REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 25, 2018, 9:00 A.M.

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

ANDREW DO
CHAIRMAN
First District

SHAWN NELSON
VICE CHAIRMAN
Fourth District

MICHELLE STEEL
SUPERVISOR
Second District

TODD SPITZER
SUPERVISOR
Third District

LISA A. BARTLETT
SUPERVISOR
Fifth 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 Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Bartlett, Fifth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Do presented a resolution proclaiming September as "Prostate Cancer Awareness Month"

Chairman Do presented a resolution proclaiming September as "Suicide Prevention Month"

II. CONSENT CALENDAR (Items 1-19)

32451 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 6, 11, 14 AND 16 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairman Do -** Public Financing Advisory Committee - Reappoint John J. Moohr, Fountain Valley, for term ending 5/1/19

ELECTED DEPARTMENT HEADS

Auditor-Controller:

2. Receive and file Semi-Annual Fund/Budget Control Report for FY 2017-18 - All Districts

3. Receive and file Report of Refunds for FY 2017-18 - All Districts

4. Receive and file Annual Reports of Cash Difference Funds, Cash Losses and Overage Funds for FY 2017-18 - All Districts

5. Authorize Auditor-Controller to delete damaged, destroyed, dismantled, missing, obsolete, stolen and surplused equipment from Clerk-Recorder, Sheriff-Coroner and OC Public Works capital asset inventories - All Districts

6. Receive and file Annual Report of Revolving Funds for FY 2017-18 - All Districts
32451 **APPROVED AS RECOMMENDED**
X

Sheriff-Coroner:

7. Accept grant award from State Office of Traffic Safety for Selective Traffic Enforcement Program, 10/1/18 - 9/30/19 ($350,000); and authorize Sheriff-Coroner to execute grant agreement - All Districts

8. Approve contract PO-060-19010127 with Lenco Industries Inc. for one-time purchase and delivery of one armored vehicle, effective upon Board approval ($406,470.63); and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

OC COMMUNITY RESOURCES

9. Approve amendment 3 to contract MA-012-16010499 with US EDirect Inc. for reservation and point of sale system services, 11/1/18 - 10/31/19 ($92,000 annual, $50,000 as-needed additional services; cumulative total $574,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

10. Approve Craig Park Bike Facility Project for recreational bicycle trail; and consider adoption of Final Mitigated Negative Declaration No. IP 17-119 and other findings - District 4

11. Accept donation of bronze animal sculpture (valued at $17,000) from Ron and Charice King for Orange County's new animal shelter - District 3 (Continued from 9/11/18, Item 8)
25341 **APPROVED AS RECOMMENDED; SUPERVISOR SPITZER ABSTAINED FROM**
AX **DISCUSSION AND VOTE AS REQUIRED UNDER FAIR POLITICAL PRACTICES COMMISSION REGULATION 18707 AND DECLARED HIS AFFILIATION AS A CONSULTANT FOR COMPANY OWNED BY RON KING**

OC PUBLIC WORKS

12. Certify completion of public streets, street lights, storm drain facility, sewer, water, recycled water and monumentation; adopt resolution and authorize release of bond securities for Tract Map 17562, RMV PA2 Development, LLC - District 5
RESO: 18-096

Acting as the Board of Supervisors and Orange County Flood Control District:

13. Adopt resolution establishing 2018 edition of OC Public Works Standard Plans with modifications and addendums for the purpose of updating the 2013 edition; and authorize printing, distribution, and sale of "2018 Edition of the OC Public Works Standard Plans"; and make California Environmental Quality Act and other findings - All Districts
RESO: 18-097

14. Approve amendment 1 to agreement D03-061 with the Department of the Army for cost sharing of Westminster Watershed Feasibility Study; authorize Director or designee to perform or direct related activities; and make California Environmental Quality Act and other findings - District 1, 2 and 4

12345
X

APPROVED AS RECOMMENDED

GENERAL ADMINISTRATION

15. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Municipal Water District of Orange County - All Districts

