REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, January 9, 2018, 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: Vice Chair Do, First District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Chairwoman Steel presented a resolution proclaiming January 13th as Korean American Day

II. PUBLIC COMMENTS

Matthew Skaggs - Oral Re: Community Development Support Advocate; proposal regarding Orange County's Housing and business problems; housing first and programs; spend less on law enforcement and more money on housing first

Patrick Hogan - Oral Re: Homelessness; reasons for becoming homeless and solutions to address homelessness; police tactics on the homeless; long term solution to address homelessness; Pastor Steve helping the homeless living on the riverbed; Richie Rich created memory of the homeless who have passed away

Mohammed Aly - Oral Re: Homelessness; lawsuits against the County regarding displacement of homeless from the riverbed; no alternative for placement of housing for the homeless

Brigitte - Oral Re: Illegal business run through the Probate courts; County's response to subpoena for Chairwoman Steel; real estate tax fraud and withholding tax from IRS; removing the public from public comments

Sheena Innocente - Oral Re: Homeless advocate; OC Register article homeless individuals living on the riverbed do not want help; lack of affordable housing for people who make below the average income in Orange County; principles from the National Law Center on homelessness and poverty in encampments

Jestin Samson - Oral Re: Homeless epidemic in Orange County and lack of interest and compassion by the Board to deal with homeless issue; ending homelessness promotes public health and public safety throughout the County; displacement of homeless living on the riverbed will cost taxpayers money; Ten Year Plan to End Homelessness; housing first model would solve homeless problems; living wages of the homeless do not allow them to find affordable housing

Kenneth Batiste - Oral Re: Leader of anti-corruption group; housing for the homeless; housing is a basic human right; people living on the riverbed have nowhere to go; need to take action to address homeless

Alex Cha - Oral Re: Homeless living on the riverbed; displacement of the homeless living on the riverbed; homeless population is growing and will continue to grow; society should care for the homeless; opportunities for the homeless to build a life; San Diego Hepatitis A Outbreak

John Christiana - Oral Re: Claim against the County for the actions of William Crittenden; targeted individuals and victims of false reports of crime and conspiracy

The Cameraman - Oral Re: OCTA offering free bus rides on New Year's Eve; failure to address the homeless; affordable housing for the homeless; speakers exceeding time limits during public comments and free speech

Jeanine Robbins - Oral Re: Presentation regarding homeless to political group; available discretionary funds to help the homeless; ignoring Ten-Year Plan to End Homelessness, and housing first model; Courtyard shelter with no walls; Bridges at Kraemer shelter; advocates appealing to the Board to provide housing, services and sanitation to the homeless; hate rhetoric of the homeless

Mike Robbins - Oral Re: Housing is a human right; defend the rights of the poor and needy; miracle of life and protecting the homeless

Lou Noble - Oral Re: Displacement of the homeless living on the riverbed and moving to City streets; Department of Transportation Notice to Vacate contained incorrect information; solutions to address homeless (i.e., Alfresco Gardens)

Bryan Kaye - Oral Re: City of Anaheim declares victory over the law and people in 2016; homeless living on the riverbed; mental health services and human rights

Ilya Tseglin - Oral Re: Attendance at Board Meetings for 6 years pleading for justice for his son Nate based on evidence of Probate case; Public Defender cover-up of money laundering and misrepresentation in court; OC Regional Center profiteering and corruption of public officials; Social Services Agency

Robert Tseglin - Oral Re: Nate Tseglin kidnapped by police and placed in group home, physical and psychotropic abuse and fabricated report; Public Defender, Social Services Agency, Judges, Writs of Habeas Corpus and conservatorship; concealment of medical records

David Duran - Oral Re: Housing is a Human Right; death of the homeless living on the riverbed; Civil Rights and the right of power to act without ethics, justice or morality; Board has the power and responsibility to ensure people's civil rights are enforced

Pat Davis - Oral Re: Housing is a Human Right; displacement of the homeless living on the riverbed; lies and misrepresentation of data collected by OC Sheriff; identify safe places for the homeless

