REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, December 4, 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 Bartlett, Fifth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Steel, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Supervisor Bartlett presented resolutions commending Dan Kelly, Richard Broming and Sam Couch on their retirement from Rancho Mission Viejo LLC

Supervisor Spitzer and Supervisor Bartlett commended Orange County Fire Authority's (OCFA) Urban Search and Rescue California Task Force 5 for their heroic response to Hurricane Florence

II. CONSENT CALENDAR (Items 1-23)

45231 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 10 WHICH WAS CONTINUED TO 1/29/19, 9:30 A.M.; AND ITEMS 2, 4 AND 9 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Bartlett -** Orange County Veterans Advisory Council - Reappoint Greg Raths, Mission Viejo, for term ending 1/4/20

DEPARTMENT APPOINTMENTS

2. **Health Care Agency -** Orange County HIV Planning Council - Appoint Cindy "Michelle" Gallardo, Long Beach and Keean Kirk, Trabuco Canyon, for terms ending 12/31/20; and reappoint Pamela Smith, Fullerton and Angel VanStark, Anaheim, for term ending 12/31/20 - All Districts

42351 **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

3. **Sheriff-Coroner -** Approve amendment 2 to renew contract MA-060-17011070 with Hangar OneAvionics Inc. for maintenance and repair of radio avionics systems, 12/28/18 - 12/27/19 ($150,000; cumulative total $385,000); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

OC COMMUNITY RESOURCES

4. Approve 2019-2023 Comprehensive Economic Development Strategy Report; and authorize Director or designee to submit report to U.S. Department of Commerce, Economic Development Administration and make necessary revisions - All Districts (Continued from 11/20/18, Item 4)

25341 **APPROVED AS RECOMMENDED**

5. Accept donation of $20,000 from Marcia Joan Stringer 2016 Trust to OC Animal Care - District 3

6. Approve amendment 3 to contract 17-23-0006-PFI with City of Brea for completion of activities in theFY 2017-18 Public Facilities and Improvements Community Development Block Grant, extending term to 3/31/19; authorize Director or designee to execute amendment; and make California Environmental Quality Act and other findings - District 4

7. Accept donation of $15,000 from the Friends of the Heritage Park Library for purchase of librarymaterials - District 3

OC PUBLIC WORKS

8. Approve Final Tract Map 18071; approve Subdivision Agreement S18-10224 with Blue CaliforniaDevelopment, LLC and accept cash deposit guaranteeing execution of monuments; accept dedication of easements for emergency access, public utility and public service vehicle ingress and egress; and for ingress and egress to and from drainage easements; and accept vehicular access rights to Brier Lane - District 3

9. Approve quitclaim deed conveying the remnant of El Toro Road parcels to City of Mission Viejo - District 3

34251 **APPROVED AS RECOMMENDED**

10. Authorize Director or designee to submit Los Patrones Parkway Extension Conceptual Alignment toCalifornia Department of Transportation and the Foothill/Eastern Transportation Corridor Agency for consideration in the ongoing South County Traffic Relief Effort Study; and make California Environmental Quality Act and other findings - District 5

45231 **CONTINUED TO 1/29/19, 9:30 A.M.**

11. Receive and file FY 2017-2018 Development Fee Deposit Balance Reports; and make related findings -All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

12. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forProbation - All Districts

13. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for East Orange County Water District - District 3

14. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forAnaheim Elementary School District - Districts 3 and 4

15. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forRancho Santiago Community College District - Districts 1 and 3

16. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forPlacentia-Yorba Linda Unified School District - Districts 3 and 4

17. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forOrange County Mosquito and Vector Control District - All Districts

18. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forBuena Park School District - Districts 2 and 4

19. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forCalOptima - All Districts

Registrar of Voters:

20. Appoint District Officers in lieu of election on 11/6/18 for various districts where the number of persons filing a declaration of candidacy equals the number of positions to be filled - All Districts

21. Receive and file certification of election results and statement of votes cast for November 6, 2018 General Election; and declare elected or nominated the persons having the highest number of votes for that office - All Districts

22. Receive and file certification of results of October 30, 2018 Board of Retirement election of theOrange County Retirement System; and declare Chris Prevatt elected to

be a General Member for three year term, 1/1/19 - 12/31/21 - All Districts

23. Appoint Kaye Dabbs-Moyer and Marc Schwering as Directors of Santiago Geologic HazardAbatement District; Rhoads Martin and Tim Hamchuk as Directors of Three Arch Bay Community Services District in lieu of election on 11/6/18 for four-year terms - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 24-S38D)

