REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 10, 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: Supervisors Do, Steel, Chaffee and Bartlett

EXCUSED: Supervisor Wagner

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 Steel, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairwoman Bartlett presented a resolution to the Orange County Health Care Agency and Be Well OC Suicide Prevention Leadership Committee in recognition of September 8-14, 2019 as National Suicide Prevention Week

Chairwoman Bartlett presented a resolution to Barry Rondinella, John Wayne Airport Director for being recognized at the 73rd Annual Southwest Chapter of the American Association of Airport Executives (SWAAAE) Summer Conference as the Airport Executive of the Year

Vice Chair Steel presented a resolution commending Huntington Beach City Attorney Michael E. Gates for his dedicated service to the community

II. CONSENT CALENDAR (Items 1-10)

12345 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1, 2, 4 AND 8**

X **WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

1. **Auditor-Controller -** Adopt resolution and attachment 1 to resolution approving property tax rates for FY 2019-20 - All Districts

12345 **APPROVED AS RECOMMENDED**
X

RESO: 19-086

Sheriff-Coroner:

2. Approve contract MA-060-19010884 with Johnson Controls Fire Protection LP for preventive maintenance and repair of fire protection system at Orange County Jails, Emergency Operations Center and Coroner's Office, term ending 6/30/21 ($399,720); and authorize County Procurement Officer or authorized Deputy to execute contract - Districts 1, 3 and 5

21345 **APPROVED AS RECOMMENDED**
X

3. Ratify amendment 1 to agreements with State of California's 32nd Agricultural Association to provide law enforcement services for events held at the Orange County Fair and Event Center, 7/1/18 - 6/30-19 ($23,064; new total $208,064) - District 2

JOHN WAYNE AIRPORT

4. Authorize Director to allocate regulated Class A and Class E average daily departures, seat capacity, remain overnight positions and passenger capacity to scheduled commercial passenger, cargo and commuter air carriers under Phase 2 Commercial Airline Access Plan and Regulation for 2020 Plan Year (1/1/20 - 12/31/20); approve related actions under certain conditions; and consider application of prior Environmental Impact Report No. 617 and other findings - District 2

21345 **APPROVED AS RECOMMENDED**
X

OC COMMUNITY RESOURCES

5. Accept donation from American Kennel Club of two pet disaster relief trailers and disaster supplies ($44,000) - All Districts

SOCIAL SERVICES AGENCY

6. Ratify agreements with California Department of Social Services and Department of Health Care Services for privacy and security of Social Security Administration, Medi-Cal Eligibility Data System and Applicant Income and Eligibility Verification System, 9/1/19 - 9/1/22; and authorize Director or designee to execute agreements and related documents under certain conditions - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

7. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Capistrano Unified School District - District 5

8. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for

Probation - All Districts
21345 **APPROVED AS RECOMMENDED**
X

County Executive Office:

9. Approve corrected versions of third amended and restated Sharewell Choice and Sharewell Retiree Health Plan documents and fourth amended and restated Wellwise Choice and Wellwise Retiree Health Plan documents, effective 1/1/20; and authorize Chief Human Resource Officer or designee to execute documents - All Districts

10. Adopt updated 2020 Employee PPO Affordable Care Act Health Plan rate for employee only for self-funded Sharewell Choice PPO Plan - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 11-S28A)

ELECTED DEPARTMENT HEADS

11. **Assessor Department -** Approve contract MA-002-20010182 with Digital Map Products, Inc., to provide Geo-Spatial Tools system module that interfaces with the Assessment Tax System, 10/1/19 - 9/30/21 ($370,000); renewable for one additional two-year term; and authorize Assessor or designee to execute contract - All Districts
12345 **APPROVED AS RECOMMENDED**
X

Sheriff-Coroner:

12. Approve amendment 6 to renew contract MA-060-16010497 with PVP Communications Inc. for motorcycle helmet communications equipment, 11/16/19 - 11/15/20 ($153,000; cumulative total $727,500); and authorize County Procurement Officer or authorized Deputy to execute amendment - Districts 2, 3 and 5
21345 **APPROVED AS RECOMMENDED**
X

13. Adopt resolution approving Workers' Compensation coverage for off-duty sworn staff who were physically injured responding to the Las Vegas Shooting, 10/1/17; and approving Workers' Compensation coverage for off-duty sworn staff responding to future domestic terrorism events, regardless of geographical location - All Districts
14235 **APPROVED AS RECOMMENDED**
X