County Executive Office:

16. Receive and file Quarterly Information Technology Project Progress Detail Report for Fourth Quarter FY 2017-18 - All Districts

54231

APPROVED AS RECOMMENDED

17. Approve contract MA-017-19010041 with Chemware, LLC for Laboratory Information Management System software and services for OC Public Works, 10/1/18 - 9/30/21 ($202,105); renewable for two additional two-year terms ($32,468 per year; cumulative total $267,041); and authorize County Procurement Officer or authorized Deputy to execute contract and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

18. Approve amended and re-stated lease agreement with Makarehchi Family Trust for office and clinical space at 1220 Hemlock Way, Santa Ana for Health Care Agency's Women, Infants and Children Program, 10 year term; option to renew for five additional years; 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 1

19. Approve amendment 2 to Memorandum of Understanding with Superior Court of California, County of Orange to add facilities management services, effective 10/1/18; and authorize County Executive Officer or designee to execute amendment - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 20-S38G)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

20. Approve contract MA-060-19010180 with Computer Deductions, Inc. to manage, supervise and operate Unisys mainframe computer and all Sheriff-Coroner Data Center operations,

11/1/18 - 10/31/20 ($2,028,000); renewable for three additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

42351 **APPROVED AS RECOMMENDED**

21. Approve amendment 5 to contract MA-060-16010497 with PVP Communications Inc. for motorcycle helmet communications equipment, 11/16/18 - 11/15/19 ($227,500; cumulative total $574,500); renewable for one additional year; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

54231 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

22. Approve amendment 3 to contract MA-042-16010084 with ImageTrend, Inc. for software maintenance and data base hosting services, 11/1/18 - 10/31/19 ($236,017; cumulative total $731,068); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

42351 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

23. Approve Security Services Lease with Transportation Security Administration, 10/1/18 - 9/30/23; and make California Environmental Quality Act and other findings - District 2

25341 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

24. Approve amendment 2 to renew contract MA-012-17010285 with BrightView Landscape Services Inc. for landscape maintenance services at Haster Basin Recreation Park, and Irvine, Laguna Niguel, Mason, Mile Square and Yorba Regional Parks, 11/1/18 - 10/31/19 ($1,900,000; cumulative total $5,700,000); authorize County Procurement Officer or authorized Deputy to execute amendment; and make California Environmental Quality Act and other findings - Districts 1, 3 and 5

35241 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

25. Approve contract MA-299-19010026 with Tetra Tech BAS, Inc. for landfill services for design of phase VIII-A groundwater protection and stockpile locations, Frank R. Bowerman Landfill ($2,000,000); and authorize Director or designee to execute contract - District 3

35241 **APPROVED AS RECOMMENDED**

Acting as the Board of Supervisors and Orange County Flood Control District:

26. Approve amendment 1 to contracts MA-080-16010685 with Statewide Traffic Safety & Signs and Myers & Sons Hi-Way Safety, Inc. for construction site flagger service on an as-needed basis, 12/15/18 - 12/14/19 ($200,000 each; aggregate total $400,000; cumulative total $800,000); and authorize County Procurement Officer or authorized Deputy to execute amendments - All Districts

52341 **APPROVED AS RECOMMENDED**

27. Adopt the 2018 Design and Construction Procurement Policy Manual; authorize Director or designee to execute and implement the 2018 Design and Construction Procurement Policy Manual incorporating all amended procurement policies - All Districts (Continued from 9/11/18, Item 20)

34251 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

28. Approve amendment 2 to renew contract MA-299-15010501 with Ron Dietz, Inc. dba Dietz Hydroseeding Company for hydroseeding services, 11/23/18 - 11/22/19 ($350,000; cumulative total $1,640,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - Districts 3, 4 and 5