Margaret Sharpe - Oral Re: Displacement of the homeless living on the riverbed will push them onto city streets; use of Fairview Development Center for the homeless; use of SB2 Zones in cities for emergency shelters and services; Alfresco Gardens and Tuff Sheds

III. CONSENT CALENDAR (Items 1-7)

45132 **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

1. **District Attorney -** Authorize donation of 81 ballistic vests to Golden West College for academy training; and make related findings - All Districts

2. **Sheriff-Coroner -** Adopt list of prequalified contractors; adopt unit price book and technical specifications and set bid opening for 2/14/18, 2:00 p.m., for Job Order Contracts for general contracting, electrical, heating, ventilation and air conditioning services; and make California Environmental Quality Act and other findings - All Districts

OC PUBLIC WORKS

3. Certify completion of streets, street lighting, storm drain, sewer, water, reclaimed water and monumentation; adopt resolution and authorize release of security for Tract Map 17561, RMV PA2 Development, LLC - District 5

RESO: 18-001

GENERAL ADMINISTRATION

4. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Health Care Agency - All Districts

County Executive Office:

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

6. Approve amendment 1 to agreement with Court Appointed Special Advocates Orange County for reimbursement of personnel costs to provide victim advocacy and assistance services to dependent youths, extending term to 12/31/19, or until funds are fully exhausted ($282,360; new total $388,740); and authorize County Executive Officer or designee to exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

7. **Human Resource Services -** Receive and file Final Report of Findings - Personnel Management Program Audit - All Districts

END OF CONSENT CALENDAR

IV. DISCUSSION ITEMS (Items 8-S25B)

ELECTED DEPARTMENT HEADS

8. **Assessor Department -** Adopt resolution to exclude tax liens against assessed real or personal property or the assessee if less than ($200), excluding interest, penalties or other fees, and shall not be recorded by the Tax Collector, effective January 1, 2018 - All Districts (Continued from 12/5/17, Item 27)

B.O. **CONTINUED TO 1/23/18, 9:30 A.M.**

Sheriff-Coroner:

9. Receive and file status report and approve continuance of local emergency related to Theo Lacy Facility for repair to inoperable elevator used for public, legal visits and emergency egress for inmates; set review to determine need for continuing local emergency for 1/23/18, 9:30 a.m. and every regularly scheduled meeting thereafter until terminated - District 3 (4/5 vote of the members present) (Continued from 9/26/17, Item S46E; 10/17/17, Item 22; 10/31/17, Item 13; 11/14/17, Item 17; 12/5/17, Item 31; 12/12/17, Item 17)

45132 **APPROVED AS RECOMMENDED**

10. Ratify contract MA-060-18010186 with TriTech Software Systems for software support, 11/15/17 - 11/14/19 ($698,639.65); renewable for three additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

25134 **APPROVED AS RECOMMENDED**

11. Accept grant award from California Governor's Office of Emergency Services for 2017 Homeland Security Grant Program ($3,266,534); authorize County Procurement Officer or authorized Deputy to purchase related equipment; approve related documents and authorize Sheriff-Coroner or designee to execute agreements; and authorize Auditor-Controller to transfer funds or property to other entities under certain conditions - All Districts

25134 **APPROVED AS RECOMMENDED**

12. Ratify retroactive payment to Specialized Elevator Corporation for elevator and escalator maintenance services at various jail facilities ($24,836) - All Districts

24135 **APPROVED AS RECOMMENDED**

13. Ratify amendment 3 to contract MA-060-16012128 with Convergint Technologies LLC for video management services and to update video management system in jails, 6/15/17 - 6/14/18 ($600,000; new total $925,000; cumulative total $1,550,000); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute amendment - Districts 1 and 3

34152 **APPROVED AS RECOMMENDED**

14. **Treasurer-Tax Collector -** Consider first reading of "An Ordinance of the County of Orange, California Adding Section 1-4-57 of the Codified Ordinances of the County of Orange, Authorizing the Treasurer-Tax Collector to Cancel Supplemental Tax Bills Where the Tax is Fifty Dollars or Less"; and set second reading and adoption for 1/23/18, 9:30 a.m. - All Districts (Continued first reading from 12/5/17, Item 33)

