

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, SEPTEMBER 13, 2011
Board of Supervisors North Chamber
1600 Pacific Highway, Room 310, San Diego, California

REGULAR SESSION – Regular Meeting was called to order at 9:05 a.m.

Present: Supervisors Bill Horn, Chairman; Ron Roberts, Vice Chairman; Greg Cox; Dianne Jacob; Pam Slater-Price; also Thomas J. Pastuszka, Clerk.

Invocation was led by Cindy Arntson of North Coast United Methodist Church of Oceanside.

Pledge of Allegiance was led by San Marcos Boys & Girls Clubbers: Aracely Hernandez, Maite Soriano and Miguel Valles.

Approval of Statement of Proceedings/Minutes for Meetings of Regular Board of Supervisors on August 2, 2011; Air Pollution Control District on August 2, 2011; Flood Control District on August 2, 2011; In-Home Supportive Services Public Authority on August 2, 2011; Redevelopment Agency on August 2, 2011; and Special Meeting Board of Supervisors on September 6, 2011.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Cox, the Board of Supervisors approved the Statement of Proceedings/Minutes for Meetings of Regular Board of Supervisors on August 2, 2011; Air Pollution Control District on August 2, 2011; Flood Control District on August 2, 2011; In-Home Supportive Services Public Authority on August 2, 2011; Redevelopment Agency on August 2, 2011; and Special Meeting Board of Supervisors on September 6, 2011.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

Public Communication: No Speakers

Category	Agenda No.	Subject
Public Safety	1.	DISTRICT ATTORNEY – RATIFICATION OF GRANT APPLICATIONS AND ACCEPTANCE OF GRANT FUNDS FOR INSURANCE FRAUD PROGRAMS [FUNDING SOURCE(S): GRANT AWARDS FROM THE STATE OF CALIFORNIA, DEPARTMENT OF INSURANCE AND GENERAL PURPOSE REVENUE]
	2.	SHERIFF – AUTHORIZATION TO APPLY FOR THE SOBRIETY CHECKPOINT MINI-GRANT PROGRAM
	3.	SHERIFF – REQUEST TO ACCEPT GRANT AWARDS FOR THE CALIFORNIA MULTI-JURISDICTIONAL METHAMPHETAMINE ENFORCEMENT TEAM, DUI AVOID, DUI OVERTIME ONLY, AND OFF HIGHWAY MOTOR VEHICLE RECREATION PROGRAMS [FUNDING SOURCE(S): CAL-MMET: GRANT REVENUE FROM CAL EMA; DUI AVOID: GRANT REVENUE FROM THE CALIFORNIA OTS; DUI OVERTIME ONLY: GRANT REVENUE FROM THE CALIFORNIA OTS; OHMVR: GRANT REVENUE FROM THE CALIFORNIA STATE PARKS] (4 VOTES)
	4.	SHERIFF – AUTHORIZATION TO ACCEPT ANTI-TERRORISM FUNDS FROM THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY [FUNDING SOURCE(S): UNANTICIPATED REVENUE FROM CAL EMA] (4 VOTES)
	5.	SHERIFF’S DEPARTMENT AGREEMENT WITH THE CITY OF CHULA VISTA AND THE CITY OF SAN DIEGO FOR REIMBURSEMENT FOR AFIS ENTRY TECHNICIANS [FUNDING SOURCE(S): SHERIFF’S FINGERPRINT ID TRUST FUND]

Category	Agenda No.	Subject
	6.	PROVISION OF PHYSICAL HEALTH SERVICES AT PROBATION FACILITIES [FUNDING SOURCE(S): YOUTHFUL OFFENDER BLOCK GRANT, JUVENILE PROGRAMS AND CAMP FUNDING, AND GENERAL PURPOSE REVENUES]
	7.	PROBATION - ACCEPTANCE OF JUVENILE ACCOUNTABILITY BLOCK GRANT 2011-2012 [FUNDING SOURCE(S): JUVENILE ACCOUNTABILITY BLOCK GRANT] (4 VOTES)
Health and Human Services	8.	JUVENILE DIVERSION SERVICES [FUNDING SOURCE(S): GENERAL FUND, FUND BALANCE]
	9.	SCHOOL-BASED MEDICAL ADMINISTRATIVE ACTIVITIES REVENUE AGREEMENT [FUNDING SOURCE(S): FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES WHICH IS PASSED THROUGH THE STATE OF CALIFORNIA, DEPARTMENT OF HEALTH CARE SERVICES]
	10.	EXTENSION OF CONTRACT FOR STATE FUNDED CHILD CARE PROVIDER EDUCATION AND RETENTION STIPEND PROGRAM [FUNDING SOURCE(S): CALIFORNIA DEPARTMENT OF EDUCATION]
	11.	SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: HEALTH AND HUMAN SERVICES AGENCY – COUNTY ADMINISTRATIVE CODE UPDATE – GENERAL RELIEF (8/2/11 – FIRST READING; 9/13/11 – SECOND READING)
Community Services	12.	DISPOSITION AND DEVELOPMENT AGREEMENT WITH RYAN COMPANIES US, INC. - SECOND AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT; WAIVER OF BUILDING PERMIT AS A CONDITION TO CLOSING

Category	Agenda No.	Subject
Financial and General Government	13.	<p>NOTICED PUBLIC HEARING: COUNTY ADMINISTRATION CENTER MANAGEMENT - TRANSFER FROM CLERK OF THE BOARD OF SUPERVISORS TO DEPARTMENT OF GENERAL SERVICES: ADOPT AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE ARTICLE XXIIb SECTIONS 398.14 THROUGH 398.15 AND DELETING ARTICLE XXVII SECTION 505; APPROVE CHANGES TO BOARD POLICIES G-11 & G-15A; ADOPT A RESOLUTION RELATED TO PARKING REGULATIONS (APPROVE RECOMMENDATIONS AND FIRST READING OF ORDINANCE – 9/13/11; SECOND READING OF ORDINANCE - 9/27/11) [FUNDING SOURCE(S): GENERAL PURPOSE REVENUE, RENTS AND CONCESSIONS, AND GENERAL FUND FUND BALANCE] (4 VOTES)</p>
	14.	<p>NOTICED PUBLIC HEARING: FISCAL YEAR 2010-11 PERFORMANCE REPORT FOR DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT ENTITLEMENT PROGRAMS</p>
	15.	<p>DEPARTMENT OF GENERAL SERVICES - REQUEST FOR APPROVAL OF OUT-OF- COUNTRY TRAVEL</p>
	16.	<p>SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ADOPT AN ORDINANCE ADDING ARTICLE 7 TO CHAPTER 6 OF DIVISION 2 OF TITLE 6 OF THE SAN DIEGO COUNTY CODE RELATING TO THE KEEPING OF ROOSTERS (FIRST READING OF ORDINANCE – 8/2/2011; ADOPTION OF ORDINANCE – 9/13/2011)</p>
Financial and General Government	17.	<p>NEIGHBORHOOD REINVESTMENT PROGRAM (DISTRICT: 1)</p>

Category	Agenda No.	Subject
	18.	ESCONDIDO UNION HIGH SCHOOL DISTRICT 2011 GENERAL OBLIGATION BONDS (2008 ELECTION, SERIES C)
	19.	NOTICED PUBLIC HEARING: ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR THE BENEFIT OF RADY CHILDREN'S HOSPITAL IN AN AGGREGATE AMOUNT NOT TO EXCEED \$150,000,000
	20.	NOTICED PUBLIC HEARING: CONFLICT OF INTEREST CODE: GUAJOME LEARNING CENTERS, INC. [FUNDING SOURCE(S): FISCAL YEAR 2011/2012 ADOPTED BUDGET]
	21.	ELECTRONIC EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM (E-VERIFY)
	22.	AMENDMENTS TO THE COMPENSATION ORDINANCE RELATING TO THE TENTATIVE AGREEMENT FOR FIVE EMPLOYEE BARGAINING UNITS (CL, CM, FS, HS, AND SW), REPRESENTED BY SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221, CLC [FUNDING SOURCE(S): A COMBINATION OF GENERAL PURPOSE REVENUES AND VARIOUS PROGRAM REVENUES]
	23.	WORKFORCE REDUCTION PLAN FOR THE DEPARTMENT OF GENERAL SERVICES
	24.	PROPERTY TAX RATES FOR FISCAL YEAR 2011-12
	25.	FISCAL YEAR 2011-12 APPROPRIATION LIMIT FOR THE COUNTY OF SAN DIEGO
Communications Received	26.	COMMUNICATIONS RECEIVED

Category	Agenda No.	Subject
Appointments	27.	ADMINISTRATIVE ITEM: APPOINTMENTS
Community Services	28.	CONSIDERATION AND ADOPTION OF REDISTRICTING ORDINANCE
Financial and General Government	29.	REVIVING AFFORDABLE ROOFTOP SOLAR: SUPPORT FOR THE PACE ASSESSMENT PROTECTION ACT OF 2011 (HR 2599)
	30.	CHF RESIDENTIAL ENERGY RETROFIT PROGRAM
	31.	RATIFY PROCLAMATION OF LOCAL EMERGENCY: COUNTYWIDE POWER OUTAGE; TERMINATION
Closed Session	32.	CLOSED SESSION
Presentation/Awards	33.	PRESENTATIONS/AWARDS

1. SUBJECT: DISTRICT ATTORNEY – RATIFICATION OF GRANT APPLICATIONS AND ACCEPTANCE OF GRANT FUNDS FOR INSURANCE FRAUD PROGRAMS (DISTRICTS: ALL)

OVERVIEW:

This is a request to ratify the submission of five grant applications and accept grant awards upon receipt from the State of California, Department of Insurance in the estimated amount of \$7,592,563. The Workers' Compensation Insurance Fraud Program (\$4,861,584), Automobile Insurance Fraud Program (\$1,894,461), Organized Automobile Fraud Activity Interdiction Program (\$360,273), Disability and Healthcare Insurance Fraud Program (\$212,245), and the Life and Annuity Consumer Protection Program (\$264,000) grant applications are for the period July 1, 2011 through June 30, 2012.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2011-13 Operational Plan for the District Attorney's Office. If approved, this request will result in estimated costs and revenue of \$7,935,684 in Fiscal Year 2011-2012. The funding sources are grant awards from the State of California, Department of Insurance (\$7,592,563) and general purpose revenue (\$343,121). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery which requires prior approval of grant applicants and full cost recovery of grants.
2. Ratify the submission of the grant application and authorize the District Attorney's Office to accept \$4,861,584 from the State of California, Department of Insurance for the period July 1, 2011 through June 30, 2012 for the Worker's Compensation Insurance Fraud Program.
3. Authorize the District Attorney to review and execute all required Worker's Compensation Insurance Fraud Program grant documents, and/or revisions thereof that do not materially impact or alter the services or funding level.
4. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE WORKERS' COMPENSATION INSURANCE FRAUD PROGRAM.

