

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
REGULAR MEETING  
MEETING AGENDA  
**TUESDAY, OCTOBER 8, 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 September 24, 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](http://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](http://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**

#### **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.

<b>Category</b>	<b>#</b>	<b>Subject</b>
Public Safety	1.	SHERIFF - REQUEST APPROVAL FOR A MANUFACTURER'S SINGLE SOURCE PROCUREMENT OF A PORTABLE SILVUS TECHNOLOGIES INC. RADIO SYSTEM
	2.	AUTHORIZE ACCEPTANCE OF 2023 URBAN AREA SECURITY INITIATIVE GRANT FUNDS AND ESTABLISH APPROPRIATIONS (4 VOTES)
	3.	RATIFY ACCEPTANCE OF DONATION TO DEPARTMENT OF ANIMAL SERVICES FROM ANONYMOUS DONOR

	4.	SUNSET REVIEW OF COUNTY ADMINISTRATIVE CODE ARTICLES ASSIGNED TO THE PUBLIC SAFETY GROUP - OFFICE OF EMERGENCY SERVICES
Health and Human Services	5.	AUTHORIZE ACCEPTANCE OF BEHAVIORAL HEALTH BRIDGE HOUSING GRANT FUNDS, AUTHORIZE A COMPETITIVE SOLICITATION FOR PROVISION OF RECUPERATIVE CARE SERVICES, AUTHORIZE REALLOCATION OF AMERICAN RESCUE PLAN ACT EVERGREEN FUNDS SUPPORTING RECUPERATIVE CARE SERVICES, AND ADD ACCESS TO RECUPERATIVE CARE TO THE LEGISLATIVE PROGRAM
Appointments	6.	APPOINTMENTS: VARIOUS
Communications Received	7.	COMMUNICATIONS RECEIVED

**DISCUSSION ITEMS**

<b>Category</b>	<b>#</b>	<b>Subject</b>
Public Safety	8.	REDUCING GUN VIOLENCE THROUGH RESPONSIBLE FIREARM PROCUREMENT ORDINANCE
	9.	PROPERTY TAX ALLOCATIONS AND FUNDING FOR FIRE PROTECTION IN UNINCORPORATED COMMUNITIES
Health and Human Services	10.	CREATE A UNIT DEDICATED TO REPRODUCTIVE HEALTH, JUSTICE AND EQUITY
	11.	RECEIVE THE ANALYSIS OF HOW CHANGES TO PROPOSITION 47, THROUGH THE POTENTIAL PASSAGE OF PROPOSITION 36, COULD IMPACT FUNDING FOR SERVICES OFFERED BY THE COUNTY OF SAN DIEGO; <u>BOARD TO CONSIDER TAKING A POSITION ON PROPOSITION 36</u>
Land Use and Environment	12.	EXPANSION OF EMERGENCY AIR QUALITY AND IMPROVEMENT RELIEF: PROCUREMENT AND DISTRIBUTION OF AIR PURIFIERS RELATED TO THE TIJUANA RIVER POLLUTION CRISIS AND A-72 WAIVER (4 VOTES)
	13.	DECLARING THE TIJUANA RIVER VALLEY AN EPA SUPERFUND SITE TO UNLOCK STATE AND FEDERAL FUNDS FOR TOXIC REMEDIATION AND CLEAN-UP

**REVISION 1**

Financial and  
General  
Government

14. A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO DECLARE ITS SUPPORT FOR PROPOSITION 4 ON THE NOVEMBER 2024 BALLOT TO PASS THE SAFE DRINKING WATER, WILDFIRE PREVENTION, DROUGHT PREPAREDNESS, AND CLEAN AIR BOND ACT OF 2024
15. A RESOLUTION IN SUPPORT OF PROPOSITION 6 TO AMEND ARTICLE 1, SECTION 6 OF THE CALIFORNIA CONSTITUTION
16. ~~NOTICED PUBLIC HEARING:~~  
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)

Health and  
Human Services

17. COMMUNITY ENGAGEMENT FOR THE MIGRANT TRANSITION DAY CENTER AND A-72 WAIVER
18. CLOSED SESSION

1. **SUBJECT: SHERIFF - REQUEST APPROVAL FOR A MANUFACTURER'S SINGLE SOURCE PROCUREMENT OF A PORTABLE SILVUS TECHNOLOGIES INC. RADIO SYSTEM (DISTRICTS: ALL)**

**OVERVIEW**

The San Diego County Sheriff's Office (Sheriff) Special Enforcement Detail (SED) is a tactical unit tasked with responding to critical incidents and crisis situations within the region. SED plans to enhance and strengthen operational communication capabilities and situational awareness within San Diego County, specifically in the rural and remote locations, through a manufacturer's single source procurement of a portable Silvus Technologies, Inc. Radio System.

On January 6, 2021, Sheriff's Aerial Support to Regional Enforcement Agencies (ASTREA) through a competitive procurement chose Silvus Technologies, Inc. radios to create a high-definition video downlink and data transmission radio mesh network system. Silvus Technologies, Inc. radios use advanced radio technology and a unique wireless communication network not compatible with other radios due to proprietary software that does not allow cross communication. Near the United States-Mexico international border, communication issues are exacerbated by aggressive terrain and the lack of repeater antennae for the 800-megahertz (MHz) system due to property constraints. The procurement of a portable Silvus Radio System will provide a mobile communication network for deployment at scale in remote regions locations, such as rural areas, and locations with reinforced concrete structures that severely weaken radio signals such as parking structures, shopping centers, and schools. This enhanced network is particularly critical for operations near the international border, where effective communication can significantly impact the success of enforcement and security efforts.

This is a request to authorize the Director of Purchasing and Contracting to issue a manufacturer's single source competitive procurement for a portable Silvus Technologies, Inc., Radio System, to include Silvus radios, original equipment manufacturer parts, repairs, services, installation, accessories, supplies, and extended warranty. The Request for Bids (RFB) is anticipated to be posted on BuyNet by November 2024. The purchase order will be issued by the end of the year.

**RECOMMENDATION  
SHERIFF**

In accordance with Board Policy A-87, D.5 Standardization, approve and authorize the Director of the Department of Purchasing and Contracting, to issue a manufacturer's single source competitive procurement for the purchase of additional Silvus Technologies, Inc. radios, original equipment manufacturer parts, repairs, services, installation, accessories, supplies, and extended warranty; and, subject to successful negotiation and a determination of a fair and reasonable price, award a contract for up to six years and an additional six months if needed, and to amend the contract as needed to reflect changes to requirements and funding, subject to the approval of the Sheriff.

**EQUITY IMPACT STATEMENT**

Today's request for the procurement of a portable Silvus Radio System is essential in providing the Sheriff's Special Enforcement Detail (SED) unit with the necessary tools to deliver a timely and accurate public safety response. The ability to access real time information and provide a clear image of situation assessments is critical for the safety of our communities. The primary

purpose and benefit of a manufacturer's single source procurement of the portable Silvus Radio System is to prevent disruption or gaps in communication and access to relevant information when delivering law enforcement services.

#### **SUSTAINABILITY IMPACT STATEMENT**

The proposed action to pursue a manufacturer's single source procurement of the Silvus Technologies Radio System will allow the Sheriff's SED unit to improve communication interoperability and shared situational awareness between members of the unit and other San Diego County law enforcement and public service agencies. This request aligns with the County of San Diego's sustainability goals of providing just access to underserved communities. Having a robust, uninterrupted communication system and access to information, especially within remote areas of the County, is critical for the Sheriff's Office to ensure the public safety of all communities.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2024-25 Operational Plan for the Sheriff's Office. If approved, this request will result in current year estimated costs of \$352,380 and revenue of \$350,000. The revenue recovers Sheriff's Office direct costs but does not reimburse all costs associated with administrative overhead and support estimated at \$2,380. The funding source is grant revenue from the Fiscal Year 2023 Operation Stonegarden grant program (\$350,000) and existing General Purpose Revenue (\$2,380). Costs for ongoing maintenance of the radios, estimated at 1% annually (\$3,500) after the one-year warranty ends, and remaining contract years will be included in future years operational plans for the Sheriff's Office. There will be no change in net General Fund cost and no additional staffing.

#### **BUSINESS IMPACT STATEMENT**

N/A

2. **SUBJECT: AUTHORIZE ACCEPTANCE OF 2023 URBAN AREA SECURITY INITIATIVE GRANT FUNDS AND ESTABLISH APPROPRIATIONS (DISTRICTS: ALL)**

#### **OVERVIEW**

The U.S. Department of Homeland Security Urban Areas Security Initiative (UASI) focuses on regional governance, strategic planning, and collaboration to enhance preparedness and security. The UASI provides financial assistance to address the unique needs of high-threat, high-density urban areas in preventing, protecting against, mitigating, responding to, and recovering from threats or acts of terrorism. On September 12, 2023 (5), the Board of Supervisors (Board) adopted a resolution to authorize the Office of Emergency Services (OES) to submit grant applications related to disaster planning and support of emergency responders throughout the region, such as the UASI.

On May 14, 2024, OES was awarded \$1,720,194 Fiscal Year 2023 UASI grant funds, passed through the California Governor's Office of Emergency Services, and sub-granted through the City of San Diego. OES is responsible for administering and distributing grant funds in the County for terrorism prevention, preparedness and response efforts. Accepting UASI grant funds will significantly bolster the region's ability to prevent, protect against, respond to, and recover from terrorist threats and catastrophic events by providing essential resources and support.

