS
29. Direct the Chief Administrative Officer to pledge the County of San Diego to become a partner of California's Climate Action Counts initiative
30. BACK TO BASICS: A REVIEW OF COUNTY GOVERNMENT CORE FUNCTIONS, ESSENTIAL SERVICES AND CUSTOMER SERVICE RESPONSIBILITIES
31. AFFIRMATIVE LITIGATION TO FIGHT FOR A FASTER FIX FOR THE TIJUANA RIVER POLLUTION CRISIS
32. ADOPT RESOLUTION IN SUPPORT OF PROPOSITION 35 AND WAIVE BOARD POLICY A-72
33. CLOSED SESSION

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.

1. SUBJECT: AN ORDINANCE AMENDING SECTION 21.2111 OF CHAPTER 21 AND ADDING SECTION 21.2214 TO CHAPTER 22 OF TITLE 2, DIVISION 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO ENTERTAINMENT ESTABLISHMENTS AND PUBLIC DANCES (DISTRICTS: ALL)

OVERVIEW

Fraternal orders and veterans' organizations serve an important role in San Diego County. Veterans of Foreign Wars (VFW) chapters in San Diego County are vital parts of the military and veteran community. Their membership consists of active, honorably discharged officers, or enlisted persons who have served in a foreign war, insurrection, or expedition recognized by the authorization or the issuance of a United States military campaign medal.

Fraternal organizations focus on community and charity. Some organizations serve the families of deployed service members, host adopt-a-veteran programs, provide freedom grants to serve veterans and/or military members in need of support or services, provide local student scholarships and student drug awareness. These programs are often supported through events which include entertainment or dancing.

Today's board action seeks to amend the San Diego County Code to exempt organizations identified in 26 U.S.C. 501 subdivisions (c)(8), fraternal beneficiary societies, orders, or associations; (c)(10), domestic fraternal societies, or associations; and (c)(19), organizations of past or present members of the armed forces (including VFWs), from the requirement to obtain an entertainment and public dance license. The ordinance aims to grant these organizations an exemption from certain licensing requirements, enabling them to better host events that promote camaraderie and cultural engagement.

**RECOMMENDATION(S)
SUPERVISOR JOEL ANDERSON**

1. Approve introduction of the Ordinance (first reading):

AN ORDINANCE AMENDING SECTION 21.2111 OF CHAPTER 21 AND ADDING SECTION 21.2214 TO CHAPTER 22 OF TITLE 2, DIVISION 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO ENTERTAINMENT ESTABLISHMENTS AND PUBLIC DANCES

If, on October 22, 2024, the Board takes the action recommended above, then, on December 10, 2024:

2. Consider and adopt the Ordinance (unless ordinance is modified on second reading):

AN ORDINANCE AMENDING SECTION 21.2111 OF CHAPTER 21 AND ADDING SECTION 21.2214 TO CHAPTER 22 OF TITLE 2, DIVISION 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO ENTERTAINMENT ESTABLISHMENTS AND PUBLIC DANCES

EQUITY IMPACT STATEMENT

Supporting organizations such as Veterans of Foreign Wars (VFW) locations with this exemption promotes equity by providing crucial resources and a sense of community for veterans from diverse backgrounds. These spaces serve as vital hubs where veterans can access mental health support, job training, and social services, helping to level the playing field for those who have sacrificed for their country. By fostering an inclusive environment, VFW locations empower all veterans, ensuring that everyone, regardless of their background, has the opportunity to reintegrate successfully into civilian life. This commitment to equity not only honors their service but also strengthens our communities as a whole.

SUSTAINABILITY IMPACT STATEMENT

The proposed amendment to the San Diego County Code aligns with principles of sustainability by fostering community resilience and support for veterans and their families. By exempting fraternal and veterans' organizations from entertainment licensing requirements, the ordinance encourages these groups to host events that strengthen social bonds, promote cultural engagement, and enhance the well-being of community members. Such gatherings not only celebrate the contributions of veterans but also support local economies through increased participation in community activities. Ultimately, this initiative promotes a sustainable community fabric where individuals can connect, collaborate, and uplift one another, ensuring a thriving environment for all.

FISCAL IMPACT

There is minimal fiscal impact associated with these recommendations. The estimated total revenue loss (\$5,000) from the \$348.00 annual Entertainment fee, \$124.00 annual manager fee and \$249.00 annual renewal for Public Dance can be absorbed by Sheriff's Licensing. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

2. **SUBJECT: AN ORDINANCE AMENDING SECTION 33.107 OF TITLE 3, DIVISION 3, CHAPTER 1 OF THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO THE SHERIFF'S OFFICE (10/22/24 - FIRST READING; 12/10/24 - SECOND READING UNLESS ORDINANCE IS MODIFIED ON SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

In accordance with Board of Supervisors (Board) Policy A-76, Sunset Review Process, the Public Safety Group periodically reviews Board policies and provisions of the County of San Diego (County) Administrative Code and Regulatory Code to ensure they reflect current Board standards and practices, that obsolete policies and Code provisions are removed, and that policy language is revised for clarity accordingly.

Today's actions seek Board approval to amend provisions in the San Diego County

Administrative Code relating to Shooting Regulations and extend the sunset review date, and determine no change is necessary to TITLE 4, DIVISION 3, CHAPTER 1, RULES AND REGULATIONS of the San Diego County Code of Regulatory Ordinances.

The ordinance amending provisions in *TITLE 3, DIVISION 3, CHAPTER 1, SHOOTING REGULATIONS* makes non-substantive changes to replace “Sheriff’s Department” with “Sheriff’s Office.” The ordinance will be introduced to the Board on October 22, 2024, and if approved, will be scheduled for adoption on December 10, 2024. If the proposed ordinance is altered on December 10, 2024, a subsequent meeting date will be selected for the ordinance’s adoption.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve the introduction of the ordinance (first reading)

AN ORDINANCE AMENDING SECTION 33.107 OF TITLE 3, DIVISION 3, CHAPTER 1 OF THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO THE SHERIFF’S OFFICE

2. Determine no change is necessary and establish the new sunset review date of December 31, 2031, for TITLE 4, DIVISION 3, CHAPTER 1, RULES AND REGULATIONS of the San Diego County Code of Regulatory Ordinances.

If on October 22, 2024 the County of San Diego Board of Supervisors takes action as recommended, then on December 10, 2024:

1. Consider and adopt second reading:

AN ORDINANCE AMENDING SECTION 33.107 OF TITLE 3, DIVISION 3, CHAPTER 1 OF THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO THE SHERIFF’S OFFICE

2. Update the Sunset Review date of the San Diego County Administrative Code *TITLE 3, DIVISION 3, CHAPTER 1, SHOOTING REGULATIONS*, to December 31, 2031.

EQUITY IMPACT STATEMENT

County departments are guided by several Regulatory Codes, Administrative Codes, and Board policies to serve the region and customers consistently and equitably. The periodic review of County codes and policies ensures that departments keep documents up to date, provide clarifying language, and continue to guide departmental practices. Additionally, this practice allows the language within these codes and policies to align with current efforts and to reflect inclusivity.

SUSTAINABILITY IMPACT STATEMENT

This action to review County Administrative and Regulatory Codes aligns with the goal to promote opportunities for community engagement and supports the sustainability of governmental practices and services. Updates proposed in today’s action are meant to ensure that

codes and policies are up to date, reflect current processes, and are needed to continue services and responsibilities to the region, such as emergency services.

FISCAL IMPACT

There is no fiscal impact associated with the proposal to establish new sunset dates for these regulatory codes. There will be no change in General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

3. SUBJECT: SHERIFF - REPORT OF INCARCERATED PERSONS' WELFARE FUND EXPENDITURES FOR FISCAL YEAR 2023-24 (DISTRICTS: ALL)

OVERVIEW

The Incarcerated Persons' Welfare Fund (IPWF) was established to provide for the welfare of incarcerated individuals. Funds are expended primarily for educational, vocational, and behavioral training that supports individuals transitioning from a detention facility back to their local communities. These types of programs are essential to decreasing the rate of return to custody, contributing to the successful reunification of families, and promoting an overall positive impact intended to reduce future involvement with the justice system.

Today's request is for the Board of Supervisors to receive an itemized report of expenditures from the Sheriff's Incarcerated Persons' Welfare Fund for Fiscal Year 2023-24, as required under California Penal Code section 4025.

RECOMMENDATION

SHERIFF

1. Receive the San Diego Sheriff's Office Fiscal Year 2023-24 report of Incarcerated Persons' Welfare Fund expenditures.

EQUITY IMPACT STATEMENT

The Incarcerated Persons' Welfare Fund (IPWF) is expended to provide for the welfare of incarcerated persons and to assist in their transition from detention facilities back into the community through educational, vocational, and behavioral training. Providing quality educational and psychosocial intervention in detention facilities assures that vulnerable populations who have experienced incarceration will not be deprived of opportunities to create post-release positive outcomes. Successful reentry and reintegration allows individuals to not only become, but hopefully remain, contributing members of their communities. Due to the unique detention and reentry environment, it is critical to partner with program providers that can adapt to the setting and provide the highest quality learning experiences, credentials, and behavioral treatment. The benefits supported by the IPWF are made available to all eligible incarcerated persons.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to receive the department's Incarcerated Persons' Welfare Fund (IPWF)

expenditure report contributes to the County of San Diego's Sustainability Goals of providing just and equitable access and protecting the health and wellbeing of everyone in the region. Individuals need access to quality educational and psychosocial intervention programs while in custody. The wellness programs in the detention facilities provide wellness education to incarcerated persons. The programs and services provided through IPWF are built to mirror the quality of programs in the community. Access to quality programs is vital for incarcerated persons to be successful when they return to society. These programs provide meaningful experiences and credentials, which are beneficial for employment opportunities upon release.

FISCAL IMPACT

There is no fiscal impact associated with the recommendation to receive the Fiscal Year 2023-24 report of Incarcerated Persons' Welfare Fund expenditures. Expenditures totaling \$5,686,010, noted in the report, are offset by revenue in the Incarcerated Persons' Welfare Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

4. SUBJECT: ACCEPT THE FISCAL YEAR 2024-25 COMMUNITY CORRECTIONS PARTNERSHIP PLAN (DISTRICTS: ALL)

OVERVIEW

On October 1, 2011, the State of California implemented the Public Safety Realignment Act (AB 109). This law fundamentally altered the criminal justice system by changing the definition of a felony; shifting housing for people with lower-level felony offenses from state prison to local county jails; and transferring the supervision of designated people on parole from the California Department of Corrections and Rehabilitation to local county agencies. AB 109 requires counties to develop comprehensive plans to effectively implement these modifications to the criminal justice system without compromising public safety.

AB 109 established the role and membership of the Community Corrections Partnership (CCP) Executive Committee, which approves a CCP Plan. In 2024, updates to the CCP Plan were provided by the District Attorney's Office, Sheriff's Office, Health and Human Services Agency (HHSA), the Probation Department, and the Department of the Public Defender. The CCP Plan reflects stakeholder and community participation gathered during a community forum at the Reentry Roundtable and through ongoing community engagement activities, including feedback from community-based providers and individuals with prior justice system involvement and their families.

The updated CCP Plan shows that San Diego County's approach to AB 109 and the broader justice system has evolved significantly in the 13 years since passage of AB 109. Additionally, the policy priorities expressed by the County of San Diego Board of Supervisors (Board) are reflected in the plan including a focus on behavioral health, housing, equity, and alternatives to incarceration. The Fiscal Year 2024-25 CCP Plan provides an updated framework for San Diego County justice partners and stakeholders to plan, monitor, and report on the San Diego County criminal justice system.

As part of a public meeting, the CCP Executive Committee voted to accept the CCP Plan on August 20, 2024. Today's action requests the Board accept the Fiscal Year 2024-25 CCP Plan.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Accept the Fiscal Year 2024-25 Community Corrections Partnership Plan.

EQUITY IMPACT STATEMENT

The CCP Plan was developed with equity as a guiding principle to reduce disparities across the health and justice systems and ensure equitable access to quality prevention, treatment, and rehabilitation services. The CCP Plan includes feedback from community stakeholders and individuals who were previously involved with the justice system. The CCP Plan includes services delivered by community members with relevant lived experiences to mentor and assist individuals to successfully transition from custody into the community.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to accept the Fiscal Year 2024-25 CCP Plan contributes to the County of San Diego's Sustainability Goals of engaging the community and providing just and equitable access to services and resources. The CCP Plan reflects community input gathered from a community forum at the Reentry Roundtable and through ongoing community engagement activities, including feedback from representatives of community-based organizations and individuals with lived experience in the justice system. Furthermore, the CCP Plan outlines linkages and access to treatment, behavioral health care, housing, education, employment, medical and public health care, with the goal of expanding the availability of accessible County services and community resources for justice-involved individuals. The Probation Department will continue to gather public input on future CCP Plans to meet the needs of justice-involved individuals and encourage diverse stakeholders to participate in decisions that affect their communities.

FISCAL IMPACT

There is no fiscal impact associated with accepting the Fiscal Year 2024-25 CCP Plan. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

5. **SUBJECT: AUTHORIZE ACCEPTANCE OF FUNDING FROM THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES FOR AFGHAN REFUGEE SUPPORTIVE SERVICES AND HOUSING ASSISTANCE FOR UKRAINIANS; AND APPLY FOR FUTURE FUNDING (DISTRICTS: ALL)**

OVERVIEW

In July 2024, the County of San Diego (County), Department of Homeless Solutions and Equitable Communities (HSEC), Office of Immigrant and Refugee Affairs (OIRA) was awarded two additional funding allocations from the California Department of Social Services Refugee

Programs Bureau (CDSS RPB) to continue providing supportive services to assist refugees and newly arrived immigrants in the region. Those supportive services include emotional wellness programs, landlord education, housing and utilities assistance, the employment of community health workers, and funding for the Immigrant and Refugee Welcome Center in National City. In addition, HSEC-OIRA will also explore other potential programming based on community feedback received through listening sessions.

Today's action requests the Board authorize actions to accept funds from CDSS RPB for Afghan Refugee Support Services and Housing Assistance for Ukrainians; and authorize to apply for future funding. Today's action advances the County vision of a just, sustainable, and resilient future for all, with a special focus on communities and populations in San Diego County that have been historically under-resourced, particularly our immigrant and refugee communities. This aligns with our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities by supporting programs that remove barriers to employment and resources, thereby supporting regional economic inclusion and equity.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Deputy Chief Administrative Officer, Health and Human Services Agency to execute agreements and take any other action necessary as required by the California Department of Social Services Refugee Programs Bureau for the acceptance of \$2,000,000 and any other allocations that may be awarded of Afghanistan Supplemental Appropriation funding for Afghan Refugee Support Services.
2. Authorize the Deputy Chief Administrative Officer, Health and Human Services Agency to execute agreements and take any other action necessary as required by the California Department of Social Services Refugee Programs Bureau for acceptance of up to \$1,000,000 and any other allocations that may be awarded of Additional Ukraine Supplemental Appropriations Act funding for Housing for Ukrainians.
3. Authorize the Deputy Chief Administrative Officer, Health and Human Services Agency, or designee, to apply for future funding, including grants, supplemental funding and other funding opportunities for programs or projects in alignment with the goal of expanding the economic inclusion of refugees and immigrants in the region.

EQUITY IMPACT STATEMENT

In 2022, approximately 27% of California's 39 million residents are foreign-born. According to the Public Policy Institute of California, this which is the highest percentage of immigrants in any state and more than double the national average of 12%. The United States Census Bureau, 2018-2022 American Community, reported nearly 23% of San Diego County's 3.3 million residents are immigrants or foreign-born. San Diego County is one of the most diverse counties in the United States and a leading destination for refugee resettlement and is designated as one of eight refugee-impacted counties, where large populations of refugees reside. From 2012-2024, California has welcomed over 85,000 individuals with refugee status and San Diego County resettled 4,567 newly arrived refugees, making San Diego County the third largest recipient of refugee arrivals in California, behind Sacramento and Los Angeles counties.

As global conflicts continue to displace populations, the region has experienced a significant influx of refugees, notably from Ukraine and Afghanistan, alongside a steady and diverse stream

of individuals from various other countries. Between September 2018 and August 2024, San Diego Refugee Resettlement Agencies reported 41% were from Afghanistan. Afghan refugees often settle in locations where they have relatives and in San Diego County, particularly East County, is a popular destination due to the significant Afghan community already residing in the area.

Ukrainian and non-Ukrainian families affected by the war in Ukraine have an official pathway through the Uniting for Ukraine (U4U) program, where U.S. financial sponsors submit applications to support them. Over the past two fiscal years over 5,000 have chosen San Diego as their destination, making San Diego County among the top three resettlement counties for Ukrainians.

The County of San Diego is dedicated to maintaining this role of providing culturally responsive and inclusive services that empower refugees to thrive. This additional funding will enable the continuation of our efforts to meet the evolving needs of our diverse population, helping to ensure that all residents have access to the resources and opportunities they need to succeed.