5. Ratify the submission of the grant application and authorize the District Attorney's Office to accept the estimated amount of \$1,894,461 from the State of California, Department of Insurance for the period July 1, 2011 through June 30, 2012 for the Automobile Insurance Fraud Program.
6. Authorize the District Attorney to review and execute all required Automobile Insurance Fraud Program grant documents, and/or revisions thereof that do not materially impact or alter the services or funding level.
7. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE AUTOMOBILE INSURANCE FRAUD PROGRAM.
8. Ratify the submission of the grant application and authorize the District Attorney's Office to accept the estimated amount of \$360,273 from the State of California, Department of Insurance for the period July 1, 2011 through June 30, 2012 for the Organized Automobile Fraud Activity Interdiction Program.
9. Authorize the District Attorney to review and execute all required Organized Automobile Fraud Activity Interdiction Program grant documents, and/or revisions thereof that do not materially impact or alter the services or funding level.
10. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE ORGANIZED AUTOMOBILE FRAUD ACTIVITY INTERDICTION PROGRAM.
11. Ratify the submission of the grant application and authorize the District Attorney's Office to accept \$212,245 from the State of California, Department of Insurance for the period July 1, 2011 through June 30, 2012 for the Disability and Healthcare Insurance Fraud Program.
12. Authorize the District Attorney to review and execute all required Healthcare Insurance Fraud Program grant documents, and/or revisions thereof that do not materially impact or alter the services or funding level.
13. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE DISABILITY AND HEALTHCARE INSURANCE FRAUD PROGRAM.
14. Ratify the submission of the grant application and authorize the District Attorney's Office to accept \$264,000 from the State of California, Department of Insurance for the period July 1, 2011 through June 30, 2012 for the Life and Annuity Consumer Protection Program.
15. Authorize the District Attorney to review and execute all required Life and Annuity Consumer Protection Program grant documents, and/or revisions thereof that do not materially impact or alter the services or funding level.

16. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE LIFE AND ANNUITY CONSUMER PROTECTION PROGRAM.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, adopting the following:

Resolution No. 11-119 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE WORKERS' COMPENSATION INSURANCE FRAUD PROGRAM;

Resolution No. 11-120 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE AUTOMOBILE INSURANCE FRAUD PROGRAM;

Resolution No. 11-121 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE ORGANIZED AUTOMOBILE FRAUD ACTIVITY INTERDICTION PROGRAM;

Resolution No. 11-122 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE DISABILITY AND HEALTHCARE INSURANCE FRAUD PROGRAM; and

Resolution No. 11-123 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE LIFE AND ANNUITY CONSUMER PROTECTION PROGRAM.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

2. SUBJECT: SHERIFF – AUTHORIZATION TO APPLY FOR THE SOBRIETY CHECKPOINT MINI-GRANT PROGRAM (DISTRICTS: ALL)

OVERVIEW:

This request is to authorize the Sheriff to submit grant applications from various Sheriff's Department stations for the Sobriety Checkpoint Mini-Grant Program. The grant program supports sobriety checkpoints throughout California and is funded by the National Highway Traffic Safety Administration (NHTSA) through the California Office of Traffic Safety (OTS). The University of California, Berkeley (UCB) Safe Transportation Research and Education Center (SafeTREC) administers and coordinates the mini-grant program for OTS. The deadline for grant applications is September 15, 2011.

This is also a request to authorize the Sheriff to apply for and accept grant funding from UCB SafeTREC in subsequent years if there are no material changes to the grant terms. If authorized, the Sheriff would return to your Board for authorization to appropriate any awarded grant funds.

FISCAL IMPACT:

There is no fiscal impact associated with submitting the grant applications. If the grants are awarded, it will provide the Sheriff’s Department with funds dedicated to conducting sobriety checkpoints and to purchasing checkpoint supplies. It is estimated that any grant awards will range from \$20,000 - \$50,000 for each station that submits an application. There is no local match requirement for this grant. There will be no change in net general fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SHERIFF

1. Authorize the Sheriff to submit grant applications to UCB SafeTREC under the Sobriety Checkpoint Mini-Grant Program.
2. Authorize the Sheriff to review and execute all required grant and grant-related documents including any annual extensions, amendments, and/or revisions thereof that do not materially impact or alter the services or funding level.
3. Authorize the Sheriff to apply for and accept grant funding from UCB SafeTREC in subsequent years if there are no material changes to the grant terms.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

3. **SUBJECT: SHERIFF – REQUEST TO ACCEPT GRANT AWARDS FOR THE CALIFORNIA MULTI-JURISDICTIONAL METHAMPHETAMINE ENFORCEMENT TEAM, DUI AVOID, DUI OVERTIME ONLY, AND OFF HIGHWAY MOTOR VEHICLE RECREATION PROGRAMS (DISTRICTS: ALL)**

OVERVIEW:

The Sheriff’s Department regularly pursues grant funding to enhance essential public safety services in an effort to make San Diego the safest urban county in the nation. Today’s action will authorize the acceptance of four grant awards and establish appropriations in the amount of \$803,991. The acceptance of these grant awards will provide the Sheriff’s Department with funds dedicated to narcotic investigations involving methamphetamine; reducing alcohol-involved collisions, fatalities, and injuries and raising general public awareness relating to the problems associated with drinking and driving; conducting DUI/Driver’s License checkpoints and saturation patrols in addition to warrant service, court sting, and stakeout operations; and, providing a safe

off-road environment for Off-Highway Vehicle (OHV) enthusiasts through education, proactive law enforcement, and medical assistance to the off-road community.

FISCAL IMPACT:

Funds for these requests are not included in the Fiscal Year (FY) 2011-12 Operational Plan for the Sheriff's Department. The acceptance of four grant awards totaling \$803,991 will result in current year costs and revenues of \$803,991. The fiscal impact by grant program are as follows:

1) **Cal-MMET**

If approved, this request will result in FY 2011-12 costs and revenue of \$124,450. The funding source is grant revenue from Cal EMA. There will be no change in net General Fund costs and no additional staff years.

2) **DUI Avoid**

If approved, this request will result in FY 2011-12 costs and revenue of \$315,728. The funding source is grant revenue from the California OTS. There will be no change in net General Fund costs and no additional staff years.

3) **DUI Overtime Only**

If approved, this request will result in FY 2011-12 costs and revenue of \$300,000. The funding source is grant revenue from the California OTS. There will be no change in net General Fund costs and no additional staff years.

4) **OHMVR**

If approved, this request will result in FY 2011-12 costs and revenue of \$63,813. The funding source is grant revenue from the California State Parks. There is a 25% (\$21,271) match requirement based on total project costs which will be met and exceeded through in-kind time and services donated by the Sheriff's Off-Road Enforcement Team (ORET) Reserve Deputies and other Sheriff's staff working on this program. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SHERIFF

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, which requires full cost recovery for grants, since these grant programs do not recover full cost.
2. Authorize the Sheriff to accept grant funds for the California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET) totaling \$124,450 for the period beginning July 1, 2010 through December 31, 2011.

3. Establish appropriations of \$124,450 in the Sheriff's Department for overtime (\$24,450) and services and supplies (\$100,000) based on unanticipated revenue from the California Emergency Management Agency (Cal EMA). **(4 VOTES)**
4. Authorize the Sheriff to accept grant funds for the DUI Avoid program totaling \$315,728 for the period beginning October 1, 2011 through September 30, 2012.
5. Establish appropriations of \$315,728 in the Sheriff's Department for overtime (\$305,728) and services and supplies (\$10,000) based on unanticipated revenue from the California Office of Traffic Safety (OTS). **(4 VOTES)**
6. Authorize the Sheriff to accept grant funds for the DUI Overtime Only program totaling \$300,000 for the period beginning October 1, 2011 through September 30, 2012.
7. Establish appropriations of \$300,000 in the Sheriff's Department for overtime (\$289,761) and services and supplies (\$10,239) based on unanticipated revenue from the California Office of Traffic Safety (OTS). **(4 VOTES)**
8. Authorize the Sheriff to accept grant funds for the OHMVR program totaling \$63,813 for the period beginning October 1, 2011 through September 30, 2012.
9. Establish appropriations of \$63,813 in the Sheriff's Department for overtime (\$42,813), services and supplies (\$1,000) and fixed assets (\$20,000) based on unanticipated revenue from the California State Parks. **(4 VOTES)**
10. Authorize the Sheriff to review and execute all required grant and grant-related documents including any annual extensions, amendments, and/or revisions thereof that do not materially impact or alter the services or funding level.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

