REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, October 8, 2019, 9:00 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: Supervisor Do, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Chaffee, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairwoman Bartlett presented a resolution commending County of Orange Health Care Agency on Stigma Free and recognizing the official launch of Stigma Free OC website

Chairwoman Bartlett presented a resolution commending Scott Larson on his appointment as CEO of HomeAid America

Supervisor Do presented a resolution to the City of Santa Ana, in honor of the City's 150th Anniversary

II. CONSENT CALENDAR (Items 1-5)

14235 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 2, 3 AND 4 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Vice Chair Steel -** John Wayne Airport Arts Commission - Appoint Stephanie Ann Bachiero, Laguna Beach, for term concurrent with 2nd District Supervisor's term of office

ELECTED DEPARTMENT HEADS

2. **District Attorney -** Approve contract MA-026-19011352 with TriTech Software Systems for Inform Records Management System and services, 10/8/19 - 10/7/20 ($400,122); renewable for four additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

14235 **APPROVED AS RECOMMENDED**

CHILD SUPPORT SERVICES

3. Approve master agreement with various providers for Paternity Opportunity Program services, 12/1/19 - 11/30/24 ($650,000); and authorize Director or designee to execute individual agreements - All Districts

13245 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

4. Approve revised Bylaws to Orange County Commission to End Homelessness - All Districts

14235 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

5. Approve Orange County Traffic Committee 7/18/19 report; adopt resolutions establishing "radar enforced" 30 mph speed limit on Ascenso Avenue from Ribera Street to Cache Street and on Reata Road from Ortega Highway to Ribera Street, and 45 mph speed limit on Cow Camp Road from Antonio Parkway to Escencia Drive; and make California Environmental Quality Act and other findings - District 5
RESO: 19-096 - 19-098

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 6-S26E)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

6. Approve amendment 1 to contract MA-060-17011616 with The Act 1 Group, Inc. dba ATIMS for Integrated Jail Management System, extending term to 10/31/20 ($3,397,084); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

14235 **APPROVED AS RECOMMENDED**

7. Approve Assignment, Novation and Consent Agreement with Owen Group, Inc. assigning to Owen Group, Limited Partnership for on-call architectural services; and authorize Director of Research and Development or designee to execute agreement - All Districts

21345 **APPROVED AS RECOMMENDED**

8. Approve Assignment, Novation and Consent Agreement and amendment 1 to agreement MA-060-19010958 with Michael Madden Company Inc. dba The Paper Company assigning to Imperial Bag & Paper Co LLC dba The Paper Company for purchase and delivery of paper bags, plastic bags, rolled paper and related items; and authorize County Procurement Officer or authorized Deputy to execute agreements - All Districts

21345 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

9. Approve selection of and agreement with Mind OC for Behavioral Health System Transformation Innovation Project, 10/15/19 - 6/30/22 ($7,700,000); authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute agreement - All Districts

13245 **APPROVED AS RECOMMENDED**

10. Approve Intergovernmental Transfer agreement with Orange County Health Authority dba CalOptima for participation in intergovernmental transfer to obtain federal reimbursement for uncompensated care to patients, 7/1/18 - 9/30/21; and authorize Director or designee to execute agreement - All Districts

12345 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

11. Approve amendment 1 to contract 19-23-0015-PS with Mercy House Living Centers, Inc., for emergency shelter program, 7/1/19 - 6/30/20 ($333,076; cumulative total $2,114,087); and authorize Director or designee to execute amendment - Districts 1 and 4

14235 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

12. Award design-build contract MA-012-19011983 to Rudolph & Sletten, Inc. for OC Zoo Large Mammal Exhibit Project for design and construction services ($7,498,854); and authorize Director or designee to execute and amend contract under certain conditions - District 3

31245 **APPROVED AS RECOMMENDED**

13. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve amendment 1 to contract MA-080-15011581 with AG Coast Incorporated, DBA California Panther Security for unarmed security services, term ending 6/30/20 ($50,000; cumulative total $1,800,000); and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

13245 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

14. Approve contract MA-299-20010242 with Ron Dietz, Inc., dba Dietz Hydroseeding Company for hydroseeding services, 11/23/19 - 11/22/22 ($1,050,000); renewable for two additional one-year terms ($350,000 per year); and make California Environmental Quality Act and other findings - Districts 2, 3, 4 and 5