34251 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

29. Approve amendment 2 to agreement RCD0217B with Access California Services for refugee social services, 10/1/18 - 9/30/20 ($325,000 annual reduction; new total $175,000; cumulative total $957,150); adopt resolution approving Orange County Refugee Three Year Services Plan for Federal Fiscal Years 2017-18, 2018-19 and 2019-20, certifying that the three year services plan meets California Department of Social Services' County Refugee Program Guidelines, authorizing Director or designee to submit the Refugee Three Year Services Plan to California Department of Social Services and to execute plan amendments under certain conditions; and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

54231 **APPROVED AS RECOMMENDED**
RESO: 18-098

GENERAL ADMINISTRATION

County Executive Office:

30. Approve in concept issuance of short-term taxable pension obligation bonds for early payment of County's FY 2019-20 employer pension obligation; and select Fieldman, Rolapp & Associates, Inc. as municipal advisor and Orrick, Herrington & Sutcliffe, LLP as bond counsel - All Districts

43251 **APPROVED AS RECOMMENDED**

31. Approve lease with Force-Moulton Office, LLC for office space for Social Services Agency at 23330 and 23340 Moulton Parkway, Laguna Hills, 20 year term, 4/1/20 - 3/31/40; 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 5

54231 **APPROVED AS RECOMMENDED**

32. Approve FY 2017-18 Fourth Quarter Budget Report and related budget adjustments; approve amended FY 2018-19 County Event Calendar; approve updated classifications and pay grades for specified Law Office Supervisor, Park Maintenance Worker II, Park Maintenance Supervisor, Nurse Practitioner, Comprehensive Care Nurse, and Comprehensive Care Nurse Practitioner positions, effective 9/28/18; approve new classification specifications and pay grades for Library Assistant, Librarian, Park Maintenance Worker I, and Behavioral Health Clinician positions, effective 9/28/18; and approve side letter agreements with Orange County Employees Association and Teamsters Local 952 - All Districts (*R.A. 1, 2, 3 and 4 4/5 vote of the members present*)

54231 **APPROVED AS RECOMMENDED**

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

54231 **APPROVED AS RECOMMENDED**

34. Approve amended and restated lease agreement with The Bisogno Company for operation and maintenance of Peacock Hill Equestrian Center, 17 year term; and make California Environmental Quality Act and other findings - District 3

31245 **APPROVED AS RECOMMENDED**

35. Approve grant applications/awards submitted by OC Community Resources, Sheriff-Coroner, District Attorney and Social Services Agency and retroactive grant applications/awards submitted by OC Community Resources in 9/25/18 grant report and other actions as recommended; adopt resolution authorizing OC Community Resources Director or designee to accept California Emergency Solutions and Housing grant and execute standard agreement, any subsequent amendments and related documents to the program; adopt resolution authorizing OC Community Resources Director or designee to execute standard agreement MI-1819-22 and amendments with California Department of Aging for Medicare Improvements for Patients and Providers Act funds, 10/1/18 - 9/29/20 ($248,052); adopt resolution authorizing OC Community Resources Director or designee to conduct negotiations, execute and submit all related documents and amendments with State Department of Parks and Recreation for Habitat Conservation Fund program for Inside the Outdoors Youth Wilderness Leadership Experience; adopt resolution authorizing District Attorney or designee to submit and execute grant agreement and amendments with California Department of Insurance for Automobile Insurance Fraud Program, 7/1/18 - 6/30/19 ($1,050,000); and making California Environmental Quality Act and other findings - All Districts

34251 **APPROVED AS RECOMMENDED**

RESO: 18-099 - 18-102

36. Acting as the Board of Supervisors and Orange County Flood Control District - Approve amendment 1 to extend Option Agreement with Majestic Realty Co. for additional time to investigate development potential of District owned property in the City of Chino - All Districts (Continued from 9/11/18, Item 26)

43251 N **APPROVED AS RECOMMENDED**

37. **Human Resource Services -** Approve salary adjustment for Clerk-Recorder, effective 9/28/18 ($198,931 annual salary with total compensation $313,488 including benefits) - All Districts