4. SUBJECT: SHERIFF – AUTHORIZATION TO ACCEPT ANTI-TERRORISM FUNDS FROM THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY (DISTRICTS: ALL)

OVERVIEW:

This is a request to authorize the acceptance of Anti-Terrorism funds in the amount of \$200,000 from the California Emergency Management Agency (Cal EMA). The acceptance of these funds will provide the Sheriff’s Department with funds dedicated to supporting the San Diego Regional Terrorism Threat Assessment Center (SD-RTTAC) operations, specifically in the areas of training and equipment.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year (FY) 2011-12 Operational Plan for the Sheriff’s Department. If approved, this request will result in current year costs and revenue of \$200,000. The funding source is unanticipated revenue from Cal EMA. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SHERIFF

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, which requires full cost recovery for grants.
2. Authorize the Sheriff to accept and administer funds for Anti-Terrorism totaling \$200,000 for the period beginning April 1, 2011 through December 31, 2012.
3. Establish appropriations of \$200,000 in the Sheriff’s Department for services and supplies (\$187,000) and fixed assets (\$13,000) based on unanticipated revenue from Cal EMA. **(4 VOTES)**
4. Authorize the Sheriff to review and execute all required Anti-Terrorism fund documents, including any extensions, amendments, and/or revisions thereof that do not materially impact or alter the program.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

5. SUBJECT: SHERIFF'S DEPARTMENT AGREEMENT WITH THE CITY OF CHULA VISTA AND THE CITY OF SAN DIEGO FOR REIMBURSEMENT FOR AFIS ENTRY TECHNICIANS (DISTRICTS: ALL)

OVERVIEW:

On April 22, 2011, the San Diego County Cal-ID/Remote Access Network (RAN) Board, a county-wide advisory board that makes recommendations on the distribution of Cal-ID funds, authorized the use of Cal-ID revenue to fund one full-time position in the City of Chula Vista from July 1, 2011, through June 30, 2012, and one full-time position in the City of San Diego from July 1, 2011 through June 30, 2012. The reimbursement of these positions is part of a strategy approved by the RAN Board to provide funding for staff to enter cases involving fingerprint or latent print analysis into the region's Automated Fingerprint Identification System (AFIS) database in a timely manner. This is a request to authorize an agreement between the Sheriff's Department and the Chula Vista Police Department to provide up to \$73,333 to the City of Chula Vista for one full-time position for the period of July 1, 2011 through June 30, 2012, and to authorize an agreement between the Sheriff's Department and the San Diego Police Department to provide up to \$73,333 to the City of San Diego for one full-time position for the period of July 1, 2011 through June 30, 2012. The funding source is revenue from the Sheriff's Fingerprint ID Trust Fund, which is funded through monies collected per California Vehicle Code Section 9250.19.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2011-12 Operational Plan for the Sheriff's Department. If approved, this request will result in costs and revenue of \$146,666. The funding source is the Sheriff's Fingerprint ID Trust Fund. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SHERIFF

1. Authorize the Sheriff to execute a Memorandum of Agreement (MOA) with the City of Chula Vista for reimbursement up to \$73,333 for one full-time position based on revenue from the Sheriff's Fingerprint ID Trust Fund for the period of July 1, 2011 through June 30, 2012.
2. Authorize the Sheriff to execute a Memorandum of Agreement (MOA) with the City of San Diego for reimbursement up to \$73,333 for one full-time position based on revenue from the Sheriff's Fingerprint ID Trust Fund for the period of July 1, 2011 through June 30, 2012.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

6. SUBJECT: PROVISION OF PHYSICAL HEALTH SERVICES AT PROBATION FACILITIES (DISTRICTS: ALL)

OVERVIEW:

Today's item requests Board authorization for the Department of Purchasing & Contracting to issue a competitive procurement for the provision of physical health services at County Probation facilities. The current contract for these services expires June 30, 2012. The facilities include Kearny Mesa Juvenile Detention facility, East Mesa Juvenile Detention facility, Juvenile Ranch facility, Camp Barrett and Work Furlough. The estimated annual cost is \$7.5 million, with services extending through June 30, 2018, plus an additional six months if needed. The services will be provided in accordance with minimum standards for juvenile facilities set by the State and the California Medical Association Institute for Medical Quality Standards.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2011-13 Operational Plan for the Probation Department. If approved, this request will result in Fiscal Year 2012-13 and subsequent year costs and revenues of \$7,500,000. The funding sources are the Youthful Offender Block Grant, Juvenile Programs and Camp Funding, and General Purpose Revenues. There will be no additional staff years as a result of this request.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

In accordance with Section 401, Article XXIII of the County Administrative Code authorize the Director, Department of Purchasing and Contracting, to issue a competitive procurement for physical health services at Probation facilities and upon successful negotiations and determination of a fair and reasonable price, award a contract effective July 1, 2012 through June 30, 2018 and up to additional six months if needed, and to amend the contract to reflect changes to services and funding which do not materially alter the program subject to the approval of the Chief Probation Officer.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**7. SUBJECT: PROBATION - ACCEPTANCE OF JUVENILE
ACCOUNTABILITY BLOCK GRANT 2011-2012
(DISTRICTS: ALL)**

OVERVIEW:

This is a request to approve the acceptance of the Juvenile Accountability Block Grant (JABG) direct allocation funds in the amount of \$333,927 for the period of July 1, 2011 through June 30, 2012. This is also a request to add one staff year. If this request is approved, the funds will be used to provide juvenile accountability and reentry services for youthful offenders.

FISCAL IMPACT:

Funds for this request in the amount of \$230,621 are included in the Fiscal Year 2011-12 Operational Plan in Probation. If approved, this request will result in total costs and revenue of \$333,927. The funding source is the Juvenile Accountability Block Grant. The JABG grant requires a ten percent (\$33,392) match. The match requirement will be satisfied by in-kind probation indirect costs, including services and supplies and training expenses. There will be no change in net general fund cost and an increase of one (1.0) staff year.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Probation Department to accept \$333,927 in grant funds from the Corrections Standards Authority (CSA) for the period July 1, 2011 through June 30, 2012 for the provision of accountability and reentry services for youthful offenders.
2. Establish appropriations of \$103,306 in the Probation Department for the Camp Barrett Transitions program , salaries and benefits (\$72,556) and services and supplies (\$30,750), based on unanticipated revenue from the Juvenile Accountability Block Grant (**4 VOTES**).
3. Approve the request to add one (1) staff year to support the Probation Department and direct the Department of Human Resources to classify the position at the appropriate level.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

8. SUBJECT: JUVENILE DIVERSION SERVICES (DISTRICTS: ALL)

OVERVIEW:

The Board of Supervisors has shown a long-term commitment to programs aimed at early intervention and prevention of juvenile delinquency. For over 26 years, the County of San Diego has provided Juvenile Diversion Services focusing on prevention and early intervention services for youth at risk of engaging in violent, delinquent or criminal behavior. In alignment with the County's Comprehensive Strategy For Youth, Family and Community, services are predicated on the philosophy of shared responsibility and coordinated action to prevent juvenile delinquency, and promote positive development of youth. The Juvenile Diversion Services program fosters collaborative efforts among public, private and non-profit organizations to address violence, health, and social issues affecting youth preventing more costly public or private interventions, such as Juvenile Hall, court, probation and correctional camps. Furthermore, the Juvenile Diversion Services program supports community-based strategies that strengthen individuals, and families to foster healthy relationships, and positive social connections that improve the health and well-being of communities in alignment with the County's *Live Well, San Diego!* initiative.

On June 28, 2011 (17), the Board of Supervisors approved funding to continue contracting with Juvenile Diversion Service providers for an additional year. Today's action requests approval and authorization for the Director of Purchasing and Contracting to enter into negotiations to extend the terms of the Juvenile Diversion contracts from October 1, 2011 through June 30, 2012, with five one year options and up to an additional six months if needed and to amend the contracts as needed to reflect changes to services and funding.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2011-2013 Operational Plan for the Health and Human Services Agency. If approved, this request will result in costs of \$1,200,000 in Fiscal Year 2011-12. The funding source is General Fund, Fund Balance. There will be no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Administrative Code Section 401 et seq., authorize the Director of Purchasing and Contracting, to enter into negotiations and subject to successful negotiations and determination of a fair and reasonable price, amend the Juvenile Diversion contracts to extend the contract term to June 30, 2012, with five one year options and up to an additional six months if needed and to amend the contracts as needed to reflect changes to services and funding based on the availability of funding, and subject to the approval of the Director, Health and Human Services Agency. Waive the advertising requirement of Board Policy A-87.

2. Authorize the Director, Health and Human Services Agency to seek and apply for grants that would further Juvenile Diversion Services.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**9. SUBJECT: SCHOOL-BASED MEDI-CAL ADMINISTRATIVE
ACTIVITIES REVENUE AGREEMENT (DISTRICTS: ALL)**

OVERVIEW:

The Health and Human Services Agency participates in Medi-Cal Administrative Activities (MAA) revenue recovery efforts to provide reimbursement for various Medi-Cal related activities performed by County programs, school districts and community based organizations. The Health and Human Services Agency's Division of Public Health Services is the designated pass-through entity for these funds and is reimbursed for administrative costs incurred. The Board last authorized MAA Revenue Agreements on June 17, 2008 (10).

Today's item requests authority to execute and ratify a Revenue Agreement with the State of California, Department of Health Care Services for School-Based MAA activities performed by participating school districts located within San Diego County for the period of July 1, 2011 through June 30, 2014. Due to delays on behalf of the State and changes to the contract, this item is now coming forward for approval.

