REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, October 22, 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: Vice Chair Steel, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Do, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairwoman Bartlett presented a certificate to United Way announcing kick-off of 2019-20 Untied Way Campaign

Vice Chair Steel presented a resolution to Orange County's Pacific Symphony

Supervisor Chaffee presented a resolution to The Sikh Coalition proclaiming November as Sikh Awareness and Appreciation Month

II. CONSENT CALENDAR (Items 1-8)

12345 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 2 AND 5**

WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE

DEPARTMENT APPOINTMENTS

1. **OC Community Resources -** Orange County Development Board - Reappoint Lauray Holland, Newport Beach and John Luker, Santa Ana, to complete terms ending 12/31/19 and reappoint effective 1/1/20 - 12/31/22; Robert Bunyan, Mission Viejo; Tod Sword, Redondo Beach; Alireza Jazayeri, Irvine; Ernesto Medrano, Anaheim; Douglas Mangione, Capistrano Beach and Dr. Tod Burnett, Irvine, to complete terms ending 12/31/20; Barbara Mason, Huntington Beach; Dr. Gary Matkin, Irvine; Robert Claudio, Yorba Linda; Trung Le, La Palma and Michael Ruane, Corona del Mar, to complete terms ending 12/31/21; appoint Natalie Alvarez, Newport Coast; Teraylan Hollingsworth, Anaheim and Gloria Alvarado, Santa Ana, to complete terms ending 12/31/19 and reappoint effective 1/1/20 - 12/31/22; Eric Codorniz, Aliso Viejo, to complete term ending 12/31/20; Anna Lukes, Laguna Hills; Brenyale Toomer-Byas, Irvine; Jesse Ben-Ron, Anaheim, and David Han, Buena Park, to complete terms ending 12/31/21; approve submission of Existing Local Area Application for Subsequent Local Area Designation and Local Board Recertification program year 2019-21 - All Districts

HEALTH CARE AGENCY

2. Approve selection of and agreement with The Villa Center, Inc. for AB 109 Residential Treatment services, 11/1/19 - 6/30/22; and authorize Director or designee to execute agreement - District 1

12345 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

3. Approve amendment 2 to contract MA-012-19011553 with CivicStone, LLC for consulting services supporting Orange County Housing Finance Trust 4/18/20 - 6/30/20 ($139,930; new total $194,825); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

4. Approve amendment 1 to contract MA-080-16011798 with Tapia Landscaping for landscape maintenance services, 11/23/19 - 6/30/21 ($22,818; new total $623,238); authorize County Procurement Officer or authorized Deputy to execute amendment; and make California Environmental Quality Act and other findings - Districts 1, 3, 4 and 5

SOCIAL SERVICES AGENCY

5. Approve master agreement CGM0719-00 with various providers of foster family agency services and temporary evaluation community homes, 12/1/19 - 6/30/21 ($359,000); authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute individual agreements - All Districts

14235 **APPROVED AS RECOMMENDED**

6. Approve contract MA-063-20010052 with The Rushmore Group, LLC for case review system software maintenance, 12/1/19 - 11/30/22 ($68,500); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

GENERAL ADMINISTRATION

7. **Registrar of Voters -** Declare Adele Tagaloa elected as General Member and Frank E. Eley elected as Retired Member of Board of Retirement of the Orange County Employees Retirement System for term 1/1/20 - 12/31/22 - All Districts

8. **Supervisor Do -** Receive and file 25th Annual Report on the Conditions of Children in Orange County 2019

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 9-S31E)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

9. Approve contract CT-060-19010847 with Waters Technologies Corporation for purchase of one Waters Xevo TQ-XS Liquid Chromatograph Tandem Mass Spectrometer including installation, support and warranty for Orange County Crime Lab, one-year term ($418,426); and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts
13245 **APPROVED AS RECOMMENDED**

10. Approve retroactive lease agreement with HK 1045 FULLER, LLC for continued storage space, 4/1/19 - 3/31/29 ($5,243,268) with two five-year term options; and make California Environmental Quality Act and other findings - District 1
12345 **APPROVED AS RECOMMENDED**

11. Approve amendment 1 to contract MA-060-18010753 with Hunter Consulting Inc. dba HCI Environmental & Engineering Service for replacement and disposal of lead-contaminated and bio-hazard filters, 12/12/19 - 12/11/20 ($700,000; cumulative total $2,100,000); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts
31245 **APPROVED AS RECOMMENDED**

12. **Sheriff-Coroner, Supervisor Do and Supervisor Wagner -** Adopt resolution supporting Reducing Crime and Keeping California Safe Act of 2020 - All Districts
13245 **APPROVED AS RECOMMENDED**
RESO: 19-101