Today's actions request the Board to authorize the acceptance of \$1,720,194 in UASI grant funds, establish appropriations in the Office of Emergency Services (\$960,784) and the Department of Animal Services (\$250,000). In addition, today's action includes a request to authorize the Director of the Office of Emergency Services, or designee, to sign all grant documents and any annual extensions, amendments, and/or revisions thereof that do not materially impact or alter the services or funding level.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Authorize the Office of Emergency Services to accept \$1,720,194 in grant funds from the U.S. Department of Homeland Security Urban Area Security Initiative for the period September 1, 2023 through December 15, 2025.
2. Authorize the Director, Office of Emergency Services, or designee to sign all required grant documents, including agreements for the distribution of grant funds where necessary to carry out the purposes of the grant program, and any annual extensions, amendments and/or revisions thereto that do not materially impact or alter the services or funding level.
3. Establish appropriations of \$250,000 in the Department of Animal Services, Capital Assets Equipment to purchase mobile livestock emergency sheltering supplies with associated trailers for equipment transport based on the U.S. Department of Homeland Security Urban Area Security Initiative grant. **(4 VOTES)**
4. Establish appropriations of \$960,784 in the Office of Emergency Services, Services & Supplies (\$738,999) for a public outreach and engagement campaign, regional fuel contingency plan, and to purchase a Regional Readiness - Emergency Operations Center tool kit, and in Capital Assets Equipment (\$221,785) to purchase a Mass Casualty Apparatus based on the U.S. Department of Homeland Security Urban Area Security Initiative grant. **(4 VOTES)**

### **EQUITY IMPACT STATEMENT**

Today's requested actions to accept the Fiscal Year 2023 Urban Area Security Initiative (UASI) grant funds significantly benefits efforts for equity in the region. Designated as a high-threat urban area, the San Diego region receives approximately \$16 million annually from the UASI program. These funds support critical initiatives that enhance public safety, emergency management, and risk management. By investing in preparedness, information sharing, and risk reduction, the County of San Diego ensures a more equitable and resilient community.

## **SUSTAINABILITY IMPACT STATEMENT**

Sustainable emergency management involves recognizing and assessing risks in a way that considers long-term impacts and environmental factors. The Board of Supervisors acceptance of Fiscal Year 2023 Urban Area Security Initiative (UASI) grant funds bolsters public safety readiness while aligning with the County's sustainability goals.

## **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2024-25 Operational Plan for the Office of Emergency Services and Department of Animal Services. Funds for this request are included in the Fiscal Year 2024-25 Operational Plan for the Department of Environmental Health and Quality. If approved, this request will result in current year costs and revenue of \$250,000 in the Department of Animal Services, \$509,410 in the Department of Environmental Health and Quality, and \$960,784 in the Office of Emergency Services. The funding source is a U.S. Department of Homeland Security Urban Area Security Initiative grant. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

3. **SUBJECT: RATIFY ACCEPTANCE OF DONATION TO DEPARTMENT OF ANIMAL SERVICES FROM ANONYMOUS DONOR (DISTRICTS: ALL)**

## **OVERVIEW**

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

The County of San Diego's Department of Animal Services (DAS) received a donation in April 2024 in the amount of \$100,000 from an anonymous donor to support and promote the department's mission to protect the health, safety and welfare of people and animals throughout the region. The donation was received by DAS from the Trust Estate Administrator of the donor, who prefers to remain anonymous. Funds will be deposited in the Medical Expense "Spirit" Trust Fund to help injured and sick animals regain their health through surgery, medicine, and follow-up care.

Today's request is to ratify the acceptance of a \$100,000 donation for the Department of Animal Services and waive the requirement of a letter of appreciation since the donor has asked to remain anonymous. DAS has already sent a letter of appreciation to the donor on department letterhead via the Trust Estate Administrator.



**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with County of San Diego Administrative Code Article III, Section 66 Acceptance of Gifts and Board of Supervisors Policy A-112, Acceptance and Use of Gifts and Donations, accept a donation from the anonymous donor in the amount of \$100,000 for the Department of Animal Services.
2. Waive Board Policy A-112, Acceptance and Use of Gifts and Donations, which requires a letter of appreciation to an individual providing a gift or donation.

**EQUITY IMPACT STATEMENT**

The County of San Diego Department of Animal Services periodically receives monetary gifts and in-kind donations to benefit animal and public health and safety, including care for orphaned pets in County animal shelters. In Fiscal Year 2023-24, Animal Services served 6,809 animals, the majority of which enter our shelters as strays in need of veterinary care.

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

**SUSTAINABILITY IMPACT STATEMENT**

The proposed actions to ratify acceptance of a \$100,000 donation from the anonymous donor, contribute to the County of San Diego Sustainability Goals to maintain adequate resources and fiscal stability to be able to provide critically needed veterinary care services. The Department of Animal Services is committed to the 2004 San Diego Animal Welfare Coalition Asilomar Accords (recently updated in November 2020) goal of saving all healthy and treatable dogs and cats in our care and meeting the standard of care typically provided in the community. These generous donations to the Spirit fund allow DAS to afford necessary but expensive medical care for animals that are treatable.

**FISCAL IMPACT**

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

**BUSINESS IMPACT STATEMENT**

N/A

**4. SUBJECT: SUNSET REVIEW OF COUNTY ADMINISTRATIVE CODE  
ARTICLES ASSIGNED TO THE PUBLIC SAFETY GROUP - OFFICE  
OF EMERGENCY SERVICES (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 action seeks Board of Supervisors approval to extend the sunset date for the San Diego County Code of Regulatory Ordinances Title 3, Division 1, Chapter 1, Emergency Services Organization until December 31, 2031.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Determine no change is necessary and establish the new sunset review date of December 31, 2031, for TITLE 3, DIVISION 1, CHAPTER 1, EMERGENCY SERVICES ORGANIZATION of the San Diego County Code of Regulatory Ordinances.

**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

**5. SUBJECT: AUTHORIZE ACCEPTANCE OF BEHAVIORAL HEALTH BRIDGE HOUSING GRANT FUNDS, AUTHORIZE A COMPETITIVE SOLICITATION FOR PROVISION OF RECUPERATIVE CARE SERVICES, AUTHORIZE REALLOCATION OF AMERICAN RESCUE PLAN ACT EVERGREEN FUNDS SUPPORTING RECUPERATIVE CARE SERVICES, AND ADD ACCESS TO RECUPERATIVE CARE TO THE LEGISLATIVE PROGRAM (DISTRICTS: ALL)**

**OVERVIEW**

On September 27, 2022 (23), the San Diego County Board of Supervisors (Board) adopted the Behavioral Health Optimal Care Pathways (OCP) model, outlining the optimal and future capacity that would best support people with limited opportunities for placement due to complex needs, lack of existing services, inadequate capacity, and/or other specialty care needs. The model focuses on diversion to the least restrictive environment and supports the medical, social, and environmental needs of people more effectively by improving access and connecting them to ongoing care long term.

According to the OCP model, the region has experienced significant capacity loss across community-based care. The inequity of this level of care continues to have impacts resulting in people remaining in higher levels of care. The model has identified the need for 12,000 new recuperative care bed days, a service which does not yet exist within the behavioral health continuum of care. Earlier this year, a grant opportunity became available to address this need.

On January 16, 2024, the California Department of Health Care Services (DHCS) released a request for applications for the *Behavioral Health Bridge Housing (BHBH) Program Round 3*, which provided \$265.0 million in competitive grant funds to county behavioral health agencies to address the immediate and sustainable housing needs of people experiencing homelessness who have serious behavioral health conditions. The County of San Diego (County) Health and Human Services Agency (HHSA), Behavioral Health Services (BHS) applied for *BHBH Round 3* grant funds. Subsequently, on July 25, 2024, BHS received a notice of a conditional award totaling \$12.4 million of grant funds for Program Operations and Bridge Housing Start-Up Infrastructure.

On January 9, 2024 (14), the Board allocated \$8.0 million in capital funding to support expanding recuperative care capacity using American Rescue Plan Act (ARPA) funds to address hospital overcrowding for medically vulnerable individuals experiencing homelessness. On May 21, 2024 (26), the Board specified use of General Purpose Revenue through the ARPA revenue loss strategy to fund the program. In response to Board direction, HHSA engaged community partners to gather input to ensure awarded funding would address specific gaps and barriers that persons experiencing homelessness face when accessing recuperative care.

Today's item requests the Board to authorize acceptance of \$12.4 million of one-time grant funds, inclusive of \$10.0 million for recuperative care services and \$2.4 million of infrastructure funding for facility improvements, to establish a minimum of 49 new recuperative care beds. A portion of the grant funding will also be utilized to establish recuperative care infrastructure and services within the County-owned Substance Use Residential and Treatment Services (SURTS) facility. Additionally, today's item requests the authorization to issue a competitive solicitation and award contract(s) for provision of recuperative care services.

Additionally, today's action will ensure funding designated for recuperative care will address barriers to access as identified by existing recuperative care providers, health providers, Medi-Cal managed care plans and other community partners who participated in community forums. Approval of today's action would authorize up to \$6.0 million of the designated \$8.0 million from ARPA funding to support facility improvements required for the County-owned SURTS facility, specific to recuperative care beds that will serve individuals with serious behavioral health conditions. Today's action would also authorize \$2.0 million of the funds previously designated to recuperative care to invest in strategies to reduce barriers to access for existing recuperative care beds as identified by community providers and health care partners, and add access to recuperative care language to the Legislative Program.

This item supports the County vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities by supporting housing stability for individuals with behavioral health conditions, including those who are experiencing or at risk of homelessness.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Authorize the acceptance of \$12.4 million of one-time competitive Behavioral Health Bridge Housing (BHBH) grant funding and authorize the Agency Director, Health and Human Services Agency, or designee, to execute all required documents, upon receipt, including any annual extensions, amendments, or revisions that do not materially impact or alter the services or funding level.
2. In accordance with Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for recuperative care services that serve individuals with serious behavioral health conditions, and upon successful negotiations and determination of a fair and reasonable price, award contracts for an Initial Term of up to one year, with up to four 1-year option years, and up to an additional six months if needed, and to amend the contracts if needed, to reflect changes in program, funding or service requirements, subject to the availability of funds and approval of the Agency Director, Health and Human Services Agency.
3. Authorize up to \$6.0 million in General Purpose Revenue through the American Rescue Plan Act (ARPA) revenue loss strategy designated as capital funding for expanding recuperative care capacity to be reallocated for facility improvements within the County-owned Substance Use Residential and Treatment Services (SURTS) facility that will provide recuperative care services for individuals with serious behavioral health conditions.

