

RESOLUTION NUMBER R- 314962

DATE OF FINAL PASSAGE JUN 12 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THAT CERTAIN SECOND
AMENDMENT TO AGREEMENT FOR BEHAVIORAL
HEALTH SERVICES WITH THE COUNTY OF SAN DIEGO.

WHEREAS, based on the City Council's authorization in closed session on March 10, 2020, the City of San Diego (City) and the County of San Diego (County) entered into that certain Agreement for Behavioral Health Services in April 2020 (Agreement); and

WHEREAS, the Agreement memorializes a partial settlement between the City and the County of litigation known as the Residual Methodology Case (as further defined in the Agreement) concerning the County's method of calculating and distributing residual balance funds from the Redevelopment Property Tax Trust Fund to local taxing entities; and

WHEREAS, under the Agreement, the County is required to allocate \$25,000,000 (Settlement Funds), constituting a portion of the disputed funds in the Residual Methodology Case, toward one or more Capital Projects (defined in the Agreement to include a project to purchase land, construct improvements, renovate or expand owned or leased existing structures, purchase and install furniture, fixtures and equipment, purchase vehicles, and the like used to provide certain specified activities, such as mental health assessment and treatment); and

WHEREAS, Section V.C on page 8 of the Agreement requires any amendment to the Agreement to be set forth in a written instrument approved by the County's Chief Administrative Officer and the City Council; and

WHEREAS, by Resolution R-314197 adopted effective July 1, 2022, the City Council approved that certain First Amendment to Agreement for Behavioral Health Services, which

modified the definition of Capital Projects in the Agreement to provide more flexibility in determining what qualifies as an Eligible Expense (as defined in the Agreement); and

WHEREAS, the City and the County (collectively, Parties) now propose to provide additional flexibility by allowing the County to award unspent Settlement Funds for Capital Projects presented by the City, which may include Capital Projects administered by the San Diego Housing Commission; and

WHEREAS, to provide this additional flexibility, the Parties now desire to enter into that certain Second Amendment to Agreement for Behavioral Health Services (Second Amendment), a copy of which is included in the docket materials accompanying this Resolution; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. The City Council approves the Second Amendment.
2. The Mayor or designee is authorized and directed, on the City's behalf, to sign the Second Amendment. A copy of the Second Amendment, when fully signed, shall be placed on file in the Office of the City Clerk as Document No. RR- 314962.

APPROVED: MARA W. ELLIOTT, City Attorney

By Kevin Reisch
Kevin Reisch
Senior Chief Deputy City Attorney

KJR:JAF
5/26/2023
Or.Dept: Mayor
Doc. No.: 3306719

I certify that the foregoing Resolution was passed by the Council of the City of San Diego at this meeting of JUN 06 2023.

DIANA J.S. FUENTES
City Clerk

By *Connie Patterson*
Deputy City Clerk

Approved: 6/12/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 0 6 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 12 2023.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
Interim City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **314962**