

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, NOVEMBER 18, 2008
Board Of Supervisors North Chamber
1600 Pacific Highway, Room 310, San Diego, California

Order of Business

MORNING SESSION: – Meeting was called to order at 9:04 a.m.

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

ABSENT: Supervisor Ron Roberts

Invocation was led by Pastor Sergio De La Mora of Cornerstone Church in San Diego.

Pledge of Allegiance was led by Jack Evans Pearl Harbor Survivor.

Approval of Statement of Proceedings/Minutes for Meeting of October 28, 2008.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater-Price, the Board of Supervisors approved the Statement of Proceedings/Minutes for Meeting of October 28, 2008.

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

Category	Agenda No.	Subject
Public Safety	1.	SHERIFF'S ACCEPTANCE OF THE TARGET & BLUE 2008 LAW ENFORCEMENT GRANT AND THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FISCAL YEAR 2009 NEXT GENERATION CLICK IT OR TICKET MINI-GRANT [FUNDING SOURCE(S): UNANTICIPATED GRANT REVENUE FROM TARGET AND UCB OFFICE OF TRAFFIC SAFETY] (4 VOTES)
	2.	SHERIFF'S DEPARTMENT REQUEST FOR APPROVAL OF OUT OF COUNTRY TRAVEL
	3.	DISTRICT ATTORNEY'S ACCEPTANCE OF GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS PROGRAM [FUNDING SOURCE(S): U. S. DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN, GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS PROGRAM] (4 VOTES)
	4.	PROBATION DEPARTMENT: RE-APPLICATION FOR ENHANCED DISPROPORTIONATE MINORITY CONTACT (DMC) TECHNICAL ASSISTANCE PROJECT GRANT
	5.	REQUEST FOR RATIFICATION OF OUT-OF-COUNTRY TRAVEL
	6.	OFFICE OF EMERGENCY SERVICES – BUFFER ZONE PROTECTION PROGRAM RESOLUTION
	7.	OFFICE OF EMERGENCY SERVICES – HOMELAND SECURITY GRANT PROGRAM RESOLUTION
Health and Human Services	8.	SOLE SOURCE INDIGENT BURIAL AGREEMENT [FUNDING SOURCE(S): COUNTY GENERAL FUND]

Category	Agenda No.	Subject
	9.	MENTAL HEALTH SERVICES ACT PROGRAM – PREVENTION AND EARLY INTERVENTION COMPONENT IMPLEMENTATION AND PROCUREMENTS [FUNDING SOURCE(S): MENTAL HEALTH SERVICES ACT]
Community Services	10.	NOTICED PUBLIC HEARING: SALE OF REAL PROPERTY – BANCROFT DRIVE, SPRING VALLEY; COUNTY PARCEL NO. 2008-0237-A; ASSESSOR PARCEL NUMBER: 503-273-84 (10/14/08 - SURPLUS DECLARATION/RESOLUTION OF INTENT TO SELL; 11/18/08 - BID OPENING)
	11.	NOTICED PUBLIC HEARING: LINCOLN ACRES LIBRARY / PARK / COMMUNITY ROOM - EXERCISE OPTION AND APPROVE PURCHASE AGREEMENT FOR THE PROPERTY AT 2729 GRANGER AVENUE, NATIONAL CITY (WHITE) AND AUTHORIZE CONTRACT FOR CONSTRUCTION
	12.	NOTICED PUBLIC HEARING: HEALTH AND HUMAN SERVICES AGENCY NORTH CENTRAL REGIONAL CENTER - 5055 RUFFIN ROAD, KEARNY MESA – PURCHASE OF APPROXIMATELY 2.35 ACRES WITH A 46,044-SQUARE-FOOT BUILDING (4 VOTES)
	13.	APPROVAL OF \$8,500,000 LOAN TO CHELSEA INVESTMENT CORPORATION TO ACQUIRE AND DEVELOP THE SILVERSAGE APARTMENTS, LAKESIDE [FUNDING SOURCE(S): REDEVELOPMENT AGENCY’S GILLESPIE FIELD AND UPPER SAN DIEGO RIVER IMPROVEMENT PROJECT AREA HOUSING FUNDS.] (RELATES TO REDEVELOPMENT AGENCY AGENDA NO. 1)

Category	Agenda No.	Subject
	14.	HEALTH AND HUMAN SERVICES AGENCY'S NORTH COASTAL REGION CHILD WELFARE SERVICES – FIRST AMENDMENT TO LEASE AGREEMENT FOR OFFICE SPACE AT 1320 UNION PLAZA COURT, OCEANSIDE [FUNDING SOURCE(S): SOCIAL SERVICES ADMINISTRATIVE REVENUE]
	15.	SIXTH AMENDMENT TO LEASE AGREEMENT FOR THE DEPARTMENT OF PUBLIC DEFENDER, 400 SOUTH MELROSE DRIVE, VISTA [FUNDING SOURCE(S): GENERAL FUND]
	16.	APPOINTMENTS TO DISTRICT AND COMMUNITY PLANNING AREA BOARDS
Financial and General Government	17.	ALLOCATION OF DISTRICT TWO COMMUNITY PROJECT FUNDS [FUNDING SOURCE(S): FY 08-09 DISTRICT TWO COMMUNITY PROJECT FUNDS] (4 VOTES)
	18.	A FAIR PRICE FOR SURPLUS RESIDENTIAL SOLAR ENERGY
	19.	ALLOCATION OF COMMUNITY PROJECTS FUNDS AND AMENDMENT OF COMMUNITY ENHANCEMENT ALLOCATION (DISTRICT: 5)
	20.	LOCAL COMMUNITY PROJECTS GRANTS (DISTRICT: 3) [FUNDING SOURCE(S): COMMUNITY PROJECTS BUDGET] (4 VOTES)
Communications Received	21.	COMMUNICATIONS RECEIVED
	22.	ADMINISTRATIVE ITEM: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AMENDMENT TO THE COMPENSATION ORDINANCE PERTAINING TO THE SALARY OF THE TREASURER/TAX COLLECTOR

Category	Agenda No.	Subject
Appointments	23.	ADMINISTRATIVE ITEM: APPOINTMENTS
Financial & General Government	24.*	ECONOMIC UPDATE
	25.	THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS RESOLVES THAT THE DEVELOPMENT OF THE SANFORD CONSORTIUM FOR REGENERATIVE MEDICINE WILL YIELD LASTING ECONOMIC BENEFITS FOR SAN DIEGO COUNTY
Closed Session	26.	CLOSED SESSION
Presentations/Awards	27.	PRESENTATIONS/AWARDS
Public Communication	28.	PUBLIC COMMUNICATION

*Presentation

1. SUBJECT: SHERIFF'S ACCEPTANCE OF THE TARGET & BLUE 2008 LAW ENFORCEMENT GRANT AND THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FISCAL YEAR 2009 NEXT GENERATION CLICK IT OR TICKET MINI-GRANT (DISTRICT: 2, 3, AND 5)

OVERVIEW:

This request is to ratify the submission and authorize the acceptance of a \$3,250 grant from Target under its Target & BLUE 2008 Law Enforcement Grant Program in the area of crime prevention and a \$29,796 grant from the California Office of Traffic Safety through the University of California, Berkeley (UCB) Traffic Safety Center. There is no local match requirement for these grants.