This item supports the Building Better Health component of the County's adopted *Live Well, San Diego!* initiative which promotes healthy, safe and thriving communities. Approval of this item will assist school districts to recover the administrative costs used to enroll eligible children and their families in Medi-Cal and to refer them to Medi-Cal covered services.

FISCAL IMPACT:

Funds to cover the County's cost of approximately \$210,000 to administer this program are included in the Fiscal Years 2011-13 Operational Plan for the Health and Human Services Agency. The \$33 million to be received for this program will be deposited in a trust fund and disbursed from the trust fund to other jurisdictions (school districts) within the County of San Diego. If approved, this request will result in no change to Fiscal Year 2011-12 costs and revenues. The funding source is the federal Centers for Medicare and Medicaid Services which is passed through the State of California, Department of Health Care Services. Approval of this item will result in no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Authorize the Clerk of the Board to execute and ratify the School-Based Medi-Cal Administrative Activities (MAA) three-year revenue agreement for the period of July 1, 2011 through June 30, 2014 in the amount of \$33 million with the State of California, Department of Health Care Services to provide reimbursement for MAA activities performed by School Districts located within San Diego County, and to execute subsequent amendments, extensions and renewals of the agreement that do not materially impact or alter the program or funding level.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

10. SUBJECT: EXTENSION OF CONTRACT FOR STATE FUNDED CHILD CARE PROVIDER EDUCATION AND RETENTION STIPEND PROGRAM (DISTRICTS: ALL)

OVERVIEW:

The Board of Supervisors has demonstrated a long-term commitment to support programs that promote early childhood development. Since 2001, the County has provided a State-funded child care provider education and retention program that offers stipends for child care providers who take professional training and remain at the same facility for 18 months.

State legislation (AB 212), enacted in 2001, provides annual funding for the program aimed at improving child care quality at the local level. Since the program began, 3,994 stipends totaling \$4,726,087 have been issued to child care providers in San Diego County.

It is anticipated that funding in the amount of \$753,866 for Fiscal Year 2011 – 12 will be available to the County for this program. The Health and Human Services Agency receives the funding on behalf of the local Child Care and Development Planning Council, and the program is administered by YMCA Childcare Resource Services (YMCA CRS) under a contract with the County. The YMCA CRS contract will end September 18, 2011.

Board authorization is requested to negotiate an extension of the County contract with the YMCA CRS through June 30, 2014 with three option years plus six months, if needed. While funding beyond the current fiscal year is not assured, it is considered likely given the State's allocations to date. If State funding is discontinued, the contract with the YMCA CRS will be terminated.

Today's action supports the goals of the County's adopted LIVE WELL, SAN DIEGO! initiative by promoting quality child care programs for children ages 0-5, and enhancing their opportunities for cognitive and social development.

FISCAL IMPACT:

Funds for this request are included in the CAO Operational Plan for Fiscal Year 2011-13 for the Health and Human Services Agency. If approved, this item will result in costs and revenues of \$753,866 in Fiscal Year 2011-12 and in Fiscal Year 2012-13 respectively. The funding source is the California Department of Education. There will be no change in net General Fund costs, and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Purchasing and Contracting, to enter into negotiations with YMCA CRS and subject to successful negotiations and determination of a fair and reasonable price, amend the current contract to extend it through June 30, 2014 with three one-year options, plus an additional six months, if needed, and to amend the contract as needed to reflect changes in funding or service requirements, subject to the approval of the Director, Health and Human Services Agency.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

- 11. SUBJECT: SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: HEALTH AND HUMAN SERVICES AGENCY
– COUNTY ADMINISTRATIVE CODE UPDATE – GENERAL
RELIEF (8/2/11 – FIRST READING; 9/13/11 – SECOND
READING) (DISTRICTS: ALL)**

OVERVIEW:

On August 2, 2011 (5), the Board of Supervisors introduced Ordinance for further consideration and adoption on September 13, 2011.

The Health and Human Services Agency periodically reviews certain County Administrative Code sections to ensure that obsolete policies and Code provisions are deleted, and remaining Code provisions reflect current standards and policies. This action requires two steps. If your Board approves the recommendation to amend the Administrative Code, Article XV-C, General Relief, the Ordinance will be introduced today and the second reading and adoption of the Ordinance will occur

September 13, 2011. The recommended revisions to the County Administrative Code will align it with current policies and changes to state and federal laws.

Board approval is requested for the following revisions to Administrative Code, Article XV-C, General Relief:

- Amend Section 257.3, Restrictions, to allow for the new CalWORKs 48-month time limits as well as any future changes.
- Add Section 257.4, Maximum Family Grant (MFG) children, to establish eligibility requirements for MFG children. Children may apply for and receive General Relief in certain very limited situations. This addition establishes the eligibility requirements for children affected by the MFG rules in the CalWORKs program.
- Amend Section 264, Reporting Indigent Aliens, to reflect changes in federal law and jurisdictions pertaining to Citizenship and Immigration Service (CIS).
- Delete Section 265.5, Supplemental Board and Care Payments, since the program is obsolete and no longer used.
- Update the sunset date for Administrative Code Article XV-C, General Relief, to December 31, 2016.

Today's action supports the goals of the County's adopted LIVE WELL, SAN DIEGO! initiative by ensuring the well-being of residents moving toward self-sufficiency.

FISCAL IMPACT:

There is no fiscal impact associated with this request.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt Ordinance entitled:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO COUNTY GENERAL RELIEF PROGRAM.

2. Update the sunset date of Administrative Code, Article XV-C, General Relief, to December 31, 2016.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, adopting Ordinance No. 10165 (N.S.) entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE SAN DIEGO COUNTY GENERAL RELIEF PROGRAM.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

12. SUBJECT: DISPOSITION AND DEVELOPMENT AGREEMENT WITH RYAN COMPANIES US, INC. - SECOND AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT; WAIVER OF BUILDING PERMIT AS A CONDITION TO CLOSING (DISTRICT: 2)

OVERVIEW:

On December 9, 2003 (2), the Board approved a Disposition and Development Agreement with Ryan Companies US, Inc. that described the terms and conditions for the development and lease or sale of 108 acres of County-owned land in Santee. On February 7, 2007 (14), the Board approved an amendment to the Disposition and Development Agreement that permitted Ryan Companies US, Inc. to replace approximately 900 feet of sewer line owned by the Lakeside Sanitation District that traverses the property. This is a request for the Board to approve a Second Amendment to the Disposition and Development Agreement that will clarify the procedure for development proposals submitted near the expiration of the term of the agreement. This is also a request to authorize the Director, Department of General Services to waive provisions in the Disposition and Development Agreement that require Ryan Companies US, Inc. to secure a building permit as a condition to close escrow for the sale or lease of parcels in the project area.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Final Master Environmental Impact Report for the Santee Town Center Specific Plan Amendment [TCSPA04-01] [State Clearinghouse No. 1999031096] was completed in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines and that the Board has reviewed and considered the information contained therein before approving the project; and

Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified Final Master EIR dated March 10, 2003, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the Final Master EIR was certified.

2. Approve and authorize the Director, Department of General Services, to execute the Second Amendment to Disposition and Development Agreement with Ryan Companies US, Inc.
3. Authorize the Director, Department of General Services, to waive the provisions of the Disposition and Development Agreement which require Ryan Companies US, Inc. to secure a building permit as a condition to close escrow for the sale or lease of individual parcels in the project.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

- 13. SUBJECT: NOTICED PUBLIC HEARING:
 COUNTY ADMINISTRATION CENTER MANAGEMENT -
 TRANSFER FROM CLERK OF THE BOARD OF
 SUPERVISORS TO DEPARTMENT OF GENERAL
 SERVICES: ADOPT AN ORDINANCE AMENDING THE SAN
 DIEGO COUNTY ADMINISTRATIVE CODE ARTICLE
 XXIIB SECTIONS 398.14 THROUGH 398.15 AND DELETING
 ARTICLE XXVII SECTION 505; APPROVE CHANGES TO
 BOARD POLICIES G-11 & G-15A; ADOPT A RESOLUTION
 RELATED TO PARKING REGULATIONS (APPROVE
 RECOMMENDATIONS AND FIRST READING OF
 ORDINANCE – 9/13/11; SECOND READING OF
 ORDINANCE - 9/27/11) (DISTRICTS: ALL)**

OVERVIEW:

On July 12, 2011 (5), the Board of Supervisors appointed the Director, Department of General Services to serve as Administrator of the County Administration Center and directed staff to return to the Board with any changes to Policies, Ordinances, Resolutions, appropriations, or other authorities necessary to implement this change. Staff is returning to the Board to request approval for finalizing the transfer of the management of the County Administration Center from the Clerk of the Board of Supervisors to the Director, Department of General Services. This transfer was authorized to ensure the seamless coordination of administrative and management responsibilities associated with the County Administration Center building and

surrounding property during construction of the Waterfront Park Development Project and after its completion.

This action requires two steps. On September 13, 2011, the Board is requested to: 1) introduce an Ordinance Amending Article XXIIb Sections 398.14 through 398.15 and Deleting Article XXVII Section 505 of the San Diego County Administrative Code Relating to the Use of County Facilities by Non-County Organizations and Persons; 2) approve revisions to Board of Supervisors Policies G-11 (Use of County Facilities, Other Than the County Administration Center, by Non-County Organizations) and G-15A (County Administration Center Design Guidelines and Facilities Project Coordination); 3) adopt the Resolution entitled, "Resolution Regarding Parking Regulations at the County Administration Center;" 4) transfer appropriations in an amount not to exceed \$3,313,365 and related revenue from the Clerk of the Board of Supervisors to the Finance and General Government Group Executive Office for the management of facilities maintenance payments; 5) amend the Fiscal Year 2011-12 Facilities Management Internal Service Fund Spending Plan in an amount not to exceed \$3,313,365 to provide funding for the maintenance of the County Administration Center; and 6) transfer 9.0 staff years (9 positions) from the Clerk of the Board of Supervisors to the Facilities Management Internal Service Fund.