4. Authorize \$2.0 million in General Purpose Revenue through the ARPA revenue loss strategy designated as capital funding for recuperative care bed expansion to be reallocated to implement strategies and support efforts that optimize and increase access to existing recuperative care services by reducing identified barriers, including but not limited to streamlining referral and authorization processes and supporting enhancements to recuperative care beds to ensure access to care for clients with complex medical and/or behavioral health needs.
5. Add access to recuperative care language to the Legislative Program, consistent with Board Policy M-2.

### **EQUITY IMPACT STATEMENT**

The County of San Diego Health and Human Services Agency, Behavioral Health Services (BHS) is committed to building a system in which mental health and substance use services are equitably and regionally distributed while accessible to all individuals and families within the region who are in need. As outlined in the Behavioral Health Optimal Care Pathways (OCP) model, an increase of 12,064 new recuperative care bed days was projected to optimally support Medi-Cal beneficiaries within the behavioral health continuum of care. The Behavioral Health Bridge Housing Round 3 grant funds will be dedicated toward establishing new recuperative care services, in alignment with the OCP, for people with behavioral health conditions. The new beds are anticipated to support continuity of care and services in a stable location to prevent returns to homelessness and facilitate smooth transitions from specialty care settings.

Complexities of managing multiple healthcare needs coupled with barriers to timely and consistent access to care may allow existing health conditions to deteriorate beyond what would otherwise be safely managed in outpatient settings. In the absence of recuperative care facilities, persons experiencing homelessness (PEH) may be discharged to shelters or the streets, which do not provide necessary care for recovery. Evidence suggests medical respite programs are effective in bridging gaps in care for PEH by reducing hospital readmission rates and overall healthcare costs, while providing a stable environment that facilitates recovery and access to necessary health services (National Institute for Medical Respite Care, 2021).

Recuperative care programs can also help provide stable housing post care. A case study on the National Health Foundation, a recuperative care program in Los Angeles that partners with local hospitals and the county, found that 59% of PEH transitioned to stable housing or reunited with family after the program (McCarthy and Waugh, 2021). Findings from these studies suggest that recuperative care programs can improve health and housing outcomes for individuals experiencing homelessness. The stable housing, support, and connection to services offered by recuperative care facilities provides a place to recover from surgery, illness, and other ailments without concerns about necessities, or how to balance these needs with obtaining health care and social services.

### **SUSTAINABILITY IMPACT STATEMENT**

Today's item supports the County of San Diego (County) Sustainability Goal #2 to provide just and equitable access by creating policies to reduce and eliminate poverty, promoting economic sustainability for all by pursuing available funding focused on serving historically underserved client populations that are most in need of care. This includes the unique needs of individuals experiencing homelessness who have a serious behavioral health condition. This item supports

Sustainability Goal #4 to protect the health and well-being of everyone in the region by creating new recuperative care beds that will allow individuals to continue to receive care. This item also supports Sustainability Goal #6 to ensure the capability to respond to immediate needs for individuals, families, and the region by providing opportunities for people engaged in substance use disorders and/or in the criminal justice system to find longer-term care and housing. This will allow the County to meet the regional need for immediate and sustainable housing, while leveraging the County-owned Substance Use Residential Treatment Services facility along with contracted community-based care providers.

## **FISCAL IMPACT**

### **Recommendations 1 and 2**

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 up to \$2.4 million in FY 2024-25 for capital costs associated with renovations to establish new recuperative care beds and estimated costs and revenue of \$10.0 million in FY 2025-26 through FY 2026-27 for services. These costs will be absorbed in existing appropriations. The funding sources are State General Fund through the Behavioral Health Bridge Housing (BHBH) Round 3 grant funding. Funding for this request in future years will be included in future Operational Plans. There will be no change in net General Fund cost and no additional staff years.

An estimated \$1.2 million of the BHBH Round 3 capital funds will be utilized within the Substance Use Residential and Treatment Services (SURTS) facility specific to the development planning, permits, fees, and renovations for recuperative care beds.

### **Recommendations 3, 4 and 5**

Funds for Recommendations 3 and 4 are included in the Fiscal Year (FY) 2024-26 Operational Plan in the Health and Human Services Agency. If approved, this will result in a one-time cost and revenue of \$8.0 million in FY 2024-25. The funding source is General Purpose Revenue made available through the ARPA revenue loss strategy. There will be no change in net General Fund cost and no additional staff years as a result of this option. There is no fiscal impact expected for Recommendation 5.

Up to an estimated \$6.0 million of the General Purpose Revenue made available through the ARPA revenue loss strategy will be utilized within the SURTS facility specific to costs for the development planning, permits, fees, and renovations for recuperative care beds that are not fully funded through the BHBH Round 3 capital funds.

The total project cost for the SURTS facility renovations and improvements is estimated at \$26.0 million, inclusive of substance use treatment and recuperative care beds.

## **BUSINESS IMPACT STATEMENT**

N/A

**6. 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)**

**SUPERVISOR MONICA MONTGOMERY STEPPE**

Appoint Burnie Dunlap to the EMERGENCY MEDICAL CARE COMMITTEE, Seat No. 27 for a term to expire October 8, 2028.

Appoint Yvette Porter Moore to the HISTORIC SITE BOARD, Seat No. 4 for a term to expire January 4, 2027.

**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

**7. 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

**8. SUBJECT: REDUCING GUN VIOLENCE THROUGH RESPONSIBLE FIREARM  
PROCUREMENT ORDINANCE (DISTRICTS: ALL)**

**OVERVIEW**

Gun violence remains a significant problem across the U.S. and here in San Diego County. Recent school shootings in Georgia and Northern California serve as tragic reminders of the thousands of lives lost or forever changed due to the easy access dangerous individuals have to firearms. San Diego County has taken aggressive action to close loopholes in gun laws, including a 2021 “ghost gun” policy that has removed three times more illegal firearms from our streets, enhancing the safety of our communities.

Today's proposal leverages the County’s purchasing power to hold gun dealers accountable and raise the bar for responsible firearm sales. Taxpayer dollars should not support businesses that fail to meet firearm safety standards. However, research from Brady: United Against Gun Violence found that at least 90 California law enforcement agencies, including San Diego County, have purchased firearms from dealers with documented violations against gun regulations. For instance, LA Action Police Supply, a vendor with over 40 federal violations, has received \$18 million in contracts from 67 agencies across the state. This practice must change.

This policy will strengthen the County’s firearm procurement process by requiring all gun dealers bidding on contracts to prove compliance with state and federal laws, maintain a clean record, submit inspection reports, and implement strict security measures to prevent theft and unauthorized sales. This action builds on the City of San Diego’s recently adopted Ira Sharp



Firearm Accountability Act authored by Council Member Marni Von Wilpert. By setting a higher standard of transparency and responsibility, we ensure that taxpayer dollars are spent supporting businesses that prioritize public safety, accountability, and the well-being of our communities.

## **RECOMMENDATION(S)**

### **VICE-CHAIR TERRA LAWSON-REMER**

1. Direct the Chief Administrative Officer to develop a firearm procurement ordinance for board consideration. Specifically evaluate operational and administrative impacts, including evaluation standards, related to the inclusion of the following vendor requirements in an ordinance and return to the Board in 120 days with key findings and options for Board consideration. The ordinance would include, but not be limited to, the following:
  - a. Proof of compliance with applicable state and federal laws, including permits, and certificates,
  - b. Documentation of firearm trace requests received within the past five years,
  - c. Documentation of thefts from the vendor's premises within the past five years,
  - d. Submission of inspection reports conducted by federal, state, or local agencies,
  - e. Disclosure of violations from inspections related to the purchase, transfer, manufacturing, or sales of firearms conducted by any federal, state, or local agencies,
  - f. Documentation of policies and practices concerning the following:
    - i. Preventing, detecting, and screening for the transfer or sale of firearms to firearm traffickers,
    - ii. Preventing sales to individuals prohibited by federal, state, and local law, or court order,
    - iii. Preventing theft of firearms,
    - iv. Training employees to ensure compliance with applicable federal, state and local laws and regulations,
    - v. Assisting law enforcement agencies in the investigation and prevention of criminal access to firearms, and
    - vi. Operation of digital video surveillance systems.

## **EQUITY IMPACT STATEMENT**

This action is designed to improve public safety by implementing stricter firearm procurement measures, ensuring equitable protection for all community members. By instituting a rigorous vetting process for gun dealers and enhancing accountability, the policy aims to prevent firearms from reaching unauthorized individuals, thereby reducing gun violence, which disproportionately impacts marginalized communities. This initiative promotes responsible firearm procurement while contributing to a safer, more inclusive environment where all residents, regardless of background, are safeguarded from the threat of gun violence.

## **SUSTAINABILITY IMPACT STATEMENT**

By implementing stringent vetting processes for gun dealers and promoting responsible firearm procurement practices, the policy aims to reduce gun violence and its associated social and economic costs. This reduction in violence enhances community well-being and resilience,

creating a more sustainable society. Furthermore, the policy's focus on preventing unauthorized gun sales and theft helps ensure that firearms are managed and utilized responsibly, supporting long-term public safety and sustainability goals.

### **FISCAL IMPACT**

There is no fiscal impact associated with these recommendations at this time. There will be no change in net General Fund cost and no additional staff years. There may be fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval.

### **BUSINESS IMPACT STATEMENT**

N/A

**9. SUBJECT: PROPERTY TAX ALLOCATIONS AND FUNDING FOR FIRE PROTECTION IN UNINCORPORATED COMMUNITIES (DISTRICTS: ALL)**

### **OVERVIEW**

On July 16, 2024 (4), the Board of Supervisors (Board) directed the Chief Administrative Officer to review the level of resources, funding, and sustainability of fire protection in the communities of Valley Center, Deer Springs, and Pauma Valley and other parts of the San Diego County Fire Protection District (SDCFPD) and return to the Board in 90 days with recommendations. In San Diego County, unincorporated communities receive fire protection and emergency response services from 12 fire protection districts, including the San Diego County Fire Protection District (SDCFPD), and one municipal water district. These agencies either provide services directly with professional staff or contract with another government agency. Funding for the districts is made available through a property tax allocation from property tax revenue, voter-approved fees, community facilities districts, grants, and service fees.