FISCAL IMPACT:

Funds for this request are not included in the Sheriff's Fiscal Year 2008-10 Adopted Operational Plan. The funding source is unanticipated grant revenue from Target (\$3,250) and UCB Office of Traffic Safety (\$29,796). If approved, this request will result in Fiscal Year 2008-09 costs and revenue of \$25,597 and Fiscal Year 2009-10 cost and revenue of \$7,449 and will require the addition of zero 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 and requires that Board approval be given in advance of application for funds.
2. Ratify the submission and authorize the acceptance of a grant totaling \$3,250 (\$1,250 to the Sheriff's Encinitas Station; \$1,000 to Sheriff's Poway Station; and \$1,000 to Sheriff's Vista Station) from Target for June 30, 2008 to July 31, 2009.
3. Ratify the submission and authorize the acceptance of a grant in the amount of \$29,796 from UCB Traffic Safety Center for the project period beginning October 1, 2008 through September 8, 2009.
4. Authorize the Sheriff to execute all required Target and UCB Traffic Safety Center grant documents, including any annual extensions, amendments, and/or revisions thereof that do not materially impact or alter the services or funding level.

5. Establish appropriations of \$3,250 in the Sheriff's Department for services and supplies for the following stations: Encinitas (\$1,250), Poway (\$1,000), and Vista (\$1,000) based on unanticipated revenue from Target. **(4 VOTES)**
6. Establish appropriations of \$22,347 in the Sheriff's Department San Marcos Station for salaries and benefits based on unanticipated revenue from the UCB Office of Traffic Safety. **(4 VOTES)**

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

2. SUBJECT: SHERIFF'S DEPARTMENT 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 one Sheriff's Sergeant and one Deputy Sheriff, assigned at the San Diego Regional Terrorism Threat Assessment Center (SD-RTTAC), to attend the Government to Government Homeland Security Workshop in Tel Aviv, Israel to be held from December 5 to December 13, 2008. The workshop is coordinated by the Governor's Office of Homeland Security and the Israeli Consulate in Los Angeles, California.

FISCAL IMPACT:

Funds for this request are included in the Sheriff's Fiscal Year 2008-09 Adopted Operational Plan. All travel accommodation costs are reimbursable under the 2007 Law Enforcement Terrorism Prevention Program (LETPP) Homeland Security Grant. If approved, this request will result in approximately \$14,850 current year costs and revenue, and will require the addition of zero staff years. The one Sheriff's Sergeant and one Deputy Sheriff will receive regular salaries and benefits and no overtime will be incurred as a result of this trip.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SHERIFF

1. Approve travel to Tel Aviv, Israel for one Sheriff's Sergeant and one Deputy Sheriff to attend the Government to Government Homeland Security Workshop to be held from December 5 to December 13, 2008.

2. Authorize the Chief Administrative Officer, in consultation with the Sheriff, to select one Sheriff's Sergeant and one Deputy Sheriff to attend the Government to Government Homeland Security Workshop in Tel Aviv, Israel.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

3. SUBJECT: DISTRICT ATTORNEY'S ACCEPTANCE OF GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS PROGRAM (DISTRICTS: ALL)

OVERVIEW:

This is a request to ratify the submission and approve the acceptance of the U. S. Department of Justice, Office on Violence Against Women, Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program, in the amount of \$1,110,000 for the period January 1, 2009 through December 31, 2011. This request is also to approve the acceptance of the related expenditure contract that distributes the grant funds to participating agencies. These funds are to expand the services provided by the North County Family Violence Prevention Center (NCFVPC). NCFVPC, located in San Marcos, offers coordinated and comprehensive intervention services to families experiencing domestic violence in Northern San Diego County. This grant continues to support the partnership between the Center for Community Solutions, the Indian Health Council, the Women's Resource Center, the Sheriff and the District Attorney's Office.

FISCAL IMPACT:

Funds for this request are not included in the District Attorney's Fiscal Year 2008-10 Adopted Operational Plan. The funding source is the U. S. Department of Justice, Office on Violence Against Women, Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. If approved, this project will result in current year cost and revenue of \$277,500, Fiscal Year 2009-10 cost and revenue of \$555,000, and Fiscal Year 2010-11 cost and revenue of \$277,500. This request will not require additional staff years and represents full cost recovery.

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
DISTRICT ATTORNEY**

1. Ratify the submission and approve the acceptance of the Fiscal Year 2008 Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program from the U. S. Department of Justice, Office on Violence Against Women, in the amount of \$1,110,000 for the period January 1, 2009 through December 31, 2011.
2. Establish appropriations of \$277,500 in the District Attorney's Office for salaries and benefits (\$79,372) and services and supplies (\$198,128) based on unanticipated revenue from the U.S. Department of Justice, Office on Violence Against Women. **(4 VOTES)**
3. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with the Center for Community Solutions, and, subject to successful negotiations and determination of a fair and reasonable price, award a contract for the operation of a North County Family Violence Prevention Center for two (2) years beginning January 1, 2009 and ending December 31, 2011 and an additional six (6) months if needed, and, subject to funding approval, execute any annual extensions, amendments, and/or revisions thereof to reflect changes to services and funding level, subject to approval of the District Attorney. Waive the advertising requirement of Board Policy A-87.
4. Authorize the District Attorney to execute the grant agreements and other grant documents including extensions, amendments, or revisions that do not materially impact or alter either the grant program or funding level.
5. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department responsibility for cost recovery, which requires prior approval of grant applications and full cost recovery for grants.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

4. SUBJECT: PROBATION DEPARTMENT: RE-APPLICATION FOR ENHANCED DISPROPORTIONATE MINORITY CONTACT (DMC) TECHNICAL ASSISTANCE PROJECT GRANT (DISTRICTS: ALL)

OVERVIEW:

The Corrections and Standards Authority (CSA) has made funding available for California in an effort to assist probation departments in establishing or strengthening the foundation for a Disproportionate Minority Contact (DMC) reduction effort. This is the third year of a three-phase year-to-year grant project with year one being competitive and the following years being application only. This is a request to apply for Phase 3 grant funds from CSA. If approved, the Probation Department will submit a grant application for up to \$200,000 for Phase 3, January 1, 2009 through December 31, 2009, to continue to improve the on-going DMC efforts in the region. The continuation of this grant will preserve interagency collaboration and will continue to reinforce San Diego's leadership position statewide.

FISCAL IMPACT:

If the grant application is approved, the San Diego Probation Department will receive up to \$200,000 for DMC efforts in the region. No staff years are included in this application. Funds for this request are not included in the Fiscal Year 2008-09 Adopted Operational Plan. If this grant application is approved we will return to your Board to request authorization to accept the grant funds, establish appropriations and procure the services of a consultant. No additional staff years are requested.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a resolution entitled "A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE DISPROPORTIONATE MINORITY CONTACT (DMC) TECHNICAL ASSISTANCE PROJECT GRANT" to authorize the Probation Department to continue participating in the DMC-Enhanced Technical Assistance Project and to remain serving as the grant administrator.
2. Approve and authorize the Chief Probation Officer to sign and submit an application for the one year Corrections and Standards Authority Grant.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Slater-Price, the Board took action as recommended, on Consent, adopting Resolution No. 08-237, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE DISPROPORTIONATE MINORITY CONTACT (DMC) TECHNICAL ASSISTANCE PROJECT GRANT.

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

5. SUBJECT: REQUEST FOR RATIFICATION 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 to ratify the travel for two Deputy Medical Examiners who traveled to Okinawa, Japan from October 25 through November 1, 2008 to testify at a Court Martial.

FISCAL IMPACT:

Funds for this request are included in the Medical Examiner Fiscal Year 2008-09 Adopted Operational Plan. All travel, accommodation, and per diem costs were paid by the U.S. Marine Corps. The two Deputy Medical Examiners received regular salary and benefits, and no overtime was generated as a result of this travel. This request will result in no future cost and will require the addition of zero staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Ratify the travel of two Deputy Medical Examiners from October 25 through November 1, 2008 to testify at a Court Martial in Okinawa, Japan.
2. Ratify the Chief Administrative Officer's selection of two Deputy Medical Examiners who traveled from October 25 through November 1, 2008, to testify at a Court Martial in Okinawa, Japan.