RESO: 19-087

HEALTH CARE AGENCY

14. Approve amendment 4 to renew contract MA-042-16010084 with ImageTrend, Inc. for software maintenance and database hosting services, 11/1/19 - 10/31/20 ($165,017; cumulative total $896,084); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts
14235 **APPROVED AS RECOMMENDED**
X

15. Approve renewal of master agreement with various licensed clinical providers of professional

services, 9/29/19 - 9/28/20 ($4,442,369); and authorize Director or designee to execute individual agreements - All Districts

21345 X **APPROVED AS RECOMMENDED**

16. Approve amendment 2 to contract MA-042-17011762 with Safety Net Connect, Inc. for Whole Person Care Connect platform, 9/10/19 - 12/31/20 ($532,400; cumulative total $2,953,650); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

12345 X **APPROVED AS RECOMMENDED**

17. Approve contract MA-042-19010990 with Conduent Healthy Communities Corporation for Customized Web-Based Information System, 11/1/19 - 10/31/22 ($300,000); authorize County Procurement Officer or authorized Deputy to execute contract; approve master agreement for sponsorship of Conduent Healthy Communities Corporation platform; and authorize Director or designee to accept funding and execute individual sponsorship agreements - All Districts (Continued from 8/27/19, Item 19)

B.O. **CONTINUED TO 9/24/19, 9:30 A.M.**

JOHN WAYNE AIRPORT

18. Authorize Director or designee to issue Request for Proposal for Fixed Base Operators and to empanel a qualified group of experts to score responsive proposals; return to the Board with recommendations; and make California Environmental Quality Act and other findings - District 2

21345 X **APPROVED AS AMENDED TO INCLUDE LEASE TERM TO 30-35 YEARS AND TO AMEND THE QUESTIONNAIRE OF THE REQUEST FOR PROPOSAL AS IT RELATES TO THE QUESTION ON PROPOSED FEES ANTICIPATED BY THE FIXED BASE OPERATORS FOR CHARGING CATEGORIES (I.E., AIRCRAFT HANGARS, TIE DOWNS, ETC).**

SOCIAL SERVICES AGENCY

19. Approve non-financial Memorandum of Understanding (MOU) WCD0319 with Southern California Tribal Chairmen's Association for Tribal Temporary Assistance for Needy Families program, 10/1/19 - 2/28/22; and authorize Director or designee to execute MOU - All Districts

25134 X **APPROVED AS RECOMMENDED**

20. Approve amendment to renew contract MA-063-17010694 as MA-063-19011919 with Omni Enterprise, Inc. dba Omniclean for third term for janitorial and day porter services at Orangewood Children and Family Center, 10/18/19 - 10/17/20 ($283,800; cumulative total $1,057,800); and authorize County Procurement Officer or authorized Deputy to execute amendment - District 3

51234 X **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

15234 X **APPROVED AS RECOMMENDED**

22. Approve grant applications/awards submitted by Health Care Agency and District Attorney and retroactive grant applications/awards submitted by OC Public Works in 9/10/19 grant report and other actions as recommended; adopt resolution confirming County of Orange will enter into a cooperative agreement with City of Santa Ana transferring project and contract obligations upon successful completion of project with approval of the State for Friendship Park and Sustainable Trail; and authorizing OC Public Works Director or designee to negotiate, execute and submit application related documents, amendments and payment requests to State Department of Parks and Recreation for Friendship Park and Sustainable Trail project; adopt resolution authorizing District Attorney or designee to execute grant award agreement and amendments with California Department of Insurance for Automobile Insurance Fraud Program, 7/1/19 - 6/30/20 ($1,069,667); and making California Environmental Quality Act and other findings - All Districts

15234
X

APPROVED AS RECOMMENDED

RESO: 19-088 - 19-089

23. Approve amendment to 2019 Contract Policy Manual revising Section 3.3-102(1)(b); and authorize County Procurement Officer to implement the revision - All Districts

12345
X

APPROVED AS RECOMMENDED

24. Approve proposed response to FY 2018-19 Grand Jury Report "If It Ain't Broke, Don't Fix It." - All Districts

15234
X

APPROVED AS RECOMMENDED

25. Approve proposed response to FY 2018-19 Grand Jury Report "Emergency Public Information - Should I Stay or Should I Go?" - All Districts

14235
X

APPROVED AS RECOMMENDED

26. Approve proposed response to FY 2018-19 Grand Jury Report "Orange County's Urban Forest." - All Districts

15234
X

APPROVED AS RECOMMENDED

27. Approve proposed response to FY 2018-19 Grand Jury Report "Home At Last: Honoring Our Veterans With A Veterans Cemetery In Orange County." - District 3