The Valley Center Fire Protection District (VCFPD) and Deer Springs Fire Protection District (DSFPD) were established after California voters approved Proposition 13 in 1978. For local agencies that existed prior to passage, the law allocated revenue to taxing agencies based on a factor calculated on the revenue received in the three fiscal years prior to 1978, with allocations ranging from 6.4% to 32.3% for fire protection districts. For fire protection districts established after the passage of Proposition 13, their share of property tax revenue was negotiated at a lower rate, ranging from 1.3% to 2.8%. In the past two decades, 23 fire agencies have dissolved, with 20 consolidating into San Diego County Fire (County Fire), and three joining other fire protection districts.

Although VCFPD and DSFPD elected not to consolidate with County Fire or other fire protection districts, the County took action to support VCFPD and DSFPD with funding and in-kind assistance. County Fire has a Memorandum of Agreement with DSFPD, valued at nearly \$1 million annually, that includes support for staffing, dispatch, training and fire marshal services. The County entered into a similar arrangement with VCFPD in 2007, valued at approximately \$700,000 annually, but the agreement expired in 2013 when VCFPD terminated

their contract with the California Department of Forestry and Fire Protection (CAL FIRE). VCFPD added a ballot measure for a parcel tax in 2018 and 2020 to pay for additional fire services within the district. The measures, which required a 66.67% vote, failed twice despite achieving a majority vote.

Increasing the existing property tax allocation for these districts to 6%, which is the allocation the San Diego County Fire Protection District receives, would shift approximately \$2.7 million in base property tax revenue from the County and provide \$1.5 million to VCFPD and \$1.2 million to DSFPD, based upon the Fiscal Year 2024-25 property taxes. A property tax shift is one of the options being presented to the Board of Supervisors. In addition, County Fire has reviewed existing service levels in Pauma Valley, East Otay Mesa, and the Highway 94 corridor and has identified a need for an additional \$3.5 million annually to address operational deficiencies and future needs.

Today's actions are seeking the Board's policy direction on providing County financial and operational support to VCFPD, DSFPD and SDCFPD, as well as other potential revenue options.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

1. Provide direction on the following options to support fire protection and emergency response services in the Valley Center Fire Protection District (VCFPD):
  - a. Pursue an increase in the VCFPD property tax allocation to 6% effective Fiscal Year 2025-26. Direct the Chief Administrative Officer to return to the Board of Supervisors with a resolution and take other necessary steps to complete a property tax reallocation following VCFPD holding a public hearing to consider the effect of the proposed transfer (\$1,500,000); or
  - b. Direct the Chief Administrative Officer to enter into a Memorandum of Agreement with VCFPD to provide reimbursement to fund for 1/3 of the staffing at the third station (\$600,000), and offer in-kind dispatching services, training, fire prevention/fire marshal services and other support services through County Fire (\$200,000), for a total estimated value of approximately \$800,000 and pursuant to Government Code section 26227, find that the funding is necessary to meet the fire protection and emergency response needs in the VCFPD and authorize the Chief Administrative Officer, or designee, to execute an agreement with VCFPD effective July 1, 2025, thru June 30, 2028, and to amend the agreement as needed to reflect changes to requirements or funding necessary to maintain local fire protection and emergency response services; or
  - c. Direct the Chief Administrative Officer to explore a special tax ballot measure for enhanced fire protection and emergency response services in VCFPD or a broader area, and return to the Board of Supervisors to present necessary actions. Provide County staff with the intended boundary and scope, which could include VCFPD or a broader area; or

- d. Add language to the County's Legislative Program to seek a sponsor in the California legislature to propose legislation that would transfer state funds to underfunded fire protection districts in San Diego County to enhance fire protection and emergency response services; or
    - e. No action at this time.
  - 2. Provide direction on the following options to support fire protection and emergency response services in the Deer Springs Fire Protection District (DSFPD):
    - a. Pursue an increase in the DSFPD property tax allocation to 6%, effective Fiscal Year 2025-26, and modify the existing MOA to cover a portion of the staffing and other costs related to the North Regional Urban Search and Rescue Unit. Direct the Chief Administrative Officer to return to the Board of Supervisors with a resolution and take other necessary steps to complete a property tax reallocation following DSFPD holding a public hearing to consider the effect of the proposed transfer (\$1,200,000 and a reduction of approximately \$700,000 to the existing MOA); or
    - b. Direct the Chief Administrative Officer to explore a special tax ballot measure for enhanced fire protection and emergency response services, and return to the Board of Supervisors with the necessary actions. Provide County staff with the intended boundary and scope, which could include DSFPD or a broader area; or
    - c. Add language to the County's Legislative Program to seek a sponsor in the California legislature to propose legislation that would transfer state funds to underfunded Fire Protection Districts in San Diego County to enhance fire protection and emergency response services; or
    - d. No action at this time; maintain the existing MOA with DSFPD.
  - 3. Provide direction on the following options to support fire protection and emergency response services in the San Diego County Fire Protection District:
    - a. Provide a paramedic fire engine in Pauma Valley and East Otay Mesa, and a paramedic squad along the Highway 94 corridor within SDCFPD effective Fiscal Year 2025-26. (\$3,500,000); or
    - b. Direct the Chief Administrative Officer to explore a special tax ballot measure for enhanced fire protection and emergency response services, and return to the Board of Supervisors with the necessary actions. Provide County staff with the intended boundary and scope, which would include SDCFPD; or
    - c. No action at this time.

## **EQUITY IMPACT STATEMENT**

The San Diego County Fire Protection District (SDCFPD) serves residents in some of our region's most isolated communities with low Healthy Place Index scores. Rural communities include lower-income households, tribal nations, and residents experiencing health disparities that necessitate the usage of emergency medical services. If the Board of Supervisors (Board) takes action to increase SDCFPD resources, additional firefighting personnel will be provided to further support and respond to calls related to medical emergencies, structural fires, and local emergencies. Valley Center Fire Protection District (VCFPD) and Deer Springs Fire Protection District (DSFPD) both receive a disproportionately lower share of property tax revenue in comparison to other fire protection districts. If the Board takes action to increase revenue to VCFPD and DSFPD, the financial sustainability of these districts would be bolstered, and it would create an opportunity to further enhance the level of service to the community.

## **SUSTAINABILITY IMPACT STATEMENT**

If the Board of Supervisors approves additional funding for the San Diego County Fire Protection District, the investment would be focused in chronically underserved communities. Additional revenue for the Deer Springs and Valley Center Fire Protection Districts would help build resilience in communities in the unincorporated areas.

## **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2024-25 Operational Plan for San Diego County Fire. There is no fiscal impact in Fiscal Year 2024-25.

Option 1a would transfer property taxes to Valley Center FPD and decrease the County's share of available General Purpose Revenue by approximately \$1.5 million annually, plus approximately 3.8% of the annual growth beginning in Fiscal Year 2025-26.

Option 1b would result in additional costs of approximately \$600,000 to the San Diego County Fire Protection District beginning in Fiscal Year 2025-26. There is no available funding identified for this cost and therefore will result in reduction of General Purpose Revenue allocated to Public Safety Group departments, including County Fire, to fund this option.

Option 2a would transfer property taxes to Deer Springs FPD and decrease the County's share of available General Purpose Revenue by approximately \$1.2 million annually, plus approximately 3.9% of the annual growth beginning in Fiscal Year 2025-26, and the existing MOA with DSFPD would be reduced by approximately \$700,000.

Option 3a would result in additional costs of \$3.5 million to the San Diego County Fire Protection District beginning in Fiscal Year 2025-26. There is no available funding identified for this cost and therefore will result in reduction of General Purpose Revenue allocated to Public Safety Group departments, including County Fire, to fund this option

If the Board were to select options 1c, 2b, and/or 3b, a special benefit fee, if passed by the voters, would provide funding to SDCFPD and possibly other fire agencies, depending on the jurisdictions included in a ballot measure. Staff would identify any related ballot measure costs and return to the Board for approval if one of these options is selected.

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

## BUSINESS IMPACT STATEMENT

N/A

### 10. SUBJECT: CREATE A UNIT DEDICATED TO REPRODUCTIVE HEALTH, JUSTICE AND EQUITY (DISTRICTS: ALL)

#### OVERVIEW

California and the County of San Diego (County) are leaders on reproductive health care rights. The County Health and Human Services Agency (HHSA), in collaboration with committed community members, local organizations, and State and federal partners, plays an important role in supporting access to critical health care services through a fully optimized health and social service delivery system. This includes supporting access to reproductive health services.

While pregnancy and maternal care are vital aspects of reproductive health, they are not its only components. Reproductive health includes: family planning, fertility services, sexual health services, menstrual health, gynecological care, gender-affirming care, prevention and treatment of gender-based violence, reproductive cancer screening and treatment, and education and counseling. These elements collectively address the diverse needs of individuals across different stages of life and gender identity, ensuring access to essential care and support. Together, these services reflect a holistic approach, promoting equity, health, and well-being for all individuals.

Reproductive justice emphasizes the social, economic, and political conditions necessary for all individuals to have the ability to make decisions about their bodies, families, and communities. It recognizes that reproductive rights alone often do not address the broader systemic inequities that impact people's reproductive lives.

In 2022, the U.S. Supreme Court directly attacked reproductive justice by overturning *Roe v. Wade*. The decision resulted in states throughout the nation placing strict restrictions on abortion health care services, with some banning abortion services entirely. The overturning of *Roe v. Wade* has had severe consequences for individuals seeking lifesaving reproductive health care services.

In addition to the recent restrictions on abortion related health care services, the United States is currently facing a maternal mortality crisis. The United States maternal mortality rate continues to exceed rates of other high-income nations. The World Health Organization defines a maternal death as "the death of a woman while pregnant or within 42 days of termination of pregnancy, irrespective of the duration and the site of the pregnancy, from any cause related to or aggravated by the pregnancy or its management, but not from accidental or incidental causes." Native Hawaiian and Pacific Islander, Black, and American Indian and Alaska Native women have the highest rates of pregnancy-related death. Persistent inequities in health care are a major factor in why Black women in the United States are by far the most likely to die from pregnancy or childbirth.