ACTION:

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

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

6. SUBJECT: OFFICE OF EMERGENCY SERVICES – BUFFER ZONE PROTECTION PROGRAM RESOLUTION (DISTRICTS: ALL)

OVERVIEW:

This is a request to adopt a resolution approving an application to the State Office of Homeland Security (OHS) for \$965,150 in funding from the FY 08 Buffer Zone Protection Program and authorize the Office of Emergency Services to execute the grant agreement and any amendments with the State of California for the purposes of this grant.

FISCAL IMPACT:

There is no fiscal impact associated with this request. If the application is approved, it will result in a \$965,150 grant from the State Office of Homeland Security. We will return to your Board for approval to receive the award and appropriate the funds.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a resolution entitled “A RESOLUTION APPROVING AN APPLICATION FOR FUNDING FROM THE FY08 BUFFER ZONE PROTECTION PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERE TO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT”
2. Authorize the Office of Emergency Services to execute the grant agreement and any amendments with the State of California for the purposes of this grant that do not materially impact or alter the program or the funding level.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Slater-Price, the Board took action as recommended, on Consent, adopting Resolution No. 08-238, entitled: A RESOLUTION APPROVING AN APPLICATION FOR FUNDING FROM THE FY08 BUFFER ZONE PROTECTION PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERE TO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT.

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

7. SUBJECT: OFFICE OF EMERGENCY SERVICES – HOMELAND SECURITY GRANT PROGRAM RESOLUTION (DISTRICTS: ALL)

OVERVIEW:

This is a request to adopt a resolution approving an application to the State Office of Homeland Security for \$7,873,102 in funding from the FY08 Homeland Security Grant Program and to authorize the Office of Emergency Services to execute the grant agreement and any amendments with the State of California for the purposes of this grant.

FISCAL IMPACT:

There is no fiscal impact associated with this request. If the application is approved, it will result in a \$7,873,102 grant from the State Office of Homeland Security. We will return to your Board for approval to receive the award and appropriate the funds once the application is approved and funds are awarded.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a resolution entitled, “A RESOLUTION APPROVING AN APPLICATION FOR FUNDING FROM THE FY08 HOMELAND SECURITY GRANT PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT.”
2. Authorize the Office of Emergency Services to execute the grant agreement and any amendments with the State of California for the purposes of this grant that do not materially impact or alter the funding level.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Slater-Price, the Board took action as recommended, on Consent, adopting Resolution No. 08-239, entitled: A RESOLUTION APPROVING AN APPLICATION FOR FUNDING FROM THE FY08 HOMELAND SECURITY GRANT PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERE TO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT.

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

**8. SUBJECT: SOLE SOURCE INDIGENT BURIAL AGREEMENT
(DISTRICTS: ALL)**

OVERVIEW:

The County's Health and Human Services Agency, Public Administrator's Office, oversees the County's Indigent Burial Program. The program provides for burials or cremations when the deceased resident had no estate and no family to cover burial costs.

For more than 80 years, the City of San Diego's Mt. Hope Cemetery provided burial services to the County under an agreement. Recently, the City of San Diego increased their fees more than 415%, from \$776 per burial to \$4,000.

In September 2008, the County issued a Request for Information (RFI) to determine if services could be provided at a lower cost to the County. The sole respondent to the RFI was La Vista Memorial Park located in National City. Today's action will authorize the Director of Purchasing and Contracting to enter into negotiations with La Vista Memorial Park, and award a sole source contract for services subject to the determination of a fair and reasonable price.

FISCAL IMPACT:

Funds for this request are included in the FY 2008-10 Operational Plan for Health and Human Services Agency. If approved, this request will result in current year costs of approximately \$102,588 and subsequent year cost of approximately \$137,500. Funding source is County General Fund. There will be no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

In accordance with Board Policy A-87, Competitive Procurement, authorize the Director, Purchasing and Contracting, to enter into negotiations with La Vista Memorial Park; and subject to successful negotiations and determination of a fair and reasonable price, award a contract for burial services for one year with six option years and up to an additional six months if needed, and to amend the contract as required for changes to funding and services, subject to the approval of the Director of Health and Human Services Agency. Waive the advertising requirement of Board Policy A-87.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

9. SUBJECT: MENTAL HEALTH SERVICES ACT PROGRAM – PREVENTION AND EARLY INTERVENTION COMPONENT IMPLEMENTATION AND PROCUREMENTS (DISTRICTS: ALL)

OVERVIEW:

California's Proposition 63, the Mental Health Services Act (MHSA), was approved by California voters in November 2004 and became effective January 1, 2005. The MHSA is administered by the California Department of Mental Health (DMH) and provides funding for expansion of mental health services in California. MHSA consists of five program components, as designated by the State. The first program component, Community Services and Supports (CSS), was submitted to the State and implemented following Board approval on December 13, 2005 (1). Approval of today's recommended actions will authorize the submission of the second program component, Prevention and Early Intervention (PEI), to the State DMH. It will also authorize the acceptance of up to \$25,200,000 in PEI funds for Fiscal Year 2008-09, and up to \$22,000,000 in subsequent years. If approved, today's actions will also authorize competitive solicitations for PEI programs and services, a sole source contract for services to the Native American community, and augmentation of an existing contract through Child Welfare Services to enhance mental health assessment and referral services.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2008-10 Health and Human Services Agency Operational Plan. If approved, this request will result in estimated current year cost and revenue of \$25,200,000 and estimated subsequent year cost and revenue of \$22,000,000. The funding source is the Mental Health Services Act. 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. Approve the County of San Diego Mental Health Services Act Prevention and Early Intervention Program and Expenditure Plan outlined in Attachments A and B and authorize the Director, Health and Human Services Agency, to submit the Plan to the California Department of Mental Health for approval.
2. Authorize the Director, Health and Human Services Agency, to amend the County of San Diego Mental Health Services Act Prevention and Early Intervention Program and Expenditure Plan as required by the California Department of Mental Health (DMH) review and approval process and, following DMH approval, modify and maintain the approved Plan outcomes as needed.

3. Accept Mental Health Services Act Prevention and Early Intervention funds of up to \$25,200,000 for Fiscal Year 2008-09 and \$22,000,000 for subsequent fiscal years.
4. Authorize the Clerk of the Board to execute, upon receipt, a Mental Health Services Act Agreement with the California Department of Mental Health for public mental health services funding in an approximate amount of \$25,200,000 for the Prevention and Early Intervention Component and any future renewals, amendments, and extensions to the Agreement, subject to the approval of the Director, Health and Human Services Agency, provided terms, conditions, programs, and funding are not materially impacted or altered.
5. In accordance with Section 401 et seq. of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue competitive solicitations for the programs and services listed in Attachments A and B which are required to implement the County of San Diego Mental Health Services Act Prevention and Early Intervention Program and Expenditure Plan, and upon successful negotiations and determination of a fair and reasonable price, award contracts for a period of up to three years, with four option years and up to an additional six months if needed, subject to the availability of funds; and to amend the contracts as required to reflect changes to services and funding allocations, subject to the approval of the Director, Health and Human Services Agency.
6. In accordance with Board Policy A-87, Competitive Procurement, authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with the Indian Health Council, Inc. to implement the County of San Diego Mental Health Services Act Prevention and Early Intervention Program and Expenditure Plan for San Diego County's Native American community, and subject to successful negotiations and determination of a fair and reasonable price, award an agreement for a period of up to three years, with four option years and up to an additional six months if needed, subject to the availability of funds; and authorize the Director, Department of Purchasing and Contracting, to amend the agreement as required to reflect changes to services and funding allocations, subject to the approval of the Director, Health and Human Services Agency. Waive the advertising requirement of Board Policy A-87.