B.O. **CONTINUED TO 1/23/18, 9:30 A.M.**

HEALTH CARE AGENCY

15. Approve amendment to Three-Year Program and Expenditure Plan for Mental Health Services Act, Proposition 63 programs and services, 7/1/17 - 6/30/20 ($5,000,000; cumulative total $553,862,051); approve Local Government Special Needs Housing Program Assignment agreement with California Housing Finance Agency for FY 2017-18 ($5,000,000); direct Auditor-Controller to distribute funds

to California Housing Finance Agency upon approval; approve Santa Ana Veterans Village and Aqua projects for Special Needs Housing Program funding; and authorize Director or designee to execute related documents and agreements - All Districts

43152 **APPROVED AS RECOMMENDED; DIRECTED TO RETURN TO THE BOARD WITH A PLAN TO STREAMLINE THE PROCESS TO HAVE FUNDS READILY AVAILABLE TO FUND PROJECTS MORE QUICKLY AND ALLOCATE UP TO $15 MILLION FOR NEW PROJECTS (I.E. JAMBOREE HOUSING PROJECT).**

OC COMMUNITY RESOURCES

16. Approve contract 17-28-0017-NEG with Orange County Conservation Corps for clean-up and post-fire recovery for County park facilities, 1/9/18 - 12/31/18 ($721,000); with option to renew for one additional one-year term; authorize Director or designee to execute contract and to exercise cost contingency increase not to exceed 10% under certain conditions; and make California Environmental Quality Act and other findings - District 3

32145 **APPROVED AS RECOMMENDED**

17. Approve amendment 1 to contracts 17-28-0021 DV with Human Options, Inc. ($259,796; cumulative total $733,141), 17-28-0023 DV with Interval House ($258,000; cumulative total $977,786), 17-28-0022 DV with Laura's House ($258,000; cumulative total $773,244) and 17-28-0024 DV with Women's Transitional Living Center, Inc. ($268,462; cumulative total $894,429) for expansion of Domestic Violence Shelter-Based Program services, 10/1/17 - 6/30/20; and authorize Director or designee to shift cost savings under certain conditions and execute amendments - All Districts

54132 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

18. **Probation -** Approve contract MA-057-18010650 with Community Service Programs, Inc. for Restorative Justice Program services, 12/15/17 - 12/14/20 ($555,000); renewable for two additional one-year terms; authorize Chief Probation Officer or designee to exercise cost contingency increase not to exceed 10% under certain conditions - All Districts (Continued from 12/5/17, Item 42; 12/12/17, Item S42C)

B.O. **DELETED**

SOCIAL SERVICES AGENCY

19. Approve agreement AHL0118 with Community Health Initiative of Orange County for training and technical support of One-e-App Electronic Application System, 2/1/18 - 6/30/20 ($187,885); and authorize Director or designee to extend term of agreement under certain conditions - All Districts

25134 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

20. **County Counsel -** Select Theodora Oringher, PC, Lewis Brisbois Bisgaard & Smith, LLP and Bergman Dacey Goldsmith, PLC for legal services in administrative proceedings on an as needed basis; for three-year terms commencing on date of execution; renewable for two additional one-year terms; and authorize County Counsel or designee to execute agreements - All Districts

35142 **APPROVED AS RECOMMENDED**

County Executive Office:

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

52134 **APPROVED AS RECOMMENDED**

22. Approve grant applications/awards submitted by District Attorney, Sheriff-Coroner and OC Community Resources and ratify retroactive grant applications/awards submitted by Health Care Agency in 1/9/18 grant report and other actions as recommended; adopt resolutions authorizing District Attorney or designee to execute grant award agreement and amendments with California Office of Emergency Services for Human Trafficking Advocacy Program, 10/1/17 - 9/30/18 ($173,600) which includes in-kind match of ($34,720) provided by Community Service Programs, Inc. and for Violence Against Women Vertical Prosecution Program, 7/1/17 - 6/30/18 ($218,000); and make California Environmental Quality Act and other findings; 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 25th Cycle; and adopt resolution authorizing Sheriff-Coroner or designee to execute and submit application and grant assurance to California Office of Emergency Services for FY 2018 Homeland Security Grant Program ($3,266,534); and to take related actions under certain conditions - All Districts