54231 **APPROVED AS RECOMMENDED**

38. **Internal Audit -** Receive and file Executive Summary of Internal Audit Reports for April - June 2018; and approve Annual Risk Assessment & Audit Plan for FY 2018-19 - All Districts

45231 **APPROVED AS RECOMMENDED**

S38A. **Chairman Do and District Attorney -** Adopt resolution supporting Referendum to Overturn a 2018 Law that Replaced Money Bail System with System Based on Public Safety Risk

13245 **APPROVED AS RECOMMENDED**

RESO: 18-103

Vice Chairman Nelson:

S38B. Assessment Appeals Board No. 3 - Reappoint Rhonda McCune, Fullerton, for term ending 9/5/21

41235 **APPROVED AS RECOMMENDED**

S38C. Animal Care Community Outreach Committee - Reappoint Charice King, North Tustin, for term ending 3/31/20

45231 A **APPROVED AS RECOMMENDED; SUPERVISOR SPITZER EXCUSED HIMSELF FROM THE ROOM FOR THE DISCUSSION AND VOTE AND DECLARED HIS AFFILIATION AS A CONSULTANT FOR COMPANY OWNED BY RON KING, SPOUSE OF CHARICE KING**

S38D. Board of Supervisors Acting as the Board of Commissioners of the Orange County Housing Authority - Housing and Community Development Commission - Reappoint Denis Bilodeau, Orange, for term ending 6/30/19

45231 **APPROVED AS RECOMMENDED**

S38E. Public Financing Advisory Committee - Reappoint Wallace Rodecker, Fountain Valley, for term ending 6/9/21

45231 **APPROVED AS RECOMMENDED**

S38F. Assessment Appeals Board No. 5 - Reappoint Edward Lampkin, Jr., Fullerton, for term ending 9/5/21

45231 **APPROVED AS RECOMMENDED**

S38G. **Chairman Do -** Orange County Parks Commission - Appoint Amy Phan West, Westminster, for term concurrent with 1st District Supervisor's term of office

14235 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Items 39-41)

OC PUBLIC WORKS

39. Public Hearing to consider reading and adoption of "An Ordinance of the County of Orange, State of California Adopting the Esperanza Hills Specific Plan and Rezoning Certain Land from the A-1 General Agricultural and A1(0) General Agriculture/ Oil Production Districts to the S 'Specific Plan' District"; adopt resolution certifying Second Revised Final Environmental Impact Report No. 616 and other findings; receive the Planning Commission's recommendations; adopt resolution approving General Plan Amendment Land Use Element 16-01; and adopt resolution approving Vesting Tentative Tract Map 17522 and making related findings - District 3

B.O. **CLOSED PUBLIC HEARING**

3 **MOTION TO NOT APPROVE ITEM FAILED TO CARRY**

15234 N **APPROVED AS RECOMMENDED**

RESO: 18-104 - 18-106
ORD: 18-007

40. Public Hearing to consider approving Civic Center Facilities Strategic Plan Revision 1 and construction of Building 14; authorize Chief Real Estate Officer or designee to execute documents necessary for construction of Building 14; consider first reading of "An Ordinance of the Board of Supervisors of the County of Orange Authorizing the Execution and Delivery of a Facility Lease, a Ground Lease and Other Documents and Matters Related Thereto"; set second reading and adoption for 10/16/18, 9:30 a.m.; and consider application of prior Final Environmental Impact Report No. 626 and Addendum No. 1 and other findings - District 1

B.O. **CLOSED PUBLIC HEARING**

14235 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

41. **County Executive Office -** Adopt resolution approving Associate Membership agreement with California Enterprise Development Authority and making related findings - District 3

34251 **MOVED TO THE DISCUSSION CALENDAR; APPROVED RECOMMENDED ACTION #3**
RESO: 18-107

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

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: 265 S. Anita Drive, Orange, CA
County Negotiator: Thomas A. Miller, Chief Real Estate Officer
Negotiating Party: Mind OC
Under Negotiation: Terms and Value of Future Lease

