REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 16, 2019, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

LISA A. BARTLETT
CHAIRWOMAN
Fifth District

MICHELLE STEEL
VICE CHAIR
Second District

ANDREW DO
SUPERVISOR
First District

DONALD P. WAGNER
SUPERVISOR
Third District

DOUG CHAFFEE
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Frank Kim
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Robin Stieler

INVOCATION: Vice Chair Steel, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Do, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Donna Boston, Director of Emergency Management provided a presentation on Earthquake Preparedness

II. CONSENT CALENDAR (Items 1-7)

23145 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 1 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

1. **Sheriff-Coroner -** Approve amendment 2 to contract MA-060-18011420 with Nancy K. Bohl, Inc. dba The Counseling Team International for counseling services for crisis intervention, term

ending 3/20/20 ($50,000; new total $75,000; cumulative total $100,000); renewable for three additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

14235 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

2. Approve plans and specifications and set bid opening for 8/7/19, 2:00 p.m., for Terminal Utilities and Seat Power Improvements project; authorize Director or designee to extend bid opening date up to 60 days if necessary; and make California Environmental Quality Act and other findings - District 2

OC PUBLIC WORKS

3. Approve amendment 1 to contract MA-080-16011152 with Stewart Title of California, Inc. for titleservices ($105,000; cumulative total $600,000); and authorize County Procurement Officer or authorized Deputy to execute amendment under certain conditions - All Districts

4. Adopt resolution certifying mileage of maintained streets and highways within unincorporated area ofCounty of Orange - All Districts
RESO: 19-062

5. Adopt resolution pursuant to Public Streets and Highways Code Section 941 finding Loma Ridge Roadnecessary to public convenience and accept public road and rights-of-way into County of Orange Road System; and make California Environmental Quality Act and other findings - District 3
RESO: 19-063

6. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve ingress and egress Easement Deed from Orange County Flood Control District to Threegulls, LLC and RFR Land Company, LLC; authorize Director or designee to carry out terms of easement deed; and make California Environmental Quality Act and other findings - District 3

GENERAL ADMINISTRATION

7. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated FilerExhibits for North Orange County Regional Occupational Program - Districts 2, 3 and 4

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 8-S29B)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

8. Accept donation from Orange County Sheriff's Advisory Council for architectural

andengineering plans, contract management, permit processing, labor, materials and construction of two training structures at Katella Training Facility, with an estimated value of $1 million; and make California Environmental Quality Act and other findings - District 3

31245 **APPROVED AS RECOMMENDED**

9. Approve retroactive amendment 1 to renew contract MA-060-19010406 with Galls LLC. for body armor products, 3/16/19 - 3/15/20 ($1,700,000; cumulative total $3,392,671); renewable for one additional one-year term; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

13245 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

10. Approve master agreement with various providers of Perinatal Drug Medi-Cal Substance Use DisorderTreatment services, 8/1/19 - 6/30/22 ($8,542,260); approve selection of Clean Path LLC; and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute individual agreements - District 1

12345 **APPROVED AS RECOMMENDED**

11. Approve amendment 5 to standard agreement 15-10073 A05 with California Department of Public Health for Women, Infants and Children Supplemental Nutrition Program; and authorize Director or designee to execute California Civil Rights Laws form - All Districts

13245 **APPROVED AS RECOMMENDED**

12. Approve Intergovernmental Agreement Regarding Transfer of Public Funds with California Department of Health Care Services for transfer of funds to the State ($3,200,000); authorize Director or designee to execute final agreement; and direct Auditor-Controller, upon notification from Director or designee to issue payments as required - All Districts

12345 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

13. Approve amendment 5 to contract MA-012-16010217 with West Coast Arborist Inc. for tree maintenance services to revise County General Terms and Conditions, section S. to align with County standards, 9/1/19 - 8/31/20 ($3,000,000; cumulative total $10,500,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

13245 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

14. Approve contract with Alight Solutions LLC for benefits administration services, 7/16/19 -3/31/25 ($13,167,500); renewable for two additional one-year terms; and authorize Chief Human Resources Officer or designee to execute contract - All Districts (Continued from 6/25/19, Item S68C)

12345 **APPROVED AS RECOMMENDED**

15. Authorize County Procurement Officer or authorized Deputy to conduct a new Request

forProposal solicitation for Federal Legislative Advocacy services; and direct County Executive Office to return with recommended action before 11/30/19 - All Districts (Continued from 6/25/19, Item S68E)