SUSTAINABILITY IMPACT STATEMENT

Today's actions support the County of San Diego (County) Sustainability Goal #1 of engaging the community in meaningful ways, Sustainability Goal #2 of providing just and equitable access to services and resources, and Sustainability Goal #4 of protecting the health and well-being of those in the region. The County Health and Human Services Agency, Department of Homeless Solutions and Equitable Communities, Office of Immigrant and Refugee Affairs, involves diverse populations in service planning and implementation to ensure that programs are inclusive and responsive to their unique needs. Today's actions would also make essential services such as housing, employment, case management, legal assistance, and public health accessible to all. In addition, such essential services would ultimately protect the health and well-being of those in the region by addressing the public health and housing needs of immigrant and refugee populations and reducing risks of homelessness and unemployment. By accepting the additional funding to support Ukrainians, Afghans, and other immigrant and refugee populations, these actions foster community resilience and equity across the region.

FISCAL IMPACT

Funds for recommendation one are included in the Fiscal Year (FY) 2024-25 Operational Plan for the Health and Human Services Agency. If approved, this request will result in one-time costs and revenue of \$900,000 in FY 2024-25 and \$1,100,000 in FY 2025-26, for total cost and revenue of \$2,000,000. Costs for FY 2024-25 will be absorbed using existing appropriations. Funds for subsequent years will be incorporated into future operational plans. The funding source is a one-time funding allocation from the California Department of Social Services, Refugee Programs Bureau through the Afghanistan Supplemental Appropriations Act. There will be no change in net General Fund costs and no additional staff years.

Funds for recommendation two are included in the FY 2024-25 Operational Plan for the Health and Human Services Agency. If approved, this request will result in one-time costs and revenue of \$1,000,000 in FY 2024-25. These costs will be absorbed using existing appropriations. The funding source is a one-time funding allocation from the California Department of Social Services, Refugee Programs Bureau through the Additional Ukraine Supplemental

Appropriation Act for Housing for Ukrainians. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

6. SUBJECT: AUTHORITY TO PROCURE ELECTRONIC HEALTH RECORD SYSTEM FOR HEALTH AND HUMAN SERVICES AGENCY (DISTRICTS: ALL)

OVERVIEW

The County of San Diego (County) Health and Human Services Agency (HHSA), Public Health Services (PHS) and Medical Care Services (MCS) departments conduct approximately 120,000 patient visits annually across a variety of services. These include case management, physical and occupational therapy, communicable disease testing, treatment and prevention, vaccinations, and home health.

Given the volume of services provided, there is a need for PHS and MCS to use an electronic health record (EHR) system to enhance and optimize the delivery of care. An EHR system would also support other services and departments identified by HHSA and any new services established through the implementation of San Diego Advancing and Innovating Medi-Cal, the local implementation of Medi-Cal Transformation.

Today's action requests the San Diego County Board of Supervisors (Board) authorize a single-source contract with OCHIN Inc. (OCHIN) for the procurement of Epic Systems Corporation's (Epic) EHR system in accordance with Board Policy A-87, Competitive Procurement, Sections D-3 and D-5, and Administrative Code Section 401. OCHIN, a third-party seller of the Epic EHR system, is selected due to their focus on Local Health Jurisdictions, like the County of San Diego, and community providers that are considered to be small-to-medium in size with a focus on ambulatory care whereas Epic engages directly with larger, full-scale healthcare systems. A Board Policy A-87 exception is requested due to the unique knowledge, skill, and ability OCHIN possesses and provides as the only Epic Connect Partner that acts as a third-party seller of the Epic EHR system to Local Health Jurisdictions, Community Health Centers, and Federally Qualified Healthcare Centers without a health specialty or regional area requirement. Additionally, OCHIN is the only Epic Connect accredited vendor, which signifies that they follow and implement the EHR system in line with intended best practices, that the County qualifies for, as it does not meet the requirements of other accredited vendors.

Additionally, today's action requests the Board authorize applications and acceptance of additional funding opportunities to support the implementation, maintenance, and operationalization of an electronic health record system.

Today's 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 the ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by improving the service

delivery system by implementing electronic health records, removing barriers to health portability and continuity of care, and utilizing resulting data to continually inform policies and procedures to reduce gaps in healthcare outcomes for vulnerable populations.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with OCHIN Inc., and subject to successful negotiations and determination of a fair and reasonable price, award a contract for the implementation, operation, and maintenance, and operationalization of Epic Systems Corporation's electronic health record system across Health and Human Services Agency departments for an initial term of up to one year, with up to nine 1-year Options and up to an additional six months, if needed, subject to the availability of funds, and to amend the contract as required to reflect changes to services and funding allocations, subject to the approval of the Deputy Chief Administrative Officer, Health and Human Services Agency.
2. Authorize the Deputy Chief Administrative Officer, Health and Human Services Agency, or designee, to apply for and accept additional funding opportunities to support the implementation, maintenance, and operationalization of an electronic health record system.

EQUITY IMPACT STATEMENT

The use of OCHIN Inc.'s Epic Systems Corporation (Epic)-based electronic health record (EHR) within the County of San Diego (County) Health and Human Services Agency (HHSA) will support equitable delivery of public, medical, and health care services. The use of an EHR system promotes equity through an increased ability to conduct analyses and measure outcomes to identify differences by race, ethnicity, and place among other variables. This increased ability will inform policies and procedures aimed at addressing health outcomes among children, youth, adults, and seniors, including those who are Black, Indigenous, people of color, women, people with disabilities, immigrants, the LGBTQ community, and the economically disadvantaged.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports the County of San Diego (County) Sustainability Goal #2 to provide just and equitable access to County services and Goal #7 to reduce pollution and waste by demonstrating a reduction in consumption of resources through the use of OCHIN Inc.'s Epic Systems Corporation-based electronic health record (EHR).

Sustainability Goal #2 is achieved by bolstering the Health and Human Services Agency's (HHSA) ability to deliver services to meet the immediate needs of individuals and families. Customer resiliency will be increased as they will be able to more easily bring their data with them to their chosen providers, ensuring a continuity of care in the services they receive.

Sustainability Goal #7 will be accomplished since HHSA operations will move away from a physical record system, reducing the amount of paper in use by the County. An EHR system will also reduce the mileage spent across the region as customers will have more flexibility in choosing the facilities they visit in addition to reducing the need to collect and/or transfer original records between County offices. Lastly, as retention periods for existing paper records come to maturity, the County facility footprint needed to store customer records will lessen as

moving forward they will be digitally archived.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2024-2026 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated one-time costs and revenue of up to \$3,700,00 in FY 2024-25 and \$2,800,000 in FY 2025-26 for a total of \$6,500,000. The funding sources are the Epidemiology and Laboratory Capacity Enhancing Detection Expansion Grant and any federal and State funding that might become available. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

7. **SUBJECT: AUTHORIZE ACCEPTANCE OF HIV SERVICES GRANT FUNDING AND APPLICATIONS FOR FUTURE FUNDING OPPORTUNITIES (DISTRICTS: ALL)**

OVERVIEW

The San Diego County Board of Supervisors (Board) has authorized grants and agreements with the California Department of Public Health Office of AIDS (CDPH-OA) to reduce transmission of HIV in San Diego County for almost three decades.

Today's action requests the Board to authorize the acceptance of \$7,592,529 in grant funds for *High Impact Prevention and Surveillance Programs for Health Departments* and \$8,879,370 in grant funds for *High Impact Prevention and Surveillance Programs for Health Departments - Ending the HIV Epidemic*. Both grants are from the CDPH-OA and are for the period of August 1, 2024, through May 31, 2029. Lastly, today's action requests the Board authorize applications for future funding opportunities to support the prevention, testing, care, and treatment needs of those impacted by HIV.

This item supports the County of San Diego (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 our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished through education, prevention, and intervention to interrupt transmission of disease in the region. This item also supports the County Getting to Zero initiative by planning and allocating resources dedicated to services for residents who are living with or vulnerable to HIV.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires prior approval of grant applications and full-cost recovery of grants.
2. Authorize the acceptance of \$7,592,529 in grant funds for *High Impact Prevention and Surveillance Programs for Health Departments* from the California Department of Public Health, Office of AIDS for the period of August 1, 2024 through May 31, 2029, for HIV services related to prevention, and authorize the Deputy Chief Administrative

- Officer, Health and Human Services Agency, or designee, to execute all required grant documents, upon receipt, including any annual extensions, amendments and/or revisions thereto that do not materially impact or alter the services or funding level.
3. Authorize the acceptance of \$8,879,370 in grant funds for *High Impact Prevention and Surveillance Programs for Health Departments - Ending the HIV Epidemic* from the California Department of Public Health, Office of AIDS for the period of August 1, 2024 through May 31, 2029, for Ending the HIV Epidemic services related to prevention, and authorize the Deputy Chief Administrative Officer, Health and Human Services Agency, or designee, to execute all required grant documents, upon receipt, including any annual extensions, amendments and/or revisions thereto that do not materially impact or alter the services or funding level.
 4. Authorize the Deputy Chief Administrative Officer, Health and Human Services Agency, or designee, to apply for any additional funding opportunity announcements, if available, to address the prevention, testing, care and treatment needs of those impacted by HIV.

EQUITY IMPACT STATEMENT

HIV has disproportionately impacted some of San Diego county's most vulnerable residents, which includes Black and Hispanic communities and gay, bisexual, and other men who have sex with men. Local surveillance data from 2023 demonstrated that Blacks comprise less than 6% of the county population but comprise 13% of recent HIV diagnoses. Hispanics comprise 35% of the county population yet comprise 53% of recent HIV diagnoses. In San Diego County in 2023, gay, bisexual, and other men who have sex with men comprise 48% of recent HIV diagnoses and 70% of persons living with HIV.

The County of San Diego Health and Human Services Agency, Public Health Services works in partnership with the HIV Planning Group, an official advisory board to the San Diego County Board of Supervisors. The HIV Planning Group is comprised of people living with HIV, service providers, subject matter experts, HHSA representatives, community members and designees from each supervisorial district. The HIV Planning Group conducts needs assessments of system capacity and capabilities every three years. This includes engaging with different impacted communities through focus groups. These engagement efforts play an impactful role in informing decisions and ensuring resources are effectively and equitably distributed to serve the needs of those most impacted by HIV in San Diego County.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions align with the County of San Diego Sustainability Goal #2 to provide just and equitable access and Sustainability Goal #4 to protect health and well-being. This will be accomplished by increasing capacity and services aimed to prevent, identify, and treat HIV. Testing, identification, and treatment of HIV will improve the overall health of communities, reduce the demand of associated care services, while increasing effectiveness of care providers and lowering operating costs.

FISCAL IMPACT

Recommendation #2: High Impact Prevention and Surveillance Programs for Health Departments

Funds for this request are included in the Fiscal Year (FY) 2024-26 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs of \$1,248,573 and revenue of \$1,199,969 in FY 2024-25, and estimated costs of \$1,611,794 and revenue of \$1,549,050 in FY 2025-26, for an estimated total of \$7,900,062 in costs and \$7,592,529 in revenue through FY 2029-30. The funding source for this grant is the California Department of Public Health Office of AIDS (CDPH-OA). A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These unrecovered costs are estimated to be \$48,604 for FY 2024-25, and \$62,744 for FY 2025-26. The total unrecovered costs are estimated to be \$307,533 through FY 2029-30. The funding source for these costs will be existing Realignment. The public benefit for providing these services far outweighs the costs. There will be no change in net General Fund cost and no additional staff years.

Recommendation #3: High Impact Prevention and Surveillance Programs for Health Departments - Ending the HIV Epidemic

Funds for this request are included in the Fiscal Year (FY) 2024-26 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs of \$1,433,097 and revenue of \$1,398,700 in FY 2024-25, and estimated costs of \$1,856,905 and revenue of \$1,812,335 in FY 2025-26, for an estimated total of \$9,097,734 in costs and \$8,879,370 in revenue through FY 2029-30. The funding source for this grant is the California Department of Public Health Office of AIDS (CDPH-OA). A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These unrecovered costs are estimated to be \$34,397 for FY 2024-25, and \$44,570 for FY 2025-26. The total unrecovered costs are estimated to be \$218,364 through FY 2029-30. The funding source for these costs will be existing Realignment. The public benefit for providing these services far outweighs the costs. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 8. SUBJECT: AUTHORIZE ACCEPTANCE OF COMMUNITY PROJECT FUNDING / CONGRESSIONALLY DIRECTED SPENDING: FACILITIES AND/OR EQUIPMENT GRANT FUNDING (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Health and Human Services Agency (HHS), Public Health Services, Public Health Laboratory (PHL) plays a critical role in protecting the health of San Diego County residents and visitors. Public health laboratories were established in response to outbreaks of diseases like typhoid, smallpox, and diphtheria, which are now considered diseases of the past. The California network is comprised of various laboratories, which play an important role in disease diagnosis and epidemiological surveillance of routine public health reportable diseases. Each individual laboratory further serves as a source of surge capacity for other local laboratories and the State laboratory in emergency situations and outbreaks.

Previously, the County public health laboratory was housed at the Health Services Complex building, and in February 2022, an inspection of the building determined that significant structural work was required, and it was decided that the building was no longer suitable for use. Due to this, an immediate plan for a new laboratory was initiated, and on October 25, 2022 (11),

the San Diego County Board of Supervisors (Board) approved the design and pre-construction services for a new public health laboratory. The new public health laboratory is designed to be approximately 52,000 square feet to accommodate and meet operational needs. The space allocation at the new facility will almost double the previous laboratory workspace to allow expansion of testing capabilities and methods, which include but are not limited to, whole genome sequencing, molecular surge, Tuberculosis testing services, and a robust Biosafety Level 3 program. The County public health laboratory serves as the approved Centers for Disease Control and Prevention Select Agent Laboratory for San Diego and Imperial Counties and as the location of the federal BioWatch program for the detection of bioterrorism agents in San Diego County.

On April 8, 2024, the County PHL received an eligibility notification from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA), Community Project Funding / Congressionally Directed Spending: Facilities and/or Equipment (CPF/CDS) grant to submit an application for one-time funding for \$2,500,000, for the term September 30, 2024 to September 29, 2027. On June 12, 2024, County PHL applied for the CPF/CDS grant, and on August 2024, County PHL received the notice of award. If approved to accept funding, this grant will fund items that include, but are not limited to, laboratory equipment, preventative maintenance service plans, and other items that are intended to improve workflow and surge capacity to prepare the new public health laboratory with streamlining operations. Additionally, the new public health laboratory will support local, State, and regional efforts to identify, track, and response to COVID-19/SARS-CoV-2 and other emerging infectious diseases.

Today's actions request the Board to authorize acceptance of \$2,500,000 in CPF/CDS grant funding from HRSA, and authorize the Agency Director, HHSA, or designee, to apply for additional funding opportunities, if available.

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 will be accomplished by ensuring the local health department can continue to improve the health and well-being of residents in San Diego County through enhanced and increased testing, prevention, and intervention to prevent transmission of disease.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the acceptance of \$2,500,000 in grant funds from the Health Resources and Services Administration's Community Project Funding/Congressionally Directed Spending grant allocation for the period of September 30, 2024 through September 29, 2027, for Public Health Laboratory to procure additional laboratory equipment and maintenance service plans, and authorize the Deputy Chief Administrative Officer, Health and Human Services Agency, or designee, to execute all required grant documents, including any annual extensions, amendments, and/or revisions thereto that do not materially impact or alter the services or funding level.
2. Authorize the Deputy Chief Administrative Officer, Health and Human Services Agency, or

designee, to apply for additional funding opportunity announcements, to support the Public Health Laboratory.

EQUITY IMPACT STATEMENT

The County of San Diego (County) Health and Human Services Agency, Public Health Services, Public Health Laboratory (PHL) continues to monitor changes to laboratory and testing procedures, and technology and testing analysis advancements in order to provide efficient and effective services to communities in San Diego County. San Diego County has one of the busiest border crossings in the United States and is home to a diverse population, who include but are not limited to, military and tribal communities. Reports from the Centers for Disease Control and Prevention show disparities among populations impacted by diseases that include, but are not limited to, HIV, viral Hepatitis, Sexually Transmitted Infection, Tuberculosis, and COVID-19. According to data from the State of California's Vital Records Business Intelligence System, COVID-19 was the leading cause of death among Hispanic San Diego County residents in 2021, and the fourth leading cause of death among this population in 2022. These health disparities have shown to be linked to behavioral risk factors, environmental exposures, social determinants of health, and access to accurate and timely testing. To protect the health and well-being of all residents in San Diego County, the County PHL performs diagnostic testing to ensure diseases are detected among the general public. Additionally, testing results and patient demographics are available through the laboratory information management system and allow County PHL to track and monitor health disparities and inequities across a variety of diseases.