If the Board takes the requested action on September 13, 2011, then on September 27, 2011, the Board will adopt the Ordinance Amending Article XXIIb Sections 398.14 through 398.15 and Deleting Article XXVII Section 505 of the San Diego County Administrative Code Relating to the Use of County Facilities by Non-County Organizations and Persons.

FISCAL IMPACT:

Funding in the amount of \$3,313,365 for the maintenance of the County Administration Center is included in the Fiscal Year 2011-12 Operational Plan in the Clerk of the Board of Supervisors. The funding sources are general purpose revenue, rents and concessions, and General Fund fund balance. If approved, the requested actions will transfer appropriations of up to \$3,313,365, and related revenue from the Clerk of the Board of Supervisors to the Finance and General Government Group Executive Office for Fiscal Year 2011-12 maintenance costs for the County Administration Center. In addition, the requested actions will amend the Fiscal Year 2011-12 Spending Plan for the Facilities Management Internal Service Fund in an amount not to exceed \$3,313,365 based on revenue from maintenance charges for the County Administration Center. There will be no change in net General Fund cost and no additional staff years.

After the transfer is completed, these actions are expected to result in savings of up to \$500,000 annually as a result of operational efficiencies implemented by the Department of General Services. Final savings will be reflected in the Fiscal Year 2012-13 Operational Plan.

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

On September 13, 2011:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15301.
2. Approve the introduction of the Ordinance, (first reading), read title and waive further reading of the Ordinance:

AN ORDINANCE AMENDING ARTICLE XXIIIb SECTIONS 398.14 THROUGH 398.15 AND DELETING ARTICLE XXVII SECTION 505 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE USE OF COUNTY FACILITIES BY NON-COUNTY ORGANIZATIONS AND PERSONS.

3. Approve the revisions to Board of Supervisors Policy G-11, Use of County Facilities, Other than the County Administration Center, by Non-County Organizations.
4. Approve the revisions to Board of Supervisors Policy G-15A, County Administration Center Design Guidelines and Facilities Project Coordination, including amending the next Sunset Review date to December 31, 2016.
5. Adopt the Resolution entitled, RESOLUTION REGARDING PARKING REGULATIONS AT THE COUNTY ADMINISTRATION CENTER.
6. Transfer appropriations in an amount not to exceed \$3,313,365 and related revenue from the Clerk of the Board of Supervisors to the Finance and General Government Group Executive Office for the management of facilities maintenance payments.
7. Amend the Fiscal Year 2011-12 Facilities Management Internal Service Fund Spending Plan to increase appropriations in an amount not to exceed \$3,313,365 to provide funding for the maintenance of the County Administration Center.
(4 VOTES)
8. Transfer 9.0 staff years (9 positions) from the Clerk of the Board of Supervisors to the Facilities Management Internal Service Fund.

If, on September 13, 2011, the Board takes the action in Recommendation 2, then on September 27, 2011:

Adopt the Ordinance.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 11-124, entitled: RESOLUTION REGARDING PARKING REGULATIONS AT THE COUNTY ADMINISTRATION CENTER; and introducing Ordinance for further Board consideration and adoption on September 27, 2011.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

- 14. SUBJECT: NOTICED PUBLIC HEARING:
FISCAL YEAR 2010-11 PERFORMANCE REPORT FOR
DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT ENTITLEMENT PROGRAMS
(DISTRICTS: ALL)**

OVERVIEW:

This public hearing provides an opportunity for the Board of Supervisors to receive public comment on the Fiscal Year 2010-11 Consolidated Annual Performance and Evaluation Report that describes accomplishments from three federal entitlement programs: Community Development Block Grant, Home Investment Partnerships, and Emergency Shelter Grant, as well as other programs administered by the County Department of Housing and Community Development. All entitlement jurisdictions are required annually to submit this report to the U.S. Department of Housing and Urban Development. Today's requested action satisfies the U.S. Department of Housing and Urban Development's requirement to hold a public hearing before submission in order to receive comments pertaining to the report.

FISCAL IMPACT:

There is no fiscal impact as a result of holding this public hearing. This Board letter serves the public hearing requirement for submission of the Fiscal Year 2010-11 Consolidated Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development. During Fiscal Year 2010-11, the net Community Development Block Grant Program expenditures totaled \$6,292,446, the net HOME Investment Partnerships Program expenditures totaled \$5,653,725, and Emergency Shelter Grant Program expenditures totaled \$267,677.

BUSINESS IMPACT STATEMENT:

The projects included in the Fiscal Year 2010-11 Consolidated Annual Performance and Evaluation Report have positively impacted the business community, as funds were provided for construction of affordable housing and public improvements. Projects were implemented by nonprofit service providers or private construction firms that were selected through a competitive bid process.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Hold this public hearing to receive public comment on the Fiscal Year 2010-11 Consolidated Annual Performance and Evaluation Report.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board of Supervisors closed the Hearing and took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

15. SUBJECT: DEPARTMENT OF GENERAL SERVICES - REQUEST FOR APPROVAL OF OUT-OF-COUNTRY TRAVEL (DISTRICTS: ALL)

OVERVIEW:

In accordance with Board of Supervisors Policy D-7, Out-of-County Business and Related Guidelines and Processes, this is a request for approval for the Department of General Services' Energy and Sustainability Manager to travel to Toronto, Canada to attend the United States Green Building Council's (USGBC) Greenbuild 2011 Conference and Expo scheduled for October 4 to October 8, 2011. USGBC hosts the world's largest conference and expo dedicated to "green" building. This year's conference will focus on sharing best practices, providing educational opportunities and introducing new technologies and services. A significant portion of the conference is devoted to the area of building energy efficiency, a primary focus of the County's Energy Management Program.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2011-12 Operation Plan in the Department of General Services. If approved, all costs for travel, accommodations and food will be funded by the 2010-2012 County of San Diego/San Diego Gas & Electric Energy Initiative Partnership Program. There will be no change in net General Funds cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Approve travel to Toronto, Canada for one Energy and Sustainability Manager to attend the United States Green Building Council's Greenbuild 2011 Conference and Expo to be held from October 4 to October 8, 2011.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

- 16. SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ADOPT AN ORDINANCE ADDING ARTICLE 7 TO CHAPTER 6 OF DIVISION 2 OF TITLE 6 OF THE SAN DIEGO COUNTY CODE RELATING TO THE KEEPING OF ROOSTERS (FIRST READING OF ORDINANCE – 8/2/2011; ADOPTION OF ORDINANCE – 9/13/2011) (DISTRICTS: ALL)**

OVERVIEW:

On August 2, 2011 (9), the Board of Supervisors introduced Ordinance for further consideration and adoption on September 13, 2011.

The Board is requested to adopt an Ordinance limiting the number of roosters that may be kept on a single parcel in order to eliminate the potential for a public nuisance, illegal cockfighting and the raising of birds to be used for cockfighting in San Diego County. The Ordinance also requires roosters to be kept in humane conditions.

This requested action requires two steps, introduction (first reading) of the Ordinance on August 2, 2011 and a second reading on September 13, 2011 to adopt the Ordinance.

FISCAL IMPACT:

There is no fiscal impact associated with adoption of this Ordinance.

BUSINESS IMPACT STATEMENT:

The proposed Ordinance will not apply to commercial poultry ranches the primary purpose of which is to produce eggs or meat for sale for human consumption, approved 4H or Future Farmers of America (FFA) projects, public or private schools, or County-operated animal shelters or other animal-welfare organizations that employ humane officers as described in Corporations Code 14502.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt Ordinance entitled:

AN ORDINANCE ADDING ARTICLE 7 TO CHAPTER 6 OF DIVISION 2 OF TITLE 6 OF THE SAN DIEGO COUNTY CODE RELATING TO THE KEEPING OF ROOSTERS.

2. Authorize the Chief Administrative Officer to send a letter to each of the Department of Animal Services' contract cities (e.g., Carlsbad, Del Mar, Encinitas, San Diego, Santee and Solana Beach) requesting they enact a similar Ordinance for uniform enforcement purposes.

ACTION:

With additional recommendation to read:

3. Direct the Chief Administrative Officer to report back to the Board in one year with an evaluation of how the Ordinance is working, how effective it is, and whether or not changes need to be made at that time.

ON MOTION of Supervisor Jacob, seconded by Supervisor Slater-Price, the Board took action as recommended, adopting Ordinance No. 10166 (N.S.) entitled: AN ORDINANCE ADDING ARTICLE 7 TO CHAPTER 6 OF DIVISION 2 OF TITLE 6 OF THE SAN DIEGO COUNTY CODE RELATING TO THE KEEPING OF ROOSTERS.

AYES: Cox, Jacob, Slater-Price, Roberts

NOES: Horn

**17. SUBJECT: NEIGHBORHOOD REINVESTMENT PROGRAM
(DISTRICT: 1)**

OVERVIEW:

The County of San Diego is fortunate to have an opportunity to reinvest taxpayer money into our communities for the benefit of the public. This action will assist the County in meeting the needs of the community.

FISCAL IMPACT:

There is no fiscal impact associated with this amendment. These actions will result in the addition of no staff years and no future costs.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR COX

1. Amend the purpose of the August 2, 2011 (13) allocation of \$20,000 to the City of Chula Vista to include production costs associated with the Centennial Celebration, including the Centennial Walk, talent stage, youth recreation activities and the fireworks finale. Authorize the Chief Financial Officer to amend the grant agreement accordingly.