53124 **APPROVED AS RECOMMENDED; DIRECTED THE COUNTY EXECUTIVE OFFICE TO DEFINE THE FUNCTIONS OF A LOBBYIST, SOLICIT INPUT FROM THE BOARD OFFICES AND COUNTY DEPARTMENTS TO SET EXPECTATIONS OF WHAT IS EXPECTED FOR A FEDERAL LOBBYIST FIRM TO ACCOMPLISH FOR THE COUNTY AND INCORPORATE INTO THE REQUEST FOR PROPOSAL**

16. Approve recommended positions on introduced or amended legislation and consider otherlegislative subject matters - All Districts

23145 **APPROVED AS RECOMMENDED**

17. Approve proposed response to FY 2018-19 Grand Jury Report "Re-Opening Irvine Lake A Win-Win for Taxpayers and Outdoor Enthusiasts." - District 3

31245 **APPROVED AS RECOMMENDED**

18. Approve lease agreement with Imperial Fullerton Partners for office space for Health CareAgency at 401 Imperial Highway, Fullerton, 1/1/20 - 10/31/31, with two five-year option terms; authorize Chief Real Estate Officer or designee to execute subsequent lease amendments for non-monetary and/or monetary changes under certain conditions; and make California Environmental Quality Act and other findings - District 4

42135 **APPROVED AS RECOMMENDED**

19. Approve amendment 2 to renew contract with Standard Insurance Company for Long-TermDisability Insurance and Administration of Short-Term Disability Insurance Plan and Reserve Deputy Sheriff Disability Income Protection Plan, 1/1/20 - 12/31/20 ($1,297,100); and authorize Chief Human Resource Officer or designee to execute amendment - All Districts

13245 **APPROVED AS RECOMMENDED**

20. Adopt 2020 Cigna Healthcare of California, Cigna Health and Life Insurance Company andKaiser Foundation Health Plan, employee HMO Health Plan rates; authorize Chief Human Resource Officer or designee to execute 2020 Group Service Policies after approval by State Department of Managed Health Care and report back to the Board if any changes to the policies are required under certain conditions; approve amendment 2 to Administrative Services agreements with Cigna Healthcare of California, Cigna Health and Life Insurance Company and Kaiser Foundation Health Plan, for active health plans, 1/1/20 - 12/31/20; and authorize Chief Human Resource Officer or designee to execute amendments and amend underlying agreements as necessary in order to continue Wellness Programs under certain conditions - All Districts

12345 **APPROVED AS RECOMMENDED**

21. Adopt 2020 Retiree Insured Health Maintenance Organization (HMO) and Preferred ProviderOrganization (PPO) Health Plan rates; approve amendment 2 to renew Administrative Services agreement with Anthem Blue Cross, Kaiser Foundation Health Plan, Inc. and SCAN Health Plan for retiree health plans, effective 1/1/20 - 12/31/20; and authorize Chief Human Resource Officer or designee to execute amendments and 2020 Group Service/Benefit Policies with Anthem Blue Cross, Kaiser Foundation Health Plan, Inc. and SCAN Health Plan after approval by State Department of

Managed Care or Centers for Medicare and Medicaid Services and report back to the Board if changes to the policies are required under certain conditions - All Districts

23145 **APPROVED AS RECOMMENDED**

22. Adopt 2020 Employee Preferred Provider Organization (PPO) Health Plan rates for self-funded Wellwise Choice and Sharewell Choice - All Districts

13245 **APPROVED AS RECOMMENDED**

23. Adopt 2020 Retiree Preferred Provider Organization (PPO) Health Plan rates for self-fundedWellwise and Sharewell; authorize Chief Human Resource Officer or designee to continue to apply for Medicare Part D federal subsidy under Medicare Prescription Drug, Improvement and Modernization Act of 2003 to Wellwise retiree health plan - All Districts

21345 **APPROVED AS RECOMMENDED**

24. Approve amendment 2 to contract with The StayWell Company, LLC for administration of Health Management Program, 5/13/20 - 5/12/21 ($1,500,000; cumulative total $7,264,000); and authorize Chief Human Resource Officer or designee to execute amendment - All Districts

23145 **APPROVED AS RECOMMENDED**

25. Approve contract with Hartford Life and Accident Insurance Company, Inc. for life and accidental death and dismemberment insurance, 1/1/20 - 12/31/22 ($2,325,300); renewable for two additional one-year terms; and authorize Chief Human Resource Services Officer or designee to execute contract - All Districts