A fully functioning public health laboratory that provides the core activities of surveillance and laboratory assessment is essential to ensure the best health outcomes for our communities. County PHL provides testing services to interrupt transmission of disease and protect all San Diego County residents, especially the most vulnerable. Additional funding will support County PHL with acquiring additional equipment and supplies to increase testing capabilities and response times to provide critical information to all San Diego County residents.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions support the County of San Diego (County) Sustainability Goal #4 to protect the health and well-being of everyone in the region by accepting additional funding to support the County Public Health Services, Public Health Laboratory (PHL) to purchase additional specialized instrumentation and maintenance. The addition of such instrumentation will also enable the PHL to increase capacity and testing services that are aimed to detect and prevent illnesses. This also supports County Sustainability Goal #3 to transition to a green, carbon-free economy as testing and identification will improve the overall health of communities, reduce the demand of associated care services, while increasing effectiveness of care providers and lowering operating costs of facilities, thus reducing greenhouse gas emissions and waste generated within the care sector. This will improve the overall health of communities and reduce the demand of associated care services.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2024-26 Operational Plan in the Health and Human Services Agency. If approved, this request will result in estimated costs and revenue of \$1,200,000 in FY 2024-25 and estimated costs and revenue of \$1,300,000 in FY 2025-26. Funds for this program will use existing appropriations and be incorporated into future

Operational Plans as needed. The funding source is the U.S. Department of Health and Human Services, Health Resources and Services Administration, Community Project Funding / Congressionally Directed Spending: Facilities and/or Equipment grant. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

9. **SUBJECT: LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL CRISIS AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

On June 27, 2023 (16), the County of San Diego (County) Board of Supervisors (Board), issued a Proclamation of Local Emergency (Proclamation) as a result of the continued conditions for detrimental impacts to the environment, economy, and property within San Diego county, caused by persistent impacts from cross-border sewage pollution and sewage impacted ocean waters. The Proclamation was issued pursuant to the San Diego County Code of Regulatory Ordinances sections 31.101 et seq. and California Government Code section 8630. The Proclamation further asked the Governor to proclaim a State of Emergency in San Diego County. 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 July 19, 2023 (4), September 13, 2023 (3), November 8, 2023 (2), December 6, 2023 (2), January 24, 2024 (1), March 13, 2024 (3), May 1, 2024 (4), June 26, 2024 (4), July 17, 2024 (6), and September 11, 2024 (3) the Board found that there is a continuing need for the local emergency. 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.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proclamation of local emergency is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and (3), 15061(b)(3), and 15378(b)(4)&(5) because the action is an administrative action intended to facilitate state and federal funding, does not commit the County to a specific project, and will not have a reasonably foreseeable direct or indirect effect on the environment.
2. 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).

EQUITY IMPACT STATEMENT

The communities closest to the San Diego International Border, including the communities of

Imperial Beach, San Ysidro, Otay Mesa, and Tijuana River Valley are identified by SB 535 (2012) and CalEnviroScreen 4.0 as being Environmental Justice communities having high pollution burdens for impaired water bodies, elevated PM2.5, elevated linguistic isolation, and poverty rates. By supporting the local emergency proclamation, the County of San Diego remains committed to working with local, state, federal, and Mexican authorities to improve conditions for these communities. Local Environmental Justice communities have decades of suffering from various pollution sources, have been advocating and working to raise their concerns to the various agencies, and have engaged to elevate the need for data collection to document environmental injustices.

SUSTAINABILITY IMPACT STATEMENT

This action letter aligns with the County of San Diego's (County) Sustainability Goals: protect health and wellbeing and the environment. The proposed action contributes to the County's Sustainability Goal No. 6 to protect the environment and promote our natural resources, diverse habitats, and cultivate a natural environment for residents, visitors, and future generations to enjoy.

FISCAL IMPACT

There is no fiscal impact associated with this request to continue the emergency. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

Increased beach water closures resulting from sewage impacts have a direct effect for the surrounding community due to decreased tourism, patronage of local businesses, and opportunities for youth recreation and camps. By continuing a local emergency, the County of San Diego will be able to engage businesses and non-profit service providers that have been impacted by the restricted access to local beaches and oceans with the goal of assisting in identifying ways to connect them to any state or federal relief programs.

10. SUBJECT: REQUEST FOR SINGLE-SOURCE CONTRACT FOR DIGITAL MEDIA COLLECTIONS AND INSTANT DIGITAL LIBRARY CARDS FOR SAN DIEGO COUNTY LIBRARY (DISTRICTS: ALL)

OVERVIEW

San Diego County Library's (SDCL) digital collection is the second most-used digital public library in California and the eighth most-used in the country. In Fiscal Year (FY) 2023-24, SDCL's customers downloaded 5.5 million eBooks. The SDCL digital collection extends the power and promise of reading to customers by providing access to resources on their mobile devices anywhere, anytime, in a format where the font size and type are adjustable for accessible reading. SDCL contracts for these services with OverDrive, Inc., a company that provides eBooks, eAudiobooks, and eMagazines with digital rights management and a software platform for circulation to library customers. With OverDrive's Instant Digital Card service, these benefits are amplified because customers do not need to travel to a library branch to obtain a

library card. This provides significant value to library customers and contributes to environmental sustainability by reducing vehicle miles traveled and related greenhouse gas emissions. This service also promotes equitable access to our collection as not everyone has access to transportation needed to visit a library branch. Additionally, SDCL has extended our digital collection to 39 schools and school districts across the County using OverDrive's Sora mobile reading application, developed for schools.

Due to the popularity of digital formats among library customers, SDCL's digital media investments have steadily increased. SDCL established an initial contract with OverDrive, Inc. (also known as Libby, the name of their mobile reading application) in 2008, providing customers with access to eBooks, downloadable audiobooks, and streaming video. During FY 2023-24, SDCL's expenditures for digital resources totaled \$4.4 million, a 16.7% increase over FY 2022-23. Current year expenditures are expected to increase for the seventh straight fiscal year to keep up with customer usage and demand. SDCL is requesting a new single-source contract with OverDrive, to begin January 1, 2026, for an estimated amount of \$30-\$40 million over the contract term of one year with four option years, in accordance with Board Policy A-87, 1. D. 1. as competition is precluded because of the existence of copyrights, and no equivalent good or services are available.

Today's action requests Board of Supervisors approval to authorize the Director of Purchasing and Contracting to enter into a new contract with OverDrive, Inc. beginning on January 1, 2026, for a term of five years with an estimated total expenditure of \$30-\$40 million across all years of the contract. The estimated total costs of \$30-\$40 million and necessary revenue over the five-year contract term will be included in future Operational Plans for SDCL based on SDCL revenues including property taxes and library user fees.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Director, Department of Purchasing and Contracting in accordance with County Administrative Code Section 410 et seq., to establish a new single-source contract with OverDrive, Inc., subject to approval of the Director, San Diego County Library, or designee, for an estimated amount of \$30-\$40 million for a term of five (5) years.
2. In accordance with Board Policy A-87, *Competitive Procurement*, approve and authorize the Director of the Department of Purchasing and Contracting to enter into negotiations with OverDrive, Inc. and subject to successful negotiations and a determination of a fair and reasonable price, award a contract for Digital Media Collections and Instant Digital Library Cards for up to one (1) year and four (4) option periods through December 31, 2029 and an additional six (6) months if needed, and to amend the contracts as needed to reflect changes to requirements and funding.

EQUITY IMPACT STATEMENT

San Diego County Library helps people learn, read, and enjoy materials that reflect their communities and supports their knowledge and learning. The contract with OverDrive supports this effort by providing access to materials in all threshold languages. Digital availability of books promotes equity by reducing barriers to access. Residents can find a great book to read 24 hours a day, regardless of their location within San Diego county. More than 10,000 individual

customers access Libby every day, downloading an average of 15,500 eBooks daily.

SUSTAINABILITY IMPACT STATEMENT

Access to eBooks supports County Sustainability Goals 2, 3, and 7. Goal 2: Just and equitable access to services, policy decision-making, and resources is accomplished by reducing transportation, materials, and the environmental impact of recycling. Goal 3: Carbon-free emissions economy, rooted in green jobs and resilience is accomplished by allowing equality of access to a collection of library materials any time of day, regardless of library hours and proximity to a physical location. Goal 7: Reduced pollution and consumption of resources is supported by allowing constituents to checkout, read, and return an eBook from any location without having to drive to a library branch. Additionally, eBooks reduce the environmental impact of harvesting trees for the print book industry.

FISCAL IMPACT

There is no current fiscal impact associated with today's recommendation. If approved, the OverDrive contract will commence January 1, 2026. The projected total costs of \$30-\$40 million and necessary revenue over the five-year contract term will be included in future Operational Plans for the San Diego County Library (SDCL) based on SDCL revenues including property taxes and library user fees. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

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

During the period of January 1, 2024, to June 30, 2024, donations totaled \$183,927.56. Of the total amount, there were \$37,993.46 in cash donations and \$145,934.10 in non-cash donations. Of the cash donations received, \$10,993.46 were matched by the Library Fund budget through the Dollar-for-Dollar Donation Matching Program. The matching fund program was created by the Board to give donors a sense of pride for taking part in the growth of their local County Library. Donations received during this reporting period were used to purchase library materials such as books and eBooks, music, and equipment for library branches, as well as facilitate cultural celebrations and support County Library programs.

Today's proposed actions are to accept the County Library's Report of Gifts and Donations for the period of January 1, 2024, to June 30, 2024, to ratify the acceptance of those gifts and donations by the County Library totaling \$183,927.56, and to authorize the Chairwoman of the Board of Supervisors to sign a letter of appreciation to the donors whose donations exceed \$5,000.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) because it is not a project as defined in Section 15378(b)(5) of the CEQA Guidelines because it involves organizational or administrative governmental activities that will not result in direct or indirect physical changes in the environment.
2. In accordance with County of San Diego (County) Administrative Code Section 66, *Acceptance of Gifts*, and Board of Supervisors (Board) Policy A-112, *Acceptance and Use of Gifts and Donations*, accept the San Diego County Library Report of Gifts and Donations for the period of January 1, 2024, through June 30, 2024.
3. In accordance with Administrative Code Section 66 and Board Policy A-112, ratify the acceptance of gifts from January 1, 2024, through June 30, 2024, for \$183,927.56 that exceeded \$5,000.
4. Authorize the Chairwoman of the Board of Supervisors to sign letters of appreciation on behalf of the County of San Diego to donors listed in Attachment D.

EQUITY IMPACT STATEMENT

The acceptance of donations will allow for the purchase of library materials such as books and eBooks, equipment for library branches, and bookmobiles to support programs that encourage participants of all ages to engage in reading and participate in activities that bring the community together. Donations and grants allow the San Diego County Library (County Library) to provide additional supplies and services to youth, families, and communities to encourage the sharing of experiences, cultural traditions, and resources to strengthen a sense of belonging. Gifts and donations received are monitored and publicly disclosed in accordance with all County policies. Expenditures are internally tracked by the County Library to ensure transparency and accountability of donations and gifts received and to provide for the equitable distribution of resources.

SUSTAINABILITY IMPACT STATEMENT

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

FISCAL IMPACT

The San Diego County Library (County Library) received \$183,927.56 in cash and non-cash donations exceeding \$5,000 in value between January 1, 2024, and June 30, 2024. Of these donations, \$37,993.46 was in cash and \$145,934.10 was in non-cash donations. Of the cash donations, \$10,993.46 qualified for an equal amount of matching funds from the County Library at the request of the donors, which was completed in Fiscal Year 2023-24 based on the available prior year County Library Fund fund balance.

BUSINESS IMPACT STATEMENT

N/A

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

OVERVIEW

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

To conduct this extensive survey, RTFH puts out a call to action to organizations, stakeholders and the community to assist their efforts to count as many people as possible who are experiencing homelessness. This year, during the January 2024 Point-in-Time-Count there were over 1,700 volunteers that participated in the region's Point-in-Time-Count and helped identify 10,605 individuals living in shelters or on the streets.

Our County employees, have time and time again stepped up to support our communities in times of need, especially through volunteer roles during election season and during the Point-in-Time-Count. Today's action would direct the Chief Administrative Officer to establish a volunteer program to allow County employees to participate in the annual Point-in-Time-Count on January 30, 2025, on paid County time.

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS

1. Authorize the Chief Administrative Officer to establish a volunteer program to allow County employees to participate in the annual point in time count on January 30, 2025, on paid County time.
2. Find that allowing County employees to volunteer to participate in the annual Point-in-Time Count on paid County time serves a public benefit by ensuring the region's homelessness can be quantified and federal funding can be secured to support the region's homeless population.

EQUITY IMPACT STATEMENT

By allowing our County staff to participate in the annual Point-in-Time-Count, we join our regional efforts to address homelessness in San Diego County. The Point-in-Time Count outcomes have multiple benefits and helps our region apply for federal funding as well as gives the region a better understanding of the demographics, challenges, and characteristics of those experiencing homelessness in our community. The Point-in-Time-Count also serves as a guiding principle for policy makers to help drive policy changes and investments to help house our unsheltered neighbors.

Establishing a program to allow County employees to participate in the annual Point-in-Time Count on January 30, 2025, will support efforts to create effective approaches to assist those who are homeless throughout San Diego County. The count outcomes have multiple benefits, including eligibility to apply for federal and state funding in addition to enabling the region to gain a better understanding of the scope, impact, and potential solutions to address this issue. The numbers from this count are broken down into subpopulation categories, including counts of persons who are chronically homeless, veterans, youth, persons with HIV/AIDS, and victims of domestic violence. It is anticipated that this action will drive much-needed resources to residents who are disproportionality represented in the homeless system including justice-involved individuals as well as Black, Indigenous and People of Color (BIPOC). In general, the incidence of BIPOC individuals experiencing homelessness mirrors the disparities found at the broader community levels. These population groups are over-represented in homelessness when compared to their proportion in the general community.

SUSTAINABILITY IMPACT STATEMENT

The proposed action contributes to the County of San Diego's Sustainability Goal to engage the community and protect health and well-being. By establishing a program that allows County staff to participate in the annual Point-in-Time-Count we engage with our most vulnerable population and will use the data collected to advocate for funding and resources to house our unsheltered neighbors.

FISCAL IMPACT

Funding associated with these recommendations are included as staff time in the Fiscal Year 2024-25 Operational Plan in various departments. The funding source is based on a combination of General Purpose Revenue and program revenues. Actual cost and revenue will be determined by the classification of employees who may choose to volunteer. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

13. SUBJECT: GENERAL SERVICES - APPROVAL IN PRINCIPLE TO LEASE SPACE FOR RELOCATION OF THE SANTEE BRANCH LIBRARY (DISTRICT: 2)

OVERVIEW

The County of San Diego Santee Branch Library has been operating out of a leased facility located at 9225 Carlton Hills Blvd. #17, Santee CA 92071, since 1985. The Santee Branch Library is approximately 9,300 square feet and does not have adequate or functional space for library materials, programs, and needed resources. The Library Master Plan calls for a 15,000 square foot facility to support this community. County Library needs to relocate because the Santee Branch Library is undersized.

Today’s request is for the San Diego County Board of Supervisors (Board) to approve, in principle, lease of space for the Santee Branch Library. Upon successful negotiation of the lease agreement, staff will return to the Board to request approval of the transaction.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not an approval of a project as defined by the California Environmental Quality Act (CEQA) pursuant to Section 15378 (b)(5) of the State CEQA guidelines.
2. Approve in principle the lease of approximately 15,000 square feet of space to relocate the Santee Branch Library.
3. Authorize the Director, Department of General Services, to conduct a site search, negotiate a lease, and upon successful negotiations, return to the Board for approval of the lease agreement.

EQUITY IMPACT STATEMENT

The Santee Branch Library is lacking critical elements to support the community in its current location. A larger library would benefit the community that has been traditionally underserved

due to the lack of space for adequate materials, programs, and resources providing equitable access to educational classes, opportunities to develop literacy, online and paper study materials, and recreational reading at no cost to the communities and customers. The County Library also provides access to broadband internet and computers so that customers can access the digital services they need to meet their goals of learning, connecting, job-seeking, and acquiring safety-net services. The Santee Branch Library will ensure continued support services for all groups that benefit from Library Services.

SUSTAINABILITY IMPACT STATEMENT

Implementing effective sustainability objectives is crucial to ensuring safe and healthy communities and contributing to the overall success of the region. The approval in principle for a larger facility for the Santee Branch Library is appropriate as it supports the County's Strategic Initiative of Sustainability to ensure the capability to respond to immediate needs for individuals, families, and the region.

FISCAL IMPACT

There is no fiscal impact associated with the requested approval in principle of a lease for the relocation of the Santee Branch Library. However, there will be future fiscal impact, the lease costs resulting from this action will be determined during lease negotiations and will be provided when staff returns to the Board to request approval of a new lease agreement. The funding source for the lease will be the Library Fund and will be included in future Operational Plans for the Library. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

14. SUBJECT: GENERAL SERVICES - APPROVAL IN PRINCIPLE TO LEASE SPACE FOR SAN DIEGO LAW ENFORCEMENT COORDINATION CENTER (DISTRICT: 2)

OVERVIEW

The San Diego Law Enforcement Coordination Center (SD-LECC) is a multi-agency facility that serves as the High Intensity Drug Trafficking Area Investigative Support Center for both San Diego and Imperial Counties. SD-LECC also serves as the Regional Threat Assessment Center for San Diego and Imperial counties and is part of the California State Threat Assessment System. Due to SD-LECC's governance structure and funding, a fiduciary is needed to enter into a lease agreement on their behalf. The Sheriff has agreed to act in this capacity and will be reimbursed by federal Homeland Security grant funds for all expenses associated with a new lease.

Law Enforcement Coordination Centers are staffed by many agencies who provide and share resources, expertise, and information with the goal of detecting, preventing, investigating and responding to criminal and terrorist activity. Located in states and large urban areas throughout the country, these centers are operated by state and local entities with support from federal partners. The San Diego Law Enforcement Coordination Center's mission is to protect the people and infrastructure of San Diego and Imperial Counties from criminal activity, terrorism and hazards.