32145 **APPROVED AS RECOMMENDED**
RESO: 18-002 - 18-005

23. Approve lease agreement with 1400 North Harbor Boulevard Investors, LLC for office space for Public Defender's north court annex, for ten-year term, 1/19/18 - 1/18/28; authorize Chief Real Estate Officer or designee to execute subsequent lease amendments for non-monetary and/or monetary changes under certain conditions; and delegate Chief Real Estate Officer or designee ability to exercise any of two five-year options to extend term of lease; and make California Environmental Quality Act and other findings - All Districts

45132 **APPROVED AS RECOMMENDED EXCLUDING RECOMMENDED ACTION #4**

24. Approve amendment 11 to master services agreement MA-017-13011864 with Science Application International Corporation for data center operations, service desk, desktop support and applications services, existing five-year term ($459,288 decrease; new cumulative total $105,041,363); and authorize Chief Information Officer or designee to execute amendment - All Districts

52134 **APPROVED AS RECOMMENDED**

25. **Board of Supervisors -** Election of 2018 Officers

23145 **ELECTED VICE CHAIR DO AS 2018 CHAIRMAN AND SUPERVISOR NELSON AS 2018 VICE CHAIRMAN**

ELECTED DEPARTMENT HEADS

S25A. **Sheriff-Coroner -** Approve donated space agreement with Saddleback Valley Community Church for active shooter exercise training, 2/8/18 - 2/9/18 with option for future training; authorize Sheriff-Coroner or designee to execute agreement; and make California environmental Quality Act and other findings - District 5

53142 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S25B. **Chairwoman Steel -** Chair's Appointment - Reappoint Supervisor Nelson to serve as a member on the South Coast Air Quality Management District, 1/1/18 - 12/31/18

21345 **APPROVED AS RECOMMENDED**
A

V. PUBLIC HEARINGS (None)

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

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: City of Newport Beach, California v. Federal Aviation Administration (County of Orange, Intervenor), Case No. 17-1008, United States Court of Appeals for the District of Columbia Circuit; and County of Orange, California v. Federal Aviation Administration, Case No. 17-1009, United States Court of Appeals for the District of Columbia Circuit

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE MATTER OF CITY OF NEWPORT BEACH V. FEDERAL AVIATION ADMINISTRATION AND COUNTY OF ORANGE V. FEDERAL AVIATION ADMINISTRATION. THE APPROVED SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS. WHEN THE AGREEMENT IS FINALIZED COPIES OF THE AGREEMENT WILL BE AVAILABLE IN THE OFFICE OF COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.**

CS-2. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Orange County Flood Control District Owned Property Adjacent to the Santa Ana River within Various Cities (e.g., Costa Mesa Fountain Valley, Santa Ana, Orange, Anaheim)
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: Adjacent Property Owners
Under Negotiation: Terms and Value of Future Sale

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

CS-3. **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**

SCS4. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: Potentially multiple cases relating to a request by the Freedom Foundation to access County property for the purpose of advising In-Home Supportive Services providers of their First Amendment rights under Harris v. Quinn, 134 S.Ct. 2618 (2014)

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

VII. CEO, BOARD COMMENTS & ADJOURNMENT

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

Vice Chairman Nelson - Oral Re: Looking forward to serving with Chairman Do in 2018 and making his goals successful

Supervisor Bartlett - Oral Re: Congratulated Chairman Do and Vice Chairman Nelson; thanked OC Parks for the holiday lights at Dana Point Harbor

Supervisor Steel - Oral Re: Thanked Arie Dana, Frank Kim, Leon Page, Jessica Witt and County staff for their assistance and support in 2017

Supervisor Spitzer - Oral Re: Acknowledged Supervisor Steel for her accomplishments as 2017 Chairwoman of the Board; and congratulated Chairman Do and Vice Chairman Nelson

Chairman Do - Oral Re: Thanked Vice Chairman Nelson for his support and accepting the nomination of the 2018 Vice Chairman of the Board and also for his years of service to the County as a Supervisor; quote from President Ronald Reagan

ADJOURNED: 12:48 P.M.

*** KEY ***

Left Margin Notes

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