REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 8, 2017, 9:30 A.M.

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

MICHELLE STEEL
CHAIRWOMAN
Second District

ANDREW DO
VICE CHAIR
First District

TODD SPITZER
SUPERVISOR
Third District

SHAWN NELSON
SUPERVISOR
Fourth 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: Vice Chair Do, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS (None)

II. PUBLIC COMMENTS

Michael Klubnikin - Oral re: Opposes Agenda Item #7; District Attorney and Real Estate fraud protection fund;criminal complaint to Attorney General; County Counsel, Public Guardian, Judges, tax fraud and illegal business

Jeanine Robbins - Oral re: Ten-Year Plan to End Homelessness abandoned; urged the Board to return to plan to end homelessness

Mike Robbins - Oral re: Homeless policy working group in Anaheim to end homelessness; preservation of human dignity for the homeless and providing showers and bathrooms; funding and location of facilities to solve homelessness

Dr. Elizabeth Swift - Oral re: Mayor of Buena Park and Chair of the Orange County Fire Authority; addressed concerns of the Orange County Fire Authority Board Members; turf war between Orange County Fire Authority and Orange County Sheriff's Department and helicopter response program; Orange County Fire Authority and Orange County Sheriff's Department should abide by their current Memorandum of Understanding negotiated in March 2016

George Casario - Oral re: Vice President of the Orange County Fire Chief's Association; current Memorandum of Understanding between the Orange County Fire Authority and Orange County Sheriff's Department defines roles and responsibilities; Orange County Sheriff's Department competes with the Orange County Fire Authority when responding to medical remote aids; Orange County Fire Authority should be the primary emergency medical service care provider in Orange County

Steve Rocco - Oral re: Elected to Orange School District; befriended by Kathy Moran and Bob Fetter; sued and wages were garnished and foreclosure of home; was set up by the County; recall of Tony Rackauckas

Debra Ashby - Oral re: South Orange County Air Quality Management District internship program; interns attended Board Meeting to learn how government works

Stephen Wontrobski - Oral re: Opposes S26A; Memorandum of Understanding (MOU) between the Orange County Fire Authority and Orange County Sheriff's Department; suggested County Executive Office conduct a four (4) year audit before approving any MOU; Orange County Fire Authority overcharging the City of Irvine for services

William Trapp - Oral re: Code enforcement case; owns property on Olive and Lincoln with overgrown vegetation and received violation notices; County not maintaining their right of way; requested a Board Member visit site and requested the County install a retaining wall and sidewalks

Ilya Tseglin - Oral re: Nate Tseglin; Probate court and corrupted judges; Child Protective Services; funding of Public Defender and putting safety first ahead of demands which destroy public trust; law enforcement

Robert Tseglin - Oral re: Nate Tseglin; kidnapped by the Irvine Police Department and placed in group home; OC Regional Center; conservatorship; drug abuse and psychotropic medications; Public Defender; concealing medical records

Mohammed Aly - Oral re: Homeless issues; backflow device used by the homeless for makeshift shower; bottle filling station used for showering by the homeless; County has done nothing to help the homeless regarding access to showers; distribution of baby wipes to homeless encampments on the riverbed; contribution towards the purchase of and donations for baby wipes

Tom Dominguez - Oral re: Association of Orange County Deputy Sheriff's representative; supports S26A

Haley Strickland - Oral re: Steps to reduce homelessness in Orange County; progress of Ten-Year Plan to End Homelessness; short, long and mindset solution to end homelessness; Al Fresco Gardens and affordable housing

Ross Romero - Oral re: Resident of Orange County since 1971; bus rider; conditions of bus stops are dirty and unkempt; requested audit or program be developed to monitor bus stops

Lou Noble - Oral re: Homeless advocate; health hazard at the riverbed; no showers, portable restrooms or trash pick-ups and no night security at the riverbed; Al Fresco Gardens Plan; need to implement temporary structure for the homeless and provide daily essentials

Daniel Petz - Oral re: Closure of Irvine Lake

Nick Kolev - Oral re: Corruption in Child Support Services and compliance with courts; District Attorney; private law firm violating privacy

The Cameraman - Oral re: Mental health issues in Orange County; Public Records Act request of call to Anaheim Police Department to remove him from the Anaheim Hills post office lobby; conducted audit of postal services lobby; cult mentality of mental health in Orange County