On May 24, 2022 (24), the San Diego County Board of Supervisors directed staff to conduct a comprehensive assessment (Assessment) of reproductive health care services offered by County and County health contractors, including: barriers to care; opportunities to optimize these services; expanding partnerships with providers; and identifying opportunities to address and reduce health disparities for marginalized communities by advocating for regulatory, budgetary, and legislative efforts that strengthen access to reproductive rights and health care services, including abortion.

The Assessment focused on prevention, identification, and treatment of pregnancies that are unintended, undesired, non-viable, and/or a threat to the pregnant person's health. To complete the Assessment, staff held workgroup meetings and in-depth interviews with County department representatives to collect information on the aspects of reproductive health addressed in their programs. Staff also reviewed literature to identify evidence-based practices to support increasing access to services.

The Assessment found that while many programs and social services are available from the County and from community reproductive health service providers, conducting training to support County staff in discussing reproductive care options with patients and updating procedures focused on person-centered referral pathways are recommended to ensure people can connect with these important services.

A unit within the County dedicated to reproductive health, a unit within the County dedicated to reproductive health ensures comprehensive, accessible, and equitable care for our communities and will strengthen connections to person-centered reproductive health care services and related resources in San Diego County. The unit could serve as a centralized hub for coordinating reproductive health care resources and addressing the unique needs of the community through targeted programs and outreach. It could also advocate for policies that improve access to care, support education on reproductive health issues, and facilitate collaboration among local organizations. By focusing on reproductive health, we can reduce disparities in care, promote preventive measures, and provide essential resources for family planning, sexual health, and gender-affirming services. A dedicated unit ensures that reproductive health remains a priority, leading to better health outcomes and a more informed, empowered community.

Today's action authorizes staff to create a unit within the County of San Diego Health and Human Services Agency dedicated to reproductive health, justice, and equity, and seek grant and other funding opportunities to support the expansion of reproductive health efforts, during the Fiscal Year 2025-26 Operational Planning process.

#### **RECOMMENDATION(S)**

#### **CHAIRWOMAN NORA VARGAS**

1. Direct the Chief Administrative Officer (CAO), during the Fiscal Year 2025-26 Operational Planning process, to create a unit within the County of San Diego Health and Human Services Agency, dedicated to reproductive health, justice, and equity, to serve as a centralized hub to coordinate reproductive health care resources, address the unique needs of the community through targeted programs and outreach, advocate for policies that improve access to care, support education on reproductive health issues, and facilitate collaboration among local organizations.

2. Authorize the Agency Director, Health and Human Services Agency, or designee, to apply for additional funding opportunities to support reproductive health efforts.

### **EQUITY IMPACT STATEMENT**

Black and Latina women experience higher rates of maternal mortality and severe maternal morbidity compared to white women. Specifically, Black women in San Diego face a maternal mortality rate that is 2.5 times higher than their white counterparts. Approximately 20% of low-income women of childbearing age lack access to necessary reproductive health services, including family planning and prenatal care. Nearly 25% of transgender and non-binary individuals report difficulties in accessing gender-affirming care due to lack of providers and financial barriers. Today's action represents a transformative step towards advancing equity in reproductive health care. Having an office dedicated to reproductive health, we can identify, target, and address disparities faced by marginalized communities, including communities of color, low-income individuals, and LGBTQ+ populations.

### **SUSTAINABILITY IMPACT STATEMENT**

Today's action aligns with the County of San Diego sustainability goals for providing just and equitable access to County services and engaging the community to develop communications and engagement strategies that include language and cultural considerations to ensure equitable access and participation.

### **FISCAL IMPACT**

There is no fiscal impact based on these recommendations at this time, although it may result in future fiscal impacts. Resource needs will be considered in the exploration of creation of a unit within the Health and Human Services Agency, dedicated to reproductive health, justice, and equity to serve as a centralized hub. The costs and funding sources associated with the establishment of a unit will be explored during the Fiscal Year 2025-26 Operational Planning process for budgetary consideration. Depending on the results, there may be additional staff years and a net General Fund cost. Any new General Fund resources required may result in budget reductions in other programs.

### **BUSINESS IMPACT STATEMENT**

N/A

11. **SUBJECT: RECEIVE THE ANALYSIS OF HOW CHANGES TO PROPOSITION 47, THROUGH THE POTENTIAL PASSAGE OF PROPOSITION 36, COULD IMPACT FUNDING FOR SERVICES OFFERED BY THE COUNTY OF SAN DIEGO; BOARD TO CONSIDER TAKING A POSITION ON PROPOSITION 36 (DISTRICTS: ALL)**

### **OVERVIEW**

On August 27, 2024 (5), the San Diego County Board of Supervisors (Board) directed the County of San Diego (County) Chief Administrative Officer to work with relevant groups and departments to provide an analysis of how changes to Proposition 47 of 2014, through the potential passage of Proposition 36, may impact funding for County services, with a specific focus on behavioral health services, housing and development services, and homelessness-related program so the Board can consider taking a position on Proposition 36. Proposition 36, *The Homelessness, Drug Addiction, and Theft Reduction Act*, will be included on the November 5, 2024, statewide ballot.



In 2014, voters passed Proposition 47, *The Safe Neighborhoods and School Act*, which reclassified some crimes from felonies to misdemeanors, including certain drug possession offenses, crimes when the amount involved was \$950 or less, unless the individual had previous convictions for violent crimes, and required resentencing for individuals serving felony sentences for these offenses, unless court found unreasonable safety risk. The savings generated from the implementation of Proposition 47 were to be applied to mental health and drug treatment programs, K-12 schools, and victim services, all of which were intended to reduce criminal justice system involvement and recidivism in California. According to the California Legislative Analyst's Office (LAO), Proposition 47 reduced the number of crimes punishable as felonies, thereby reducing the number of people that could be sentenced to state prison. LAO estimates statewide savings realized from Proposition 47 at approximately \$100 million annually, which were redirected to local jurisdictions implementing mental health and substance use services, truancy and dropout prevention programs, and victim services.

According to the LAO, if Proposition 36 is passed, it would reverse some of the felony-to-misdemeanor classifications imposed by Proposition 47. Proposition 36 would make several key changes related to punishments for theft and drug crimes, including increase punishment for some of these crimes, create a new court process for certain drug possession crimes that is treatment-focused, and require courts to warn individuals convicted of selling or providing illegal drugs that they may be charged with murder if someone dies from the drugs they provided or sold. The LAO analysis also indicates that Proposition 36 would have various fiscal effects on the state and local governments, although the overall impact would be dependent upon factors including but not limited to police and law enforcement actions, jail programming, and actions of local prosecutors.

Today's item provides an analysis of anticipated funding and service impacts of changes to Proposition 47 through the potential passage of Proposition 36, with a specific focus on behavioral health services, housing and development services, and homelessness-related programs. In addition, potential impacts have been included related to law enforcement and detention services, prosecution and defense of crimes, and supervision and support of clients in the community.

## **RECOMMENDATION(S)**

### **A. CHIEF ADMINISTRATIVE OFFICER**

Receive the analysis of how changes to Proposition 47, through the potential passage of Proposition 36, could impact funding for services offered by the County of San Diego.

### **B. BASED ON THE BOARD'S ACTION ON AUGUST 27, 2024**

Board to consider whether to take a position on Proposition 36.

## **EQUITY IMPACT STATEMENT**

Funding from Proposition 47 has assisted in addressing racial disparities by supporting several behavioral health, housing, and reentry programs which serve those at high risk of recidivism. This analysis is aligned with the County of San Diego commitment to equity, as it considers potential impacts that may result from the passage of Proposition 36.

## **SUSTAINABILITY IMPACT STATEMENT**

Proposition 47 funding aligns with the County of San Diego (County) Sustainability Goal #2 to provide just and equitable access to County services and programs that protect the health and well-being of justice-involved individuals and the community. Additionally, Proposition 47 funding supports Sustainability Goal #4 to protect health and well-being of communities.

## **FISCAL IMPACT**

There is no immediate fiscal impact associated with today's item. However, if Proposition 36 is passed by voters in November 2024, Proposition 47 funding for existing programs could be reduced or eliminated although the specificity and extent of the impact is unknown at this time. Currently, the County of San Diego (County) is using one-time Proposition 47 grant monies to support two distinct programs, each of which includes aspects of behavioral health care, housing and development, and/or support to people experiencing, or at-risk of homelessness.

The passage of Proposition 36 may eliminate future Proposition 47 grant opportunities that would support these types of programs into the future. Additionally, there could be additional costs for increased law enforcement and detention services, prosecution and defense of crimes, and supervision and support of clients in the community if Proposition 36 passes. At this time, there will be no immediate change in net General Fund cost and no additional staff years. Any future fiscal impacts based on results of the November 2024 election would need to be identified, and staff return to the San Diego County Board of Supervisors for any further action and consideration.

## **BUSINESS IMPACT STATEMENT**

N/A

- 12. SUBJECT: EXPANSION OF EMERGENCY AIR QUALITY AND IMPROVEMENT RELIEF: PROCUREMENT AND DISTRIBUTION OF AIR PURIFIERS RELATED TO THE TIJUANA RIVER POLLUTION CRISIS AND A-72 WAIVER (DISTRICT: 1)**

## **OVERVIEW**

For decades, South County communities have endured significant impacts from transboundary pollutants, including sediment, trash, and raw sewage that flow across the border into the Tijuana River Valley and neighboring areas like Imperial Beach, Nestor and San Ysidro. The combination of inadequate aging infrastructure and increasingly frequent climate-related emergencies has resulted in severe environmental, economic, and property damage from persistent cross-border sewage pollution and contaminated ocean waters.

Recognizing the urgency of this crisis, I have led the charge to secure relief for impacted communities. Under my leadership, the Board of Supervisors declared a local emergency on June 27, 2023, and directed staff to pursue all available federal and state funding sources. I have also spearheaded efforts to collaborate with federal, state, and local agencies, as well as stakeholders, to develop projects and innovative solutions to address the root causes of pollution.