7. In accordance with Board Policy A-87, Competitive Procurement, authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with South Bay Community Services to amend their agreement with Health and Human Services Agency's Child Welfare Services to include mental health South region Point of Engagement (DV01) assessment and referral services, which is required to implement the County of San Diego Mental Health Services Act Prevention and Early Intervention Program and Expenditure Plan and, subject to successful negotiations, determination of a fair and reasonable price, and subject to the availability of funds, amend the contract as required to reflect changes to services and funding allocations, subject to the approval of the Director, Health and Human Services Agency.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

10. **SUBJECT: NOTICED PUBLIC HEARING:
SALE OF REAL PROPERTY – BANCROFT DRIVE,
SPRING VALLEY; COUNTY PARCEL NO. 2008-0237-A;
ASSESSOR PARCEL NUMBER: 503-273-84 (10/14/08 -
SURPLUS DECLARATION/RESOLUTION OF INTENT
TO SELL; 11/18/08 - BID OPENING) (DISTRICT: 2)**

OVERVIEW:

The County of San Diego owns a 10,099-square-foot vacant parcel on Bancroft Drive in the Spring Valley area (Thomas Guide, page 1271, A-6). The property was acquired for the expansion of Bancroft Drive and is now considered to be excess to County needs. The Department of General Services is requesting that this property be declared surplus, and offered for sale to the highest bidder.

This action requires two steps. On October 14, 2008, the Board will consider declaring the subject property surplus, adopting a resolution of intent to sell, and setting a date for a bid-opening hearing, noted as recommendations 1 through 4 below. If the Board takes the action on October 14, 2008 in recommendations 1, 2, 3, and 4, then on November 18, 2008, the Board will conduct a bid opening and approve the sale of the subject property to the highest bidder. These actions are listed as recommendations 5 and 6.

FISCAL IMPACT:

If approved, based on appraisal by County staff to determine the minimum opening bid, and if an all-cash sale is consummated, this request will result in approximately \$100,000 in current-year revenue to the Department of Public

Works Road Fund, which will be used by the County for future road maintenance and improvements projects, and no annual revenue. Alternatively, if a terms sale is consummated, this request will result in approximately \$20,000 in current-year revenue and \$7,200 in annual interest-payment revenue for a period of up to five years. The pay-off of the principal balance will result in approximately \$80,000 in future revenue at the end of five years or less. No additional staff years are required.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On October 14, 2008:

1. Find that this proposed sale is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15312 of the CEQA Guidelines, as it is a sale of surplus government property.
2. Declare County Parcel 2008-0237-A surplus to County needs.
3. Direct the Clerk of the Board to advertise the County's Notice of Intention to Sell County Parcel 2008-0237-A in accordance with Government Code Section 6063.
4. Approve and adopt the attached Resolution of Intention to Sell Real Property and Notice Inviting Bids. **(4 VOTES)**

If, on October 14, 2008, the Board takes the action recommended in Items 1-4, then, on November 18, 2008:

5. Conduct bid opening and approve the sale of County Parcel No. 2008-0237-A to the highest bidder.
6. Authorize the Director, Department of General Services, to perform all necessary actions to complete the sale, including the execution of escrow instructions and a Grant Deed.

ACTION:

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Horn, the Board of Supervisors conducted the bid opening, closed the Hearing and took action as recommended, accepting the bid from Krasimir T. Todorov in the amount of \$101,100.

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

**11. SUBJECT: NOTICED PUBLIC HEARING:
LINCOLN ACRES LIBRARY/PARK/COMMUNITY
ROOM - EXERCISE OPTION AND APPROVE
PURCHASE AGREEMENT FOR THE PROPERTY AT
2729 GRANGER AVENUE, NATIONAL CITY (WHITE)
AND AUTHORIZE CONTRACT FOR CONSTRUCTION
(DISTRICT:1)**

OVERVIEW:

The existing County Library/Park/Community Room facilities in Lincoln Acres have been a vital gathering spot for the community since 1947. The 854 square-foot library is the smallest branch in the County. On July 24, 2007 (16), the Board allocated \$50,000 to the Department of General Services to develop a plan and take preliminary steps to facilitate construction of a new and expanded Lincoln Acres Library/Park/Community Room facility that would better serve the community. On June 24, 2008 (7), the Board approved the Capital Improvement Needs Assessment (CINA), which included construction of the new Lincoln Acres library and community room with a budget of \$3.2 million.

Construction of the new facility requires acquisition of an adjacent property to maximize site configuration, provide off-street parking, and accommodate construction. On October 14, 2008 (6) the Board set a hearing for November 18, 2008 to consider exercising the option to purchase a 0.29-acre property located immediately south of the current County site. This property is owned by Ernest J. White. The White property and the adjacent County-owned properties are shown on Attachment A (Thomas Guide page, 1310, C-2).

Today, the Board is requested to authorize the Director of the Department of General Services to exercise of the option to purchase the White property, execute an agreement to purchase Assessor's Parcel Number 564-061-23, with Ernest J. White for the appraised value of \$400,000 and authorize the Director of the Department of Purchasing and Contracting to award a contract for construction of the new Lincoln Acres Library/Park/Community Room project.

FISCAL IMPACT:

Funds for today's requests are budgeted in the Fiscal Year 2008-2009 Operational Plan and are available in Capital Project 1012133 – Lincoln Acres Library/Park/Community Room. Approval will result in a current year cost of \$429,500, which includes \$384,500 for the purchase of Assessor's Parcel Number 564-061-23 (White property) (\$400,000 less \$20,000 of previously paid option payments, plus \$4,500 for title and escrow fees). Costs for relocation benefits and consultant contracts to relocate the existing tenants from the White property are estimated at \$45,000. Funding for construction costs, estimated at \$2,250,000, is included in the Operational Plan for Fiscal Year 2009-2010. There will be no change in net General Fund cost and no additional staff years will be required as a result of these requests.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find pursuant to Section 15074 (b) of the California Environmental Quality Act (CEQA) Guidelines, that the Mitigated Negative Declaration (“MND”) for the Lincoln Acres Library/Park/Community Room (Attachment B) reflects the decision-making body’s independent judgment and analysis; that the decision-making body has reviewed and considered the information contained in this MND and the comments received during the public review period; that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects of the project to a point where no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this MND) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Adopt the Mitigation Monitoring and Reporting Program (Attachment C) prepared in accordance with Public Resources Code, Section 21081.6.
3. Adopt the Statement of Location and Custodian of Documents (Attachment D) prepared in accordance with Section 15074(c) of the CEQA Guidelines.
4. Authorize the Director of the Department of General Services to exercise the option to purchase Assessor’s Parcel Number 564-061-23 from Ernest J. White, pursuant to the terms of the Purchase Agreement.
5. Approve the purchase of Assessor’s Parcel Number 564-061-23 from Ernest J. White for the appraised value of \$400,000 and authorize the Director of General Services to execute a Purchase and Sale Agreement and Joint Escrow Instructions for the purchase.
6. Authorize the Director of the Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of Assessor’s Parcel Number 564-061-23.
7. Authorize the Director of the Department of Purchasing and Contracting to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code, with respect to contracting for construction of the Lincoln Acres Library/Park/Community Room in an amount not to exceed \$2.25 million in construction cost.
8. Designate the Director, Department of General Services, as the County Officer responsible for administering the awarded construction contract

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

- 12. SUBJECT: NOTICED PUBLIC HEARING:
HEALTH AND HUMAN SERVICES AGENCY NORTH
CENTRAL REGIONAL CENTER - 5055 RUFFIN ROAD,
KEARNY MESA – PURCHASE OF APPROXIMATELY
2.35 ACRES WITH A 46,044-SQUARE-FOOT BUILDING
(DISTRICT: 4)**

OVERVIEW:

On July 24, 2007 (11), the Board of Supervisors approved the conceptual site plan for the redevelopment of the County Operations Center and Annex properties in Kearny Mesa. The Board also authorized the Department of General Services to begin searching for new sites for all departments and functions that will be relocated to allow for the project. The Health and Human Services Agency's Kearny Mesa Family Resource Center at the Annex is included in this relocation initiative. On August 5, 2008 (6), the Board approved a lease/purchase for a newly constructed 46,044-square-foot office building located at 5055 Ruffin Road, Kearny Mesa, for relocation of the Health and Human Services Agency's Family Resource Center, and for the relocation of the North Central Public Health program, currently located in Pacific Beach, to the new site. On October 14, 2008 (8), the Board approved a lease amendment in the amount of \$990,000 for additional tenant improvements and for a variable air volume heating and air conditioning system, and set a hearing for November 18, 2008 to consider the purchase of the building located at 5055 Ruffin Road from Ruffin Partners, LLC, upon completion of the tenant improvements, which is estimated to be January 2, 2009.