Today's request is for the San Diego County Board of Supervisors (Board) to approve, in principle, the lease of space for the San Diego Law Enforcement Coordination Center. Upon successful negotiation of the lease agreement, staff will return to the Board to request approval of the transaction.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not an approval of a project as defined by the California Environmental Quality Act (CEQA) pursuant to Section 15378 (b)(5) of the State CEQA guidelines.
2. Approve in principle the lease of approximately 15,000 square feet of office space in the central San Diego area for the San Diego Law Enforcement Coordination Center.
3. Authorize the Director, Department of General Services, to conduct a site search, negotiate a lease, and upon successful negotiations, return to the Board for approval of the lease agreement.

EQUITY IMPACT STATEMENT

It is anticipated that the proposed lease for the San Diego Law Enforcement Coordination Center will contribute positively to the community by limiting threats to the County through a multi-agency collaboration, which provides monitoring of potential threats 24 hours a day, seven days a week.

SUSTAINABILITY IMPACT STATEMENT

Implementing effective sustainability objectives is crucial to ensuring safe and healthy communities and contributing to the overall success of the region. The approval in principle of a lease for the San Diego Law Enforcement Coordination Center is appropriate as it supports the County's Strategic Initiative of Sustainability to ensure the capability to respond to immediate needs for individuals, families, and the region.

FISCAL IMPACT

There is no fiscal impact associated with the requested approval, in principle, the lease of approximately 15,000 square feet of office space for the San Diego Law Enforcement Coordination Center. The lease costs resulting from this action will be determined during lease negotiations and will be provided when staff returns to the Board to request approval of a new lease agreement. Lease costs will be reimbursed by federal Homeland Security grant funds for all expenses associated with a new lease. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

**15. SUBJECT: CHAPTER VIII AGREEMENT NO. 7093 TO PURCHASE
TAX-DEFAULTED LAND BY ANZA-BORREGO FOUNDATION
(DISTRICT: 5)**

OVERVIEW

When a property owner fails to pay property taxes by the end of the fiscal year, the property becomes tax defaulted. If the property remains tax defaulted for five years, the property then becomes subject to the Treasurer-Tax Collector's Power to Sell. Statutory requirements are met pursuant to Revenue and Taxation Code § 3691, et seq. prior to the property being offered at sale. Prior to sale, taxing agencies and eligible non-profit organizations are notified of the scheduled sale and provided an opportunity to object to the sale of any of the properties being offered at public auction to acquire that property for public purpose, in accordance with § 3695 and Chapter VIII of the California Revenue and Taxation Code.

Anza-Borrego Foundation has offered to purchase two (2) parcels of tax-defaulted land that are located within the boundary of Anza-Borrego Desert State Park and will be preserved as open space for public benefit. In accordance with Chapter VIII of the California Revenue and Taxation Code, we have prepared the proposed agreement for your approval.

RECOMMENDATION(S)

TREASURER-TAX COLLECTOR

1. Adopt the Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CONCERNING THE PROPOSED CHAPTER VIII AGREEMENT SALE NO. 7093 OF TAX-DEFAULTED PROPERTY TO ANZA-BORREGO FOUNDATION.
2. Adopt the Agreement approving the sale by Chapter VIII Agreement No. 7093 of two (2) parcels of land, subject to the Treasurer-Tax Collector's Power to Sell for Defaulted Taxes to Anza-Borrego Foundation and authorize execution of said Agreements (two copies) by the Chairperson, attested by the Clerk of the Board of Supervisors.

EQUITY IMPACT STATEMENT

The Treasurer-Tax Collector recognizes the systemic impacts that inequitable policies may create for residents of the County of San Diego. Impacts have historically included outcomes related to racial justice and issues of belonging that are reflected in the programs, services and resources allocated to communities. To more proportionally serve the community, Anza-Borrego Foundation has agreed to purchase the land from the County as part of an ongoing effort to acquire real property and interests in real property which are located within the boundary of Anza-Borrego Desert State Park to be preserved for generations to enjoy as part of the park. It is anticipated that these actions will have a positive impact on all equity-seeking groups to include Black, Indigenous, People of Color (BIPOC), women, people with disabilities, immigrants, youth and the LGBTQ community as the mission of Anza-Borrego Foundation within the California Department of Parks and Recreation is to help to preserve the state's extraordinary biological diversity, protect its most valued natural and cultural resources, and create opportunities for high-quality outdoor recreation.

SUSTAINABILITY IMPACT STATEMENT

This acquisition would have a positive impact on sustainability. This is part of an ongoing effort of the Anza-Borrego Foundation to acquire real property and interests in real property which are located within the boundary of Anza-Borrego Desert State Park to be preserved for generations to enjoy as part of the park.

FISCAL IMPACT

If approved, proceeds of \$2,700 from the sale of two (2) parcels to Anza-Borrego Foundation will be used to redeem the delinquent prior year and current year taxes, costs and fees. Any funds remaining after satisfaction of all taxes, fees and costs of sale will be retained in the delinquent tax sale trust fund for a period of one year following the recordation of the tax deed to the purchaser of the property. During that period, any party of interest in the property at the time of the sale may apply for the proceeds by submitting a claim. Any excess proceeds remaining after processing valid claims will be transferred to the General Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 16. **SUBJECT: CHAPTER VIII AGREEMENT NO. 7094 TO PURCHASE TAX-DEFAULTED LAND BY COUNTY OF SAN DIEGO, DEPARTMENT OF PARKS AND RECREATION (DISTRICT: 1)**

OVERVIEW

When a property owner fails to pay property taxes by the end of the fiscal year, the property becomes tax defaulted. If the property remains tax defaulted for five years, the property then becomes subject to the Treasurer-Tax Collector’s Power to Sell. Statutory requirements are met pursuant to Revenue and Taxation Code § 3691, et seq. prior to the property being offered at sale. Prior to sale, taxing agencies and eligible non-profit organizations are notified of the scheduled sale and provided an opportunity to object to the sale of any of the properties being offered at public auction in order to acquire that property for public purpose, in accordance with § 3695 and Chapter VIII of the California Revenue and Taxation Code.

The County of San Diego, Department of Parks and Recreation (DPR) has offered to purchase three (3) parcels of tax-defaulted land to be used for the purpose of open space preserve. The three parcels are adjacent to and will be integrated into the County’s existing Dictionary Hill County Preserve, which DPR manages to protect onsite natural resources and provide passive recreational (trail) opportunities to the community. In accordance with Chapter VIII of the California Revenue and Taxation Code, we have prepared the proposed agreement for your approval.

**RECOMMENDATION(S)
TREASURER-TAX COLLECTOR**

1. Adopt the Resolution entitled:
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CONCERNING THE PROPOSED CHAPTER VIII AGREEMENT SALE NO. 7094 OF TAX-DEFAULTED PROPERTY TO COUNTY OF SAN DIEGO, DEPARTMENT OF PARKS AND RECREATION.
2. Adopt the Agreement approving the sale by Chapter VIII Agreement No. 7094 of three (3) parcels of land, subject to the Treasurer-Tax Collector's Power to Sell for Defaulted Taxes to the County of San Diego, Department of Parks and Recreation and authorize execution of said Agreements (two copies) by the Chairperson, attested by the Clerk of the Board of Supervisors.

EQUITY IMPACT STATEMENT

The Treasurer-Tax Collector recognizes the systemic impacts that inequitable policies may create for residents of the County of San Diego. Impacts have historically included outcomes related to racial justice and issues of belonging that are reflected in the programs, services and resources allocated to communities. To more proportionally serve the community, the County of San Diego, Department of Parks and Recreation has agreed to purchase the tax-defaulted property as part of an ongoing effort to acquire land for the purpose of conserving open space. It is anticipated that these actions will have a positive impact on all equity-seeking groups to include Black, Indigenous, People of Color (BIPOC), women, people with disabilities, immigrants, youth and the LGBTQ community as the mission of the County of San Diego, Department of Parks and Recreation is to enhance the quality of life in San Diego County by providing exceptional parks and recreation experiences and preserving significant natural resources.

SUSTAINABILITY IMPACT STATEMENT

This acquisition would have a positive impact on sustainability. This is part of an ongoing effort of the County of San Diego, Parks and Recreation to acquire land for the purpose of conserving open space.

FISCAL IMPACT

If approved, proceeds of \$18,500 from the sale of three (3) parcels to the County of San Diego, Department of Parks and Recreation will be used to redeem the delinquent prior year and current year taxes, costs and fees. Any funds remaining after satisfaction of all taxes, fees and costs of sale will be retained in the delinquent tax sale trust fund for a period of one year following the recordation of the tax deed to the purchaser of the property. During that period, any party of interest in the property at the time of the sale may apply for the proceeds by submitting a claim. Any excess proceeds remaining after processing valid claims will be transferred to the General Fund.

Funds of \$18,500 for the purchase of the tax-defaulted property are included in the Fiscal Year 2024-25 Operational Plan in the Department of Parks and Recreation. The funding source is available prior year General Fund fund balance budgeted for the Multiple Species Conservation Program. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

17. SUBJECT: REGISTRAR OF VOTERS - MAKE APPOINTMENTS TO SPECIAL DISTRICT BOARDS AND COMMUNITY PLANNING GROUPS AND POST VACANCIES (DISTRICTS: ALL)

OVERVIEW

Special district and community planning group elections are consolidated with the November 5, 2024, Statewide General Election. When the number of candidates for office on a special district board or community planning group does not exceed the number of positions to be filled, the Board of Supervisors (Board) must appoint the candidates for these offices in lieu of conducting an election. When there are fewer candidates than the number of positions available, the Board also has the responsibility to fill the vacancies by appointing individuals who are nominated by the Supervisors of the applicable districts. (See Elections Code Section 10515; and Board of Supervisors policies 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 I-1 (Planning and Sponsor Group Policies and Procedures).)

Today's action requests the Board to appoint nominees to designated positions and to accept the list of remaining vacancies requiring appointments pursuant to Elections Code Section 10515.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Appoint the nominees to designated positions in the specific special districts and community planning groups in which there are candidates, but the number of candidates equals or is less than the number of positions to be filled (Attachment A).
2. Accept the list of vacancies requiring appointment and direct the Clerk of the Board to post the vacancy listings and notify the special districts and the community planning groups of these vacancies (Attachment B).

EQUITY IMPACT STATEMENT

A person's vote can influence policy and who represents them in government, which in turn impacts their environment, health, and quality of life. The Registrar of Voters' conduct of a fair, accurate, and transparent election allows all eligible citizens to have a part in matters that affect them.

SUSTAINABILITY IMPACT STATEMENT

A person's vote has a direct influence on the sustainability of their neighborhood, community, and local region. By voting, San Diego residents have a direct impact on their health, equity, the economy, and environment. With the County's implementation of the vote center model, all active registered voters receive a ballot in the mail as required by current law. This increases accessibility by providing voters with the opportunity to consider the method that is most convenient for them to return their ballot and has the possibility of reducing vehicles miles traveled to cast their vote. In addition, voters have the option of receiving voter information guides electronically to reduce paper waste. The recommended action today aligns with the

Governance lens of sustainability and the County of San Diego Sustainability Goal of providing just and equitable access to County services.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

18. SUBJECT: BIENNIAL REVIEW OF CONFLICT OF INTEREST CODES - APPROVAL OF SECOND BATCH OF CONFLICT OF INTEREST CODE AMENDMENTS RECEIVED THROUGH OCTOBER 1, 2024: VARIOUS AGENCIES (DISTRICTS: ALL)

OVERVIEW

The Board of Supervisors (Board) serves as the Code Reviewing Body for any local agency, other than cities, with jurisdiction wholly within the County, pursuant to Government Code Section 82011. Pursuant to Government Code Section 87306.5, the Clerk of the Board of Supervisors coordinated, on behalf of the Board, the Biennial Review of Conflict of Interest Codes for all County departments and local agencies. The recommended action would approve the proposed amendments to the Conflict of Interest codes as received through October 1, 2024 from the listed agencies as part of the Biennial Review of Conflict of Interest Codes.

RECOMMENDATION

CHIEF ADMINISTRATIVE OFFICER

Approve the amended Conflict of Interest Codes adopted by the following agencies (Attachment A):

- Buena Sanitation District
- Coronado Unified School District
- Escondido Union High School District
- Fallbrook Public Utility District
- Gompers Preparatory Academy
- Grossmont Healthcare District
- Helix Water District
- Julian Union High School District
- Lakeside Union School District
- Metropolitan Transit System
- Pacific View Charter School
- Ramona Municipal Water District
- San Diego Association of Governments (SANDAG)
- San Diego County Water Authority
- Santa Fe Irrigation District
- The Classical Academy

EQUITY IMPACT STATEMENT

Boards, commissions and committees provide an inter-relationship between the residents and local public agencies within the County and as such must provide transparent, bias-free

decision-making. The Board of Supervisors serves as the Code Reviewing Body for any local agency, other than cities, with jurisdiction wholly within the County, pursuant to Government Code Section 82011. Under the California Political Reform Act, a public official has a disqualifying conflict of interest in a governmental decision if it is foreseeable that the decision will have a financial impact on their personal finances or other financial interests. In such cases, there is a risk of biased decision-making that could sacrifice the public's interest in favor of the official's private financial interests. To avoid actual bias or the appearance of possible improprieties, the public official is prohibited from participating in the decision.

The recommended action would approve the amended Conflict of Interest codes. The Conflict of Interest codes in this Board Letter enables the County of San Diego to provide transparency and accountability to all individual residents, ensuring equitable operations of the government that are free from undue influence.

SUSTAINABILITY IMPACT STATEMENT

Under the Political Reform Act, all public agencies are required to adopt a Conflict of Interest code that designates positions that are required to file the Statement of Economic Interests (Form 700). Conflict of Interest codes must be maintained as updated and accurate to ensure that necessary public officials report their personal financial interests. These required filings provide public transparency about possible conflicts of interest and to ensure governmental decisions are made in the best interest of the public. This Board Letter supports the County of San Diego's sustainability goal of, "Engaging the community to partner and participate in decisions that impact their lives and communities and transparently share results of outcomes."

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

- 19. SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES, COUNTY ADMINISTRATIVE CODE, AND COUNTY REGULATORY CODE PROVISIONS ASSIGNED TO THE FINANCE AND GENERAL GOVERNMENT GROUP (10/8/24 - First Reading; 10/22/24 - Second Reading, unless the ordinances are modified on second reading) (DISTRICTS: ALL)**

OVERVIEW

On October 8, 2024 (16), the Board of Supervisors took action to further consider and adopt the Ordinance on October 22, 2024.

In accordance with Board of Supervisors (Board) Policy A-76, Sunset Review Process, the Finance and General Government Group (FG3) periodically reviews certain Board Policies, provisions of the San Diego County Code of Administrative Ordinances (Administrative Code), and provisions of the San Diego County Code of Regulatory Ordinances (Regulatory Code) to

ensure that they reflect current Board standards and practices. FG3 also reviews for any changes in laws, policies, or regulations that govern County departmental operations and services and recommends amendments accordingly.

Today's recommendations are the culmination of these efforts. Staff recommends the following actions: 1) determine that no amendments are necessary to certain policies and code provisions, 2) determine that amendments are necessary to certain policies and code provisions 3) defer the sunset review of certain policies and code provisions until December 31, 2025, 4) direct the Director, Department of Purchasing and Contracting, to enter into negotiations with existing landscaping contractors, including tree trimming and care contractors, to amend their contract(s) to incorporate the Contract Standards for Janitorial, Landscaping and Security Services Contracts Policy, and if negotiations are unsuccessful, to issue competitive solicitations for these landscaping contracts that will incorporate such standards at the first available time operationally and contractually available, and upon successful negotiations and determination of a fair and reasonable price, award such contracts, and 5) approval of the first reading of the Ordinances on October 8, 2024 and adoption of the Ordinances on October 22, 2024.

Today's recommendations request the Board's approval of the introduction of ordinances (first reading) to amend and repeal the corresponding administrative codes with needed changes. If the Board takes action as recommended, then on October 22, 2024, staff recommends the Board adopt the Ordinances (second reading). If the proposed ordinances are altered on October 22, 2024, then on that date a subsequent meeting date will be selected for the ordinances' adoption.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Approve the adoption of the Ordinances (Second Reading):

AN ORDINANCE AMENDING ARTICLE XII-D OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE DEPARTMENT OF HUMAN RESOURCES

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

AN ORDINANCE AMENDING ARTICLE VIII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE CHIEF ADMINISTRATIVE OFFICER

2. Approve the sunset review date of December 31, 2031, for these ordinances.

EQUITY IMPACT STATEMENT

The County of San Diego's policies and code provisions impact residents of the county. In the review of them, staff considered and accounted for impacts to all communities. In addition, the recommended amendments to policies and code provisions before the Board ensure the use of inclusive pronouns.

SUSTAINABILITY IMPACT STATEMENT

County of San Diego (County) staff reviewed and, where necessary, is recommending amendments to existing policies and code provisions in alignment with our current County sustainability goals and practices. The recommendations before the Board include updates to Board Policies that incorporate the goal of proper use of county resources to work towards sustainability efforts. Recommendations also ensure policies reflect updated regulations provided by the California Resources Board (CARB). Additionally, the recommendations include updates that promote economic sustainability.