2. Amend the purpose of the June 29, 2010 (9) allocation of \$15,000 to the Boys and Girls Club of Greater San Diego to include shelving for equipment storage at the William J. Oakes club. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
3. Authorize the Chief Financial Officer to execute grant agreements with these organizations establishing terms for receipt of the funds described above and to make minor amendments to the agreements that are consistent with the general purpose of the grant but do not increase the grant.
4. Find that the grant awards described above have a public purpose.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**18. SUBJECT: ESCONDIDO UNION HIGH SCHOOL DISTRICT 2011
GENERAL OBLIGATION BONDS (2008 ELECTION,
SERIES C) (DISTRICT: 3)**

OVERVIEW:

A special bond election was duly called and regularly held in the Escondido Union High School District (the "District") on November 4, 2008 pursuant to Section 15100 et seq. of the Education Code of the State of California. Approximately 59.0% of those voters casting ballots (which is above the 55% voter approval level required) authorized the issuance of general obligation bonds by the District in the maximum aggregate principal amount of \$98,000,000 (the "Authorization").

The Board of Education of the District adopted a resolution on July 26, 2011 requesting the Board of Supervisors to authorize the issuance and sale of a series of bonds to be designated the "Escondido Union High School District 2011 General Obligation Bonds (Election of 2008), Series C" in the aggregate principal amount of not to exceed \$25,000,000 (the "2011 Bonds"). Proceeds from the 2011 Bonds will be used to finance the design, construction, renovation, improvement, furnishing, equipping, acquisition, delivery and installation of new construction of certain facilities of the District as approved by the voters in the November 4, 2008 election. If approved, today's recommendations will result in the third series of bonds issued under the Authorization, and subsequent to the issuance of the 2011 Bonds, approximately \$11,786,703.50 of the Authorization will remain for the issuance of additional series of bonds.

Today's recommendation will authorize the Treasurer-Tax Collector to act as Paying Agent on the 2011 Bonds and direct the Auditor and Controller to maintain sufficient taxes on the tax roll for the 2011 Bonds.

FISCAL IMPACT:

The 2011 Bonds are general obligations of the District to be paid from ad valorem property taxes levied within the boundaries of Escondido Union High School District and do not constitute an obligation of the County of San Diego.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, CONSENTING TO AND AUTHORIZING THE ESCONDIDO UNION HIGH SCHOOL DISTRICT TO ISSUE AND SELL NOT TO EXCEED \$25,000,000 OF BONDS OF THE DISTRICT, DESIGNATING THE COUNTY TREASURER-TAX COLLECTOR AS THE PAYING AGENT, APPROVING THE LEVY OF TAXES, AND DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, adopting Resolution No. 11-125, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, CONSENTING TO AND AUTHORIZING THE ESCONDIDO UNION HIGH SCHOOL DISTRICT TO ISSUE AND SELL NOT TO EXCEED \$25,000,000 OF BONDS OF THE DISTRICT, DESIGNATING THE COUNTY TREASURER-TAX COLLECTOR AS THE PAYING AGENT, APPROVING THE LEVY OF TAXES, AND DIRECTING THE COUNTY AUDITOR AND CONTROLLER TO MAINTAIN TAXES ON THE TAX ROLL.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

- 19. **SUBJECT: NOTICED PUBLIC HEARING:
ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA
STATEWIDE COMMUNITIES DEVELOPMENT
AUTHORITY FOR THE BENEFIT OF RADY CHILDREN’S
HOSPITAL IN AN AGGREGATE AMOUNT NOT TO
EXCEED \$150,000,000 (DISTRICT: 4)**

OVERVIEW:

The County has received a request from the California Statewide Communities Development Authority (“CSCDA” or “Authority”) to conduct a public hearing as required by the Internal Revenue Code and to approve the Authority’s issuance of revenue bonds in an aggregate principal amount not to exceed \$150,000,000 (the

“Bonds”), on behalf of Rady Children’s Hospital – San Diego and certain of its affiliates, each of which are a nonprofit public benefit corporation duly organized and existing under the laws of the State of California (the “Borrower”). The Borrower will use the proceeds of the Bonds for acquisition, construction, improvement and equipping of certain health care facilities located throughout San Diego County and to pay certain costs of issuance in connection with the issuance of the Bonds (the “Project”).

CSCDA is authorized to assist in financing for nonprofit public benefit organizations wishing to issue tax-exempt obligations, including the Borrower. In order to initiate such a financing, a member jurisdiction in which the Project resides, i.e., the County of San Diego, must: (1) conduct a public hearing to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code; and (2) approve CSCDA’s issuance of the Obligations. Although CSCDA will be the issuer of the Bonds for the Borrower, the financing cannot proceed without the approval of the County of San Diego. Today’s recommendations will provide CSCDA with the required authorization to pursue its determination to issue revenue bonds on behalf of the Borrower for the Project.

FISCAL IMPACT:

If approved, the proposal will result in \$1,000 of unanticipated revenue to be used to reimburse the County for costs associated with this non-County financing.

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

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Pursuant to Section 147(f) of the Internal Revenue Code, hold a public hearing regarding the financing of the Project.
2. Adopt a resolution entitled:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS (RADY CHILDREN’S HOSPITAL- SAN DIEGO), SERIES 2011 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$ 150,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF CERTAIN HEALTH CARE FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 11-126, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS (RADY CHILDREN'S HOSPITAL - SAN DIEGO), SERIES 2011 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$ 150,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF CERTAIN HEALTH CARE FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

- 20. SUBJECT: NOTICED PUBLIC HEARING:
CONFLICT OF INTEREST CODE: GUAJOME LEARNING
CENTERS, INC. (DISTRICTS: ALL)**

OVERVIEW:

The Board of Supervisors serves as the Code Reviewing Body for any local government, other than cities, with jurisdiction wholly within the County, per Government Code Section 82011. The recommended action would approve the adopted Conflict of Interest Codes submitted by Guajome Learning Centers, Inc.

FISCAL IMPACT:

The funding source for administration of this task is included in the Fiscal Year 2011/2012 Adopted Budget. These reviews require minor costs, which may be recoverable from the State of California.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Approve the adopted Conflict of Interest Codes submitted by the following agency:
Guajome Learning Centers, Inc.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Jacob, the Board of Supervisors closed the Hearing and took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**21. SUBJECT: ELECTRONIC EMPLOYMENT ELIGIBILITY
VERIFICATION SYSTEM (E-VERIFY) (DISTRICTS: ALL)**

OVERVIEW:

On June 28, 2011 (12), the Board directed the Chief Administrative Officer to explore the feasibility of utilizing the Electronic Employment Eligibility Verification System (commonly known as E-Verify) during the hiring process for all potential new County employees. Implementing E-Verify will enhance identity and employment verification,

which will ensure the County of San Diego maintains a legal workforce and protects jobs for authorized workers.

FISCAL IMPACT:

There is no cost associated with using the E-Verify system. This action will not require appropriations or additional staff.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Implement E-Verify to electronically verify the employment eligibility of all newly hired employees, effective October 21, 2011.
2. Administer E-Verify through the Department of Human Resources – Risk Management Division – Background Investigation Unit.
3. Authorize the Director of the Department of Human Resources to sign a Memorandum of Understanding with the Department of Homeland Security to set forth the points of agreement between the Department of Homeland Security and the County of San Diego regarding participation in E-Verify.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Jacob, the Board took action as recommended.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

22. **SUBJECT: AMENDMENTS TO THE COMPENSATION ORDINANCE RELATING TO TENTATIVE AGREEMENTS FOR SIX EMPLOYEE BARGAINING UNITS (CL, CM, CR, FS, HS, AND SW), REPRESENTED BY SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221, CLC (DISTRICTS: ALL)**

OVERVIEW:

This action 1) presents Compensation Ordinance amendments for the first reading of negotiated provisions of the Memoranda of Agreement between the County and six employee bargaining units (CL, CM, CR, FS, HS, and SW) of the Service Employees International Union, Local 221, CLC; 2) provides for one-time monetary payment of \$750 which includes a \$180 Employee Protective Program settlement for all eligible regular employees covered by this agreement in 2011 and a one-time monetary payment equivalent to 1% of base pay for all eligible regular employees covered by this agreement in 2012; 3) increases employees' flex credits in 2012 and in 2013; and 4) reduces the County's portion of the employee paid retirement offset in 2011 and in 2012.

The tentative two-year agreement that has been reached with six employee bargaining units (CL, CM, CR, FS, HS, and SW), represented by the Service Employees International Union, Local 221, CLC has been ratified.

FISCAL IMPACT:

Funds associated with today's recommendations are not included in the Fiscal Year 2011-13 Adopted Operational Plan. If approved, staff will include budget adjustments in the First Quarter Operational Plan Status Report.

In Fiscal Year 2011-2012, the \$750 one-time monetary payment is estimated to result in one-time costs of \$5.4 million, flex credits are estimated to increase by \$0.8 million and the County's portion of the employee paid retirement offsets are estimated to decrease by \$2.9 million. In Fiscal Year 2012-2013, the 1% one-time monetary payment is estimated to result in one-time costs of \$3.3 million, flex credits are estimated to increase by an additional \$1.6 million and the County's portion of the employee paid retirement offsets are estimated to decrease further by \$5.1 million for a total ongoing decrease to the County's portion of the employee paid retirement offsets of \$8.0 million. In Fiscal Year 2013-14, flex credits are estimated to increase by an additional \$0.8 million for a total ongoing increase of \$3.2 million. The funding source is a combination of General Purpose revenues and various program revenues.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On September 13, 2011 (First Reading)

1. Approve introduction (first reading) of the following ordinance; read title and waive further reading of this ordinance (MAJORITY VOTE):

AMENDMENTS TO THE COMPENSATION ORDINANCE RELATING TO TENTATIVE AGREEMENTS FOR SIX EMPLOYEE BARGAINING UNITS (CL, CM, CR, FS, HS, AND SW), REPRESENTED BY SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 221, CLC.