The Board is requested to approve the exercise of purchase option for the 46,044-square foot-office building with 2.35 acres located at 5055 Ruffin Road, Kearny Mesa, for \$15,490,000 upon the completion of tenant improvements.

FISCAL IMPACT:

Funds in the amount of \$15,495,000 are included in the Fiscal Year 2008-09 Operational Plan. Currently \$8,495,000 is included in the Capital Outlay Fund for Capital Project 1011214, COC Annex Reconstruction which is funded by Fiscal Year 2007-08 General Fund fund balance available. This request will transfer appropriations of \$7,000,000 from the County Health Complex Capital Outlay Fund, Capital Project 1012284, North Central Public Health Clinic

(which is funded by Health and Human Services Agency's Fiscal Year 2007-08 fund balance available) to the Capital Outlay Fund, Capital Project 1011214, COC Annex Reconstruction. In addition, Fiscal Year 2008-09 one-time costs of \$1,399,250 for telephone equipment/data costs, systems furniture purchase, and moving, and additional ongoing operations and maintenance costs of \$20,000 will be incurred, funded by Health and Human Services Agency resources, including fund balance and program revenues. Facilities Management Internal Service Fund staff costs for lease/purchase negotiations are estimated to be \$11,000, funded by General Fund fund balance. There will be no change in net General Fund cost, no annual cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

After public testimony:

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, the proposed purchase of the Assessor's Parcel Numbers 369-181-18-00 and 369-181-19-00 is categorically exempt from the provisions of the Act, as it involves negligible expansion of the building with installation of interior tenant improvements.
2. Authorize the Director of the Department of General Services to exercise the option to purchase Assessor Parcel Numbers 369-181-18-00 and 369-181-19-00 for \$15,490,000, plus \$5,000 for closing costs, upon the completion of tenant improvements.
3. Authorize the Director of the Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of Assessor Parcel Numbers 369-181-18-00 and 369-181-19-00 upon the completion of tenant improvements.
4. Cancel appropriations of \$7,000,000 and related operating transfer from the General Fund in the County Health Complex Capital Outlay Fund for Capital Project 1012284, North Central Public Health Clinic, to provide funds for the COC Annex Reconstruction project.
5. Establish appropriations of \$7,000,000 in the Capital Outlay Fund for Capital Project 1011214, COC Annex Reconstruction, based on an operating transfer from the General Fund. **(4 VOTES)**

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

13. **SUBJECT: APPROVAL OF \$8,500,000 LOAN TO CHELSEA INVESTMENT CORPORATION TO ACQUIRE AND DEVELOP THE SILVERSAGE APARTMENTS, LAKESIDE (DISTRICT: 2)**

OVERVIEW:

The requested actions will authorize loans of up to \$2,417,073 in Redevelopment Agency Housing Set Aside Funds and \$6,092,927 in U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) and Community Development Block Grant Program (CDBG) funds for partial financing of the acquisition and new construction of the Silversage Apartments in Lakeside. As proposed by Chelsea Investment Corporation in response to the Notice of Funding Availability for Affordable Housing, Silversage Apartments will be an 80-unit multifamily affordable housing project and will have rent restrictions for a period of 55 years. These units will be affordable to low-income households earning no more than 60% of the Area Median Income. HUD's currently published income limits state that 60% of Area Median Income for a family of four is \$47,400.

FISCAL IMPACT:

Funds for the project recommended to the Board of Supervisors are budgeted in the Fiscal Year 2008-09 Operational Plan of the Department of Housing and Community Development, and will be offset by revenue from HUD. If approved, this request will result in an allocation of up to \$6,092,927 in CDBG and HOME funds to finance the development of the Silversage Apartments. The loan will be secured by a deed of trust recorded against the property and repaid over a period of 55 years. In addition, the County's HOME and CDBG restrictive covenants will be placed in a senior position in the financing package to ensure survivability in the event of foreclosure or sale. Administrative expenses for loan processing, environmental review and underwriting activities are expected to be up to \$10,000. There is no fiscal impact to the County's General Fund and no additional staff years required.

Funds for the project recommended to the Redevelopment Agency Board of Directors are not budgeted in the Fiscal Year 2008-10 Operational Plan. If approved, this request will result in an allocation of up to \$2,417,073 in Redevelopment Agency Housing Set Aside Funds to finance the development

of the Silversage Apartments. The funding source is the Redevelopment Agency's Gillespie Field and Upper San Diego River Improvement Project Area Housing Funds. The loan will be secured by a deed of trust recorded against the property and repaid over a period of 55 years. The Agency's rent and occupancy restrictions will be placed in a senior position in the financing package to ensure survivability in the event of foreclosure or sale. There is no fiscal impact to the County's General Fund and no additional staff years required.

BUSINESS IMPACT STATEMENT:

This proposal will have a positive impact on the business community since the recommended project involves construction work to be performed at the property. Contracts resulting from these recommendations will be executed with nonprofit and private sector firms, and will involve a competitive bid process.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the allocation of up to \$3,931,718 in HOME Investment Partnerships Program funds to CIC Lakeside Silversage, L.P., for the acquisition and new construction of the Silversage Apartments located in Lakeside.
2. Authorize the allocation of up to \$10,000 in HOME Investment Partnership Program funds to the County's Department of Housing and Community Development for County administrative expenses incurred directly related to loan processing, underwriting, and environmental review of the proposed housing development project. These expenses may include reimbursement for administrative costs incurred prior to this Board action.
3. Authorize the allocation of up to \$2,151,209 in Community Development Block Grant Program funds to CIC Lakeside Silversage, L.P., for the acquisition and new construction of the Silversage Apartments located in Lakeside.
4. Authorize the publication of any required "Notice to the Public of Request for Release of Funds" for the recommended project; authorize the Director, Department of Housing and Community Development, to execute such a Request and Certification following environmental processing; and direct staff to transmit the request to HUD upon completion of any mandatory waiting periods.
5. Authorize the Director, Department of Housing and Community Development, to negotiate and execute, with County Counsel concurrence, all contracts, related documents and/or amendments, and to take all necessary actions for the submittal and/or regulatory processing for implementation of the above-referenced project.

Acting as the Board of Supervisors and the Redevelopment Agency Board of Directors

Adopt a Resolution entitled: A Joint Resolution of the Board of Directors of the Redevelopment Agency of the County of San Diego and the Board of Supervisors Approving Use of the Low- and Moderate-Income Housing Funds from the Gillespie Field and the Upper San Diego River Improvement Project Areas Outside of the Two Redevelopment Project Areas.