43125 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

15. Accept California Governor's Office of Emergency Services Child Abuse Treatment Program grant funds 10/1/19 - 12/31/20 ($355,750); approve amendment 2 to agreement FRB1715 A2 with Olive Crest and Child Guidance Center, Inc. for continued therapy, advocacy and support to child victims of abuse and neglect, 10/1/19 - 12/31/20 ($71,150; new total $426,900; cumulative total $1,928,727); and authorize Director or designee to execute all documents and amendments related to acceptance and administration of grant funds - All Districts

23145 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

16. Approve qualified panel of underwriter firms to assist County in formulating and executing future financings - All Districts

12345 **APPROVED AS RECOMMENDED**

17. Approve Amendment 1 to extend for one year the reimbursement agreement with Rancho Mission Viejo to cover costs associated with analyzing appropriateness of forming a Community Facilities District to finance future public facilities and improvements and authorize Public Finance Director to execute amendment; select Feldman & Associates and CSG Advisors as municipal advisors for services for the possible formation and financing of one or more Rancho Mission Viejo Community Facilities Districts; select and approve contract with Stradling Yocca Carlson & Rauth as bond and disclosure counsel for a three-year term ($200,000 annually); renewable for two,
one-year terms and authorize Public Finance Director to execute contract; select Stifel, Nicolaus & Company, Inc., Piper Jaffray & Co. and RBC Capital Markets, Inc. as underwriters for possible financing of one or more Rancho Mission Viejo Community Facilities Districts - District 5

51234 **APPROVED AS RECOMMENDED**

18. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts

13245 **APPROVED AS RECOMMENDED**

19. Approve in concept issuance of short-term Taxable Pension Obligation Bonds for early payment of County's FY 2020-21 employer pension obligation; and select Fieldman, Rolapp & Associates, Inc. as municipal advisor and Orrick Herrington & Sutcliffe, LLP as bond counsel - All Districts

15234 **APPROVED AS RECOMMENDED**

20. Approve amendment 15 to master services agreement MA-017-13011864 with Science Applications International Corporation for Data Center operations, service desk, desktop support and applications services, 2/2/20 - 6/30/22 ($48,502,634; cumulative total $174,267,174); renewable for two additional one-year terms; and authorize County Chief Information Officer or designee to execute amendment - All Districts

31245 **APPROVED AS RECOMMENDED**

21. Approve grant applications/awards submitted by Sheriff-Coroner, District Attorney, OC Public Works, Probation, County Executive Office, Health Care Agency and Social Services Agency and ratify grant applications/awards submitted by John Wayne Airport in 10/8/19 grant report and other actions as recommended; adopt resolution authorizing Sheriff-Coroner or designee to execute and submit application and grant assurance to California Office of Emergency Services for FY 2019 Emergency Management Performance Grant ($775,004); and approve related actions under certain conditions; adopt resolution authorizing District Attorney or designee to execute grant agreement and amendments with California Office of Traffic Safety for Alcohol and Drug Impaired Driver Vertical Prosecution Program, FY 2019-20 ($754,563) and California Traffic Safety Resource Prosecutor Training Network, FY 2019-20 ($722,513); and making California Environmental Quality Act and other findings; approve cooperative agreement with City of Anaheim for grant funding for Housing Opportunities for Persons with AIDS Program, 7/1/19 - 6/30/20 ($894,323) - All Districts

13245 **APPROVED AS RECOMMENDED**
RESO: 19-099 - 19-100

22. Approve Option Agreement with Tait Development, LLC to conduct due diligence regarding ground lease and development of golf course; approve Ground Lease Agreement with Tait Development, LLC to plan, design, fund, construct, renovate, market, operate, manage and maintain property, former Coyote Canyon landfill, 75-year term; and authorize Chief Real Estate Officer or designee to execute agreements, amendments and all related documents and minor modifications under certain conditions - District 2

23145 **APPROVED AS RECOMMENDED**

23. Approve amendment 1 to renew contract with Mercer Health & Benefits LLC for benefits consulting and actuarial services, 12/8/19 - 12/7/20 ($482,000; cumulative total $1,682,000); renewable for one additional one-year term; and authorize Chief Human Resources Officer or designee to execute amendment - All Districts