If the Board takes the action recommended in item 1, then on September 27, 2011 (second reading):

1. Submit ordinance for further Board consideration and adoption (second reading on September 27, 2011).
2. Set September 27, 2011 as the date for consideration and approval of the two-year Memoranda of Agreement between the County and the Service Employees International Union, Local 221, CLC.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, introducing Ordinance for further Board consideration and adoption on September 27, 2011.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**23. SUBJECT: WORKFORCE REDUCTION PLAN FOR THE
DEPARTMENT OF GENERAL SERVICES
(DISTRICTS: ALL)**

OVERVIEW:

In an effort to increase operational efficiency and decrease service cost to client departments, the Department of General Services conducted a review of the inter-office mail delivery process. The Department of General Services has reengineered the mail delivery services operation during Fiscal Year 2011-2012. This has resulted in a change in staffing structure and a restructuring of Mail Services business model. The new mail delivery service model has been modified by changing the schedule runs from twice daily to once per day. This change is in response to 1) a decline in mail volume, 2) the need to align services with local industry, and 3) information technology advancements.

On August 2, 2011(#17), the Board of Supervisors adopted the CAO Operational Plan for Fiscal Years 2011-2013. In light of the new Mail Services business model the Operational Plan included a decrease of 3.0 encumbered staff years (3 positions) in the Facilities Management division of the Department of General Services in Fiscal Year 2011-2012 from the Fiscal Year 2010-2011 Adopted level. The Department of Human Resources is making every effort to find other employment opportunities within the County for the affected employees. However it may still be necessary to make these workforce reductions due to lack of funds and lack of work in order to maximize the efficiency of operations within available funding.

FISCAL IMPACT:

The proposed restructuring is reflected in the Fiscal Year 2011-12 Spending Plan for the Facilities Management Internal Service Fund in the Department of General Services. This action will result in a net decrease of 3.00 staff years (3 positions), associated savings of \$140,187 in salaries and benefits, and a corresponding reduction in revenue of \$140,187.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the resolution making the determination, pursuant to Section 14.1.1 of the Civil Service Rules, that it is necessary due to a lack of work and funds to reduce the number of staff in specific classified positions in the Department of General Services:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DETERMINING THE NECESSITY THROUGH LACK OF WORK OR FUNDS TO REDUCE THE NUMBER OF STAFF IN SPECIFIED CLASSIFIED POSITIONS IN THE DEPARTMENT OF GENERAL SERVICES.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, adopting Resolution No. 11-127, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DETERMINING THE NECESSITY THROUGH LACK OF WORK OR FUNDS TO REDUCE THE NUMBER OF STAFF IN SPECIFIED CLASSIFIED POSITIONS IN THE DEPARTMENT OF GENERAL SERVICES.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**24. SUBJECT: PROPERTY TAX RATES FOR FISCAL YEAR 2011-12
(DISTRICTS: ALL)**

OVERVIEW:

This is a request to set the annual countywide ad valorem tax rates, and tax rates for school and special district debt service funds.

State law requires that these rates be adopted by the Board on or before October 3rd so the rates can be used to prepare the property tax roll and property tax bills. State law also requires that taxes be levied upon the taxable property of the County.

FISCAL IMPACT:

By approving the resolution, the Auditor and Controller can prepare the annual tax roll used to produce property tax bills and the Tax Collector can collect Fiscal Year 2011-12 property taxes.

The collection of taxes will provide necessary funds to satisfy debt service requirements and to finance operations of the County and other governmental entities.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the resolution entitled "RESOLUTION ADOPTING THE TAX RATES FOR THE FISCAL YEAR COMMENCING JULY 1, 2011" incorporating the various rates as computed by the Auditor and Controller for Fiscal Year 2011-12.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, adopting Resolution No. 11-128, entitled: RESOLUTION ADOPTING THE TAX RATES FOR THE FISCAL YEAR COMMENCING JULY 1, 2011.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**25. SUBJECT: FISCAL YEAR 2011-12 APPROPRIATION LIMIT FOR THE
COUNTY OF SAN DIEGO (DISTRICTS: ALL)**

OVERVIEW:

Each year, pursuant to Government Code Section 7910 and Article XIII B: Government Spending Limitation of the California Constitution, the Board of Supervisors by resolution establishes its appropriation limit for the County of San Diego. Today's action requests approval of a resolution adopting the County's Appropriation Limit for Fiscal Year 2011-12, calculated to be approximately \$4.0 billion. Only revenues from Proceeds of Taxes (essentially property tax and other in-lieu taxes) are subject to this

limit. The County is substantially under the limit, having approximately \$1.25 billion of revenues from Proceeds of Taxes that is subject to the limit in Fiscal Year 2011-12.

FISCAL IMPACT:

The recommended action has no fiscal impact on the County. The action merely authorizes the adoption of the Fiscal Year 2011-12 Appropriation Limit, pursuant to Article XIII B of the California Constitution and other applicable laws.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the attached resolution entitled: RESOLUTION ADOPTING APPROPRIATION LIMIT FOR COUNTY OF SAN DIEGO FOR FISCAL YEAR 2011-12.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, adopting Resolution No. 11-129, entitled: RESOLUTION ADOPTING APPROPRIATION LIMIT FOR COUNTY OF SAN DIEGO FOR FISCAL YEAR 2011-12.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

26. 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.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Note and File.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**27. SUBJECT: ADMINISTRATIVE ITEM:
APPOINTMENTS (DISTRICTS: ALL)**

OVERVIEW:

These appointments are in accordance with applicable Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," Board Policy I-1, "Planning and Sponsor Group Policies and Procedures.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR JACOB

Appoint Shirley Hesche to the AREA BOARD XIII-STATE COUNCIL ON DEVELOPMENTAL DISABILITIES, Seat No. 1, for a term to expire December 31, 2011.

Appoint Howard W. Cook to the JACUMBA COMMUNITY SPONSOR GROUP, Seat No. 2, for a term to expire January 5, 2015.

SUPERVISOR SLATER-PRICE

Appoint Jerry Hall to the ALCOHOL AND DRUG ADVISORY BOARD, SAN DIEGO COUNTY, Seat No. 9, for a term to expire January 7, 2013.

Re-appoint Chip Bonghi to the ASSESSMENT APPEALS BOARD 1 (AAB), Seat No. 3, for a term to expire September 1, 2014.

Appoint Gloria Harris, Ph.D. to the MENTAL HEALTH BOARD, Seat No. 8, for a term to expire December 30, 2011.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

28. SUBJECT: CONSIDERATION AND ADOPTION OF REDISTRICTING ORDINANCE (DISTRICTS: ALL)

OVERVIEW:

On September 6, 2011 (2), your Board of Supervisors (BOS) held a public hearing to receive public comment and consider three alternative redistricting plans developed by County staff. At that time your Board selected BOS Plan B-1, as described in Attachment A, as the Board's proposed redistricting plan. Your Board also directed the Chief Administrative Officer and County Counsel to return on September 13, 2011, with a proposed redistricting ordinance.

Subsequent to the Board meeting of September 6, 2011, County staff received individual requests from Supervisor Greg Cox and Supervisor Ron Roberts to address a split of the Barrio Logan community that was identified by the American Civil Liberties Union ("ACLU") attorney at the September 6, 2011 Board meeting. Staff determined that in BOS Plan B-1, the northwest portion of the Barrio Logan Community Plan Area that lies in Census Tract 51 is assigned to District 1, while the southern portion of Barrio Logan that lies in Census Tract 50 is assigned to District 4. This split of Barrio Logan in both the ACLU plans and BOS Plan B-1 occurred most likely as a result of following census tract lines where possible to establish district boundaries. To unify the community of Barrio Logan in District 1, staff developed BOS Plan B-1 Revised, as described in Attachment B.

On September 13, 2011, your Board will consider approval of BOS Plan B-1 Revised to establish the County of San Diego 2011 Supervisorial district boundaries and will consider approval of the introduction (first reading) of the redistricting ordinance incorporating BOS Plan B-1 Revised. If your Board takes action as recommended on September 13, 2011, your Board will consider adoption of the redistricting ordinance (second reading) on September 27, 2011.

If approved, the recommendations of September 13, 2011, also enable the Registrar of Voters to take the actions necessary to prepare maps and election files based on the redistricting ordinance, and to notify any registered voters whose Supervisorial districts have changed.

FISCAL IMPACT:

There is no fiscal impact associated with these recommendations. No additional staff years are required.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On September 13, 2011:

1. In accordance with Elections Code § 21500 and § 21500.1 approve BOS Proposed Plan B-1 Revised (Attachment B), as the County of San Diego 2011 Supervisorial district boundaries.
2. Approve introduction (first reading), read title and waive further reading of the attached redistricting ordinance (Attachment C) entitled:

AN ORDINANCE ADJUSTING THE BOUNDARIES OF SUPERVISORIAL DISTRICTS AND REDEFINING THE BOUNDARIES OF ALL SUPERVISORIAL DISTRICTS OF THE COUNTY OF SAN DIEGO AND REPEALING ORDINANCE NO. 9365.

3. Submit the ordinance for further consideration and adoption (second reading) on September 27, 2011.
4. Direct the Chief Administrative Officer and the Registrar of Voters to prepare the County of San Diego 2011 Supervisorial district boundaries maps and election files consistent with the ordinance, and to notify those registered voters whose districts have changed as a result of the adoption of the ordinance.