FISCAL IMPACT

Funds for Recommendations 2 and 4 as they relate to changes proposed for Board Policy B-74 are not included in the Fiscal Year 2024-25 Operational Plan for Public Works and Parks and Recreation. If approved, this request will result in increased estimated costs and revenue for Fiscal Year 2024-25 of approximately \$155,000 in Public Works and \$25,000 in Parks and Recreation. These are estimates based on prior implementation of Board Policy B-74 requirements in other County landscaping contracts. However, variables including scope and if a Request for Proposal is required could cause the actual fiscal impact to vary. For Parks and Recreation, the additional cost would be absorbed through reduced contracts scope and redirecting operations staff to perform certain activities otherwise performed by contract staff. The funding source would be redirection of existing one-time General Purpose Revenue for the Comprehensive Tree Program. For Public Works, the cost increase will be absorbed by the department through the redirection of existing revenue from various special revenue funds and through reduced contract scope. There will be no additional staff years.

The estimated annual ongoing fiscal impact starting in Fiscal Year 2025-26 is \$310,000 in Public Works and \$50,000 in Parks and Recreation. The funding source is anticipated to be various special revenue funds for Public Works and General Purpose Revenue for Parks and Recreation and will be included in the Fiscal Year 2025-26 Operational Plan based on available funding source. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

20. 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."

RECOMMENDATION(S)

VICE-CHAIR TERRA LAWSON-REMER

Appoint Courtney Coyle to the Historic Site Board, to Seat No. 3 for a term to expire January 6, 2025.

SUPERVISOR JOEL ANDERSON

Appoint Kiki Munshi to the JULIAN HISTORIC DISTRICT ARCHITECTURAL REVIEW BOARD, Seat No. 5 for a term to expire October 22, 2028.

SUPERVISOR MONICA MONTGOMERY STEPPE

Appoint Kiah DeSarro to the FLY ABATEMENT AND APPEALS BOARD Seat No. 4 for a term to expire October 22, 2027.

CHIEF ADMINISTRATIVE OFFICER

Appoint Kimberly Giardina to the FIRST 5 COMMISSION, Seat No. 2 for an indefinite term.

Appoint Catherine Radcliffe to the VALLEY CENTER DESIGN REVIEW BOARD, Seat No. 4 for a term to expire October 22, 2029.

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

21. 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

DISCUSSION ITEMS

22. **SUBJECT: COMMUNITY RESPONSE AND RECOVERY: STRENGTHENING OUR REGIONAL CAPABILITIES IN THE FOUR PHASES OF EMERGENCY MANAGEMENT (DISTRICTS: ALL)**

OVERVIEW

On June 13, 2024, the Board of Supervisors (Board) received a memorandum with 70 recommendations related to activities the County of San Diego (County) could take to address the Board's January 30, 2024 (1) direction to improve the County's ability to prepare for, mitigate, respond to, and recover from disasters. The memorandum categorized recommended actions across four areas:

- Regionwide Readiness and Training
- Accessible, Accurate, Timely and Translated Information
- Community Resources: Housing, Food, Transportation, Behavioral Health
- Strengthening Capacity and Coordination with Volunteers and Community Based Organizations

On September 26, 2024, staff provided a memorandum that included an analysis of the resources and staffing needs that would be required to implement 40 recommendations within the proposed timeframes. They also provided additional context necessary for the Board's awareness when considering such resource allocations. In that September memorandum, staff noted they would continue to proceed with implementation of 30 action items that do not require additional Board direction or resources within the timeframes identified.

Today's actions provide an opportunity for the Board to give input on the implementation of the remaining 40 recommendations, including creating a Recovery Division and Community Preparedness Division(s) within the Office of Emergency Services by working through the normal Fiscal Year 2025-26 Operational Plan process to identify additional staffing required and the necessary funding; adding support of legislation that will distribute monetary stipends to victims to assist them with housing, transportation, and food during recovery from disaster(s) to the Board's Legislative Program; and establishing an agreement with a fiduciary agency to directly distribute donated funds to disaster victims, among others.

RECOMMENDATIONS

CHAIRWOMAN NORA VARGAS

1. Direct the Chief Administrative Officer (CAO) through the Office of Emergency Services to solicit feedback on the Board Memorandum dated June 13, 2024, and consult with:
 - a. Community-based organizations, including philanthropies and stakeholders who have experience working in the community, to partner on one or all the phases of emergency management; and
 - b. Individuals and organizations that can provide public awareness and education, media, communication channels, cultural and language sensitivity, psychosocial support and community healing, financial support, and infrastructure to enhance the community's capacity to respond to and recover from emergencies.
2. Authorize County departments, through October 22, 2029, to apply for and accept grant funding from the Hazard Mitigation Assistance Program and execute all required grant documents, including any annual extensions, amendments and/or revisions thereto that do not materially impact or alter the services or funding level.
3. Direct the CAO to create policy options for the use and approval of funds from the Hazard Mitigation Assistance Program, which require a 25% local share, to streamline the grant application requirements.
4. Direct the CAO to identify regional resiliency funding opportunities for climate risk hazard mitigation projects, including grants, in collaboration with community partners and other governmental agencies to address climate risk hazards. As part of the effort, identify jurisdictions that would most benefit from partnering with the County, and establish cooperative agreements with those select jurisdictions to streamline the application process and administration of the grants.
5. Direct the CAO to establish an agreement with a fiduciary agency to directly distribute donated funds to disaster victims.
6. Direct the CAO to include in the Board's Legislative Program support of legislation that will provide financial assistance to individuals and community-based organizations for disaster recovery.
7. Direct the CAO to explore the establishment of a Recovery Division within the Office of Emergency Services (OES) that models approaches used by federal and State agencies. Refer to budget the inclusion of the necessary staffing for the new division as part of the Fiscal Year 2025-27 Operational Plan process.
8. Direct the CAO to explore the establishment of a new Community Division of the OES that uses bilingual, culturally responsive County staff to leverage existing County community networks to boost disaster management coordination with regionwide communities and community-based organizations during all phases of emergency

management. Refer to budget the inclusion of the necessary staffing for the new division as part of the Fiscal 2025-27 Operational Plan for OES.

9. Waive Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Full Cost Recovery, which requires full cost recovery of grants and revenue contracts.

EQUITY IMPACT STATEMENT

The consequences of years of inequitable community investments become starkly apparent during natural disasters, disproportionately affecting communities of color and low income. When disasters strike, these underfunded communities face disastrous outcomes, exacerbating the already existing disparities. To combat the lack of resources and preparedness that significantly amplifies the impact on residents, compounding the challenges they face during and after natural disasters, we will take a whole community approach in emergency management.

SUSTAINABILITY IMPACT STATEMENT

A critical component to the sustainability of the region is resiliency, as outlined in the County's Strategic Plan. The ability to respond to, and recover from, disasters is essential. Repairs of needed infrastructure such as homes and roads are essential, as well as financial security for those who experience loss. Today's actions support long-term planning to ensure the viability of our communities as future emergencies are inevitable due to climate change.

FISCAL IMPACT

Funds for Recommendations 1 to 6 are included in the Fiscal Year 2024-25 Operational Plan in the Office of Emergency Services funded with general purpose revenue. There will be no change in net General Fund cost and no additional staff years. If approved, Recommendations 7 and 8 may result in the addition of 20 staff years estimated at \$3.4 million, a referral to budget that would be considered as part of Fiscal Year 2025-27 Operational Plan as well as future years budgets, for which staff would return to the board for consideration and approval. In addition, any grant awards associated with Recommendation 2 would include a waiver of Board Policy B-29 since County departments would not be required to return to the Board for authorization to accept any Hazard Mitigation Assistance Program funds within the next five years.

BUSINESS IMPACT STATEMENT

N/A

23. SUBJECT:

OVERVIEW

On January 22, 2024, San Diego County experienced the heaviest rainfall in a single day in over one hundred years. This resulted in widespread flooding, catastrophic property damage and devastation throughout San Diego County. The floods inflicted disproportionate damage to San Diego County's most vulnerable and impoverished communities across southeastern San Diego and the unincorporated areas of San Diego County. Thousands of San Diegans were displaced as their homes and cars were flooded and deemed inhabitable.

On January 30, 2024 (1), the Board of Supervisors (Board) voted to authorize an amendment of the County of San Diego's contract with Arbor E&T, LLC dba Equus Workforce Solutions ("Equus") (Contract #564750) to provide temporary non-congregate shelter and case

management services to those impacted by the floods. Due to the urgent need to respond as quickly as possible to those who had been displaced by the floods, and the lengthy process required to contract with new service providers, the Board authorized an amendment of the County of San Diego's pre-existing contract with Equus. Equus has been providing emergency non-congregate housing services in the County of San Diego since 2021.

Unfortunately, many community members have voiced significant criticisms about Equus. Flood survivors are frustrated with how disorganized Equus was and have provided anecdotes of being sent to hotels that had been shut down. Flood survivors were also repeatedly asked for the same personal information they had already provided to Equus. This made them worried that their personal information was not being kept secure.

The Board should help address the community's concerns and lack of trust with Equus by authorizing an audit of Equus' contract with the County of San Diego as it relates to the flood survivors. This audit will also help the Board determine whether public funds were properly used by Equus, and if any improvements can be made so that the County of San Diego is better prepared for future emergency situations or natural disasters.

Today's action will authorize an audit of Arbor E&T, LLC dba Equus Workforce Solutions (Contract #564750) and report back to the Board within 120 days.

RECOMMENDATION(S)

SUPERVISOR MONICA MONTGOMERY STEPPE

1. Direct the Auditor and Controller to provide an audit under San Diego County Charter Section 801.1(c) of Arbor E&T, LLC dba Equus Workforce Solutions (Contract #564750) as related to the Emergency Temporary Lodging program and report back to the Board of Supervisors within 120 days.
2. The audit should include, but not be limited to, an analysis of the following:
 - a. A detailed analysis of Equus' actual expenditures versus contracted amounts;
 - b. The number of households provided with temporary lodging, including their lengths of stay;
 - c. An explanation of where each household went when their temporary stay ended, or why they had to leave their temporary shelter;
 - d. The types of case management services provided to the households;
 - e. The number of households provided with case management services;
 - f. A detailed analysis of Equus' data security as it relates to the personal information provided by the households;
 - g. The procedure used by Equus to address and try to resolve complaints made by the households; and

- h. The number and types of complaints made by the households.

EQUITY IMPACT STATEMENT

Decades of inadequate and inequitable infrastructure investments in southeastern San Diego left communities of color and low-income communities vulnerable to devastation from the hundred-year rainstorm on January 22, 2024. The audit will provide transparency and accountability to the flood survivors and ensure that their concerns are addressed.

SUSTAINABILITY IMPACT STATEMENT

This action will strengthen the County of San Diego’s sustainable Economy and Resiliency goals. The audit findings will help ensure alignment of the County of San Diego’s resources with emergency services that are intended to ensure the capability to respond and recover to the immediate needs for individuals, families, and the region.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

24. SUBJECT:

25. SUBJECT: SHERIFF - RECEIVE A PRESENTATION ON AUTOMATED LICENSE PLATE RECOGNITION CAMERAS IN UNINCORPORATED AREAS OF SAN DIEGO COUNTY (DISTRICTS: ALL)

OVERVIEW

The San Diego Sheriff's Office (Sheriff's Office) strives to utilize technology to enhance its public safety service delivery for the communities of San Diego County. A tool that helps support this mission is Automated License Plate Recognition (ALPR) camera technology. ALPRs as investigative tools are a force-multiplier when it comes to crime prevention, public safety, and efficiency. ALPR cameras capture color images of license plates within its field of view. According to the Auditor of the State of California, ALPR technology has existed since the 1970s, yet widespread adoption by U.S. law enforcement agencies began only in the mid-2000s. This resource has been used to assist law enforcement with identifying stolen vehicles, tracking arsonists, finding suspects, searching for missing persons, and assisting in criminal investigations.

Pursuant to California Senate Bill 34 (2015), a public agency that operates or intends to operate an ALPR system shall provide an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency before implementing the program.

Today's request is for the Board of Supervisors to receive the Sheriff's Office presentation on its

intent to procure and use Automated License Plate Recognition cameras in the unincorporated areas of San Diego County, such as but not limited to Alpine, Borrego Springs, Campo, Fallbrook, Julian, Lakeside, Ramona, Rancho San Diego, Rancho Santa Fe, 4S Ranch, and Valley Center, and allow for the public to provide comment.

RECOMMENDATION(S)
SHERIFF

1. Pursuant to California Senate Bill 34, receive the Sheriff's Office's presentation on its intent to procure and use Automated License Plate Recognition (ALPR) cameras in the unincorporated areas of San Diego County and allow for public comment.

EQUITY IMPACT STATEMENT

The San Diego Sheriff's Office (Sheriff's Office) provides law enforcement services that strive to protect every person's right to life, liberty, and safety. It is the policy of the Sheriff's Office to be transparent in its use of technology to include Automated License Plate Recognition (ALPR) cameras. Decisions regarding the use, procurement and deployment of technology is inclusive of the public's welfare, safety, and civil rights. The Sheriff's Office also strives for equitable outcomes in our communities, having ALPRs assist in finding missing persons; finding suspects of violent crimes to include arson, assault, and murder; and mitigating the threat to our communities.

SUSTAINABILITY IMPACT STATEMENT

By enhancing the delivery of law enforcement services, the Sheriff's Office is furthering the County's Sustainability Goal of protecting the health and wellbeing of everyone in the region. ALPRs provide a force multiplier for law enforcement agencies by expediting the search of vehicles and individuals tied to a criminal investigation or people who are at-risk. Increasing investigative abilities provides a benefit for all San Diego County residents and visitors.

FISCAL IMPACT

There is no direct fiscal impact associated with today's presentation on the utilization of ALPRs in unincorporated areas of San Diego County. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

26. **SUBJECT: NOTICED PUBLIC HEARING:
2025-29 CONSOLIDATED PLAN AND FISCAL YEAR 2025-26 ANNUAL
PLAN STRATEGY DEVELOPMENT FOR THE COMMUNITY
DEVELOPMENT BLOCK GRANT, HOME INVESTMENT
PARTNERSHIPS, HOUSING OPPORTUNITIES FOR PERSONS WITH
AIDS AND EMERGENCY SOLUTIONS GRANT (DISTRICTS: ALL)**

OVERVIEW

As a recipient of United States Department of Housing and Urban Development (HUD) entitlement grant funding under the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Housing Opportunities for Persons with AIDS (HOPWA),

and Emergency Solutions Grant (ESG) programs, the County of San Diego (County) develops a five-year Consolidated Plan. The primary purpose of the Consolidated Plan is to:

1. Identify priority housing and community development needs in the County’s jurisdiction through market analysis, community input, and stakeholder consultation, and;
2. Strategically establish five-year goals that address priority community needs and potential federal, state, local, or private funding sources that could be leveraged with HUD entitlement funding.

Today’s hearing serves as an opportunity for the San Diego County Board of Supervisors (Board) to receive public comment on the draft 2025-29 Consolidated Plan Strategy, included as Attachment A. The 2025-29 Consolidated Plan Strategy proposes overarching 2025-29 Consolidated Plan goals, which sets priorities and numeric targets that guide the use of HUD entitlement funding, based on feedback gathered through in-person and virtual community input sessions, an online questionnaire, stakeholder consultations, and an analysis of community data indicators. Ultimately, the 2025-29 Consolidated Plan goals will help address needs related to housing, homelessness, and community development, and guide investments in the jurisdiction’s low- and moderate-income communities.

Following today’s hearing, the full 2025-29 Consolidated Plan will be drafted, including quantitative, measurable goals linked to the strategic goals established here today. The 2025-29 Consolidated Plan will be presented to the Board of Supervisors in Spring 2025 and will also include the 2025-26 Annual Plan, which recommends projects for funding. For each subsequent year of the Consolidated Plan, HCDS realigns goals through the Annual Plan Strategy, which sets project priorities for the Annual Plan for the upcoming fiscal year based on community engagement, progress towards 5-year goals, and previous program performance. Progress towards five-year goals is measured and reported through the Consolidated Annual Performance and Evaluation Report (CAPER).

This item aligns to the County Framework for Ending Homelessness by ensuring the County continues to receive funding that creates permanent affordable and emergency housing options for San Diego County’s most vulnerable residents. Finally, today’s recommended Consolidated Plan goals support the Housing Blueprint by prioritizing programs across the housing solutions spectrum. Additionally, today’s action 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 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 have access to suitable living environments and enhancing quality of life for residents by encouraging decent and affordable housing.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Hold this public hearing to receive public input on the housing and community development needs and approve draft goals and strategies for the development of the 2025-29 Consolidated Plan Strategy.

EQUITY IMPACT STATEMENT

The Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Solutions Grant

(ESG) programs were established to meet the community development, housing, and public service needs of low-income and moderate-income households and individuals with special needs. The County of San Diego (County) has seen an increased need for housing and community development investment needs throughout the region, particularly among the region's most vulnerable residents. According to the most recent and available 2020 United States Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS) data, 49.7% of low- to moderate-income households experience some form of severe housing problem, such as overcrowding, nonfunctional facilities, or severe housing cost burden, defined as spending more than 50% of income on housing costs. CHAS data demonstrates the extent of housing problems and housing needs, particularly for low-income households. The most common, severe housing problem is housing cost burden above 50% of income. However, for renters earning 50% to 100% HUD Area Median Family Income, overcrowding is the most common severe housing problem.