(Relates To Redevelopment Agency Agenda No. 1)

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Slater-Price, the Board took action as recommended, on Consent, adopting Resolution No. 08-240, entitled: A JOINT RESOLUTION OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF THE COUNTY OF SAN DIEGO AND THE BOARD OF SUPERVISORS APPROVING THE USE OF LOW AND MODERATE INCOME HOUSING FUNDS FROM THE GILLESPIE FIELD AND UPPER SAN DIEGO RIVER IMPROVEMENT REDEVELOPMENT PROJECT AREAS OUTSIDE OF THE TWO REDEVELOPMENT PROJECT AREAS.

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

14. **SUBJECT: HEALTH AND HUMAN SERVICES AGENCY'S NORTH COASTAL REGION CHILD WELFARE SERVICES – FIRST AMENDMENT TO LEASE AGREEMENT FOR OFFICE SPACE AT 1320 UNION PLAZA COURT, OCEANSIDE (DISTRICT: 5)**

OVERVIEW:

The Board is requested to approve a First Amendment to Lease, commencing December 1, 2008, for continued occupancy by the Health and Human Services Agency's North Coastal Region Child Welfare Services office at 1320 Union Plaza Court, Oceanside. The amendment provides for a five-year extension of the lease and an additional five-year option to extend. The negotiated rental rate of \$47,510 per month (\$1.98/square foot per month, full service) is comparable with other office rental rates in the vicinity of the City of Oceanside.

FISCAL IMPACT:

Funds for this request are included the Health and Human Services Agency's Fiscal Year 2008-09 Operational Plan. The funding source is Social Services Administrative Revenue. If approved, this request will result in \$332,570

current year cost and \$580,095 annual cost. Annual lease costs are increased \$15,528 as a result of this request. There will be no change in the net General Fund cost and the proposal will require no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Article 19, Section 15301(a) of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease is categorically exempt from the provisions of CEQA, as it involves the continuation of an existing use.
2. Approve and authorize the Director of the Department of General Services to execute three copies of the Amendment to Lease agreement and two copies of the Memorandum of Lease, for the leased space at 1320 Union Plaza Court, Oceanside.
3. Authorize the Director, Department of General Services to exercise the option to extend the lease, prior to expiration, if appropriate.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

**15. SUBJECT: SIXTH AMENDMENT TO LEASE AGREEMENT FOR
THE DEPARTMENT OF PUBLIC DEFENDER, 400
SOUTH MELROSE DRIVE, VISTA (DISTRICT: 5)**

OVERVIEW:

This is a request to approve a Sixth Amendment to Lease Agreement for the Office of Public Defender, Vista. The amendment provides for an additional five-year lease extension, with right to terminate after 12 months, and it reduces the base monthly rent for the 13,296-square-foot lease from \$1.96/square foot (\$26,098) to \$1.88/square foot (\$24,997) per month with an annual three percent cost-of-living adjustment. The renegotiated lease also provides for refurbishments at the beginning of the term. The rental rate is below the range of recent comparable transactions in the Vista area.

FISCAL IMPACT:

Funds for this request are budgeted in the Fiscal Year 2008-10 Operational Plan. If approved, this request will result in \$187,470 current year cost, \$305,577 annual cost. Annual costs are decreased \$13,224 as a result of this request and will require no additional staff years. The funding source is the General Fund.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301(a) of the California Environmental Quality Act (CEQA) Guidelines, that the Sixth Amendment to Lease Agreement is categorically exempt from the provisions of the guidelines as it involves a continuation of an existing use.
2. Approve and authorize the Director of General Services to execute three copies of the Sixth Amendment to Lease for 13,296 square feet of office space for the Office of Public Defender, 400 South Melrose Drive, Suite 200, Vista.
3. Authorize the Director, Department of General Services, to exercise the option to extend the lease, prior to its expiration, if appropriate, and subject to the approval of the Director of the Department of Public Defender.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

16. SUBJECT: APPOINTMENTS TO DISTRICT AND COMMUNITY PLANNING AREA BOARDS (DISTRICTS: ALL)

OVERVIEW:

District and Community Planning Area elections were consolidated with the November 4, 2008 Presidential General Election. When the number of candidates for office in a district or planning group does not exceed the number of positions on the board, State law (Elections Code Section 10515) and Board Policies A-77 and I-1 require the Board of Supervisors to appoint the persons who have been nominated for these offices in lieu of conducting an election.

When there are fewer candidates for the number of seats available, the Board also has the responsibility to fill the vacancies by appointing individuals who are recommended by the member of the Board in whose Supervisorial district such elective office is located.

The Board is requested to appoint nominees to designated positions and to accept the list of vacancies requiring appointments.

FISCAL IMPACT:

This request will result in no additional County cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Appoint the nominees to designated positions in the specific Districts and Community Planning Areas in which the number of candidates does not exceed the number of positions to be filled.
2. Accept the list of Districts and Community Planning Areas requiring appointments to fill vacancies, and direct the Clerk of the Board to post the vacancy listings and notify the Districts and Community Planning Areas of these vacancies.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

17. SUBJECT: ALLOCATION OF DISTRICT TWO COMMUNITY PROJECT FUNDS

OVERVIEW:

Several organizations in East County have demonstrated a need for improvements in their communities and have shown that they are prepared to work together with other jurisdictions and community members to provide these opportunities. This action will provide funds to several organizations to improve our East County communities.

FISCAL IMPACT:

The fiscal impacts of these recommendations are \$149,085.41. The funding source is FY 08-09 District Two Community Project Funds. This action will result in the addition of no new staff years and no future costs.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

VICE-CHAIRWOMAN JACOB

1. Find that the allocations to the Endangered Habitats Conservancy and Old Ironsides Park are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301.
2. Transfer appropriations of \$150,060 from the District Two Community Projects Budget (org 15655) to the Department of Parks and Recreation (org 52811, account 52737) for major maintenance improvements at Old Ironsides Park.
3. Rescind the September 23, 2008 (13) allocation of \$7,000 from Community Projects Budget (org 15655) to the Earth Discovery Institute for the installation of an interpretive entrance station at the Crestridge Ecological Reserve. Reallocate the \$7,000 to the Endangered Habitats Conservancy for the same project.
4. Establish appropriations of \$427.59 in the Community Projects budget (org 15655) based on the return of the unused portion of the March 13, 2007 (Item 12) allocation of \$5,000 to the Lakeside American Little League to assist with the purchase of tarps to protect the league's new clay infields, so the funds can be reallocated to other projects. **(4 VOTES)**
5. Establish appropriations of \$547 in the Community Projects budget (org 15655) based on the return of the unused portion of the January 30, 2007 (Item 19) allocation of \$25,000 to the Spring Valley Chamber of Commerce for a beautification project for State Route 94, so the funds can be reallocated to other projects. **(4 VOTES)**
6. Authorize the Chief Financial Officer to execute a grant agreement with the organizations above establishing the terms for receipt of the funds and to make minor amendments to the agreements that are consistent with the general purpose of the grant but do not increase the grant.
7. Find that these grant awards have a public purpose.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

18. SUBJECT: A FAIR PRICE FOR SURPLUS RESIDENTIAL SOLAR ENERGY (DISTRICT: 2)

OVERVIEW:

In 2007, the California Solar Initiative made available \$3.3 billion to subsidize solar installations, also called photo voltaic systems (PV). Citing a desire to lessen the nation's dependence on foreign oil and help the environment, more and more San Diego homes and businesses are taking advantage of solar incentives and buying PV systems. In recent months, increasing energy costs have made residential PV especially attractive.

Energy experts report that more San Diego homeowners would buy residential PV systems if allowed to sell surplus energy to San Diego Gas and Electric (SDG&E). Current law doesn't allow such sales. Right now, for systems up to one megawatt, net excess generation is carried forward on a customer's bill for 12 months. Any yearly excess goes to the utility.