51234
X

APPROVED AS RECOMMENDED

28. **Registrar of Voters -** Approve contract MA-031-20010105 with Hart InterCivic, Inc., for voting equipment, software, firmware and hardware maintenance, support and services, three-year term ($15,395,592); renewable for two additional one-year terms ($355,571 per year); authorize County Procurement Officer or authorized Deputy to execute contract, make future non-material changes and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

45123
X

APPROVED AS RECOMMENDED

S28A. **County Counsel -** Adopt resolution approving and authorizing disposition of records in pursuant to County Records Management Policy and Standard Administrative Records Retention Schedule 16D, effective 9/10/19; authorizing County Executive Office to make immaterial changes to the County

Records Management Policy and Standard Administrative Records Retention Schedule 16D as necessary; and making California Environmental Quality Act other findings - All Districts (4/5 of the members present and voting)

12345
X

APPROVED AS RECOMMENDED

RESO: 19-090

IV. PUBLIC HEARINGS (Item 29)

GENERAL ADMINISTRATION

29. **County Counsel - Acting as the Orange County Flood Control District** - Public Hearing to consider adopting Resolution of Necessity acquiring by eminent domain real property for Santa Ana River Mainstem/Prado Dam Project located in County of San Bernardino; authorize County Counsel and/or outside eminent domain counsel to take steps to initiate and facilitate the condemnation action; and direct and authorize Auditor-Controller to make related payments ($9,105,000); and consider application of Final Environmental Impact Report 583, and Final Supplemental Environmental Impact/Statement Report 583 and other findings - All Districts (*4/5 vote of membership*)

B.O.

CLOSED PUBLIC HEARING

14235
X

APPROVED AS RECOMMENDED

RESO: 19-091

V. CLOSED SESSION (Item CS-1)

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

HELD, NO REPORTABLE ACTION

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Tiffany Tabares - Oral re: Mother of Dillan Tabares who was shot by a City of Huntington Beach Police Officer two years ago; Dillan was not dishonorably discharged and received the Global War on Terrorism Medal and the National Defense Service Medal.

Daisy Ramirez - Oral re: Jails Conditions and Policy Coordinator at the American Civil Liberties Union of Southern California; another individual died while in Orange County Sheriff custody on 9/1/19; private attorneys amended a class action lawsuit on behalf of individuals in custody against Orange County Sheriff Department including civil rights violations; County's plan to expand mental health within the jail system is troubling without doing the same in the community; County has failed to allocate adequate funding to mental care options outside the County jail system; urged the Board to tour the Orange County jails and talk to people in custody about the

conditions of their confinement and to halt plans to expand Musick facility until alternatives have been carefully studied and considered.

Ilya Tseglin - Oral re: Objects to providing public funds to County Departments without supervision; Larry Landauer and employees of the Orange County Regional Center exploiting public funding from the disabled.

Rick Loeffler - Oral re: Resident of San Clemente; thanked Chairwoman Bartlett for calling a Mayor's meeting in South Orange County; San Diego Board of Supervisors approved a plan to implement a regional mental health program with hubs for walk in urgent evaluations in relation to the homeless and urged the Board to develop a similar plan; U.S. 9th Circuit Court of Appeals' ruling in Martin v. City of Boise; urged the Board to ask Sheriff Barnes to enforce municipal codes in the City of San Clemente; supports the Association of Orange County Deputy Sheriffs contract negotiations.

Robert Tseglin - Oral re: Nate Tseglin case; Nate was 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.

Brigitte - Oal re: Reducing time of public speakers and engaging in criminal coverup; death of individual while in Orange County Sheriff custody; criminal coverup and the Orange County Grand Jury.

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

Supervisor Do - Oral re: Comments received regarding the Board's responsibilities related to incarceration of individuals and allegation the County uses incarceration in place of mental health treatment; the County has no control or power to determine whether someone is incarcerated, it is the Court that determines whether or not an individual remains in custody; Sheriff Department is responsible for an individuals well-being while in custody.

Chairwoman Bartlett - Oral re: Thanked and congratulated staff for successful transition to the new County Administration South (CAS) which opened on September 3, 2019; success of the new One Stop Shop Center on the First Floor of the County Administration South.

ADJOURNED: 3:47 P.M.

45123 **Adjourned in memory of Kendal Neisess**
X

51234 **Adjourned in memory of Pat Evans**
X

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*** 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

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Orange County Clerk of the Board