In Fiscal Year 2023-24, the CDBG, HOME, HOPWA and ESG programs provided housing, support services, resource referral, or data collection for more than 50,000 individuals. These services particularly aid those in the unincorporated areas of San Diego County or participating cities that traditionally do not have access to as many funding sources as larger cities. These programs allow the County to provide tailored interventions, such as meal and nutrition delivery services, emergency, short-term, and permanent housing interventions, and home repairs for health and safety improvements. Additionally, of the population served, more than 90% qualified as extremely low-income, earning less than 30% of the Area Median Income.

As the administrator of HUD entitlement programs in the region, County Housing and Community Development Services (HCDS) works to expand and improve the community engagement efforts in eligible jurisdictions to ensure residents, including low-income and historically marginalized populations and groups can provide input. Additionally, HCDS deploys innovative strategies to ensure information is readily available and accessible to reduce barriers of participation for engagement. The input received from the community engagement efforts guides the County in determining the highest priority housing needs and how to best utilize the entitlement funds equitably. Engagement efforts include establishing a project page on the Engage San Diego County website, administering online surveys, hosting community input sessions in historically underrepresented communities, and utilizing County News Center and County social media platforms.

The proposed goals and strategies drafted for the 2025-29 Consolidated Plan Strategy serve to narrow the gap in housing and supportive services for residents in eligible jurisdictions. Strategies taken and goals proposed support fair access to housing, community services and economic opportunities to ensure all San Diego County residents thrive.

SUSTAINABILITY IMPACT STATEMENT

Today's action supports the County of San Diego (County) 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 of residents. Sustainability Goal #1 will be accomplished by providing diverse and meaningful engagement opportunities to shape the development of the Consolidated Plan, as well as priorities determined through annual community engagement. Sustainability Goal #2 will be achieved by ensuring programs prioritize and create opportunities

for affordable housing, public recreation, shelter, and supportive services for the most vulnerable residents in San Diego County. Sustainability Goal #4 will be undertaken through building safe and affordable neighborhoods with access to community amenities, assisting non-profits who provide care and services to residents in need, and supporting access to diverse housing options as a social determinant of health. These efforts are designed to improve the overall health and well-being, and reduce barriers for underserved populations, which benefits individuals and communities at large.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

- 27. SUBJECT: AUTHORIZE COMPETITIVE SOLICITATIONS, SINGLE SOURCE PROCUREMENTS, AMENDMENTS TO EXTEND EXISTING CONTRACTS, AND ACCEPTANCE OF MENTAL HEALTH STUDENT SERVICES ACT GRANT FUNDS FROM THE MENTAL HEALTH SERVICES OVERSIGHT AND ACCOUNTABILITY COMMISSION (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Health and Human Services Agency, Behavioral Health Services provides a comprehensive array of mental health and substance use services to people of all ages. These services are delivered through County-operated programs and contracts with community service providers. Those served include vulnerable populations, including individuals who are experiencing homelessness, individuals with justice involvement, and children and youth with complex behavioral health conditions.

If approved, today's action would authorize competitive solicitations, single source procurements, amendments to extend existing contracts, and acceptance of Mental Health Student Services Act grant funds from the Mental Health Services Oversight and Accountability Commission. These actions are designed to sustain critical behavioral health services, with the goal of building a better service delivery system for the San Diego region. Today's actions support the continuation of critical work to advance the behavioral health continuum of care throughout the San Diego region.

Today's action 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 upholding practices that align with community priorities and improving transparency and trust while maintaining good fiscal management.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Board Policy A-87, Competitive Procurement, and Section 401, Article XXIII of the County Administrative Code, approve and authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for each of the behavioral health services listed below, and upon successful negotiations and determination of a fair and reasonable price, award contracts for an Initial Term of up to one year, with four 1-year Options, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program, funding or service requirements, subject to the availability of funds and the approval of the Deputy Chief Administrative Officer, Health and Human Services Agency.
 - a. 24-hour Mental Health Rehabilitation Centers
 - b. Locum Tenens Services
 - c. Children and Youth Crisis Stabilization Unit
 - d. Medi-Cal Training and Technical Assistance for Community-Based Behavioral Health Providers
2. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations for each of the behavioral health services listed below and subject to successful negotiations and a determination of a fair and reasonable price, award single source contracts for an Initial Term of up to one year, with four 1-year Options, and up to an additional six months, if needed; and to amend the contracts to reflect changes in program, funding or service requirements, subject to the availability of funds and the approval of the Deputy Chief Administrative Officer, Health and Human Services Agency.
 - a. Adult Substance Use Outpatient Program for Alcohol Use (Mental Health Systems, Inc.)
 - b. School-Based Outpatient Behavioral Health Services (SBCS Corp.)
3. In accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, authorize the Director, Department of Purchasing and Contracting, subject to successful negotiations and determination of a fair and reasonable price, to amend and extend the contracts listed below; expand services, 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 Deputy Chief Administrative Officer, Health and Human Services Agency.
 - a. Substance Use Disorder Residential Treatment Program (553433 McAlister Institute for Treatment and Education) - Extend the contract term up to 12 months, and up to an additional six months, if needed.
 - b. Behavioral Health Collaborative Court (551670 Telecare Corporation) - Extend the contract term up to 12 months, and up to an additional six months, if needed.
 - c. San Diego's Web Infrastructure for Treatment Services (553427 FEI.com, Inc.) - Extend the contract term up to 24 months, and up to an additional six months, if needed.
 - d. Breaking Down Barriers (559599 Jewish Family Service of San Diego) - Extend the contract term up to 18 months, and up to an additional six months, if needed.
 - e. Suicide Prevention, Stigma Reduction, and Substance Use Prevention Multi-Media Campaign (561649 Rescue Agency Public Benefit, LLC) - Extend the contract term up to 17 months, and up to an additional six months, if needed.

4. Authorize the acceptance of an estimated \$800,000 in Mental Health Student Services Act grant funding from the Mental Health Services Oversight & Accountability Commission and authorize the Deputy Chief Administrative Officer, Health and Human Services Agency, or designee, to execute all required grant documents, upon receipt, including any annual extensions, amendments or revisions that do not materially impact or alter the services or funding level. Additionally, waive the Board Policy B-29 requirement for full cost recovery associated with the additional Mental Health Student Services Act grant for administrative overhead costs.

EQUITY IMPACT STATEMENT

The County of San Diego (County) Health and Human Services Agency, Behavioral Health Services (BHS) serves as the specialty mental health plan for Medi-Cal eligible residents within San Diego County who are experiencing serious mental illness (SMI) or serious emotional disturbance. BHS is also the service delivery system for Medi-Cal eligible residents with substance use care needs. In 2022, nearly one in three San Diegans were eligible for Medi-Cal, with Hispanic and Latino residents having the highest percentage of Medi-Cal eligibility at 38%.

For these Medi-Cal eligible residents who experience SMI or have a substance use care need, BHS offers County-operated and BHS-contracted programs that address the social determinants of health by being accessible, capable of meeting the needs of diverse populations, and culturally responsive, with the intent to equitably distribute services to those most in need. In doing so, BHS strives to reduce behavioral health inequities, identifying needs and designing services in a manner most impactful and equitable, and will yield meaningful outcomes for those served. A comprehensive array of behavioral health services is vital for BHS to continue providing access to treatment and care for populations who are underserved by social and behavioral health resources.

SUSTAINABILITY IMPACT STATEMENT

Today's actions support the County of San Diego Sustainability Goal #2 to provide just and equitable access to County services and Sustainability Goal #4 to protect the health and well-being of everyone in the region. These goals will be accomplished by providing a wider availability and range of supportive, inclusive, and stigma-free options to those in need of behavioral health services. Access to a comprehensive continuum of behavioral health services will improve the overall health of communities.

FISCAL IMPACT

Funds for these requests are included in the Fiscal Year (FY) 2024-26 Operational Plan in the Health and Human Services Agency. If approved, today's recommendations will result in approximate costs and revenue of \$10.5 million in FY 2024-25 and \$88.8 million in FY 2025-26. There will be no change in net General Fund cost and no additional staff years.

Recommendation #1: Authorize Competitive Solicitations

If approved, this request will result in estimated costs and revenue of \$0.5 million in FY 2024-25 and estimated costs and revenue of \$76.2 million in FY 2025-26. The funding sources are Mental Health Services Act (MHSA), existing Realignment, and existing General Purpose

Revenue under the Maximize American Rescue Plan Act Revenue Strategy. There will be no change in net General Fund cost and no additional staff years.

Recommendation #2: Authorize Single Source Procurements

If approved, this request will result in estimated costs and revenue of \$1.7 million in FY 2024-25 and estimated costs and revenue of \$3.4 million in FY 2025-26. The funding sources are MHSA, Drug Medi-Cal (DMC) and Short Doyle Medi-Cal. There will be no change in net General Fund cost and no additional staff years.

Recommendation #3: Authorize Amendments to Extend Existing Contracts

If approved, this request will result in estimated costs and revenue of \$8.1 million in FY 2024-25 and estimated costs and revenue of \$9.0 million in FY 2025-26. The funding sources are MHSA, existing Realignment, Substance Use Block Grant, DMC, California Department of State Hospitals, California Department of Social Services. There will be no change in net General Fund cost and no additional staff years.

Recommendation #4: Authorize Acceptance of Grant Funds from Mental Health Services Oversight and Accountability Commission

If approved, this request will result in estimated costs of \$0.20 million and revenue of \$0.18 million in FY 2024-25 which will be covered by existing appropriations, estimated costs of \$0.20 million and revenue of \$0.19 million in FY 2025-26, and estimated costs of \$0.46 million and revenue of \$0.43 million in FY 2026-27 for a total cost of \$0.86 million and total revenue of \$0.80 million from FY 2024-25 through FY 2026-27. The funding source is Mental Health Student Services Act. Funds for subsequent years will be incorporated into future operational plans. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. The B-29 costs are \$0.02 million for FY 2024-25, \$0.01 million for FY 2025-26 and \$0.03 million for FY 2026-27, for a total of \$0.06 million for the term of this grant. The funding source for these costs will be existing Realignment allocated for this program. The public benefit for providing these services far outweighs these costs. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 28. SUBJECT: RECEIVE UPDATE ON EXPANDING MOBILIZATION AGAINST THE TIJUANA RIVER SEWAGE CRISIS (DISTRICTS: ALL)**

OVERVIEW

Over the years, San Diego County has been negatively impacted due to contamination and pollution from the Tijuana River Valley. Untreated sewage, industrial waste, and urban runoff have contaminated beaches and coastlines. These issues have particular impact on the well-being of residents, the environment, and the economy of the cities and unincorporated communities of Imperial Beach, Chula Vista, National City, San Diego, Bonita, and East Otay Mesa (South Region).

Under the leadership of the San Diego County Board of Supervisors (Board), the County of San Diego (County), in partnership with impacted stakeholders across the region, have responded to

this issue through various strategies. Recognizing the detrimental impacts to the environment, economy, and property within San Diego County caused by persistent contamination from cross-border sewage pollution and sewage-impacted ocean waters, the Board issued a Proclamation of Emergency on June 27, 2023 (16). Subsequently, the Board found that there is a continuing need for the local emergency and took action to keep the local emergency in effect, with the most recent action on September 11, 2024 (3).

In May 2024, the Tijuana River Pollution Task Force (Task Force) led by the City of Imperial Beach, San Diego State University School of Public Health, University of California San Diego, and local physicians and community members formed to understand the long-term public health impact and call on local, State, and federal agencies to step up efforts to fix this issue. On June 25, 2024 (11), the Board took action to expand the mobilization against the Tijuana River sewage crisis and directed the Chief Administrative Officer to ensure appropriate County staff begin meeting with the Task Force within 45 days to discuss and develop options and recommendations on coordinated strategies for mobilization and to return to the Board within 90 days with updates on activities related to these strategies. Today's action requests the Board receive the update on efforts related to expanding mobilization against the Tijuana River Valley Sewage Crisis. In addition, prior to the directed progress update scheduled for September, additional response in the Tijuana River Valley was needed to address concerns regarding air quality raised by members of the Task Force. Today's item also details that response and ongoing work, as well as additional actions recommended to be implemented by the San Diego County Air Pollution Control District. This information is categorized under four areas: Prevention; Surveillance; Investigation and Response; as well as Coordination, Collaboration, and Communication.

Today's action 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.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Receive the update on Task Force Options and Recommendations relating to expanding mobilization against the Tijuana River sewage crisis.

EQUITY IMPACT STATEMENT

Communities in the South Region are most impacted by the Tijuana River transboundary pollution, including untreated sewage, sediment, and trash. These communities are in a highly diverse border region with 62.1% of the population identifying by race/ethnicity as Hispanic based on United States Census Bureau data. In 2022, the non-Hispanic or Latino populations of the area identified as 17.2% White, 12.6% Asian, 4.5% Black, and the remainder identified as other race/ethnicity. The area has a large proportion of economically disadvantaged residents with existing racial inequities. On average between 2021 and 2022, some areas in the South Region had some of the highest proportions of adults with income less than 200% Federal Poverty Line compared to all other HHS Regions in San Diego County.

South Region beach waters have been severely impacted by untreated sewage, which has

required the County Department of Environmental Health and Quality (DEHQ) to issue beach water contact closures at numerous beaches. As such, the most southern beach in Imperial Beach was closed for over 1,000 consecutive days. According to International Boundary and Water Commission (IBWC), over 100 billion gallons of sewage has impacted the Tijuana River Valley since 2018. South Region residents have registered concerns about the impacts of the environment and foul smells from the Tijuana River pollution on their communities and well-being, as well as on the quality of life of residents, visitors, and people working in the area. These concerns have also been elevated through various community outreach events, media, and elected community representatives.

The County provides regular public updates including water quality and health data to keep the community informed of the impacts of the Tijuana River transboundary pollution. Educational materials have been developed and are available to the public on a dedicated County webpage which also contains links to other informational resources. In addition, the County fosters open communication with the community through various channels including County news stories and press releases. The County has contributed to a community survey, which is under development by the Task Force. The County is also working in collaboration with the California Department of Public Health (CDPH) and the United States Centers for Disease Control and Prevention (CDC) to ensure comprehensive disease investigation efforts. A collaborative effort between the County, the Task Force, and community, State, and federal partners is essential to addressing the root causes of environmental disparities that impact the South Region.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed action supports the County of San Diego Sustainability Goal #4 to protect the health and well-being of everyone in the region; Sustainability Goal #5 to protect water in all forms; Sustainability Goal #6 to develop natural and organic land management policies that protect ecosystems, habitats, biodiversity, and soil health throughout the county while providing opportunities for all residents to access and enjoy the outdoors; and Sustainability Goal #7 to reduce pollution and waste and demonstrate reduction in consumption of resources. This will be accomplished by collaborating with community partners and advocating for environmental justice for communities that have been disproportionately impacted by the Tijuana River Valley sewage crisis. These efforts aim to protect the environment and promote natural resources and diverse habitats, and cultivate a natural environment for residents, visitors, and future generations to enjoy in San Diego County.

FISCAL IMPACT

There is no fiscal impact with today's recommendation to receive the update on the Task Force options and recommendations. There may be future impacts associated with the implementation of Task Force recommendations for which staff will return to the Board with recommendations for consideration and approval. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The impact of beach closures has had a devastating impact on coastal communities through decreased visitors and street traffic. A reduction in individuals moving into affected coastal communities may affect real estate and properties.

ADVISORY BOARD STATEMENT

The Health Services Advisory Board recommended to approve this recommendation at its meeting on September 9, 2024, and was provided an update on current actions at their October 1, 2024 meeting.

BACKGROUND

Over the years, San Diego County has been negatively impacted due to contamination and pollution from the Tijuana River Valley. Untreated sewage, industrial waste, and urban runoff have contaminated beaches and coastlines. These issues impact the well-being of residents, the environment, and the economy of the surrounding communities.

Under the leadership of the San Diego County Board of Supervisors (Board), the County of San Diego (County), in partnership with impacted stakeholders across the region, have responded to this issue through various strategies. Recognizing the detrimental impacts to the environment, economy, and property within San Diego County caused by persistent cross-border sewage pollution and sewage-impacted ocean waters, the Board issued a Proclamation of Emergency on June 27, 2023 (16). Subsequently, the Board found that there is a continuing need for the local emergency and took action to keep the local emergency in effect, with the most recent action on September 11, 2024 (3).

On June 25, 2024 (11), the Board took action to expand the mobilization against the Tijuana River Valley Sewage Crisis and directed staff to begin meeting with the Tijuana River Pollution Task Force (Task Force) within 45 days to discuss and develop recommendations on coordinated strategies for mobilization and to return to the Board within 90 days with updates on activities related to these strategies. Today's action requests the Board receive the update on efforts related to expanding mobilization against the Tijuana River Valley sewage crisis as directed by the Board on June 25, 2024 (11). In addition, prior to the directed progress update scheduled for September, additional response in the Tijuana River Valley was needed to address concerns regarding air quality raised by members of the Task Force. Today's item also details that response and ongoing work, as well as additional actions recommended to be implemented by the San Diego County Air Pollution Control District (APCD). This information is categorized under four areas: Prevention; Surveillance; Investigation and Response; and Coordination, Collaboration, and Communication.