If the Board takes action on September 13, 2011, to approve Recommendations 1 - 4 above, then on September 27, 2011:

Adopt the attached redistricting ordinance (Attachment C) entitled:

AN ORDINANCE ADJUSTING THE BOUNDARIES OF SUPERVISORIAL DISTRICTS AND REDEFINING THE BOUNDARIES OF ALL SUPERVISORIAL DISTRICTS OF THE COUNTY OF SAN DIEGO AND REPEALING ORDINANCE NO. 9365.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board took action as recommended, introducing Ordinance for further Board consideration and adoption on September 27, 2011.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

29. SUBJECT: REVIVING AFFORDABLE ROOFTOP SOLAR: SUPPORT FOR THE PACE ASSESSMENT PROTECTION ACT OF 2011 (HR 2599)

OVERVIEW:

Property Assessed Clean Energy (PACE) programs allow residential and commercial property owners to spread the cost of rooftop solar over 20 years via property tax bills. This innovative funding mechanism is among the most promising ways that San Diegans can spur the economy and lessen the nation's dependence on foreign oil. At the direction of Supervisors Jacob and Slater-Price, San Diego County enrolled in a statewide PACE effort known as CaliforniaFIRST. The program was set to launch in August of 2010.

Unfortunately, the Federal Housing Finance Agency (FHFA) ordered Fannie Mae and Freddie Mac to stop underwriting mortgages with PACE assessments, wrongly characterizing the PACE assessments as loans. FHFA's flawed position stalled PACE efforts across the nation, including ours, and stranded hundreds of millions of dollars in public and private investment.

Bipartisan federal legislation, the PACE Assessment Protection Act of 2011 (HR 2599), was introduced to undo the logjam created by the FHFA. HR 2599 requires that PACE assessments be treated the same as other property tax assessments, such as assessments for fire districts and hospitals. The bill also establishes national PACE program standards to limit financial risk to Fannie Mae and Freddie Mac. Today's action would lend our County's formal support to HR 2599 and bring us closer to reactivating San Diego County's PACE program, CaliforniaFIRST.

FISCAL IMPACT:

There is no fiscal impact associated with this recommendation.

BUSINESS IMPACT STATEMENT:

None.

RECOMMENDATION:

SUPERVISORS JACOB AND SLATER-PRICE

Direct the CAO to draft a letter for the Chair's signature to the appropriate members of the United States Congress and the federal Administration indicating San Diego County's support for HR 2599.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**30. SUBJECT: CHF RESIDENTIAL ENERGY RETROFIT PROGRAM
(DISTRICTS: ALL)**

OVERVIEW:

The California Rural Home Mortgage Finance Authority (CRHMFA) Homebuyers Fund (CHF) is providing financial assistance to eligible homeowners to help them make energy efficiency improvements to their homes. The objective is to deliver energy efficiency savings to homeowners while promoting job opportunities for local contractors and tradesmen.

To participate in the program, the County must amend an existing resolution allowing the existing California Rural Home Mortgage Finance Authority Joint Exercise of Powers Agreement (JEPA) to expand to include this and other CRHMFA Programs in the future. Currently, there are 50 Member and Associate Member Counties in the State of California participating in this program.

FISCAL IMPACT:

1. Funding for the program is provided through a grant award by the California Energy Commission and the California Homebuyers Fund (CHF Program) with no administrative cost to the County. The program includes grants and loans.
2. The CHF Program offers 3%, fifteen-year loans for homeowners between 60% - 160% of Area Median Income. Unlike other financing options, it has no minimum credit score, no appraisal, no debt-to-income requirements, and is available for rental properties.
3. There is no impact to the County General Fund and will require no additional staff years.

BUSINESS IMPACT STATEMENT:

The CHF Residential Energy Retrofit Program will provide low interest loans and supplemental grants for energy efficiency residential upgrades to our citizens and will help catalyze the Residential Energy Retrofit and Efficiency industry in San Diego.

**RECOMMENDATION:
SUPERVISOR SLATER-PRICE**

1. Adopt resolution entitled, RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE COUNTY OF SAN DIEGO (“COUNTY”) TO PARTICPATE IN THE RESIDENTIAL ENERGY RETROFIT PROGRAM WITH THE CALIFORNIA RURAL HOME MORTGAGE FINANCE AUTHORITY, AND AUTHORIZING EXECUTION OF DOCUMENTS AND TAKING NECESSARY AND APPROPRIATE ACTIONS TO FACILITATE THE IMPLEMENTATION AND THE OPERATION OF THE PROGRAM IN SAN DIEGO COUNTY (Attachment A); and
2. Authorize the Clerk of the Board to execute the CRHMFA Homebuyers Fund Joint Exercise of Powers Agreement (Updated June 21, 2006) (Attachment B).

ACTION:

Revising language in Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE COUNTY OF SAN DIEGO (“COUNTY”) TO PARTICPATE IN THE RESIDENTIAL ENERGY RETROFIT PROGRAM WITH THE CALIFORNIA RURAL HOME MORTGAGE FINANCE AUTHORITY, AND AUTHORIZING EXECUTION OF DOCUMENTS AND TAKING NECESSARY AND APPROPRIATE ACTIONS TO FACILITATE THE IMPLEMENTATION AND THE OPERATION OF THE PROGRAM IN SAN DIEGO COUNTY to read:

“NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of San Diego to amend the Resolution No. 98-338, as follows:

Section 1 of Resolution No. 98-338 to include participation in the CHF Residential Energy Retrofit Program.”

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent, adopting Resolution No. 11-130, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE COUNTY OF SAN DIEGO (“COUNTY”) TO PARTICPATE IN THE RESIDENTIAL ENERGY RETROFIT PROGRAM WITH THE CALIFORNIA RURAL HOME MORTGAGE FINANCE AUTHORITY, AND AUTHORIZING EXECUTION OF DOCUMENTS AND TAKING NECESSARY AND APPROPRIATE ACTIONS TO FACILITATE THE IMPLEMENTATION AND THE OPERATION OF THE PROGRAM IN SAN DIEGO COUNTY.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**31. SUBJECT: RATIFY PROCLAMATION OF LOCAL EMERGENCY:
COUNTYWIDE POWER OUTAGE; TERMINATION
(DISTRICTS: ALL)**

OVERVIEW:

On September 8, 2011, the Director of the County Office of Emergency Services, acting pursuant to County Regulatory Code Ordinance 31.104 and for the Chief Administrative Officer, who serves as the County's Director of Emergency Services and as Coordinator of the Unified San Diego County Emergency Services Organization, issued a Proclamation of Local Emergency as a result of a countywide power outage on September 8, 2011. San Diego County Ordinance No. 9970 (County Regulatory Code Ordinances sections 31.101 et seq.) and California Government Code Section 8630(b) require that the Board of Supervisors ratify the Proclamation of Local Emergency within seven days of being issued. This is a request to ratify the proclamation. This is also a request to terminate the emergency pursuant to Government Code section 8630(d).

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Ratify the attached Proclamation of Local Emergency made by the Chief Administrative Officer on September 8, 2011.
2. Find that the need for the local emergency no longer exists due to the restoration of power and terminate the local emergency pursuant to Government Code section 8630(d).

ACTION:

Revising Recommendation No. 2 to read:

“Find that the need for the local emergency no longer exists due to the restoration of power and proclaim the termination of the local emergency pursuant to Government Code section 8630(d).”

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

32. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW:

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9
Kyle Cardinal v. County of San Diego, et al; United States District Court, Southern District, No.06-CV-0072 MMA (BLM)
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9
Paul Bashkin v. County of San Diego, et al.; United States District Court, Southern District, No. 08-CV-1450 WQH (RBB)
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9
Berry Baker, et al. v. County of San Diego, et al.; San Diego County Superior Court No. 37-2010-00093583-CU-CR-EC
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code section 54956.8)
Property: COC Annex located at 5201 Ruffin Road, San Diego and 9225-9295 Chesapeake Drive, San Diego

Negotiating Parties:

County: April Heinze

Other: Lowe Enterprises Real Estate Group - West, Inc., Kearny Villa Center East, Kearny Villa Center West and Kaiser Permanent

Under Negotiation: Price and Terms

- E. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.6)
Designated Representatives: Don Turko, Susan Brazeau, Ray Fernandez
Employee Organizations: All

ACTION:

Any reportable matters will be announced on Wednesday, September 14, 2011, prior to the start of the Board of Supervisors Planning and Land Use meeting.

33. SUBJECT: PRESENTATIONS/AWARDS (DISTRICTS: ALL)

OVERVIEW:

Chairman Bill Horn presented a proclamation declaring September 13, 2011, San Diego Police Officers Association Day throughout the County of San Diego.

Chairman Bill Horn presented a proclamation declaring September 2011, National Preparedness Month throughout the County of San Diego.

Vice Chairman Ron Roberts presented a proclamation declaring September 13, 2011, Suicide Prevention Day throughout the County of San Diego.

Supervisor Greg Cox presented a proclamation declaring September 13, 2011, Steven Wampler Day throughout the County of San Diego.

Supervisor Dianne Jacob presented a proclamation declaring September 13, 2011, Grossmont Center Day throughout the County of San Diego.

Supervisor Dianne Jacob and Supervisor Pam Slater-Price presented a proclamation declaring September 13, 2011, San Dieguito River Valley Conservancy Day throughout the County of San Diego.

Supervisor Greg Cox presented a proclamation honoring Volunteer of the Month – Martin Stratte.

Chairman Bill Horn presented a proclamation declaring September 13, 2011, J.C. Wynne Day throughout the County of San Diego.

There being no further business, the Board adjourned at 11:32 a.m. in memory of Bob Lewis, Kathy Marquardt, Leonard Collis, Anton Botter, Warren Michael Cox, John Glover Sr. and Sue Stephens.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Vizcarra
Discussion: Mazyck

NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.