Bryan Kaye - Oral re: Labeling individuals with mental illness and placing innocent persons in jail; District Attorney forged plea agreements; sent letter to the Board but has not received a response; police officers high on meth and drunk; socialism and communism

III. CONSENT CALENDAR (Items 1-10)

14352 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 10 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Chairwoman Steel:

1. Assessment Appeals Board No. 5 - Appoint Deepak Krishan, Orange, for term ending 9/6/20

2. Assessment Appeals Board No. 2 - Appoint Spring Chen, Irvine, for term ending 9/6/20

3. Senior Citizens Advisory Council - Appoint Frank Singer, Huntington Beach, to complete termending 12/31/18

4. Assessment Appeals Board No. 4 - Reappoint Scott Lee, Fullerton, for term ending 9/6/20

5. Assessment Appeals Board No. 3 - Reappoint Julie J. Agin, Rancho Santa Margarita, for termending 9/6/20

6. **Vice Chair Do -** Assessment Appeals Board No. 1 - Appoint Ha M. Mach, Westminster, for term ending 9/6/20

ELECTED DEPARTMENT HEADS

7. **District Attorney -** Approve Real Estate Fraud Prosecution Annual Report, FY 2016-17 pursuant toGovernment Code Section 27388 (d) - All Districts

HEALTH CARE AGENCY

8. Approve agreement MA-042-17012100 with Netchemistry Inc. for Eligibility Management System,9/1/17 - 8/31/20 ($133,550 per year; cumulative total $667,750); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute agreement - All Districts

OC COMMUNITY RESOURCES

9. Approve preliminary engineering concept plans for the OC Loop Segment D for Alignments D1 and D2 to utilize OCTA's Bicycle Corridor Improvement Program funding for Right of Way and Final Design phases; and consider adoption of Mitigated Negative Declaration No. IP 16-343 and other findings - Districts 3 and 4

GENERAL ADMINISTRATION

10. **County Executive Office -** Direct Orange County Information Technology (IT) to formally conclude IT Shared Services pilot phase and move forward with analysis, recommendation and planning of integration of additional department staff resources; final approval of reorganization of IT staff from Child Support Services, County Executive Office, OC Community Resources, OC Public Works and OC Waste & Recycling; and approve proposed Orange County IT organizational structure and line of authority changes to integrate Information Technology positions from Probation, effective 8/18/17 - All Districts

15342 **APPROVED AS AMENDED TO AMEND RECOMMENDED ACTION #1 TO "DIRECT ORANGE COUNTY INFORMATION TECHNOLOGY TO FORMALLY CONCLUDE THE IT SHARED SERVICES PILOT PHASE; MOVE FORWARD WITH THE ANALYSIS, RECOMMENDATION, AND PLANNING OF THE INTEGRATION OF ADDITIONAL DEPARTMENTS INTO ORANGE COUNTY INFORMATION TECHNOLOGY; AND RETURN TO THE BOARD FOR APPROVAL OF ALL PROPOSED ORGANIZATIONAL STRUCTURE CHANGES."**

END OF CONSENT CALENDAR

IV. DISCUSSION ITEMS (Items 11-S26B)

ELECTED DEPARTMENT HEADS

11. **Sheriff-Coroner -** Approve Memorandum of Understanding with Orange County Fire Authority forsearch and rescue coordination services; and authorize Sheriff-Coroner or designee to execute MOU - All Districts (Continued from 7/25/17, Item S24B)

B.O. **DELETED**

CHILD SUPPORT SERVICES

12. Ratify agreement with Imperial County for call center partnership to assist Imperial County Child Support Services with client telephone calls, retroactive to 7/1/17 - 12/31/17 ($162,500); and authorize Director or designee to execute agreement and to extend agreement under certain conditions, term ending 6/30/18 - All Districts

41352 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

13. Approve amendment 2 to renew agreement MA-280-15012124 with Master Landscape & Maintenance, Inc. for exterior landscape maintenance services, 9/11/17 - 9/10/18 ($469,716.80; cumulative total $1,380,031.20); authorize County Procurement Officer or authorized Deputy to execute agreement, increase agreement ($14,559.60), and exercise cost contingency increase not to exceed 10% under certain conditions - District 2