As part of these efforts, I secured funding from the U.S. Environmental Protection Agency (EPA) to provide an additional disbursement of California Air Resources Board (CARB) -certified air purifiers for the Emergency Air Quality and Improvement Relief pilot program in collaboration with the San Diego Air Pollution Control District (APCD) and the County of San Diego. This funding is for the purchase of air purifiers, for eligible participants of the County's pilot program. This pilot program, originally approved by the Board on June 4, 2024 (19), provided air purifiers to impacted residents to mitigate the odors caused by sewage flows in the most affected communities.

On September 12, 2024, as a member of the APCD Governing Board, I introduced a motion to direct the Air Pollution Control Officer, as the lead agency for protecting the air quality for all residents in the South County region, to return back to the San Diego County Air Pollution Control District Governing Board on November 14, 2024, with the following item:

- Develop a plan for the APCD to continue funding, procurement and distribution of the appropriate air purifiers or filters, and/or personal protective equipment. Funding options to explore include expanding grant eligibility for the AB617 program, reallocation of funds from state/federal agencies, and the use of the projected operating fund balance of the APCD Operating Fund.

Today's action requests Board approval to authorize the Chief Administrative Officer (CAO) to collaborate with the San Diego Air Pollution Control District (APCD) for the transfer of U.S. EPA funds from the APCD to the County of San Diego and enter into an agreement for acceptance of these funds. These funds would benefit the procurement and distribution of more air purifiers to mitigate the odors caused by sewage flows in partnership with APCD.

### **RECOMMENDATION(S)**

#### **CHAIRWOMAN NORA VARGAS**

1. Waive Board Policy A-72 Agenda and Related Process, Section 2.k.ii, which establishes required timelines for review when preparing a Board Letter.
2. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) because the recommended actions are administrative in nature and not a project as defined in CEQA Guidelines Section 15378(b)(5).
3. Pursuant to Government Code section 26227, and subject to the availability of funding:
  - a. Authorize the Chief Administrative Officer to negotiate and execute a Memorandum of Understanding with the San Diego County Air Pollution Control District (APCD) regarding funding for air purifiers, including the receipt and expenditure of funding pursuant to grant terms from the Environmental Protection Agency (EPA), including sole source procurement pursuant to 2 CFR 200.320, as well as reimbursement for County expenditures to support emergency air quality and improvement relief efforts such as equipment and program administration costs.
  - b. Direct the Chief Administrative Officer to conduct one or more rounds of distribution of air purifiers for eligible participants of the emergency air quality and improvement relief pilot program approved by the Board on June 4, 2024 (19), and authorize the Chief Administrative Officer to take any necessary actions to implement this initiative, and
  - c. Authorize the Director, Department of Purchasing and Contracting to procure air purifiers in support of such a program.
4. Establish appropriations of up to \$ 2,360,200,000 in the Land Use and Environment Executive Office, based on funds received from APCD for the purchase of air purifiers ~~and General Reserve Funds, contingent on feasibility of utilizing the General Fund Reserves~~ **(4 VOTES).**

5. Direct staff to support the APCD by exploring future partnerships and providing information on the County's pilot program as APCD develops future programs to purchase and distribute air purifiers and/or protective equipment for residents impacted by air pollution and ambient odors.
6. ~~Direct staff to provide a replenishment strategy for the General Fund Reserves utilized by this action.~~

**EQUITY IMPACT STATEMENT**

The proposed efforts to continue providing immediate relief from the Tijuana River pollution crisis in the form of procurement for air purifiers will result in a positive, immediate impact on the residents affected by the gases emanating from the sewage pollution crisis.

**SUSTAINABILITY IMPACT STATEMENT**

The proposed action to accept funds and continue providing immediate relief in the form of air purifiers will contribute to the health and overall well-being of South County residents, an underserved community, that has limited access to recreational activities due to the current pollution crisis affecting South County Beaches and protected areas.

**FISCAL IMPACT**

Funds for this action are not included in the Fiscal Year 2024-25 Operational Plan for the Land Use and Environment Executive Office. If approved, this request will result in estimated costs and revenue of approximately \$2,360200,000 to support emergency air quality and improvement relief efforts, including equipment and program administration costs, contingent on program requirements and funding availability for the Air Pollution Control District (APCD). The funding source is ~~the General Fund Reserve. In accordance with the San Diego County Code of Administrative Ordinances (Administrative Code) Section 113.1, related to General Fund Balances and Reserves, all appropriations of the General Fund Reserve will require at least four votes of the San Diego County Board of Supervisors. Up to \$2,200,000 of funding would be provided to the San Diego Air Pollution Control District (APCD) which would be repaid by revenue from the APCD, which is anticipating receiving funding from the United States Environmental Protection Agency (EPA) and the California Air Resources Board (CARB), which have both committed to support the procurement of air purifiers on an emergency basis.~~

~~Today's recommended use of the General Fund Reserve will reduce the Reserve to below the minimum required balance, and restoration of the Reserve to the minimum balance will take place over the next one to three years, pursuant to the County of San Diego (County) Administrative Code. A plan and amounts to support the replenishment of the Reserve will be included in the FY 2025-26 Operational Plan, based on available funding sources, which may include anticipated FY 2024-25 budgetary operational results, General Purpose Revenue generated by growth in the County's assessed value, and payments made from APCD. There will be no additional staff years.~~

~~Operational Plans for each impacted department, pending availability of funding. Funding options may include the reallocation of existing resources when the costs cannot be covered by any external funding.~~

**BUSINESS IMPACT STATEMENT**

N/A

**13. SUBJECT: DECLARING THE TIJUANA RIVER VALLEY AN EPA SUPERFUND SITE TO UNLOCK STATE AND FEDERAL FUNDS FOR TOXIC REMEDIATION AND CLEAN-UP (DISTRICTS: ALL)**

**OVERVIEW**

For nearly eight decades, the Tijuana River Valley has been drowning in toxic chemicals, industrial waste, and raw sewage flowing across the border, wreaking havoc on our health, environment, and economy. Despite recent progress on infrastructure and binational cooperation, the hazardous waste continues to flow and at great cost to the public. Public health is at risk. Our ecosystems are suffering. The regional economy is feeling the strain.

While immediate repairs-like wastewater pumps in Tijuana and upgrades to the South Bay International Wastewater Treatment Plant-are critical, they simply aren't happening fast enough. And, even when completed, infrastructure alone won't undo the impact of decades of relentless toxic pollution that includes heavy metals and hazardous chemicals, some of which have been banned in the United States such as DDT, and Polychlorinated Biphenyls (PCBs), as well as other cancer-causing industrial compounds like hexavalent chromium and polycyclic aromatic hydrocarbons (PAHs).

Everyone deserves access to clean water and healthy open spaces free from dangerous contaminants. Stopping the sewage is an important first step but cleaning up the hazardous waste in the river valley and estuary will be one of the most daunting environmental justice challenges of our times.

**What is a Superfund Site?**

I'm calling on the County of San Diego to petition the U.S. Environmental Protection Agency (EPA) to designate the 6-mile portion of the Lower Tijuana River Valley as a "Superfund" site to unlock federal funding and clean-up the toxic conditions. The Superfund program requires the nation's most toxic hazardous waste sites to be identified and cleaned up. The Superfund designation provides authority and funding to remediate pollution, hold responsible parties accountable, while centering communities in the process. Superfund is designed to address toxic waste and not raw sewage, which falls under the jurisdiction of the Clean Water Act. However, the Tijuana River Valley has endured 80 years of wastewater spills that includes many known toxic substances, making it a strong candidate for Superfund designation.

**Benefits of Superfund Designation**

Being listed as a Superfund site offers several key benefits. First, it provides access to federal funding for site investigation, cleanup, and long-term remediation. In 2022, President Biden reinstated the Petroleum Superfund Tax, which will raise an additional \$52 billion over the next 10 years to support Superfund cleanup activities. We must ensure San Diego County receives its fair share of these resources. Second, Superfund designation guarantees the creation of a comprehensive cleanup plan that addresses all hazardous contaminants in detail, safeguarding public health and the environment by significantly reducing exposure to dangerous pollutants. Third, the Superfund program holds responsible parties accountable, ensuring polluters contribute to the cleanup costs.

## **Why Tijuana River Should be a Superfund Site**

The Tijuana River wastewater crisis is too often viewed solely as a sewage issue, but it's far more complex. For decades, the wastewater flow carries toxic contaminants, heavy metals, pesticides, herbicides, and other hazardous substances, making it a much broader environmental threat. A 2024 study found 170 pollutants in the river sediment, including polycyclic aromatic hydrocarbons (PAHs), a carcinogen that affects development, liver, and reproductive systems, and banned pesticides such as DDT. The Regional Water Quality Control Board found 7 substances that exceeded human health thresholds including PAH concentrations that were “consistent with pollution caused by industrial discharges and urban runoff”.

Since the 1990s, the river and its tributaries have been plagued by illegal dumping from industrial sites, including from maquiladoras, foreign-owned manufacturing plants known for their lax environmental practices. The toxic legacy of these illegal wastewater discharges persists, buried deep in the sediments of the riverbed.

The EPA employs a standardized Hazard Ranking System (HRS) to evaluate and determine whether a site qualifies for Superfund designation. The HRS assesses three categories of risk and examines four pathways through which contaminants can threaten public and environmental health.

### **1. Waste Characteristics (toxicity, quantity of hazardous substances):**

- A 2018 study<sup>i</sup> by U.S. Customs and Border Protection found high concentrations of many hazardous substances above EPA standards, including volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, herbicides, and bacteria. This includes many known carcinogens and toxic substances like hexavalent chromium, arsenic, DDT, and lead.
- A 2020 study by the IBWC<sup>ii</sup> showed high levels of chemical, metals, and oils, including copper, nickel, and zinc, commonly used in the metal plating industry, as well as organic compounds like DEHP, which a chemical leached from plastics.
- A 2024 San Diego State University Public Health Report<sup>iii</sup> noted 392 chemical contaminants in the Tijuana River, including 175 compounds that are listed in the U.S. EPA Toxic Substances Control Act, such as acetone, pesticides, flame retardants, DDT, and PCBs. The report also found elevated levels of arsenic and all study sites.