Update to June 25, 2024 (11) Direction:

Prevention

The County Public Health Services (PHS) established a central email address to capture and respond to concerns from the public. In addition, PHS issued a California Health Alert Network (CAHAN) Health Advisory: Cross-border pollution in the Tijuana River Valley and potential health effects. This information was shared with healthcare providers on September 13, 2024.

Surveillance

In August 2023, PHS began investigating potential health concerns that may have been attributable to sewage exposure. These concerns were centered around increases in gastrointestinal (GI) illnesses, and other reportable diseases, with an initial focus on periods of intense rain and flooding. Considering the severity of health risks that can result from direct exposure to sewage, PHS enhanced surveillance for GI illnesses in the South Region. PHS also

added surveillance for asthma and other respiratory symptoms in response to concerns raised around respiratory health impacts.

While expanded surveillance has not identified an increase in GI infections, asthma or chronic obstructive pulmonary disease (COPD) symptoms in the South Region, PHS acknowledges the lived experiences of the residents in the affected areas and the impacts on their quality of life as a result of the sewage issue. Strong odors can impact individuals, especially those who are sensitive to smells or have chronic lung or heart disease. Individuals can experience symptoms including but not limited to headache, nausea, eye and throat irritation, or breathing problems. It is critical to continue to support efforts that focus on addressing the root cause of this issue, which is the failing sewage infrastructure. In addition, PHS supports long-term studies conducted by academic institutions, as such investigations will provide a clearer picture of what residents in South Region are experiencing.

The County remains vigilant in conducting surveillance and collaborating with local, State, and federal partners on health and environmental concerns for residents in South Region.

Expanding Mobilization Against the Tijuana River Sewage Crisis

In May 2024, the Task Force led by the City of Imperial Beach, SDSU School of Public Health, University of California San Diego (UCSD), and local physicians formed to understand the long-term public health impacts and call on local, State, and federal agencies to step up efforts to fix this issue.

Today's update includes progress made in response to this action through the beginning of September, specifically across seven priority areas of work:

a) *Support the Task Force in launching a Community Health Survey to examine environmental health impacts on the community from the Tijuana River Sewage Crisis*

The County engaged with the Task Force at their July 23, 2024, and September 5, 2024, meetings and with various task force members by email. As part of this convening, the County provided formal feedback on the *Healthy Water Healthy Air Pilot Survey* developed by the SDSU School of Public Health. CDPH also provided survey feedback directly to the task force. It is anticipated the survey will be administered to impacted South Region residents in 2024.

b) *Develop a Tijuana River Public Health Risk Dashboard*

During the Task Force meeting, the County recommended development of a public health risk dashboard. Task Force members agreed that development of a more informationally encompassing public landing page hosted by an academic institution was recommended. At this time, SDSU is exploring this further. In the interim, PHS will continue to produce the *Surveillance Bulletin: South Region Illness Concerns* with weekly data updates and have expanded the County South Region Health Concerns website with additional information. This resource summarizes trends in GI illness, asthma, and COPD data among residents in the South Region using syndromic surveillance and communicable disease data. PHS will maintain the South Region Health Concerns webpage to provide updates, an explanation of illnesses, surveillance data and resources.

c) *Develop local decontamination protocols for sewage contaminated floodwaters in parks, roadways, and other public spaces*

The County Department of Environmental Health and Quality (DEHQ) finalized a decontamination reference guidance for local agencies. It includes information about disinfectants and preferred signage to adapt local protocols. The decontamination guidance is included as a resource on the DEHQ website and has been distributed regionally to City Managers and wastewater agencies.

In addition, resources were also developed by PHS to address community concerns including Frequently Asked Questions webpage which addresses topics related to Tijuana River Valley Sewage, as well as Sewage Safety and Exposure flyers. The flyers were distributed along with 414 air purifiers to individuals in South Region in August 2024. These resources are also available online through the County South Region Illness Concerns webpage, in English and Spanish. Additional guidance and flyers for schools and on environmental odors have been developed and distributed to South Region schools and residents.

d) Collaborate with the Task Force to develop a list of data sources that can support tracking sewage-associated, non-reportable diseases

The County continues to identify new data sources to utilize in complement to other data sources identified by the members of the Task Force to enhance existing information. PHS will continue to monitor GI and respiratory syndromic surveillance of the South Region, which is updated on a weekly basis, and assess and investigate cases of reportable communicable diseases.

In addition, the County will collaborate with the Air Pollution Control District (APCD) and the Task Force to review and assess environmental data from APCD, such as air monitoring, as well as the information yielded through the Community Health Survey. Lastly, additional data is anticipated to become available upon completion of the upcoming Epidemic Intelligence Service for Epidemiologic Assistance (Epi-Aid) investigation led by the Centers for Disease Control and Prevention (CDC), including the Community Assessment for Public Health Emergency Response (CASPER), scheduled from October 17 to October 19. It is anticipated that this effort will capture population level health concerns, resource needs, and communication preferences.

e) Request zip-code level asthma and respiratory illness data from California Breathing Program

The County engaged the CDPH California Breathing Program and received the most current zip-code level data, available through 2022. Additional assessment by PHS determined that the California Breathing data was consistent with the County real-time, syndromic surveillance data which can be used as a timelier source of data for monitoring asthma in the region.

f) Request enhanced water quality testing and enhanced communication from other agencies, including the San Diego Regional Water Control Board

The County Beach and Bay Water Quality Monitoring Program conducts beach water quality monitoring using digital polymerase chain reaction (ddPCR) testing method and issues public notifications posted online on the program website. In addition, the water quality at all south county beaches is monitored daily through the South County Enhances Beach Water Monitoring Program.

The County met with the State Water Resource Control Board (SWRCB), Division of

Drinking Water on August 21, 2024, to discuss regulatory drinking water requirements. SWRCB volunteered to participate in an advisory role for the Task Force, particularly to assist in providing information on drinking water, regulations, and communications with local water agencies. The County met with the SWRCB on September 4, 2024, to advocate for and discuss sampling and analysis of fish for pollution impacts in the Imperial Beach area. The County provided an update to the Task Force at the September 5, 2024, meeting and offered to coordinate for the SWRCB to attend a future Task Force meeting. A follow up meeting was held on September 17, 2024 with SWRCB, CDPH, Office of Environmental Health Hazard Assessment, Regional Water Quality Control Board, and CA Department of Fish and Wildlife to continue collaborating on this issue.

g) Identify options for additional funding to assess the economic and health impacts of the Tijuana River Sewage Crisis and secure the necessary infrastructure repairs to permanently fix the problem

Notwithstanding the CDC Epi-Aid request, collaboration with local universities through the Task Force, and grant funding approved for the purchase and distribution of air purifiers, no dedicated funding sources have been identified. APCD's Board has authorized a transfer of funds to the County to distribute additional air purifiers, which the Board approved on October 8, 2024 (12). The County will continue to explore funding opportunities in collaboration with the Task Force and other partners. Federal action, legislative support, funding, and bi-national collaboration is required to support decontamination efforts, as well as address the failing infrastructure which is at the root of the issue.

Investigation and Response Efforts:

On June 25, 2024, with support from CDPH, the County made a formal request to the CDC for Epi-Aid. The focus of an Epi-Aid investigation is to assist partners in making rapid, practical decisions for actions to control and prevent public health problems in the community. The County, in partnership with the CDC National Center for Environment Health (NCEH), conducted an assessment from October 17 to 19, 2024 in the South Region of San Diego County using a CASPER. This method of assessment is a type of household survey designed by the CDC to provide information about a community, allowing public health and emergency managers to make informed decisions. This method is designed to assess household-level impacts related to air and sewage exposure from the Tijuana River Valley, including health concerns, impact on quality of life, resource needs, and communication preferences. Over 30 CDC staff in addition to 60 County staff and SDSU student volunteers conducted the household assessments. The CASPER methodology is a validated sampling method. A total of 210 interviews of randomly selected households will be conducted and the CDC will analyze and provide results back to the County.

On October 3, 2024, two weeks prior to the arrival of the CDC for the CASPER interviews, over 40 County staff and UCSD Preventive Medicine residents conducted door to door informational papering in the South Region to over 6,500 households. In addition, the County developed a CASPER informational website, informational videos, and a social media education campaign to help inform South Region residents of the upcoming CASPER.

https://www.sandiegocounty.gov/content/sdc/hhsa/programs/phs/community_epidemiology/south-region-health-concerns/casper-study.html.

Role of APCD and Addressing Air Quality Concerns

California Assembly Bill 423 (Gloria) (2019) restructured and expanded the governing board of APCD, which was previously governed by the County Board of Supervisors, to be governed by a separate and independent 11-member board consisting of two county supervisors, six council members or mayors from across the county, and three public members. While APCD and the County work closely, APCD is no longer under the purview of the County.

APCD has jurisdiction over air quality and monitoring on behalf of the region. The County tracks and analyzes infectious diseases through Public Health and water quality through Environmental Health and Quality. The County does not possess the equipment or scientific staff expertise in meteorology to be able to find the source or analyze the safety of the data around air quality. As we do not monitor or analyze air quality data, we rely on the information and data analysis from APCD in order to determine if there is a health impact.

As the region's lead agency responsible for monitoring and improving air quality to attain all state and federal air quality standards, APCD reported receiving approximately 2,000 odor complaints for the time period between the end of July and beginning of September 2024. This statistic reflects a significant increase from previous time periods. On September 10, 2024, the County's Interim Public Health Officer sent a letter requesting APCD to take the following action:

- Contract and/or request support and expertise from outside partner agencies (i.e., South Coast Air Quality Management District, State and federal resources) to implement or improve current testing modalities, analysis and interpretation of APCD sensor data, and emergency air monitoring.
- Hire an environmental toxicologist (i.e., Medical Director with Subject Matter Expertise and/or toxicologist) to assist with interpretation of air pollutants from sensor data and regularly liaise with PHS.
- Develop a Public Notification Plan, which should include messaging on warning levels when certain thresholds are met. Communicate this publicly via text and other methods and in multiple languages.
- Distribute air purifiers to areas needed based on sensor or other appropriate data, including individual households, schools, and other areas with vulnerable populations.

Since September 16, 2024, the County has implemented routine meetings with APCD multiple times per week, also attended by CDPH's medical toxicologist. In addition, the County is also utilizing a medical toxicologist to provide subject matter expertise, made initial mutual aid requests on APCD's behalf to South Coast Air Quality Management District, and provided APCD with public health recommendations for a Hydrogen Sulfide (H₂S) warning system. The County continues to provide public health and communication guidance and coordinate with APCD on matters like engaging partners to explore potential mitigation of a site where increased detections have been identified.

Additionally, as an abundance of caution and in response to researchers' concerns regarding H₂S and hydrogen cyanide (HCN), the County's Hazardous Incident Response Team (HIRT) was deployed on September 9, 2024 and September 16, 2024. HIRT is responsible for investigating and mitigating chemically-related emergencies or complaints, including evaluating threats to the local populations and the environment.

On September 18, 2024, CDC's Agency for Toxic Substances and Disease Registry (ATSDR) provided a final report on interpretation of County emergency air testing data, which found the County's readings did not demonstrate measurable HCN in the ambient air at the locations monitored, except for one site which was likely due to cross sensitivity with the type of sensor used by researchers. Additionally, on September 24, 2024, further analysis conducted by the United States Environmental Protection Agency (EPA) confirmed that the HIRT team's interpretation of HCN was accurate and that it was indeed a false positive.

County's Response Structure

On September 14, 2024, County began an Incident Command Structure (ICS) to further organize County operations and response to the local emergency. On September 16, 2024, PHS also requested that the Public Health Preparedness and Response Branch (PHPR) open the Medical Operation Center to support in the CASPER survey. A weekly Emergency Manager's meeting, All Agency meeting, and state and federal legislative staff meetings have been established and are ongoing.

On September 10, 2024, the Interim Public Health Officer requested assistance from CDC's ATSDR Region 9 for involvement with interpretation, cross sensitivity assessment and independent air testing if needed, and communications to the public, including distinguishing potential cross sensitivity of gases. This request included the provision of independent air testing resources. If it is not within CDC's scope to directly test, PHS requested CDC engage with partners to facilitate testing.

Coordination, Collaboration, and Communication

Responding effectively to the Tijuana River Valley sewage emergency requires a well-coordinated, collaborative, and communicative approach. These elements are important given the complex, multifaceted aspects of this issue. As noted, the County has engaged the Task Force and requested meetings with the researchers to deepen collaboration and data sharing in the response to the local emergency. Since then, the County has met with the researchers on September 19 and September 20.

In addition to close coordination and collaboration with multiple local, State, and federal agencies, the County has engaged South Bay Clinics and South Bay School District Leaders in frequent meetings. The County continues to meet and communicate with impacted stakeholders such as the San Diego River Conservancy Board, APCD, CDPH, CDC, EPA, and other local, State, and federal partners.

On October 4, 2024, PHS and DEHQ participated in a call with APCD and the City of San Diego, United States military, and others to discuss possible mitigation solutions at one site along the river valley with increased H2S detections.

Special attention has been directed to the County's communication efforts. The County frequently updates the South Region Health Concerns website. To ensure accessibility of information, the County has made several enhancements to the County's South Region Health Concerns website to include additional information and resources on the health concerns and impacts from sewage and pollution in the Tijuana River Valley and surrounding communities, specifically information on the County response, Public Health Data, CDC Health Survey,

Environmental Odors, Contaminated Water, Schools, Beach and Bay Water, and Air Quality information. In addition, multiple County News Stories and educational information were developed to keep the community informed.

The County shares with the community the deep concern for the health and quality of life of individuals living in South Bay, who have been severely impacted by the decades of raw sewage flow through the Tijuana River Valley. The County is dedicated to working with all stakeholders to advocate for solutions and repairs of the failing federal infrastructure in this binational issue.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's action aligns with the County of San Diego 2024-2029 Strategic Plan initiatives of Equity (Health) and Community (Quality of Life) as well as the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by working collaboratively to address the longstanding transboundary pollution that impacts environmental justice, health, and the economy in the South Region.

Respectfully submitted,

- 29. SUBJECT: Direct the Chief Administrative Officer to pledge the County of San Diego to become a partner of California's Climate Action Counts initiative (DISTRICT: ALL)**

OVERVIEW

At the end of September, political change makers, local decision makers, business leaders, and civil society representatives of all ages and backgrounds, from all over the world gathered in New York City for the annual Climate Week NYC. This annual gathering provides an opportunity for world leaders to come together to develop innovative solutions to climate change. California with its diverse geography is seeing the impacts of a changing climate in a variety of ways from devastating wildfires, loss of natural areas, extreme summer heat events, rising sea levels, and other major environmental threats.

The County of San Diego (the "County") has long been committed to taking the steps necessary to ensure the San Diego region will be resilient in the face of these changing climate conditions and to make the changes needed to prevent climate change from advancing further. These complex and monumental tasks require the commitment of every person and every level of government to do their part to fight for a sustainable and healthy future for both people and the planet.

To this end, during Climate Week, Governor Newsom announced a new state initiative - Climate Action Counts - to mobilize one million Californians to take climate action at home and in their neighborhoods to help build resilient communities.

The Climate Action Counts initiative (the "Initiative") aims to educate and inspire people to reimagine the power of volunteerism by taking impactful, everyday actions in their communities. The Initiative includes ten priority actions for participants to take to combat the effects of climate change: (i) reduce waste, (ii) compost food scraps, (iii) support local farmers, (iv) green

your ride, (v) get planting, (vi) be disaster ready, (vii) save energy, water and money, (viii) discover nature, (ix) tell a friend to take part, and (x) get connected by volunteering in the community.

The Initiative calls for cities, universities, state agencies, community-based organizations, businesses and individuals to pledge to become campaign partners. Current campaign partners include the cities of Long Beach, Riverside and Sacramento, California Community Colleges, University of California, California State University, California Natural Resources Agency, CalRecycle, California ReLeaf, Sierra Club, Jane Goodall Institute, and Patagonia.

This board letter requests the San Diego County Board of Supervisors direct the Chief Administrative Officer to (i) pledge the County of San Diego to become a partner of California's Climate Action Counts initiative and (ii) explore potential opportunities to host fellows from the California Climate Action Corps 2025-2026 Fellowship within existing County program budgets. The California Climate Action Corps is the country's first state-level, climate service corps to empower all Californians to take meaningful action to safeguard the climate. The County has already taken significant steps to implement programs in support of the Initiative's ten priority areas and today's actions will signal the County's on-going support of these efforts and interest in continued and future collaboration across the public and private sectors and with statewide partners to combat climate change.

RECOMMENDATION

CHAIRWOMAN NORA VARGAS

1. Direct the Chief Administrative Officer to pledge the County of San Diego to become a partner of California's Climate Action Counts initiative by adopting the resolution attached to this board letter as Attachment A entitled "A Resolution of the Board of Supervisors of the County of San Diego to Pledge the County of San Diego to Become a Partner of California's Climate Action Counts Initiative."
2. Direct the Chief Administrative Officer to explore potential opportunities to host fellows from the California Climate Action Corps 2025-2026 Fellowship within existing County program budgets.

EQUITY IMPACT STATEMENT

Communities of color often live on the frontlines of the impacts of climate change due to a long history of environmental racism and unjust policies. These proposed actions express the County's commitment to pursuing solutions to build a climate resilient future for all San Diego residents and meet the needs of its most underserved communities.

SUSTAINABILITY IMPACT STATEMENT

This proposed action will help achieve a variety of the County's sustainability goals, including actively combating climate change through innovative policies and protection of our natural resources.