21345 **APPROVED AS RECOMMENDED**

24. Approve contract with Mercer Investments LLC dba Mercer Investment Advisers LLC for investment consulting services, 11/19/19 - 11/18/22 ($684,000); renewable for two additional one-year terms ($544,500); and authorize Chief Human Resources Officer or designee to execute contract - All Districts

31245 **APPROVED AS RECOMMENDED**

25. Approve lease agreement with Headway Properties, LLC for office space for Health Care Agency at 2801 Bristol Street, Costa Mesa, 5/1/20 - 4/30/35, with three five-year option terms; authorize Chief Real Estate Officer or designee to execute subsequent lease amendments and option terms for non-monetary and/or monetary changes under

certain conditions; and make California Environmental Quality Act and other findings - District 2 (Continued from 9/24/19, Item 35)

B.O. **CONTINUED TO 11/5/19, 9:30 A.M.**

26. **Chairwoman Bartlett -** Approve appointment of Francis Davies as Auditor-Controller

32145 **MOTION TO DIRECT CEO TO UTILIZE A RECRUITER AND CONDUCT A**
NNN **PUBLIC SOLICITATION AND INTERVIEW PROCESS FOR THE SELECTION AND APPOINTMENT OF THE ORANGE COUNTY AUDITOR-CONTROLLER FAILED TO CARRY**

51234 **APPROVED AS RECOMMENDED**
NN

S26A. **Supervisor Do -** Direct County Executive Officer to develop a County of Orange Lactation Policy and return to the Board within 90 days and to identify all available lactation rooms at County facilities and identify where dedicated lactation rooms should be added

15234 **APPROVED AS RECOMMENDED**

S26B. **Chairwoman Bartlett -** Approve addition of Real Estate Developer Symposium scheduled for November 13, 2019 to FY 2019-20 County Events Calendar and make related findings per Government Code Section 26227

51234 **APPROVED AS AMENDED TO ESTABLISH THE P3 (PUBLIC PRIVATE PARTNERSHIPS) AD HOC REAL ESTATE COMMITTEE COMPRISED OF CHAIRWOMAN BARTLETT AND SUPERVISOR DO TO FOCUS ON THE PROMOTION OF PUBLIC PRIVATE PARTNERSHIPS, WITH DISSOLUTION CONCURRENT WITH THE FIRST BOARD MEETING IN OCTOBER 2020; AND FOR THE REAL ESTATE DEVELOPER SYMPOSIUM TO BE SPONSORED BY THE NEWLY CREATED AD HOC**

S26C. **Vice Chair Steel and Supervisor Wagner -** Authorize the Board to request information from Registrar of Voters regarding accuracy of voting roll
RECEIVED, NO ACTION TAKEN

OC COMMUNITY RESOURCES

S26D. Approve the California Department of Veterans Affairs Appropriation Transfer Agreement between the County of Orange and Orange County United Way for United to End Homeless' Welcome Home OC ($2,900,000); make related budget adjustments; and make related findings - All Districts (4/5 vote of the members present and voting)

41235 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S26E. **County Executive Office -** Approve and adopt 2019-2023 Memorandum of Understanding with Association of Orange County Deputy Sheriffs for Peace Officer and Supervising Peace Officer Units, 7/1/19 - 6/29/23 - All Districts

51234 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-SCS4)

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), 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 to Government Code Section 54956.9(d)(1):
Name of Case: Kenneth Francisco v. County of Orange WCAB Case No.: ADJ10645646; ADJ8252406; ADJ10645645

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED SETTLEMENT IN THE MATTER OF KENNETH FRANCISCO V. COUNTY OF ORANGE, WCAB CASE NOS. ADJ10645646, ADJ8252406, ADJ10645645. THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS. WHEN THE SETTLEMENT AGREEMENT IS FINALIZED, COPIES OF THE AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

SCS3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases: One Case

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY AUTHORIZED COUNTY COUNSEL TO RETAIN PAUL KERKORIAN, ATTORNEY AT LAW, TO CHALLENGE THE DECISION OF THE PUBLIC UTILITIES COMMISSION IN COUNTY OF ORANGE V. SO. CAL. EDISON, CPUC CASE NO. C.17.10-013.**