JOHN WAYNE AIRPORT

13. Approve leases with various providers of rental car concessions, 12/1/19 - 11/30/29 - District 2 (4/5 vote of the members present)
B.O. **CONTINUED TO 11/19/19, 9:30 A.M.**

OC COMMUNITY RESOURCES

14. Approve selection of providers for California Emergency Solutions and Housing contracts; authorize Director or designee to execute individual contracts with Interval House ($150,250), Families Forward ($250,000), Interval House ($175,000), Grandma's House of Hope ($235,000), Fullerton Interfaith Emergency Services dba Pathways of Hope ($160,000), Mercy House Living Centers, Inc. ($205,500) for emergency housing intervention services, 11/1/19 - 6/30/21, renewable for one additional one-year term; authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

25134 **APPROVED AS RECOMMENDED**

15. Approve selection of Covenant House California for Homeless Emergency Aid Program Transitional Aged Youth grant activities through 4/30/21; approve agreement 19-23-0063-HEAP with Covenant House California for homeless shelter capital project, 10-year term ($778,435); and authorize Director or designee to execute agreement and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

13245 **APPROVED AS RECOMMENDED**

16. Approve amendment 1 to contract MA-012-19010968 with Aquatechnex LLC for lake management and lake water quality maintenance services, ($360,000 increase; cumulative total $2,385,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

31245 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

17. Approve Assignment, Novation and Consent to transfer and assign agreement MA-080-16010914 from Owen Group, Inc. to Owen Group, Limited Partnership for on-call architectural services, 3/22/19 - 12/14/20, and agreements MA-080-17011293 for on-call electrical engineering and MA-080-17011298 for on-call mechanical engineering from Henrikson Owen & Associates, Inc. to Henrikson Owen & Associates, Limited Partnership, 3/22/19 - 6/26/20; and authorize Director or designee to execute agreements - All Districts

13245 **APPROVED AS RECOMMENDED**

18. Approve contract MA-080-20010042 with Aquatic Bioassay & Consulting Laboratories, Inc. for water toxicity testing services, 10/22/19 - 10/21/22 ($3,000,000); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute contract; and make California Environmental Quality Act and other findings - All Districts

13245 **APPROVED AS RECOMMENDED**

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

19. Award design-build contract MA-080-20010322 to J.F. Shea Construction, Inc. to provide design phase services for East Garden Grove-Wintersburg Channel Improvement Project, 10/22/19 -10/22/22 ($3,216,455); authorize Director or designee to execute and amend contract under certain conditions; and consider adoption of Mitigated Negative Declaration No. IP 18-052 and other findings - District 2

23145 **APPROVED AS RECOMMENDED**

20. Approve aggregate contract MA-080-19011708 with Quality Sprayers, Inc. and Natures Image, Inc. for mitigation maintenance services, 12/1/19 - 11/30/22

($1,200,000); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute contract; and make California Environmental Quality Act and other findings - All Districts

23145 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

21. Approve amendment 6 to renew contract MA-299-17010397 with Quinn Company to provide heavy equipment maintenance and repair services, 12/1/19 - 11/30/20 ($8,000,000; cumulative total $32,000,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - Districts 3, 4 and 5

53124 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

22. Ratify amendment 1 to agreement with El Modena Family Resource Center to remove YMCA of Orange and replace with YMCA of Orange County effective 6/21/19 - District 3

35124 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

23. Receive and file Community Corrections System: Integrated Services 2025 Vision Report; and direct County Executive Office to incorporate Integrated Services Strategic Priorities, Action Items, Targets and Outcomes into County's Strategic Financial Plan - All Districts

15234 **APPROVED AS RECOMMENDED**

24. Approve amendment 1 to master services agreement MA-017-19010750 with Science Applications International Corporation for managed services network, voice and security services to update language regarding work orders, transition-in milestones and deliverables dates and incorporate other administrative and personnel changes; and authorize Chief Information Officer or designee to execute amendment - All Districts

12345 **APPROVED AS RECOMMENDED**

25. Approve amendment 3 to contract MA 017-16011391 with Standard Insurance Company for Long-Term Disability Insurance and administration of Short-Term Disability Insurance Plan and Reserve Deputy Sheriff Disability Income Protection Plan, 1/1/21 - 12/31/21 ($1,297,100); and authorize Chief Human Resource Officer or designee to execute amendment - All Districts

12345 **APPROVED AS RECOMMENDED**

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

34125 **APPROVED AS RECOMMENDED**

27. Approve grant applications/awards submitted by OC Public Works, John Wayne Airport and OC Waste and Recycling Director and retroactive grant applications/awards submitted by OC Community Resources and Sheriff-Coroner in 10/22/19 grant report and other actions as recommended; adopt resolution authorizing OC Waste & Recycling

or designee to submit and execute applications, related documents and amendments to State Department of Resources Recycling and Recovery (CalRecycle) for Organics Grant Program Cycle 4 (Greenhouse Gas Reduction Fund, FY 2018-19 and FY 2019-20) - All Districts