FISCAL IMPACT

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

There may be future fiscal impacts associated with the expansion of current programming, tracking and monitoring of these activities. Departments will include these requests in future Operational Plans. Funding sources may include the reallocation of resources from existing programs and services.

BUSINESS IMPACT STATEMENT

N/A

30. SUBJECT: BACK TO BASICS: A REVIEW OF COUNTY GOVERNMENT CORE FUNCTIONS, ESSENTIAL SERVICES AND CUSTOMER SERVICE RESPONSIBILITIES (DISTRICTS: ALL)

OVERVIEW

As a local government, we continuously adapt and work to address pressing issues impacting residents of the region. Some of these issues are clearly within the County of San Diego's (County) jurisdiction, such as when responding to storm impacts on the county-maintained road network, while others are more national or global in scope like the immigration crisis, so-called "book bans" or the impacts of climate change. The range of complex issues that often dominate the discourse at our Board of Supervisors (Board) hearings has led to a significant amount of local action on our part over the past few years. This has included establishing new offices, creating new staff positions, adopting new ordinances, frameworks, and policies, preparation of numerous consultant studies, supporting various state and federal bills, etc. While these actions are often noble and demonstrate this Board's commitment to addressing the needs and concerns of communities throughout the county, we must also ensure we don't inadvertently compromise our ability to provide and maintain high-quality, efficient customer service levels across the County's various departments. Staying on top of pressing issues is important; however, it is equally important that we periodically take stock of our capacity to deliver on core functions and responsibilities.

The County supports the day-to-day needs and activities of residents and businesses throughout the region through what today's item will refer to as "core functions." In this case, core functions are meant to be understood as bread-and-butter programs and services that deliver on critical government services and that more broadly help maintain public welfare, safety and quality of life. These may be either internal processes or public-facing services; what matters is if they support or directly contribute to delivering on the bread-and-butter programs and services. Examples include maintaining county roads, conducting restaurant and food safety inspections, issuing building permits, processing adoption requests, testing beach and bay waters, operating libraries and parks, managing sensitive preserve lands, providing fire protection and law enforcement services, conducting elections, issuing birth certificates, ensuring price accuracy at the gas pump, and providing in-home supportive services. People rely on the County every day to ensure their food is safe to eat, to support an aging parent, to trust that elections are fair, to know when it's safe to enter the water, and to trust their communities will be safe from crime. To remain focused on these everyday needs of residents and businesses, today's item requests a review of the various core functions that are served across the County's four major groups - Public Safety Group (PSG), Land Use & Environment Group (LUEG), Finance & General Government Group (FG3) and Health & Human Services Agency (HHSA). Each of these groups and the various departments housed within them are responsible for carrying out the daily

operations of our government and directly interacting with the public we serve. As we continue to grapple with broad, often national issues affecting society (potentially prompting the further expansion of County programs and services), it's important that we don't overextend our resources or otherwise compromise our ability to provide and maintain high-quality customer service levels across the County's core functions.

Put more straightforward - at the heart of today's item is a simple question: are we exceeding, meeting, or struggling to meet mandated service levels that members of the public count on? For each instance in which the answer comes back either "exceeding" or "meeting" - what can we learn from these cases and how do we capture those processes and procedures for use across the enterprise? For each answer of "struggling to meet" - what are the root causes and how do we improve? To the extent specific departmental thresholds are already in-place (e.g., 80% of phone calls returned within 24 hours), those should be used to determine if certain service levels are exceeding, meeting, or struggling to meet service levels. To help answer the guiding question, today's item directs the Chief Administrative Officer (CAO) to conduct a review and report back within 180 days on core function service levels across the four major County business groups - Public Safety Group (PSG), Land Use & Environment Group (LUEG), Finance & General Government Group (FG3) and Health and Human Services Agency (HHSA).

RECOMMENDATION(S)
SUPERVISOR JIM DESMOND

1. Direct the CAO to conduct a review and report back within 180 days on core functions across the four major County Groups - Public Safety Group (PSG), Land Use & Environment Group (LUEG), Finance & General Government Group (FG3) and Health and Human Services Agency (HHSA). This review should include identifying programs that deliver these core functions and provide information on the service levels of these programs. This may include using existing metrics such as departmental performance measures, and other metrics as deemed appropriate.
2. Direct the CAO to compile and document the costs of Board directed actions since 2020 that expand beyond the County's core functions, and that have: 1) established new offices; 2) funded outside consultant research/studies; and/or 3) created new policies and ordinances, particularly as it relates to land use (e.g., "Right-of-Way Done Right," etc.).

EQUITY IMPACT STATEMENT

People across the region, no matter their political, ethnic, sexual or religious background rely on the County every day to deliver core services that directly benefit their lives. Ensuring appropriate service levels are maintained should be the number one priority of the County. Every San Diegan deserves to know their food is safe to eat, that their communities will be free from crime, that their parents can age with dignity, and that prices are accurate at the gas pump and grocery stores.

SUSTAINABILITY IMPACT STATEMENT

The County's commitment to sustainability requires us to consider the long-term consequences of our actions on the environment, economy, and social well-being of communities throughout the region. As we continue investing time and resources into solving complex issues beyond the traditional scope of local government, we must always stay focused and support County core functions that help maintain public welfare, safety and quality of life.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

31. SUBJECT: AFFIRMATIVE LITIGATION TO FIGHT FOR A FASTER FIX FOR THE TIJUANA RIVER POLLUTION CRISIS (DISTRICTS: ALL)

OVERVIEW

Affirmative Litigation as a Tool

Affirmative litigation is a powerful tool in the fight for environmental justice, empowering communities to hold corporations accountable for damages while securing firm commitments to halt ongoing pollution and prevent future harm. A prime example is *Anderson v. PG&E* in Hinkley, CA, famously portrayed in *Erin Brockovich*. The case not only secured a \$333 million settlement for residents harmed by toxic groundwater contamination but also compelled PG&E to accelerate investments in environmental cleanup and remediation to stop further damage and prevent future contamination.

The County of San Diego (County) has a proven and aggressive track record in affirmative litigation. In 2024, we took legal action against a major ghost gun manufacturer for illegally marketing and selling machines designed to produce unlicensed, untraceable, ghost guns that threatened the safety of our communities. The County secured a staggering \$100 million settlement from opioid manufacturers for their role in the opioid epidemic, supporting the creation of new behavioral health beds and programs. In July 2024, the County took action to pursue litigation against corporate landlords who are illegally using price-fixing algorithms to drive up rent prices and displace residents.

Tijuana River Crisis

The Tijuana River pollution crisis is an environmental, public health, and national security threat driven by decades of poor maintenance and management of wastewater systems on both sides of the border. Billions of gallons of toxic pollution have flowed across the border carrying untreated sewage, industrial chemicals, sediment, and trash out through the Tijuana Estuary and into the Pacific Ocean, severely contaminating communities along our coastlines. This negligence has led to chronic beach closures in Imperial Beach and Coronado, along with widespread impacts to public health, fragile ecosystems, and local economic development.

South Bay International Wastewater Treatment Plant Operations

The South Bay International Wastewater Treatment Plant (SBIWTP) was built in 1996 as a key piece of infrastructure designed to treat raw sewage coming from Tijuana before it discharges into the river, estuary, and ocean. However, SBIWTP has consistently failed to meet its mandate. Decades of poor maintenance and sewage flows beyond the facility's capacity have led to over 44 billion gallons of sewage flowing into San Diego County in 2023 alone, resulting in:

- Over 500 violations of permitted discharges into the Pacific Ocean, including 130 violations of extremely hazardous and banned chemicals such as DDT and PCBs that levels *thousands of times* the permitted limit.
- Violations of limits for bacteria in the Pacific Ocean *hundreds of times* the limits allowed for water recreation and shellfish harvesting.
- Failure to submit reporting to provide the public with information about discharges.
- Multiple violations by the San Diego County Air Pollution Control District for noxious odors tied to the discharge of untreated wastewater.
- Failure to meet the August 15, 2024 deadline imposed by the San Diego Regional Water Quality Control Board to meet water quality standards for discharges to the Pacific Ocean.

Plans to expand the facility capacity from 25 to 50 million gallons per day are underway, but it will be years until this work is completed.

The SBIWTP is owned by the U.S. International Boundary Water Commission (USIBWC) who contracts with a private firm, Veolia North America, a French transnational company, for operations and maintenance of the facility. Together, they are responsible to ensure that SBIWTP is effectively maintained and in compliance with their permits under the National Pollutant Discharge Elimination System (NPDES) and the Clean Water Act (CWA). However, they are currently not in compliance with their permits.

Veolia has largely flown under the radar in San Diego, yet they have a troubling history of negligent actions and repeatedly sidestepping accountability in some of the most egregious water contamination disasters of our time. Their involvement in the Flint Water Crisis is just one glaring example-where they failed to identify corroding pipes, leading to devastating lead contamination and an outbreak of Legionnaires' disease. This is not an isolated incident; Veolia has faced other lawsuits for their role in multiple public health crises, including in Oklahoma, Pittsburgh, and Colombia, consistently prioritizing profit over the well-being of residents. Their track record of inaction and harm raises serious alarms, especially given their integral role as operator of SBITWP.

Congressional Delegation Secured Funding

The San Diego Congressional Delegation worked to secure critical funding needed to expand and repair the SBIWTP, directing \$300 million dollars from the Environmental Protection Agency (EPA) to fund repairs and expansions to SBIWTP in 2023, marking a significant step toward a coordinated response to the pollution crisis. In March 2024, the San Diego Congressional Delegation secured an additional \$156 million to further enhance the facility. Despite these historic funding commitments, USIBWC and Veolia have not moved fast enough and continue to discharge pollutants daily.

History of Litigation

Lawsuits were initiated in 2018 by the cities of Imperial Beach and Chula Vista, along with the Port of San Diego, and that set the stage for a wave of legal action aimed at USIBWC and Veolia. Subsequent lawsuits were also filed by the City of San Diego, the California San Diego Regional Water Quality Control Board, the California State Lands Commission, and the Surfrider Foundation for hundreds of violations of the facility's discharge permit that resulted in the Tijuana River and coastal marine water being inundated with untreated sewage and toxic chemicals. A Settlement in 2022 promised that expedited repairs would stop the pollution, but the condition of the plant has continued to allow ongoing environmental degradation from contaminants in the wastewater.

In April of 2024, San Diego Coastkeeper and Coastal Environmental Rights Foundation (CERF), filed a lawsuit against USIBWC and Veolia for continued CWA violations. In September 2024, Imperial Beach residents filed a class action suit against Veolia, citing the company's failure to curb pollution has led to declining property values across Imperial Beach. Additional cases may be forthcoming.

Action Today

The County's leadership in a lawsuit would bring greater resources, expertise, and pressure to the fight for clean water and force potential responsible parties to take faster action to stop the pollution. Today's item directs the Chief Administrative Officer in consultation with County Counsel, to explore litigation options with the explicit goal of expediting infrastructure repairs and halting the discharge of polluted wastewater. This litigation is critical. Numerous compliance deadlines have passed, and the necessary fixes are still incomplete; therefore, we must leverage our legal authority to ensure accountability for the private corporations responsible for pollution. In 2017, the County was preparing to pursue legal action over these very wastewater violations, but the previous Board opted for inaction instead. We must do better. By taking legal action today, the County demonstrates its commitment to protecting residents and the environment while pressing those responsible to address this urgent pollution crisis.

RECOMMENDATION(S)

VICE-CHAIR TERRA LAWSON-REMER AND CHAIRWOMAN NORA VARGAS

1. Direct the Chief Administrative Officer in consultation with County Counsel, to explore options to file a legal complaint or join existing litigation against any potential responsible parties, such as but not limited to, Veolia North America, for damages caused to the Tijuana River Valley, Estuary and Marine Preserve, and the surrounding communities. Litigation options should include, but not be limited to, the Clean Water Act, Clean Air Act, Endangered Species Act, Resource Conservation and Recovery Act. Return to the Board in closed session on an ongoing basis every 90 days with updates on their efforts, and options that the Board can elect to implement.

EQUITY IMPACT STATEMENT

The Tijuana River pollution and contamination have disproportionately impacted communities that have been underserved and under-resourced, such as low-income communities and communities of color. It is imperative that the County take action to ensure that these individuals have solutions to improve and protect their local waterways.

SUSTAINABILITY IMPACT STATEMENT

This board letter aligns with the County’s sustainability goals by protecting the environment and fighting to eliminate hazardous substances, chemicals, and waste from our water sources and water bodies in San Diego.

FISCAL IMPACT

Funds for this request are budgeted as staff time included in the Fiscal Year 2024-26 Operational Plan in County Counsel based on existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years. There may be future fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval.

BUSINESS IMPACT STATEMENT

The long-term impacts of the transboundary pollutants in the Tijuana River Valley area, and subsequent beach closures have had a devastating impact on the surrounding communities up and down San Diego County’s coast through decreased visitors and street traffic. It is imperative that the County utilize all of the tools within its authority, such as legal action, to help expedite the infrastructure fixes needed to mitigate this issue.

32. SUBJECT: ADOPT RESOLUTION IN SUPPORT OF PROPOSITION 35 AND WAIVE BOARD POLICY A-72 (DISTRICTS: ALL)

OVERVIEW

California’s Proposition 35, set for a vote at the general election November 5, 2024, seeks to permanently establish a tax on Managed Care Organizations (MCOs), the health insurance companies that contract with Medi-Cal to provide healthcare services to low-income residents. The MCO tax, which has been periodically renewed since 2009, helps secure federal funds to offset the cost of the tax and supports the Medi-Cal program. If passed, Proposition 35 would place the California Department of Health Care Services (DHCS) in charge of administering the tax and overseeing how the revenue is allocated. The measure would not introduce new taxes but would extend the existing levy on MCOs set to expire in 2026.

The proposition is expected to generate \$7 to \$8 billion annually, helping fund Medi-Cal and other health initiatives. From 2025 to 2026, Proposition 35 would allocate an estimated \$2.7 billion to Medi-Cal and health workforce programs, while \$2 billion would help offset Medi-Cal funding in the State General Fund. Beginning in 2027, the tax would support Medi-Cal, health workforce initiatives, and subsidies for drug prices. The State Legislative Analyst estimates that the initiative would increase funding for Medi-Cal by \$2 to \$5 billion annually, though it would also increase state costs by \$1 to \$2 billion. Proposition 35 includes accountability measures, capping administrative expenses and ensuring nearly all funds go to patient care.

RECOMMENDATION(S)

CHAIRWOMAN NORA VARGAS

1. Waive Board Policy A-72 - Board of Supervisors’ Agenda and Related Processes
2. Adopt Resolution in Support of Proposition 35

EQUITY IMPACT STATEMENT

In the County of San Diego 932,585 individuals are Medi-Cal recipients in the County, of which 311,071 are children ages 0-18. Proposition 35 will improve access to care for low-income Californians, particularly those relying on Medi-Cal by addressing the shortage of doctors accepting Medi-Cal patients. This could enhance health outcomes for underserved communities, including racial minorities and vulnerable populations who are disproportionately enrolled in Medi-Cal.

SUSTAINABILITY IMPACT STATEMENT

This proposed action aligns with the County's sustainability goals of providing just and equitable access to County services with a focused investment in chronically underserved communities and protecting the health and wellbeing of everyone in the region with a focus on collaborating with community partners.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

33. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Scott Smith and The Estate of Jacob Smith v. County of San Diego/ Lisa Hayes v. County of San Diego (Consolidated); San Diego County Superior Court No.: 37-2023-00037538-Cu-Pa-Nc (Lead Case) consolidated with No.: 37-2023-00045164-Cu-Pa- Nc

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Whitney Antrim v. County of San Diego, et al.; San Diego Superior Court, Case No.: 37-2023-00016017-CU-WT-CTL

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Estate of Michael Wilson v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 20-cv-0457

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Estate of Dominique McCoy v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 22cv01724

- E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Raymond Vogelmann v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 24cv0234
- F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Omar Moreno Arroyo, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 21cv1956
- G. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Jennifer Schmidt, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 23cv00899
- H. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)
- I. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Ronnie Sandoval v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 16cv1004
- J. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Rob Bousman v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 23cv1648
- K. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Alexis Ann Barnaba, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 23cv1622
- L. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Rodger Fosbinder v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 24cv0733
- M. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Lonnie Rupard, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 23cv1357

- N. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Abdiel Sarabia Hernandez v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 24cv0032
- O. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Cecilia Bach, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 24cv1687
- P. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of William Hayden Schuck v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 23cv0785
- Q. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Beverly Alanjary v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 24cv00071
- R. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Vianna Granillo, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 24cv01201
- S. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Aaron Bonin, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 23cv2158
- T. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Roselee Bartolacci, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 24cv1156
- U. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Matthew Settles, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 24cv00352
- V. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Marilyn Morton, et al. v. County of San Diego, et al.; United States District Court, Southern District of California, Case No.: 21cv1428

W. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Alba Marroquin de Portillo v. County of San Diego, et al.; United States District Court,
Southern District of California, Case No.: 23cv0978

X. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

Y. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Government Code section 54957)

Title: County Counsel

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

At the direction of the Board.

EQUITY IMPACT STATEMENT

N/A

SUSTAINABILITY IMPACT STATEMENT

N/A

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A