Unfortunately, important legislation that would have removed this barrier did not make it through the California Legislature this year. Assembly Bill 1920 (Huffman) would have given so-called "net metered" utility customers the option to sell surplus generation to SDG&E. Similar legislation is expected to be reintroduced next year.

By changing the net metering policy for residential PV systems in California, the region will likely experience an increase in solar generation. As part of the County's ongoing efforts to promote a cleaner, greener San Diego, we should add this important goal to our legislative program.

FISCAL IMPACT:

There is no fiscal impact associated with this recommendation.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

VICE-CHAIRWOMAN JACOB

Direct the Chief Administrative Officer to add to the County's legislative program as County-sponsored legislation a change in state law that would give residential PV customers the ability to sell surplus generation to the local utility at a fair price.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

**19. SUBJECT: ALLOCATION OF COMMUNITY PROJECTS FUNDS
AND AMENDMENT OF COMMUNITY ENHANCEMENT
ALLOCATION (DISTRICT: 5)**

OVERVIEW:

Community Projects Funding assists non-profit organizations in providing essential services to citizens of San Diego County. Reinvesting taxpayer money in worthwhile organizations is a benefit to the citizens and communities of North County.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR HORN

1. Allocate \$15,000.00 from Community Projects Budget (15670) to the San Diego North Economic Development Council for website maintenance and marketing, supplies, food, venue, and appearance fees for three taskforce workshops and quarterly workshops to help promote clean-technology and sound business plan development and financial management practices.
2. Allocate \$5,000.00 from Community Projects Budget (15670) Classics 4 Kids for materials and fees associated with teacher training workshops, concert attendance for 125 students, curriculum materials, and curriculum development costs as part of the "Mini Maestro Project".
3. Allocate \$5,000.00 from Community Projects Budget (15670) to Rancho Buena Vista Adobe to provide scholarships for a minimum of 250 students to visit the historic Rancho Buena Vista Adobe for free as part of the "Adobe Days Program".
4. Allocate \$15,000.00 from Community Projects Budget (15670) to the YWCA to provide a minimum of 300 women and children with counseling support and life plan development services and materials as part of the "Becky's House" program to help women and children recover from domestic violence.
5. Amend the purpose of the June 20, 2006 (28) allocation of \$10,000 to Special Olympics of Southern California to include costs associated with weekly bowling practices as well as volleyball and softball uniform costs for Special Olympics Athletes. Authorize the Chief Financial Officer to amend the grant agreement accordingly.

6. Amend the purpose of the May 6, 2008 (12) allocation of \$20,000 to Moonlight Cultural Foundation to include marketing materials and costs associated with theatrical performances at Moonlight Amphitheatre. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
7. Amend the purpose of the FY2008/2009 Community Enhancement Grant allocation to the Fallbrook Art Association to include scholarship costs for art students at Fallbrook High School. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
8. Authorize the Chief Financial Officer to execute a grant agreement with the organizations listed above, establishing terms for receipt of the funds described above and to make minor amendments to the agreement that are consistent with the general purpose of the grant but do not increase the grant.
9. Find that these grant awards have a public purpose.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

**20. SUBJECT: LOCAL COMMUNITY PROJECTS GRANTS
(DISTRICT: 3)**

OVERVIEW:

Funding for the Community Projects Grant program was included in the fiscal year 2008-2009 adopted budget in order to further public purposes throughout the County.

FISCAL IMPACT:

The current year total combined cost of these 11 projects is \$104,411.56. The funding source is the Community Projects Budget (org 15660). This will result in the addition of no staff years and no future year costs.

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
SUPERVISOR SLATER-PRICE**

1. Allocate \$3,000 from the Community Projects Grant Budget (org 15660) to the Friends of the Solana Beach Library to assist with marketing, travel, and professional services costs for their *Friends Night Out* program.
2. Allocate \$2,500 from the Community Projects Grant Budget (org 15660) to the Rancho Bernardo Veterans Memorial Association to assist with the purchase of flags and maintenance for their memorial; and food and entertainment costs for three patriotic ceremonies to be held on Veterans Day, Memorial Day, and Independence Day, 2009.
3. Allocate \$2,500 from the Community Projects Grant Budget (org 15660) to the San Diego Science Alliance to assist with venue, marketing, and supply costs for their High Tech Fair at the Del Mar Fairgrounds on March 11, 2009.
4. Allocate \$5,000 from the Community Projects Grant Budget (org 15660) to the San Diego Women's Film Foundation to assist with contracting for a program director, lead instructor, four mentors; and costs for marketing, website maintenance, and educational materials for the *Divas Direct Advanced* program.
5. Allocate \$20,000 from the Community Projects Grant Budget (org 15660) to Playwrights Project to assist with contractual costs for actors, and teaching artists; and costs for educational materials, costumes, set props, and scripts for their in-school playwriting programs.
6. Allocate \$5,000 from the Community Projects Grant Budget (org 15660) to the Community Resource Center to assist with supply and food costs associated with their 26th Annual Holiday Baskets Drive program from December 19-21, 2008 at the Del Mar Fairgrounds.
7. Allocate \$4,000 from the Community Projects Grant Budget (org 15660) to the Cardiff-by-the-Sea Chamber of Commerce to assist with marketing and professional services for the Cardiff-by-the-Sea GREEN Awareness Expo on Sunday, December 7, 2008; and to assist with the purchase of poinsettias, marketing costs, and hardware costs to build a re-usable tree for the Cardiff Kringle Mingle event on Thursday, December 11, 2008.
8. Allocate \$15,000 from the Community Projects Grant Budget (org 15660) to the Civic Youth Orchestra to assist with costs to purchase musical equipment and venue rental for their annual concert at the California Center for the Arts, Escondido on April 5, 2009.

9. Allocate \$5,000 from the Community Projects Grant Budget (org 15660) to Kids Korps, USA, to assist with costs for venue rentals, marketing, and professional services for Eco Ball 2009 in February 2009; and for Green Korps Fest in spring 2009.
10. Allocate \$25,000 from the Community Projects Grant Budget (org 15660) to the Epilepsy Foundation of San Diego County to assist with costs for marketing, venue, and professional services for their *Gingerbread City* event on Wednesday, December 10, 2008.
11. Establish appropriations of \$268.44 in the Community Projects Budget (org.15660) based on the unused portion of the March 13, 2007 (11) allocation of \$15,000.00 to I Love A Clean San Diego for costs associated with the 2007 Creek to Bay cleanup day activities, so the funds can be reallocated to other projects. **(4 VOTES)**
12. Change the purpose of the October 14, 2008 (13) grant in the Community Projects Grant Budget (org 15660) for \$5,000 allocated to the Make-A-Wish Foundation for marketing, venue, and supply costs for the 22nd Annual Golden Hangar Awards to offsetting the costs of granting the wish of a San Diego child with a life-threatening medical condition. Authorize the Chief Financial Officer to amend the grant agreement accordingly.
13. Allocate \$17,680 from the Communication Projects Grant Budget (org 15660) to San Diego Project Heartbeat to purchase 650 Cardiopulmonary Resuscitation (CPR) Anytime Kits and to cover costs for copies, travel, and marketing to implement the CPR Anytime program at Westview High School.
14. 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.
15. Find that all grant awards described above have a public purpose.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

21. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW:

Board Policy A-72, Board of Supervisors Agenda and Related Process, authorizes the Clerk of the Board to prepare a Communications Received for Board of Supervisors' Official Records. Routine informational reports, which need to be brought to the attention of the Board of Supervisors yet not requiring action, are listed on this document. Communications Received documents are on file in the Office of the Clerk of the Board.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Note and File

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

**22. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: AMENDMENT TO THE
COMPENSATION ORDINANCE PERTAINING TO THE
SALARY OF THE TREASURER/TAX COLLECTOR
(DISTRICT: 1)**

OVERVIEW:

On October 28, 2008 (15), the Board of Supervisors took action as recommended, on Consent, setting Hearing for November 18, 2008 at 9:00 a.m.