SCS4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED - LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION - Pursuant to Government Code Section 54956.9(d)(2): Number of Cases: One Case

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED SETTLEMENT WITH SANDRA CUEVAS AND CYNTHIA OROZO, CLAIM NO. 20180393, INVOLVING A TWO-CAR MOTOR VEHICLE ACCIDENT AND A COUNTY EMPLOYEE IN THE CITY OF ANAHEIM. THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS. WHEN THE AGREEMENT IS FINALIZED, COPIES OF THE SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THOROUGH THE OFFICE OF CEO/RISK MANAGEMENT TO**

ANY PERSON WHO INQUIRES.

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Paul Wilson - Oral re: Wife was killed in Orange County's worst mass killing at a Seal Beach salon; Attorney General opened an investigation into the misconduct related to the case; 4 years later, the investigation ended without a public report or statement explaining its decision; requested the Board seek justice and demand the release of the Attorney General's investigations, reports and findings but the Board has not done so; requested the Board and District Attorney Todd Spitzer hold those involved in the jailhouse snitch scandal accountable for their actions.

Ilya Tseglin - Oral re: Larry Landauer of the Orange County Regional Center and corruption of County Departments

Robert Tseglin - Oral re: His brother Nate placed in group homes and was released by Writs of Habeas Corpus; constitutional violations and petition filed to remove conservatorship; physical and psychotropic abuse; experts testified autistic persons should not be placed on psychotropic drugs; cover-up of mental, psychotropic and physical abuse; perjury, fraud and Public Defender

Mike Tucker - Oral re: Orange County Racial Justice Collaborative and Transforming Justice Orange County; Deaths in Orange County jails in 2019 remain unexplained; can reduce deaths by providing oversight, enforcing procedures, providing better medical care and having fewer people in jail; requested the Board use their budget and oversight to transform the criminal justice system and have Orange County services focus on prevention, accountability and rehabilitation.

Vern Nelson - Oral re: Transforming Justice OC; failure of Orange County Sheriff Department; expansion of Musick is problematic; County has failed to allocate adequate funding to community based mental health care, social services and permanent supportive housing; Board should supervise the Sheriff to increase transparency, ensure deputies are held accountable and prevent loss of public trust; requested the Board meet with American Civil Liberties Union of Southern California and members of the community, tour the Orange County jails and talk to inmates regarding the conditions in jail, stop plans to expand Musick, evaluate available funding and work with the Court system and County Department to increase diversion options in the community; opposes salary increases for Orange County Sheriff Deputies.

Donna Aceveda-Nelson - Oral re: Son was killed by City of Anaheim Police Officer in 2012; cousin was homeless and arrested for possession of a shopping cart, suffered a stroke and died while in jail; opposes salary increases of Orange County Sheriff Deputies; concerns with oversight of the Sheriff Department; deaths in Orange County jails.

Lewis Adame - Oral re: Homeless encampments along the train tracks in the City of Santa Ana; rise in affordable housing and increase of the homeless.

Brigitte - Oral re: Board Rules of Procedure amendment on 11/8/16 removing the public from participating in Board meetings; cover-up of County Counsel by Peter Mark Hughes, Internal Auditor.

COUNTY EXECUTIVE OFFICER COMMENTS:

BOARD COMMENTS:

Supervisor Chaffee - Oral re: Thanked County Executive Officer and other Department Heads who provided help for and attended the Future Leaders Program on Saturday, October 5, 2019.

Supervisor Do - Oral re: Racist comments by speaker during public comments

Supervisor Wagner - Oral re: Thanked colleagues for discussion on a number of issues during the meeting; racist comments by speaker during public comments

Chairwoman Bartlett - Oral re: Proper decorum and personal attacks during Board Meetings

ADJOURNED: 1:13 P.M.

52134 **Adjourned in memory of The Honorable Wayne Peterson**

*** KEY ***

Left Margin Notes

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

ORD. = Ordinance
RESO. = Resolution

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

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

_____

Chair, Orange County Board of Supervisors

_____

Orange County Clerk of the Board