32145 **APPROVED AS RECOMMENDED**
RESO: 19-102

28. Approve amendment 3 to Administrative Services agreement with Blue Cross of California dba Anthem Blue Cross, Kaiser Foundation Health Plan and SCAN for retiree health plans, 1/1/21 - 12/31/21; authorize Chief Human Resource Officer or designee to execute amendments; and authorize execution of 2021 Group Service/Benefit Policies after approval by State of California Department of Managed Care or Centers for Medicare and Medicaid Services and report back to the Board if changes to the policies are required under certain conditions - All Districts

12345 **APPROVED AS RECOMMENDED**

29. Approve cooperative agreement with City of Yorba Linda and adopt resolution approving property tax exchange for annexation of Cielo Vista development project; and upon final annexation approval, transfer 100 percent of park fees collected by County - District 3

32145 **APPROVED AS RECOMMENDED**
RESO: 19-103

30. Approve amendment 3 to Administrative Services agreement with Cigna Healthcare of California, Cigna Health and Life Insurance Company and Kaiser Foundation Health Plan for active health plans, 1/1/21 - 12/31/21; and authorize Chief Human Resource Officer or designee to execute amendments and amend underlying agreements as necessary in order to continue Wellness Programs under certain conditions - All Districts

13245 **APPROVED AS RECOMMENDED**

31. Approve contract MA-017-20010587 with Precision Advocacy Group LLC for State Legislative Advocacy services, 11/1/19 - 10/31/22 ($828,000); renewable for one additional two-year term; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

12345 **APPROVED AS RECOMMENDED**

Vice Chair Steel:

S31A. Orange County Mental Health Board - Appoint Nita Tewari, Newport Beach, to complete term ending 12/4/21

21345 **APPROVED AS RECOMMENDED**

S31B. Community Action Partnership of Orange County - Appoint Nimusha Punnen Jacob, Huntington Beach, for term concurrent with 2nd District Supervisor's term of office

25134 **APPROVED AS RECOMMENDED**

County Executive Office:

S31C. Approve and adopt 2019-2023 Memoranda of Understanding with Orange County

Employees Association for Community Services, County General, Healthcare Professional, Office Services, Sheriff's Special Officer and Supervisory Management Units - All Districts

14235 N **APPROVED AS RECOMMENDED**

S31D. Approve and adopt 2019-2023 Memorandum of Understanding with Association of County Law Enforcement Managers for Law Enforcement Management Unit, 6/21/19 - 6/29/23 - All Districts

14235 **APPROVED AS RECOMMENDED**

S31E. **County Counsel -** Consider first reading of "An Ordinance of the County of Orange, California, Amending Section 1-6-7 of Division 6 of Title 1 of the Codified Ordinances of the County of Orange"; and set second reading and adoption for 11/5/19, 9:30 a.m. - All Districts (4/5 vote of the members present)

14235 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 32)

OC PUBLIC WORKS

32. Public Hearing to consider first readings of "An Ordinance of the County of Orange, California, Repealing the International Building Code, 2015 Edition; the California Building Code, 2016 Edition; the California Residential Code, 2016 Edition; and the California Green Building Standards Code, 2016 Edition; Repealing Ordinance 16-018 and Adopting by Reference the California Building Code, 2019 Edition; the International Building Code, 2018 Edition; the California Residential Code, 2019 Edition; the California Energy Code, 2019 Edition; the California Green Building Standards Code, 2019 Edition; the California Historical Building Code, 2019 Edition; the California Existing Building Code, 2019 Edition; with Amendments Thereto"; "An Ordinance of the County of Orange, California, Repealing the 2015 Edition of the Uniform Plumbing Code, Repealing the 2016 Edition of the California Plumbing Code Repealing Ordinance 16-019, and Adopting by Reference the Uniform Plumbing Code, 2018 Edition and the California Plumbing Code, 2019 Edition, Including Appendices, with Amendments Thereto"; "An Ordinance of the County of Orange, California, Repealing the 2015 Edition of the Uniform Mechanical Code, Repealing the 2016 Edition of the California Mechanical Code, Repealing Ordinance 16-020 and Adopting by Reference the Uniform Mechanical Code, 2018 Edition, and the California Mechanical Code, 2019 Edition, Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing the National Electrical Code, 2014 Edition, Repealing the California Electrical Code, 2016 Edition, Repealing Ordinance 16-021 and Adopting by Reference the National Electrical Code, 2017 Edition and the California Electrical Code, 2019 Edition with Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing the California Fire Code, 2013 Edition Ordinance 16-022 and Adopting by Reference the California Fire Code, 2016 Edition with Appendix B, BB, C, CC, H, X, Y, and Z and Amendments Thereto"; set second readings and adoptions of ordinances and resolutions for 11/5/19, 9:30 a.m.; and make California Environmental Quality Act and other findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