### **2. Likelihood of release of hazardous substances**

- Hazardous substances in the sediment and water could be released due to ongoing erosion, water flow disturbances, and flooding, which can dislodge and mobilize toxic contaminants embedded in the riverbed, leading to increased environmental and public health risks.
- Culverts along the Tijuana River (Saturn Blvd) agitate and churn the water, increasing the likelihood of toxic substances being released and aerosolized, potentially exposing nearby communities to airborne contaminants. Recent data<sup>iv</sup> has shown elevated levels of hydrogen sulfide near the river and in the adjacent community.

### 3. People or Sensitive Environments Affected by Release

- The Tijuana River flows through urbanized neighborhoods, including ranches, farms, and single-family homes, making these environmental justice communities particularly sensitive to potential contamination and vulnerable to the public health risks posed by ongoing pollution.
- The river also terminates in the Tijuana River National Estuarine Reserve and the Tijuana Slough National Wildlife Reserve. This is the largest wetland in Southern California and is a home to over 370 bird species including 6 federally listed threatened or endangered species.

<b>Air Migration Pathway</b>	Research from San Diego State University and UC San Diego highlight the elevated levels of hydrogen sulfide near the river and in the adjacent communities. More research is being conducted to analyze other airborne contaminant such as VOCs.
<b>Ground Water Migration Pathways</b>	Ranches and farms adjacent the Tijuana River utilize well water, often from wells potentially as shallow as 15 ft deep. Contaminants in the river could form a groundwater plum leaching liquid contaminants into the soil or aquifer.
<b>Surface Water Migration Pathway</b>	Ranches, farms, community gardens, and commercial nurseries are all found within several hundred yards of the river, potentially exposing food, plant stock and livestock sources to contamination. The Tijuana River also flows directly into the Tijuana Slough National Reserve, a sensitive ecosystem that is home to the largest wetland in southern California and endangered species. The Tijuana River Estuary has been designated a Ramsar Convention Wetland of International Important, a National Estuarine Research Reserve, and a Critical Coastal Area (CCA) and is adjacent to the Tijuana River Mouth State Marine Conservation Area. The river valley support 11 habitat types and either threatened or endangered species.
<b>Soil Migration Pathway</b>	The dry, dusty conditions in the Tijuana River Valley heighten the potential for soil migration, allowing contaminants to be carried by wind over long distances, sometimes traveling miles and exposing surrounding communities and ecosystems to harmful pollutants.

Today's action directs County staff to formally petition the EPA to conduct a preliminary assessment and site inspection of the Lower Tijuana River Valley for inclusion in the EPA Superfund program and placement on the National Priorities List. This is the first step in fast-tracking hazardous waste cleanup and holding polluters accountable. The petition should highlight that the Tijuana River crisis involves toxic chemicals and hazardous substances, not

merely raw sewage, underscoring the environmental and public health risks posed by long-standing industrial and chemical pollution.

This item also aims to center the voices of impacted individuals and community-based leaders, inviting the public to join the County's petition as official co-signers and to share their testimony and experiences of how they are affected by the potential release of toxic contaminants. It's time to decisively act to make our communities whole, safeguard public health, and secure a more sustainable future for generations to come.

## **RECOMMENDATION(S)**

### **VICE CHAIR TERRA LAWSON-REMER**

1. Direct the Chief Administrative Officer to submit a petition to the U.S Environmental Protection Agency (EPA) to conduct a preliminary assessment and site inspection of the Lower Tijuana River Valley for inclusion on EPA's National Priorities List to determine if the Tijuana River Valley would qualify for federal assistance under the Superfund program. The petition should include discussion of potential and known releases of toxic substances, beyond raw sewage, that best align with Superfund criteria.
2. Direct the Chief Administrative Officer to open a 14-day period to solicit partners, individuals, and impacted communities to join the County of San Diego's petition to the EPA as official co-signers and to submit testimony, pictures, evidence, and personal experiences how they are affected by the release or potential release of toxic contaminants in the Tijuana River Valley, which would be included as an appendix to the petition.
3. Direct the Chief Administrative Office to create an urgent public communications campaign to stakeholder groups in the affected coastal communities, from North County to the border to inform them of the County's effort to pursue Superfund designation for the Tijuana River Valley and solicit co-signers in support of Recommendation 3 above.
4. Direct the Chief Administrative Officer to report back to the Board with a memo, that includes the official petition submitted to EPA, with information such the names of the co-signers, their zip code, and their submitted testimony, as applicable.

## **EQUITY IMPACT STATEMENT**

Many of the communities most impacted by the Tijuana River transboundary pollution are identified by SB 535 (2012) and on CalEnviroScreen 4.0 Environmental Justice community as having high pollution burdens from impaired water bodies, elevated PM2.5 levels and elevated levels of linguistic isolation and poverty rates.

## **SUSTAINABILITY IMPACT STATEMENT**

This board letter aligns with the County's sustainability goals to protect the environment and promote our natural resources, diverse habitats, and cultivate a natural environment for residents, visitors, and future generations to enjoy. It also aligns with County Sustainability goals, including: (4): Protect the health and wellbeing of everyone in the region, with a focus on collaborating with community partners and advocating for environmental justice for communities that have been disproportionately impacted (5): Protect water in all forms. (6): Develop natural and organic land management policies and practices that protect ecosystems, habitats,



biodiversity, and soil health throughout the County while providing opportunities for all residents to access and enjoy the outdoors, and (7): Reduce pollution and waste and demonstrate reduction in consumption of resources.

### **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**

The impact of beach closures has a devastating impact on coastal communities through decreased visitors and street traffic. The long-term health impact of chronic exposure to transboundary pollutants and chemicals may also have significant impacts on economic growth and flourishing of communities across San Diego County.

- 14. SUBJECT: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO DECLARE ITS SUPPORT FOR PROPOSITION 4 ON THE NOVEMBER 2024 BALLOT TO PASS THE SAFE DRINKING WATER, WILDFIRE PREVENTION, DROUGHT PREPAREDNESS, AND CLEAN AIR BOND ACT OF 2024 (DISTRICT: ALL)**

### **OVERVIEW**

Californians are feeling the impacts of a changing climate from devastating wildfires, loss of natural areas, extreme summer heat events, rising sea levels, and other major threats from a changing climate. In the County of San Diego (the “County”), the combination of inadequate, aging infrastructure and increasingly frequent climate-related emergencies has resulted in severe environmental, economic, and property damage.

The County has been working diligently with community stakeholders to develop concrete solutions to ensure the County has the necessary infrastructure to stay resilient in the face of these climate related challenges. While solutions have been identified, additional funding is needed to complete the infrastructure projects needed to address our changing environment. The County is committed to pursuing all available funding options at the local, state, and federal level. No single source will be sufficient, and a variety of tools are needed.

One such tool is Proposition 4, which is on the ballot this November and seeks to pass the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (the “Climate Bond”). The proposed Climate Bond, signed by Governor Newsom and passed with a bipartisan supermajority of California legislators, would authorize \$10 billion in state general obligation bonds for various projects to reduce climate risks and impacts, including:

- \$3.8 billion for safe drinking water and water resilience;
- \$1.95 billion for wildfire prevention and extreme heat mitigation;
- \$1.9 billion for protection of natural lands, parks, and wildlife;
- \$1.2 billion for protection of coastal lands, bays, and oceans;
- \$850 million for clean energy; and
- \$300 million for agriculture.

The Climate Bond would also allocate specific funding to the San Diego region to help support some of the County's most critical climate infrastructure needs. The Climate Bond's San Diego region allocations, include:

- \$50 million for the Tijuana River Valley Watershed projects and New River Water Quality, Public Health, and River Parkway Development Program;
- \$48 million for the San Diego Rivers Conservancy for climate resilience projects; and
- \$25 million for the San Diego Rivers Conservancy for watershed improvement, wildfire resilience, chaparral and forest restoration, and workforce development.

Importantly, the Climate Bond would allocate at least forty percent (40%) of its funding to underserved and climate vulnerable communities, many of which have not received funding in past state bond efforts. To ensure the sustainability of these infrastructure projects, the Climate Bond would authorize a portion of the funds to be used for community access projects that benefit disadvantaged communities, severely disadvantaged communities, and vulnerable populations. These community access projects may include climate resilience efforts that involve issues related to transportation, physical activity programming, multilingual translation, workforce development and career pathways, and more. While there are costs associated with any bond funding, on net, the Climate Bond would likely result in long-term savings for the County by investing now in prevention efforts that will reduce the risk and amount of damage from future climate related disasters.

This board letter requests the San Diego County Board of Supervisors approve a resolution to declare its support for the Climate Bond. The Climate Bond provides a historic opportunity for San Diego and California to shift from disaster response to disaster prevention - investing in proactive measures to save California money, keep costs down for families, and protect our communities.

## **RECOMMENDATION(S)**

### **CHAIRWOMAN NORA VARGAS**

Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO DECLARE ITS SUPPORT FOR PROPOSITION 4 ON THE NOVEMBER 2024 BALLOT TO PASS THE SAFE DRINKING WATER, WILDFIRE PREVENTION, DROUGHT PREPAREDNESS, AND CLEAN AIR BOND ACT OF 2024.

## **EQUITY IMPACT STATEMENT**

The funding authorized by Proposition 4 would prioritize disadvantaged communities and economically distressed areas. Many of these are communities of color living on the frontlines of environmental pollution due to a long history of environmental racism and unjust policies. This proposed resolution expresses the County's commitment to pursuing funding solutions to meet the needs of its most underserved communities.

## **SUSTAINABILITY IMPACT STATEMENT**

This proposed resolution supports funding that will help achieve a variety of the County's sustainability goals, including preparing for the impacts of climate change, supporting green job creation and workforce development, remediation of environmental harms for communities that have been disproportionately impacted, and increased infrastructure to protect the County's surface and groundwater.

## **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

**15. SUBJECT: A RESOLUTION IN SUPPORT OF PROPOSITION 6 TO AMEND  
ARTICLE 1, SECTION 6 OF THE CALIFORNIA CONSTITUTION  
(DISTRICTS: ALL)**

### **OVERVIEW**

Prison labor has a long history in the United States penal system. In California, incarcerated people are paid little for performing difficult labor under threat of punishment. The California Penal Code currently “require[s] of every able-bodied prisoner imprisoned in any state prison as many hours of faithful labor in each day and every day during his or her term of imprisonment as shall be prescribed by the rules and regulations of the Director of Corrections.” Cal. Penal Code § 2700. Incarcerated persons who refuse to work sometimes face consequences such as losing the ability to make regular phone calls and the loss of good time credits, among other punitive measures. Proposition 6 would explicitly end this practice in California.