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

CS-2. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:Agency Negotiator: Robert LeysEmployee Organizations: Association of Orange County Deputy Sheriffs (AOCDS), United Domestic Workers of America (UDWA), International Union of Operating Engineers (IUOE), and other non-represented employees
RE: Terms and Conditions of Employment

B.O. **DELETED**

SCS3. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Orange County Flood Control District owned 95+/- acre property located at the intersection of Mountain Avenue and Bickmore Avenue, Chino, CA
County Negotiator: Thomas A. Miller, Chief Real Estate Officer
Negotiating Party: Majestic Realty
Under Negotiation: Terms and Value of Future Lease

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

SCS4. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government 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

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

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Brigitte - Oral re: Public comments time reductions; Bryan Kaye's comments on behalf of Ilya Tseglin at 9/11/18 meeting; Bill of Rights gives right to speak

Cynthia Williams - Oral re: Requested increase in wages for homecare providers; provides care for a sister and a veteran; Disneyland workers receive $15 per hour

Irene Arellano - Oral re: Political and Community Organizer with National Union of Healthcare Workers that represents 14,000 frontline healthcare workers in California and Hawaii; supports the Orange County homecare providers in their negotiations for higher wages and health insurance; urges Orange County to accept the $95 million available from the State to give homecare workers a raise

Ada Briceno - Oral re: Co-President of Unite Here Local 11 union that represents food service and hotel workers; Union supports increase in wages for homecare providers

Mark Paredes - Oral re: Healthcare advocate; mother is a homecare provider; homecare providers give up their careers to take care of their families; medical facilities are expensive; homecare providers deserve a raise to live in a lifestyle they deserve

Josh Lowenthal - Oral re: Candidate running for California State Legislature; thanked County employees for their service; supports homecare providers in their proposal for increased wages

Laura Reyes - Oral re: Complacency of Board toward homecare providers of the elderly, disabled and blind people; caregiver to disabled son

Donta Harrison - Oral re: Last contract with UDW was above minimum wage until minimum wage increased; UDW in negotiations over a year; inaccurate information regarding homecare wages tied to minimum wage

Donna Schlitz - Oral re: Thanked the Board for the street signs installed in unincorporated Anaheim

Aleta M. Sweet - Oral re: Homeless and disabled, was a resident at Safeplace where dogs are allowed, dog was barking and required to wear a muzzle but was exited because of her dog and for asking for too many pillows; women living at Safeplace are in fear of being exited from the facility

Monisha Parker - Oral re: Homeless and living at Safeplace; Director Tiffany makes racial comments to the residents; residents are in fear of the Director and of being exited from the facility

Bryan Kaye - Oral re: New Moon Celebration; Roundup pesticide; listening to speakers; going to jail because of forged plea agreements; Roundup is unsafe; wants the Board to be the best that they can be

Lou Noble - Oral re: Money spent on homeless is wasteful money; two shelters are overcrowded; suicide prevention and criminalization of homeless; oppressing homeless by exiting them without recourses

Sonya - Oral re: Homeless and living at Safeplace; traumatic experiences and abuse by the Director and exited for bringing a bedbug cover; retaliation by the Director

Tim Board - Oral re: Retired Sheriff; reporting corruption at the Sheriff department and experienced harassment and helicopter passing over his home; communications that are attorney-client privilege; leadership at the Sheriff department

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

None

ADJOURNED: 3:59 P.M.

31245 **Adjourned in memory of Jim Beam**

51234 **Adjourned in memory of Wayne Clark**

12345 **Adjourned in memory of Jack Wallin**

*** KEY ***

Left Margin Notes

1. = Supervisor Do
2. = Supervisor Steel
3. = Supervisor Spitzer
4. = Supervisor Nelson
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)

Chair, Orange County Board of Supervisors

Orange County Clerk of the Board