23145 **APPROVED AS RECOMMENDED**

26. Approve Work Orders NCY1-009 and NCY1-010 under agreement for managed servicesnetwork, voice and security with Science Applications International Corporation for services to support relocation of Auditor-Controller ($115,200) and Assessor ($193,300); and authorize Chief Information Officer or designee to execute work orders and increase 10% under certain conditions - All Districts

25134 **APPROVED AS RECOMMENDED**

27. Approve grant applications/awards submitted by Health Care Agency, OC Public Works, JohnWayne Airport and OC Community Resources and retroactive grant applications/awards submitted by Sheriff-Coroner, OC Public Works, John Wayne Airport and Probation in 7/16/19 grant report and other actions as recommended; adopt resolution authorizing Health Care Agency Director or designee to accept grant award, execute grant agreement and amendments with Board of State and Community Corrections for Proposition 47 Cohort 2; adopt resolution authorizing OC Public Works Director or designee to accept Renewed Measure M Regional Traffic Signal Synchronization Program funding, execute cooperative agreement and amendments with City of Fullerton and/or Orange County Transportation Authority for Orangethorpe Avenue/Esperanza Project; and adopt resolution approving standard agreement CF-1920-22 and related documents with California Department of Aging, 7/1/19 - 6/30/20 ($94,079); authorizing OC Community Resources Director or designee to execute agreement, amendments and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

12345 **APPROVED AS RECOMMENDED**

RESO: 19-064 - 19-066

28. Select Related Companies of California as developer for lease and development of County-owned property on Santa Ana Boulevard at off-ramp from Interstate 5 South (APN 398-092-13); authorize Chief Real Estate Officer or designee to negotiate a ground lease agreement with Related Companies of California, authorize negotiation of a joint powers agreement or other required documents necessary to pursue tenants-in-common ownership for joint development of County-owned property (APN 398-092-13) and City-owned property (APN 398-098-14) and to negotiate a transfer agreement of Regional Housing Needs Assessments allocations between the City of Santa Ana and County - District 1

14235 **APPROVED AS RECOMMENDED**

29. **Supervisor Do -** Direct OC Community Resources Director or designee to create "Safe Homes for OCSeniors" pilot program, 8/1/19 - 6/30/21 ($1,000,000) from Net County Cost to provide grant assistance for Orange County unincorporated community residents age 62 or older with household incomes below 80% of Area Median Income as reported by U.S. Department of Housing and Urban Development to rehabilitate their homes, prepare guidelines and allocate overhead expense and return to the Board within 120 days to seek approval of plan to establish an ongoing home rehabilitation program; and make related findings - All Districts (*4/5 vote of the members present*)

41235 **APPROVED RECOMMENDED ACTIONS 2, 3 AND 4**

Supervisor Wagner:

S29A. Approve addition of a Fire Prevention Town Hall Meeting to FY 2019-20 County EventsCalendar and per Government Code Section 26227, find that the campaign will serve a public purpose of and will meet the social needs of the population of the County and staff and resources may be used in furtherance of such events

31245 **APPROVED AS RECOMMENDED**

S29B. Emergency Medical Care Committee - Appoint Dr. Timothy Allyn Munzing, Tustin, to complete term ending 6/30/21; and on the North Tustin Advisory Committee - Appoint David Feldberg, Santa Ana, for term ending 3/31/22

31245 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 30)

OC PUBLIC WORKS

30. Public Hearing to consider adopting resolution approving annual sewage unit fee for La Mirada CountyService Area No. 13 sewer services; and making California Environmental Quality Act and other findings - District 4 (*4/5 vote of the members present*)

B.O. **CLOSED PUBLIC HEARING**

41235 **APPROVED AS RECOMMENDED**
RESO: 19-067

V. CLOSED SESSION (Items CS-1-SCS7)

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Tom Hatch
Employee Organizations: Orange County Employees Association (OCEA), Orange County Managers Association (OCMA), Association of County Law Enforcement Management (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Teamsters Local 952 (Teamsters), Orange County Attorneys Association (OCAA), Association of Orange County Deputy Sheriffs (AOCDS), International Union of Operating Engineers (IUOE), United Domestic Workers of America (UDWA), and other non-represented employees
RE: Terms and conditions of employment

B.O. **HELD, NO REPORTABLE ACTION**

County Counsel:

SCS2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: People's Homeless Task Force v. County of Orange, Orange County Board of Supervisors, OCSC Case No.: 30-2019-01062485-CU-CR-CJC