Article 1, Section 6 of the California Constitution states: “Slavery is prohibited. Involuntary servitude is prohibited *except to punish crime*.” Proposition 6 would amend this section and replace it with the following:

- (a) Slavery and involuntary servitude is prohibited.
- (b) The Department of Corrections and Rehabilitation shall not discipline any incarcerated person for refusing a work assignment.
- (c) Nothing in this section shall prohibit the Department of Corrections and Rehabilitation from awarding credits to an incarcerated person who voluntarily accepts a work assignment.
- (d) Amendments made to this section by the measure adding the subdivision shall become operative January 1, 2025.

The exploitation of prison labor is one example of the systemic issues that plague correctional facilities. California law currently allows incarcerated individuals to be subjected to inhumane treatment and abusive interactions resulting in trauma and impeding rehabilitation. Forced prison labor is one form of this. Black individuals make up a disproportionate share of California’s prison population-28% of men and 23% of women in California prisons are Black compared to 6% of California’s population overall. Passage of Proposition 6 would be a small but significant step toward fixing the abusive carceral system that disproportionately affects Black Californians and would eliminate a vestige of slavery that has remained codified in the California Constitution from 1849 through today.

Today, California is one of sixteen states with a penal exception loophole in its state constitution. In recent years, several states have taken action to remove penal exceptions from their state constitutions. In 2018, Colorado voters approved an initiative to remove a penal exception from their state constitution. Nebraska and Utah followed in 2020. In 2022, 76% of Alabama voters supported amending their state constitution to remove the penal exception. Voters in Oregon, Tennessee and Vermont did the same.

This Board Letter requests the San Diego County Board of Supervisors approve a resolution in support of Proposition 6 to amend Article 1, Section 6 of the California Constitution.

**RECOMMENDATION(S)****SUPERVISOR MONICA MONTGOMERY STEPPE**

Adopt the resolution entitled: A RESOLUTION IN SUPPORT OF PROPOSITION 6 TO AMEND ARTICLE 1, SECTION 6 OF THE CALIFORNIA CONSTITUTION

**EQUITY IMPACT STATEMENT**

Removing the penal exception clause from the California Constitution eliminates a vestige of slavery from the California Constitution and bans forced labor in state prisons. The County of San Diego's support of Proposition 6 demonstrates a commitment to promoting equity, justice, and inclusivity.

**SUSTAINABILITY IMPACT STATEMENT**

Supporting Proposition 6 will further the County of San Diego's commitment to promoting justice for all San Diegans.

**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

16. **SUBJECT: ~~NOTICED PUBLIC HEARING:~~  
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**

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**

**On October 8, 2024:**

1. Determine no change is necessary and approve the sunset review date of December 31, 2031, for the following Board of Supervisors Policies, Administrative Code provisions, and Regulatory Code provisions:
  - a. A-79, Interlocking Directorates
  - b. AA-1, Board of Supervisors' Policy Manual Modifications- Exceptions
  - c. Administrative Code Article IIIc, Past Grand Jurors Association Implementation Review Committee
  - d. Regulatory Code Chapter 3, Real Property Transfer Tax
  - e. Administrative Code Article XXIV, Registrar of Voters
2. Approve amendments and the sunset review date of December 31, 2031, for the following Board of Supervisors Policies:
  - a. A-54, Public Access to County Records
  - b. A-72, Board of Supervisors' Agenda and Related Processes
  - c. A-74, Participation in County Boards, Commissions and Committees
  - d. A-84, Policy for Public Funding of Memberships in Professional Associations
  - e. A-105, Filling Vacancies in Elected Offices
  - f. A-106, Water Supply, Conservation, and Reclamation
  - g. A-123, County Community Reinvestment Policy
  - h. A-131, Protecting Personally Identifiable Information
  - i. A-138, Use of County Seal
  - j. B-65, Long-Term Financial Obligation Management Policy
  - k. B-74, Contracting Standards for Janitorial, Landscaping, and Security Services Contracts
  - l. G-16, Capital Facilities Planning
  - m. H-1, Fleet Management Internal Service Fund

- n. H-2, Fleet Vehicle and Mobile Equipment
  - o. H-10, Assignment and Use of County-Owned Vehicles and Mobile Equipment
  - p. I-134, Role of County Counsel in Land Use Matters
  - q. K-6, Loan of County Property to Non-County Activities
  - r. M-1, Legislative Proposals
  - s. M-2, Legislative Policy: Legislative Advocacy
3. Defer the sunset review of the following Board of Supervisors Policies and Administrative Code Provisions until December 31, 2025:
    - a. B-66, Procurement of Products and Services from California's Prison Industry Authority
    - b. B-67, Environmentally Preferable Procurement
    - c. Administrative Code XX-III Department of Purchasing and Contracting
  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.
  5. Approve the introduction of Ordinances (First 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

**If, on October 8, 2024, the Board takes the action as recommended by recommendation 5, then, on October 22, 2024:**

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

**17. SUBJECT: COMMUNITY ENGAGEMENT FOR THE MIGRANT TRANSITION DAY CENTER AND A-72 WAIVER (DISTRICTS: ALL)**

**OVERVIEW**

The County of San Diego is a welcoming county to asylum-seeking migrants and refugees fleeing persecution in their home countries. Over the past seven years, the United States–Mexico border has seen increases in asylum seeking migrants from humanitarian crises around the globe. Federal law allows people from other countries to seek asylum in the United States if they fear persecution at home.

San Diego is home to diverse communities, including significant populations of Somali, Iraqi, and Vietnamese refugees. Oftentimes, San Diego is simply a waypoint for migrants on a longer journey into other areas of the United States. Recently, our region has been impacted by the humanitarian migrant crisis at our international border. As a County we have been addressing the increase in street releases by U.S. Customs and Border Protection (“CBP”) by, among other things, working together with local community-based organizations (“CBOs”) to ensure asylum seekers reach their destination.

On February 6, 2024 (11), the Board of Supervisors directed the Interim Chief Administrative Officer (ICAO) to work with the region’s fiscal agent for the federal Shelter and Services Program (SSP), and if needed, the federal government, to return to the Board within 30 days with options to maximize the use of this funding stream to meet regional needs, including mitigating street releases. Additionally, staff was directed to develop a concept paper and advocacy plan for long-term, state and federally funded migrant transfer sites and respite shelters operated by local community-based organizations, supplemented by philanthropic and private sector funds.

In response to this direction, on February 27, 2024 (13), staff returned to the Board with a report titled "Concept Paper and Advocacy Plan for a Long-Term Migrant Transfer Site and Respite Shelter." The Board authorized the acceptance of the report and directed the CAO to update the Concept Paper as needed. Additionally, the Board added support for a Long-Term Migrant Transfer Site and Respite Shelter to the County’s 2024 Legislative Program and authorized the CAO to apply for any grant funds that provide advance funding for migrant sheltering and services.

On April 30, 2024 (34), the Board directed the Interim CAO to begin implementing the vision for a long-term migrant transfer site and respite shelter, as outlined in the Board’s approved Concept Paper. Staff returned on May 21, 2024, (27), when the Board authorized the acceptance of FY 2024 FEMA Shelter and Services Program-A (SSP-A) grant funding and authorized the Department of Purchasing and Contracting to issue a competitive solicitation for a Migrant Transition Day Center. This item is being late docketed due to the time-sensitivity of the federal grant-funded procurement process. The direction on community engagement is necessary to specify the Board’s intent on the provision of migrant services in a timely and collaborative manner.



Today's actions direct the CAO or designee to engage with the other regional SSP funding recipients and local CBOs to coordinate services to assist migrants under the SSP grant and report back to the Board on the status of this engagement 60 days after the conclusion of the procurement process.

**RECOMMENDATION(S)**  
**CHAIRWOMAN NORA VARGAS**

1. Waive Board Policy A-72 Agenda and Related Process, Section 2.k.ii, which establishes required timelines for review when preparing a Board Letter.
2. Direct the Chief Administrative Officer, after the conclusion of the procurement process for Migrant Transition Day Center, to conduct engagement with the other regional recipients of SSP funding and other local community-based organizations in alignment with contract requirements.
3. Direct the Chief Administrative Officer to report back to the Board within 60 days after the conclusion of the procurement process, with an update on community engagement in the operation of the Migrant Transition Day Center.

**EQUITY IMPACT STATEMENT**

All San Diego residents deserve the opportunity to live in a dignified manner in communities that provide them a safe and supportive environment. The County and its partner organizations can assist in this effort by supporting the organizations on the ground that are helping asylum seeking migrants arriving in our region with supportive services that will meet the humanitarian and social needs of this population.

**SUSTAINABILITY IMPACT STATEMENT**

Through these collaborative efforts between the County and the local community-based organizations that have the expertise and ability to assist asylum seeking migrants, and identifying funding opportunities, we can ensure our region has the necessary resources to assist this population during a humanitarian crisis. The recommended actions would allow the County to optimize resource utilization by streamlining the effectiveness of our response efforts, ensuring the continuous availability of critical services for affected communities. This approach will enhance our ability to efficiently coordinate resources and maintain the sustainability of essential programs and support services.

**FISCAL IMPACT**

There are no fiscal impacts associated with these recommendations at this time. There will be no change in General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**18. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)**

**OVERVIEW**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Hinkle, et al. v. California Department of Health Care Services, et al.;  
U.S. District Court for the Northern District of California. 3:18-cv-06430
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
James Harold Lynch v. County of San Diego, et al.;  
San Diego County Superior Court, Case No. 37-2020-00016745-CU-PO-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Nura Kanj, et al. v. County of San Diego, et al.;  
San Diego County Superior Court, Case No. 37-2023-000038557-CU-PA-  
CTL
- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Jamel Burt v. Nicolai Ramos, et al.;  
San Diego County Superior Court, Case No. 3:24-cv-00662-CAB-VET