The proposed recommendations would adjust the salary of the Treasurer/Tax Collector to bring the position into closer alignment with the salaries of countywide elected officials with similar level of responsibility in other large urban counties.

FISCAL IMPACT:

If approved, the fiscal impact of the recommended increases would be approximately \$2,035 for the remainder of Fiscal Year 08-09; \$4,467 for Fiscal Year 09-10. These costs will be absorbed in the budgeted appropriations of the

department. There will be no impact on the retirement system fund because the budgeted appropriations for these increases all will include appropriate contributions to the retirement system to cover these increased costs.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHAIRMAN COX

Adopt ordinance:

AN ORDINANCE AMENDING THE COMPENSATION
ORDINANCE ESTABLISHING COMPENSATION FOR THE
TREASURER/TAX COLLECTOR

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Slater-Price, the Board took action as recommended, on Consent, adopting Ordinance No. 9957 (N.S.) entitled: AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE ESTABLISHING COMPENSATION FOR THE TREASURER/TAX COLLECTOR.

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

**23. SUBJECT: ADMINISTRATIVE ITEM:
APPOINTMENTS (DISTRICT: ALL)**

OVERVIEW:

These appointments are in accordance with applicable Board Policy A-74, Citizen Participation in County Boards, Commissions and Committees, Board Policy A-134, Procedures for Appointment to Resource Conservation District Boards of Directors and Board Policy I-1, Planning and Sponsor Group Policies and Procedures.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHAIRMAN COX

Re-appoint Lesley O. McClelland to the A.B. & Jessie Polinsky Children's Center Board of Trustees, for a term to expire December 14, 2009.

VICE CHAIRWOMAN JACOB

Re-appoint Roger Behrendt to the Cuyamaca Sponsor Group, Seat No. 4, for a term to expire January 3, 2011.

Waive Board Policy A – 74, Citizen Participation in County Boards, Commissions, and Committees, and re-appoint Don K. (D.K) Nasland for an additional term on the Resource Conservation District of Greater San Diego County, for a term to expire November 30, 2012.

SUPERVISOR HORN

Appoint Ricardo Favela to the County Service Area No. 81- Fallbrook Local Parks Advisory Committee, for a term to expire January 3, 2011.

Appoint Eric Kroesche to the Air Pollution Control District Advisory Committee, for a term to expire January 3, 2011.

Appoint Elizabeth J. Brosnan to the San Diego County HIV Health Services Planning Council, for a term to expire November 19, 2012.

ACTION:

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

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

24. SUBJECT: ECONOMIC UPDATE (DISTRICTS: ALL)

OVERVIEW:

Subsequent to the adoption of the County’s Fiscal Year 2008-2010 Operational Plan, economic conditions have significantly declined, affecting important revenue sources for the County in the current fiscal year as well as threatening funding levels for services in Fiscal Year 2009-10 and beyond. Staff will outline the key issues in a presentation to the Board.

FISCAL IMPACT:

None by this action. The Board may be asked to take action to adjust budget levels for individual departments as part of future regular quarterly budget status reports as necessary

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Receive the presentation by the Chief Administrative Officer.

ACTION:

Received presentation.

25. **SUBJECT: THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS RESOLVES THAT THE DEVELOPMENT OF THE SANFORD CONSORTIUM FOR REGENERATIVE MEDICINE WILL YIELD LASTING ECONOMIC BENEFITS FOR SAN DIEGO COUNTY (DISTRICTS: ALL)**

OVERVIEW:

Four of the world's leading biomedical research institutions including the Burnham Institute for Medical Research, the Salk Institute for Biological Studies, The Scripps Research Institute and the University of California, San Diego have joined to marshal their intellectual resources behind the San Diego Consortium for Regenerative Medicine to construct a venue to conduct and facilitate a ground-breaking collaborative, multi-disciplinary research.

The California Institute for Regenerative Medicine awarded the Consortium a grant of \$43 million to help fund the construction of this new research center. Additional private funding of \$30 million has been provided through the philanthropic support of T. Denny Sanford.

The Sanford Consortium for Regenerative Medicine is anticipated to expand the region's already significant contribution to the field of bio-medical research and, in the process, bring additional revenue, jobs and other lasting benefits to San Diego County.

The Board of Supervisors is requested to adopt a resolution supporting the development of the Sanford Consortium for Regenerative Medicine.

FISCAL IMPACT:

There is no fiscal impact associated with this request.

BUSINESS IMPACT STATEMENT:

It is anticipated that the Sanford Consortium for Regenerative Medicine will generate additional revenue and jobs for the San Diego region.

RECOMMENDATION:

SUPERVISOR PAM SLATER-PRICE

Adopt a resolution supporting the development of the Sanford Consortium for Regenerative Medicine.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Slater-Price, the Board took action as recommended, on Consent, adopting Resolution No. 08-241, entitled: THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS RESOLVES THAT THE DEVELOPMENT OF THE SANFORD CONSORTIUM FOR REGENERATIVE MEDICINE WILL YIELD LASTING BENEFITS FOR SAN DIEGO COUNTY.

AYES: Cox, Jacob, Slater-Price, Horn

ABSENT: Roberts

26. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9)
Ruth Lomeo v. Edgemoor Geriatric Hospital; San Diego County Superior Court, East County Division, No. GIE 036655

- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9)
County of San Diego v. Palomar Community College District; San Diego Superior Court, North County Division, No. 37-2008-00057302-CU-TT-NC

- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code section 54956.8)
Property: 5201 Ruffin Road, San Diego, CA 92123 and 5555 Highland Avenue, San Diego, CA 92123

Negotiating Parties:

County: April Heinze, Lou Cavagnaro

Other: Lowe Enterprise, Inc.

Under Negotiation: Price and Terms of Payment

- D. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.6)
Designated Representatives: Carlos Arauz and Susan Brazeau
Employee Organizations: All

ACTION:

Any other reportable matters will be announced on Wednesday, November 19, 2008, prior to the Board of Supervisors Planning and Land Use meeting.

27. SUBJECT: PRESENTATIONS/AWARDS

OVERVIEW:

Presentation of Digital Counties Survey 1st Place Award Presenting the award will be Cathilea Robinett, Executive Director of the Center for Digital Government. Accepting the award on behalf of the County will be Chairman Greg Cox.

Chairman Greg Cox presented The U.S. Department of Health & Human Services 2008 Adoption Excellence Award, accepting the award will be Nick Macchione, Director of County Health & Human Services and Mary Harris, Director of Child Welfare Services.

Vice Chairwoman Dianne Jacob and Supervisor Bill Horn presented certificates Honoring Library Friends of San Diego County 2008 Essay Contest Winners.

Chairman Greg Cox presented a proclamation honoring Volunteer Of The Month – Karen Clark.

Supervisor Pam Slater-Price presented a proclamation declaring November 18, 2008, Sam & Vivian Hardage Day throughout the County of San Diego.

Supervisor Pam Slater-Price presented a proclamation declaring November 2008, American Diabetes Month throughout the County of San Diego.

Supervisor Bill Horn presented a proclamation declaring December 7, 2008, National Pearl Harbor Remembrance Day throughout the County of San Diego.

28. SUBJECT: PUBLIC COMMUNICATION

OVERVIEW:

Sandra Castillo, Tom Earp, Nina Chavez-Earp, Nga Do, and Nicanora Montero spoke to the Board concerning United Domestic Workers of America.

Raymond Lutz spoke to the Board concerning Registrar of Voters.

ACTION:

Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 11:41 a.m. in memory of John W. Miles, William Liu, Evelyn McGrew Mhoon, Jean Brunkow and Alice Crittenden.

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.