24135 **APPROVED AS RECOMMENDED**

14. Approve amendment 3 to agreement with AMEC Foster Wheeler Environmental & Infrastructure, Inc. for environmental services, 9/10/17 - 9/9/18 ($800,000; cumulative total $4,580,000) - District 2

21345 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

15. Approve Design Phase Services agreement MA-012-17012166 with CJW Construction, Inc. asConstruction Manager At-Risk for Aliso & Wood Canyons Wilderness Park - New Visitors Center Project, 8/8/17 - 8/7/18 ($59,830); authorize negotiation of agreement with CJW Construction, Inc. for Construction Phase Services (not to exceed $3,600,000); authorize Director or designee to execute agreements; and consider application of Mitigated Negative Declaration IP08-269 and other findings - District 5

51342 **APPROVED AS RECOMMENDED**

16. Approve agreement MA-299-18010065 with SWT Engineering Inc, and MA-299-17011821 with Tetra Tech BAS, Inc dba Bryan A Stirrat & Associates for multi-discipline engineering support services at Olinda Alpha North Region Landfills, 9/9/17 - 9/8/20 ($750,000 each; aggregate total $1,500,000) with option to renew for two additional years; and authorize Director or designee to execute agreements - District 4

41352 **APPROVED AS RECOMMENDED**

17. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve revised 2017 Design and Construction Procurement Policy Manual amending key procurement policies; and authorize Director or designee to execute Manual incorporating all revised procurement policies - All Districts

54132 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

18. Approve grant applications/awards submitted by Social Services Agency, OC CommunityResources and District Attorney in 8/8/17 grant report and other actions as recommended; adopt resolution authorizing Social Services Agency Director or designee to execute agreement and amendments with California Department of Education for California State Preschool Program ($209,201); adopt resolution authorizing OC Community Resources Director or designee as agent to conduct negotiations, execute and submit all related documents to California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 for completion of Arden Modjeska Opid Cottage Restoration project; and adopt resolution authorizing District Attorney or designee to execute grant award agreement and amendments with California Department of Insurance for Workers' Compensation Insurance Fraud

program, 7/1/17 - 6/30/18 ($4,611,545); and making California Environmental Quality Act and other findings - All Districts

15342 **APPROVED AS RECOMMENDED**
RESO: 17-089 - 17-091

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

14352 **APPROVED AS RECOMMENDED**

20. Approve proposed response to FY 2016-17 Grand Jury Report "Ortega Highway: Unnecessary Delays Have Cost Us Millions." - District 5

54132 **APPROVED AS RECOMMENDED**

Human Resource Services:

21. Adopt 2018 Employee PPO Health Plan rates for self-funded Wellwise Choice and SharewellChoice - All Districts

14352 **APPROVED AS RECOMMENDED**

22. Adopt 2018 Employee HMO Health Plan Rates; authorize Chief Human Resource ServicesOfficer or designee to execute 2018 Cigna and Kaiser 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 and amend underlying agreements with Cigna and Kaiser as necessary in order to continue Wellness Programs - All Districts

51342 **APPROVED AS RECOMMENDED**

23. Approve deletion of 104 obsolete classifications; and direct Human Resource Services to remove from all Orange County Classification Plan documents, effective 8/11/17 - All Districts

41352 **APPROVED AS RECOMMENDED**

24. Adopt 2018 Retiree Insured HMO and PPO Health Plan rates; authorize Chief Human Resource Services Officer or designee to execute 2018 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 the Centers for Medicare and Medicaid Services and report back to the Board if any changes to the policies are required - All Districts

15342 **APPROVED AS RECOMMENDED**

25. Adopt 2018 Retiree PPO Health Plan Rates for self-funded Wellwise and Sharewell; authorizeChief Human Resource Services Officer or designee to continue to apply for Medicare Part D federal subsidy under Medicare Prescription Drug, Improvement and Modernization Act of 2003 for Wellwise Retiree Health Plan - All Districts

14352 **APPROVED AS RECOMMENDED**

26. **Chairwoman Steel and Vice Chair Do -** Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Sections 4-11-11 and 4-11-12 of the Codified Ordinances of the County of Orange Regarding the Orange County Health Authority" (Continued from 7/11/17, Item S37C; 7/25/17, Item 21)