ELECTED DEPARTMENT HEADS

24. **Auditor-Controller -** Approve contract MA-003-19010606 with CGI Technologies and Solutions Inc. for Advantage CAPS+HRM Timekeeping Self-Service Training and Review for term ending 12/4/19 ($149,996); and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

54231 **APPROVED AS RECOMMENDED**

25. **Sheriff-Coroner -** Approve retroactive invoices from Rand McNally for site license of Thomas Bros.Maps Geographic Information System Database ($18,000); and authorize County Procurement Officer or authorized Deputy to make related payments - All Districts

B.O. **CONTINUED TO 12/18/18, 9:30 A.M.**

HEALTH CARE AGENCY

26. Ratify amended grant agreement 16-10726, A01 with California Department of Public Health forCalifornia Sexually Transmitted Diseases Program, 7/1/18 - 6/30/19 ($123,337; new total $406,773); and authorize Director or designee to execute amendment - All Districts

52341 **APPROVED AS RECOMMENDED**

27. Approve amendment 1 to agreement with Phoenix House Orange County, Inc. for school-basedbehavioral health intervention and support services, 7/1/18 - 6/30/21 ($500,000; new total $5,925,767); approve agreement with Western Youth Services for school-based behavioral health intervention and support services; 1/1/19 - 6/30/21 ($3,573,882); authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and to execute amendment and agreement - All Districts

53241 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

28. Approve contract MA-280-19010630 with Elite Line Services, Inc. for Terminals A, B & C PassengerLoading Bridges and Baggage Handling System maintenance services, 1/14/19 - 1/13/22 ($11,372,326); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute contract and exercise cost contingency increase not to exceed 10% under certain conditions; and make California Environmental Quality Act and other findings - District 2

23451 **APPROVED AS AMENDED TO DIRECT JOHN WAYNE AIRPORT TO NEGOTIATE A CONTRACT WITH JOHN BEAN TECHNOLOGIES CORPORATION DBA JBT**

AEROTECH AIRPORT SERVICES (JBT) AND TO RETURN TO THE BOARD FOR APPROVAL

OC COMMUNITY RESOURCES

29. Approve OC Parks 2018 Strategic Plan - All Districts
35241 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

30. Approve amendment 4 to renew contract MA-080-16010892 with Environmental Systems ResearchInstitute, Inc. for countywide Geographic Information Systems software licensing, maintenance support and consulting services, 1/1/19 - 12/31/21 ($1,650,000; cumulative total $4,135,000); authorize County Procurement Officer or authorized Deputy to execute amendment; and make California Environmental Quality Act and other findings - All Districts
25341 **APPROVED AS RECOMMENDED**

31. Approve cooperative agreement MA-080-19010444 with City of Anaheim for funding of design,construction and landscape maintenance for Brookhurst Street Widening, Phase 2 project - District 4
43251 **APPROVED AS RECOMMENDED**

32. Award job order contracts to Interlog Construction, Inc., Pub Construction, Inc., SJD&B, Inc., NewCreations Engineering & Builders Inc dba New Creations Builders, Vincor Construction, Inc., and Thomasville Construction, Inc. for general contracting services; Pub Construction, Inc., Harry H Joh Construction Inc., and CTG Construction Inc. dba CT Georgiou Painting Company for painting services; Thomasville Construction, Inc., and Prime ENC, Inc. for plumbing services; and Environmental Remediation Contractors, Inc. for asbestos removal and decontamination services, 12/12/18 - 12/13/19 ($4,640,000 each); authorize Director or designee to execute contracts under certain conditions; and make California Environmental Quality Act and other findings - All Districts
52341 **APPROVED AS RECOMMENDED**
N

GENERAL ADMINISTRATION

33. **County Counsel -** Approve Memorandum of Understanding with Public Defender and Health CareAgency regarding pre-trial mental health diversion for eligible Public Defender clients - All Districts (Continued from 11/20/18, Item S41E)
B.O. **DELETED**

County Executive Office:

34. Approve recommended positions on introduced or amended legislation and consider otherlegislative subject matters; and approve 2019 Legislative Affairs Program Guidelines and 2019-20 Legislative Platform- All Districts
34251 **APPROVED AS AMENDED TO ADD DISTRICT ATTORNEY TO THE 2019-2020 ORANGE COUNTY LEGISLATIVE PLATFORM AS AN ASSIGNED DEPARTMENT FOR ITEMS UNDER PUBLIC PROTECTION INCLUDING CRIMINAL JUSTICE SENTENCING, DRIVING UNDER THE INFLUENCE OF DRUGS, FUSION CENTER, HOMELAND SECURITY, MARSY'S LAW,**

OPIOID EPIDEMIC, PUBLIC SAFETY , PUBLIC SAFETY REALIGNMENT, RECIDIVISIM, TREATMENT CAPACITY AND VICTIM'S RIGHTS; ADD FEDERAL LEGISLATION WATCH FOR ITEMS UNDER PUBIC PROTECTION INCLUDING CRIMINAL JUSTICE SENTENCING, PUBLIC SAFETY, RECIDIVISM, AND TREATMENT CAPACITY; AND REMOVE SUPPORT OF THE "FIRST STEP ACT"

35. Approve grant applications/awards submitted by Health Care Agency in 12/4/18 grant report and other actions as recommended; adopt resolution authorizing HCA Director or designee to submit and execute applications, related documents and amendments to State Department of Resources Recycling and Recovery for Waste Tire Enforcement Grant 26th Cycle - All Districts

52341 **APPROVED AS RECOMMENDED**
RESO: 18-124

36. Approve Fourth Amendment to Amended Joint Powers Authority Agreement, Orange CountyFire Authority - All Districts

B.O. **CONTINUED TO 12/18/18, 9:30 A.M.**

37. Approve agreement C-8-2015 with Orange County Transportation Authority for membershipparticipation in Orange County Taxi Administration Program, 1/1/19 - 12/31/20; authorize County Executive Officer to execute agreement; authorize Auditor-Controller to make related payments; and make California Environmental Quality Act and other findings - All Districts

25341 **APPROVED AS RECOMMENDED**

38. **Acting as the Board of Supervisors and Orange County Flood Control District** - Considerapplication of Mitigated Negative Declaration No. 2016-01 and other findings, adopt and implement those feasible mitigation measures within the separate authority of the County; approve amended ground lease with Mercy Housing California for Orange County Flood Control District owned property, Placentia; authorize Chief Real Estate Officer or designee to negotiate, execute lease and related documents; **Acting as the Board of Supervisors and Orange County Housing Authority acting as Housing Successor Agency** - Approve subordination of previously approved $2,754,000 permanent loan to first trust deed loan $2,815,000; authorize OC Community Resources Director or designee to subordinate additional senior debt up to 100%; approve amended regulatory agreement to address potential future loss of project-based voucher - District 4

43251 **APPROVED AS RECOMMENDED**

S38A. **Chairman Do and Supervisor Spitzer** - Approve transfer of Mountain Park Property to Orange County Cemetery District; authorize Chief Real Estate Officer or designee to execute any documents necessary for transfer; and making related findings (*RA 2 4/5 vote of members present*)

34251 **APPROVED AS RECOMMENDED**

County Executive Office:

S38B. **Acting as the Orange County Flood Control District** - Approve Purchase and Sale and Joint
Escrow Instructions, Assignment of Parking Concession agreement and Quitclaim

Deed, authorizing sale of Orange County Flood Control parcel to FCD, LLC ($12,700,000); authorize Chief Real Estate Officer or designee to execute agreement, quitclaim deed and to perform all activities specified under agreement terms; and make California Environmental Quality Act and other findings - District 4

25341 **APPROVED AS RECOMMENDED**

S38C. Approve Civic Center Facilities Strategic Plan Revision 2 and associated revisions to County Workplace Guidelines; approve and order agency moves according to updated plan and agency associated moves outside of Civic Center Facilities Strategic Plan; and consider application of prior Final Environmental Impact Report No. 626 and Addendum No. 1 and other findings - District 1