B.O. **HELD, NO REPORTABLE ACTION**

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Orange County Catholic Worker, et al. v. County of Orange, et al., United States District Court Case No. 8:18-cv-00155-DOC-JDE. David Ramirez, et al. v. County of Orange, United States District Court Case No. 8:18-cv-0220-DOC-JDE. Housing is a Human Right, Orange County, et al. v. County of Orange, et al., United States District Court Case No. SACV19-00388-PA

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED SETTLEMENT IN THE CASE OF ORANGE COUNTY CATHOLIC WORKER, ET AL. V. COUNTY OF ORANGE, ET AL.; DAVID RAMIREZ, ET AL. V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, COPIES OF THE SETTLEMENT WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT AND COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.**

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Cristina Rupp v. County of Orange, WCAB Case No.: ADJ10979172

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED SETTLEMENT IN THE CASE OF CRISTINA RUPP V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

SCS5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Herbert Siegmund v. County of Orange, WCAB Case No.:

ADJ8842454; ADJ6523347; ADJ2184454

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED SETTLEMENT IN THE CASE OF HERBERT SIEGMUND V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

SCS6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Christopher Ramirez v. County of Orange, Orange County Superior Court Case No.: A235825

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED SETTLEMENT IN THE CASE OF CHRISTOPHER RAMIREZ V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

SCS7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Vilma Germaine-McIver v. County of Orange,
Case No. 8:16-cv-01201-CJC

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED SETTLEMENT IN THE CASE OF VILMA GERMAINE-MCIVER V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Ilya Tseglin - Oral re: Has attended Board Meetings for 7 years pleading to stop the torture and murder of his son for the profiteering of the Orange County Regional Center, Department of Developmental Services, Public Defender, and Judges; requested to pursue justice, rules of law and the County constitution; meeting with the Tseglin family to listen to their concerns regarding their son; Public Defender does not defend their clients

Brigitte - Oral re: Attorney General report outlines why County Counsel, District Attorney, Office of Independent Review, Performance Auditor, Internal Auditor, Public Defender should be investigated for putting the County in harms way; Ilya Tseglin is a hero and wants to help the County; Diana Alvarez and the death of her son

Daisy Ramirez - Oral re: ACLU of Southern California; number of people who have died under the responsibility and supervision of the Orange County Sheriff's Departments; the family of Anthony Aceves is not aware of how or why he died in custody; death of an individual who died while under the

responsibility of the Sheriff's Department; several Grand Juries agencies and organizations have identified issues in Orange County jails including inadequate medical care, unsafe housing assignments and excessive use of force; Department of Justice launched an investigation after the death of John Chamberlin and investigation is still open; Sheriff Department has failed to take preventive measures and to provide safe conditions for people in custody; urged the Board to call for an independent body to investigate deaths in custody, direct the Office of Independent Review to investigate conditions in Orange County jails and audit previous investigations and reviews into deaths by the Sheriff Department and District Attorney including protocols, policies and lengths of investigations; requested the Board accept meeting with representatives of the ACLU and community members to address issues in the County jail system

Diana Alvarez - Oral re: Mother of Anthony Aceves; has not received information regarding her son's death; requested a copy of his autopsy report and was advised by the Coroner the report will be available in 6 months; the autopsy of another inmate who died in the same manner as her son will be available in 6-8 weeks; requested assistance to retrieve information regarding her son's death and to receive autopsy report

Bryan Kaye - Oral re: Discussed 'respect' at prior Board meeting; immigrants and minorities knowledge of the law and the First Amendment; judge admitted to forged plea agreements; placing innocent people in jails; education in American law; public speakers at public meetings

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Do - Oral re: Comments of public speakers, overt racism, bigotry and ignorance

Supervisor Wagner - Oral re: Privileged to serve on the Board that reflects the diversity of the County and strives to do their best for the County

Vice Chair Steel - Oral re: Thanked Justin Austin, Health Care Agency, Homeless Coordinator for coordinating with various cities to move homeless from a bus stop in the City of Newport Beach to shelters

Chairwoman Bartlett - Oral re: Reported on her trip to Las Vegas, Nevada with Supervisor Chaffee and County staff for the National Association of Counties (NACo) Conference and Exposition; congratulated County staff for receiving achievement awards from the National Association of Counties (NACo)

ADJOURNED: 1:26 P.M.

*** KEY ***

Left Margin Notes

1. = Supervisor Do
2. = Supervisor Steel
3. = Supervisor Wagner
4. = Supervisor Chaffee
5. = Supervisor Bartlett

A. = Abstained
X. = Excused
N. = No
BO = Board Order

ORD. = Ordinance
RESO. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

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Chair, Orange County Board of Supervisors

_____

Orange County Clerk of the Board