21345 **APPROVED AS RECOMMENDED**
N N

ORD: 17-007

ELECTED DEPARTMENT HEADS

S26A. **Sheriff-Coroner -** Adopt resolution approving search and rescue of persons who are lost or in danger of their lives within or in the immediate vicinity of Orange County - All Districts

41352 **APPROVED AS RECOMMENDED**
RESO: 17-092

GENERAL ADMINISTRATION

S26B. **Human Resource Services -** Approve agreement with Ralph Andersen & Associates for recruitment of Executive Director for the Office of Independent Review, 8/11/17 - 1/31/18 ($60,000); and authorize County Procurement Officer or authorized Deputy to negotiate and execute agreement - All Districts

12345 **APPROVED AS RECOMMENDED**
N

V. PUBLIC HEARINGS (Items 27-30)

HEALTH CARE AGENCY

27. Public Hearing to consider adopting resolution approving Driving Under the Influence Program Feeupdate, $77 effective upon Board approval and $80 effective 7/1/18; superseding and rescinding Resolution 12-159; authorizing HCA to make an annual fee adjustment effective July 1 of each year, starting in 2019, that increases fee by an amount not to exceed the annual percentage change in the Consumer Price Index; direct HCA to return to the Board if any fee study indicates that actual costs have reduced to level below revenue generated; and making California Environmental Quality Act and other findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

CONTINUED TO 8/22/17, 9:30 A.M.

28. Public Hearing to consider adopting resolution approving PC 1000 Drug Diversion Program Fee update, $93 effective upon Board approval and $97 effective 7/1/18; superseding and rescinding Resolution 12-160; authorizing HCA to make an annual fee adjustment effective July 1 of each year, starting in 2019, that increases fee by an amount not to exceed the annual percentage change in the Consumer Price Index; direct HCA to return to the Board if any fee study indicates that actual costs have reduced to level below revenue generated; and making California Environmental Quality Act and other findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

15342 **APPROVED AS RECOMMENDED**
RESO: 17-093

29. Public Hearing to consider adopting resolution approving update of Maximum 911 Emergency Basic Life Support Ground Ambulance rates and mileage, oxygen, standby and expendable medical supply rates, effective 7/1/17 and 1/1/18; adopting new methodologies to adjust rates based on State or Federal approved minimum wage adjustments and on Los Angeles-Riverside-Orange County "all item" Consumer Price Index, effective 7/1/19; superseding and rescinding Resolution 15-120; authorizing HCA to make future annual fee adjustments effective July 1 of

each year, starting in 2019, based on newly adopted Board methodologies - All Districts

B.O. **CLOSED PUBLIC HEARING**

51342 **APPROVED AS RECOMMENDED**
RESO: 17-094

OC PUBLIC WORKS

30. Public Hearing to consider adopting resolution approving FY 2016-17 Weed Abatement Cost Report and special assessments on identified properties - All Districts

B.O. **CLOSED PUBLIC HEARING**

51342 **APPROVED AS RECOMMENDED**
RESO: 17-095

VI. CLOSED SESSION (Items CS-1-SCS6)

GENERAL ADMINISTRATION

CS-1. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Brenda Diederichs
Employee Organizations: Association of County Law Enforcement Management (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Association of Orange County Deputy Sheriffs (AOCDS), International Brotherhood of Teamsters, Local 952, In-Home Supportive Services (IHSS), International Union of Operating Engineers (IUOE), Orange County Attorneys Association (OCAA), Orange County Employees Association (OCEA), Orange County Managers Association (OCMA) and other non-represented employees
RE: Terms and Conditions of Employment

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

County Counsel:

SCS2. 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. **HELD, NO REPORTABLE ACTION**

SCS3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -
SIGNIFICANT EXPOSURE TO LITIGATION -
Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: Two Cases

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

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

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

SCS5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -
SIGNIFICANT EXPOSURE TO LITIGATION -
Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: Two Cases

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

SCS6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -
Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Voice of Orange County.Org v. County of Orange, Orange County Superior Court Case Number 30-2016-00841766-CU-WM-CJC

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF VOICE OF ORANGE COUNTY.ORG 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 COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.**

VII. CEO, BOARD COMMENTS & ADJOURNMENT

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
None

ADJOURNED: 2:13 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