12345 **APPROVED AS RECOMMENDED; DIRECTED TO PROVIDE SPACE ALLOCATION FOR COUNTY LEGAL OFFICES AND TO RETURN TO THE BOARD IN TWO WEEKS FOR BOARD APPROVAL OF FINAL SPACE PLANNING CRITERIA; AND SUGGESTED ELIMINATING BUILDING NUMBERS AS BUILDING IDENTIFIERS FOR NEW BUILDINGS WITHIN THE CIVIC CENTER AND DEVELOPING BUILDING IDENTIFIER NAMES**

OC COMMUNITY RESOURCES

S38D. Approve amendment 1 to contract 18-23-0015-PS with Mercy House Living Centers, Inc. and License to Use State Military Property with the California Military Department for implementation of Fullerton Armory facilities for FY 2018-19; and authorize Director or designee to execute amendment, license and make any non-material changes to license under certain conditions - Districts 1 and 4

14235 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Items 39-S40A)

OC COMMUNITY RESOURCES

39. Public Hearing to consider adopting FY 2019-20 Funding Allocation Policy and Process for Housing and Community Development Activities - All Districts

B.O. **CLOSED PUBLIC HEARING**

45231 **APPROVED AS RECOMMENDED**

40. Public Hearing to consider approving addition of El Modena Community Center Public Service contract 18-23-0012-PS with Community Action Partnership of Orange County to FY 2018-19 Annual Action Plan for continued public services, El Modena Community Center, 12/5/18 - 6/30/19 ($25,000); authorize Director or designee to execute contracts, exercise cost contingency increase not to exceed 10%, make line item budget adjustments and execute related documents under certain conditions; and make California Environmental Quality Act and other findings - District 3

B.O. **CLOSED PUBLIC HEARING**

34251 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S40A. **County Counsel -** Pursuant to Government Code Section 7283.1, conduct public hearing

regarding
Transparent Review of Unjust Transfers and Holds (TRUTH) Act and receive and file information from County law enforcement departments regarding Immigration and Customs Enforcement's access to individuals in 2017 - All Districts

B.O. **CLOSED PUBLIC HEARING**

RECEIVED AND FILED

V. CLOSED SESSION (Items CS-1-CS-2)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Stacy M. Mitchell v. County of Orange, Workers' Compensation Appeals Board Case No. ADJ3658484

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED SETTLEMENT IN THE MATTER OF STACY M. MITCHELL V. COUNTY OF ORANGE, WORKERS' COMPENSATION APPEALS BOARD CASE NO. ADJ3658484. THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS. WHEN THE SETTLEMENT IS FINALIZED, COPIES OF THE FINALIZED SETTLEMENT WILL BE MADE AVAILABLE BY CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

CS-2. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Robert Leys
Employee Organizations: 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**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Brigitte - Oral re: Implosion and sale of the Pontiac Silverdome; criminal cover-up of officials under the jurisdiction of the Board; accountability, restitution and retribution; Ilya Tseglin pleading for his autistic son; history of decisions by Board Members

Ilya Tseglin - Oral re: Kindness and pursuit of justice was an oversight by the Public Defender and others; family appreciation for acts of kindness; inaccurate statements by Board Members regarding help and addressing concerns of his son; will bless those who bless his son and will curse those who curse his son; blessing and curses are in progress

Robert Tseglin - Oral re: Brother was kidnapped three times in 2007, 2012 and 2013, placed in group homes and was released by writs of Habeas Corpus; petition filed to remove conservatorship; physical and psychotropic abuse; concealment of medical reports and evaluations of independent doctors

Samuel Vance - Oral re: Has interest in registering people to vote; individuals who are incarcerated have

a right and are willing to vote; cities have different rules for voting registration; requested more transparency regarding immigration authorities and Sheriff's Department

John Hacker - Oral re: Works with Volunteers of America as a housing outreach coordinator for homeless veterans and veterans at risk; was elected to the steering committee and is the Chair for the Orange County Veterans Military Family Collaborative; wants to be working partners with the County; met with Kristin Gaspar, San Diego County Board of Supervisors, District 3 and Congresswoman Susan Davis; will be inviting Board Members to Orange County Veterans Military Family Collaborative meeting to be held in March, 2019

Bryan Kaye - Oral re: Veterans Cemetery; speaking and addressing concerns at Board Meetings; family history of ancestors

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Spitzer - Oral re: Stated it is unlawful for an elected official to receive campaign contributions in a County building; returned campaign contribution received by Bryan Kaye during Public Comments

ADJOURNED: 3:51 P.M.

*** 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