13245 **APPROVED AS RECOMMENDED**

V. CLOSED SESSION (Items CS-1-SCS3)

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: Orange County Catholic Worker, et al. v. County of Orange, et al., United States District Court Case No. 8:18-cv-00155-DOC-(JDEx). David Ramirez, et al. v. County of Orange, United States District Court Case No. 8:18-cv-0220-DOC-(KESx)

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

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTIN LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Huong Hue Tran, Thomas Minh Nguyen v. County of Orange, et al.
District Court Case No.: 8:18-cv-00969-AG-PJW

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF HUONG HUE TRAN, THOMAS MINH NGUYEN V. COUNTY OF ORANGE, ET AL. 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 CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Janet McGrath - Oral re: Seeking help with Orange County Probate Courts that never grant conservatorship to families and instead appoints court appointed attorneys who are strangers; system is set up to line the pockets of the conservators; families go bankrupt trying to get their families back; conservators billed over $600,000 in attorneys' fees; stealing familial wealth; questionable real estate sales by conservators; watch movie The Guardians

Julie Hermes - Oral re: California conservatorship in crisis; Advocate for elder dependent and disabled adults; professional conservators use client assets to litigate against clients and their families; conservatorship grants complete access to client's funds; fees of conservators are greatly exceeded; probate courts provide no oversight of expenditures by conservators; licensed conservator Sally Cicerone

billed over $350,000 in 2016 and over half of charges are fraudulent; California probate code is often disregarded by probate courts

Brigitte - Oral re: Forced conservator coverup by Internal Auditor, CEO Risk Management, Orange County Grand Jury, restraining orders and civil courts; Attorney General criminal complaints regarding illegally passing budgets; public comments at board meetings; forced conservatorships and looted estates

Julie Sebestyen - Oral re: Owner of care giving facility and mandated reporter of elder abuse; eye witness to fraud, theft, racketeering and embezzlement against elders; became aware when refusing to pay $16,000 to Sally Cicerone and discovered the systematic fraud scheme; Sally Cicerone billed for services provided by others; billed more than 51 hours for a single day; attempted to file police reports and Sheriff's turned her away; seniors being robbed and abused

David Durran - Oral re: Facebook posts by shelter resident that they are starving and not receiving food at the shelters; food running out at shelters; cancer patient on chemo in shelter not getting meals

Daisy Ramirez - Oral re: Transforming Justice Orange County; report released earlier this year titled "Does Our County Really Need a Bigger Jail" which included over 30 questions regarding the need for a bigger jail; the solution is investing in building communities, not in building bigger jails; alternatives should be studied and considered including a plan for diversion and re-entry programs for mental health and substance abuse treatment, education and housing in community based services; jails should not be de facto mental health institutions

Gianni Castellanos - Oral re: Death of Anthony Aceves while in custody; individuals in jail struggle with poverty, mental health and addiction; raises for Sheriff deputies; more police and jails don't make communities safer, more resources make communities safer; settlement paid to former jail nurse; solution is not more jails but better care for the community

Vern Nelson- Oral Re: Requested Board members check in on Kraemer Place without giving them a heads up

Bruce Gardner - Oral Re: Orange County probate and conservator system and the experience his family had with Sally Cicerone was horrendous; system and fees are self-perpetuating and costing families; Sally Cicerone refused to step down regardless of multiple requests to do so; her mismanagement of father's estate included: overbilling, double billing, padded billing, and false billing costing hundreds of thousands of dollars to the estate; wife has first-hand knowledge and was hired by Ms. Cicerone and was offered property from other clients and was fired when she objected to fees being charged

William McCormick - Oral Re: Workers Compensation Defense Attorney firm selected during recent RFP process; approval of the item was delayed due to appeal by firm that was not selected containing allegations of misconduct and fraud during the RFP process; the process was a comprehensive and detailed selection process and disagrees with allegations of the appeal; the process was done correctly, honestly and thoroughly

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Do - Oral re: Public comments on subjects completely outside of Board jurisdiction; courts are a completely independent arm of government; the Board has no power over how judges decide cases; the courts have their own body that reviews their ethics and conduct; the courts have complete power to say

who goes to jail and for how long; all we can do is provide the best services we can when people are in custody

Supervisor Wagner - Oral re: Thanked Sheriff Barnes, Orange County Fire Authority Chief Fennessy and Irvine Police Chief Mike Hamel for providing critical information to the community at Public Safety Town Hall

ADJOURNED: 12:27 P.M.
35124 **Adjourned in memory of Jason Schmid**

*** 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