REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 31, 2018, 9:30 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: Supervisors Do, Steel, Spitzer & Bartlett

EXCUSED: Supervisor Nelson

PRESENT:	COUNTY EXECUTIVE OFFICER	Michelle Aguirre, CFO
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Robin Stieler

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Supervisor Steel will be presenting a resolution recognizing Fred Emmert for his "Aerial Photography History of Newport Center Fashion Island" exhibit at John Wayne Airport
DELETED

II. CONSENT CALENDAR (Items 1-6)

23451 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 2 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairman Do -** Orange County Waste Management Commission - Appoint Juan Villegas, Santa Ana, to complete term ending 3/21/20

DEPARTMENT APPOINTMENTS

2. **Social Services Agency -** Orange County Child Care and Development Planning Council - AppointKamica Barnes, Yorba Linda and Kathleen Leary, Huntington Beach, for terms ending 8/5/19; appoint Penny Andrews, Anaheim; Wendi Evans, Anaheim and Jennifer Higgins, Laguna Hills, for terms ending 8/5/20; and reappoint Darcie Kass, Laguna Hills; Merrilisa (Lisa) Sciabica, Irvine; Laura Vidal-Prudholme, San Juan Capistrano and Scarlett vonThenen, Lake Forest, for terms ending 8/5/20 - All Districts

32451 X **APPROVED AS RECOMMENDED**

3. **OC Community Resources - Acting as the Orange County Housing Authority** - Housing andCommunity Development Commission - Reappoint William "Billy" O'Connell, Huntington Beach, and appoint Cecilia Hupp, Brea, for terms ending 6/30/20 - All Districts

HEALTH CARE AGENCY

4. Approve Memorandum of Understanding with CalOptima for implementation and delivery of servicesunder Whole Child Model Program, effective 1/1/19; and authorize Director or designee to execute MOU - All Districts

OC COMMUNITY RESOURCES

5. Approve funding agreement with City of Aliso Viejo for Landscaping and Exterior Lighting Improvement Project, Aliso Viejo Branch Library ($67,000); and authorize Director or designee to execute agreement and receive funding - District 5

OC PUBLIC WORKS

6. Ratify State reimbursement agreement 18-0037 with California Department of Food and Agriculture forreimbursement authority of costs related to inspection of high-risk plant shipments, 7/1/18 - 6/30/19 ($125,803); authorize Director or designee to execute agreement; and make California Environmental Quality Act and other findings - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 7-S19C)

ELECTED DEPARTMENT HEADS

7. **Sheriff-Coroner -** Approve contract MA-060-18011034 with Nu/Age Development, Inc. for generalconstruction and maintenance services, term ending 6/25/19 ($500,000); authorize County Procurement Officer or authorized Deputy to execute contract; and make California Environmental Quality Act and other findings - All Districts

B.O. **CONTINUED TO 8/14/18, 9:30 A.M.**

HEALTH CARE AGENCY

8. Approve selection of and individual agreement with Roque Center, Inc. under master agreement forRecovery Residence services, 7/1/18 - 6/30/21, with option to renew for two additional one-year terms; and authorize Director or designee to execute agreement - District 4
23451 **CONTINUED TO 8/14/18, 9:30 A.M.**
X

9. Approve amendment 1 to agreement with Cerner Corporation for maintenance and support services ofElectronic Health Record system, 7/1/17 - 6/30/20 ($3,491,666; new total $10,836,704); and authorize Director or designee to execute amendment - All Districts
53241 **APPROVED AS RECOMMENDED**
X

JOHN WAYNE AIRPORT

10. Authorize Director or designee to issue a Request for Proposals to previously Board approved respondents for selection of Fixed Base Operators for general aviation services; direct Director to empanel a qualified group of experts and return to the Board with recommendations for award of leases; and make California Environmental Quality Act and other findings - District 2
B.O. **DELETED**

OC COMMUNITY RESOURCES

11. Approve amendment 1 to contract MA-012-17010405 with Sirsi Corporation dba SirsiDynix for software maintenance support services of Integrated Library System to add SMS Text Notifications, effective upon Board approval ($10,000; cumulative total $421,320); option to renew for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute amendment; and authorize Director or designee to exercise cost contingency increase no to exceed 10% under certain conditions - All Districts
53241 **APPROVED AS RECOMMENDED**
X

12. Approve amendment 4 to contract MA-012-16010217 with West Coast Arborists, Inc. for treemaintenance services, 9/1/18 - 8/31/19 ($3,000,000; cumulative total $7,500,000); renewable for one additional year; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts
35241 **APPROVED AS RECOMMENDED**
X

SOCIAL SERVICES AGENCY

13. Approve agreement CFZ1717 with Orangewood Foundation for resource and support services forcommercially sexually exploited children, 9/1/18 - 6/30/20 ($619,734); and authorize Director or designee to exercise a cost contingency increase not to exceed 10% under certain conditions - District 1
13245 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

14. **Clerk of the Board -** Approve amendment 1 to sole source contract MA-011-18010445 with SouthTech Systems, Inc. for software maintenance and technical support of Comprehensive Agenda Management Solution, effective 9/1/18 - 8/31/20 ($67,950 per year; cumulative total $210,900); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

23451 **APPROVED AS RECOMMENDED**
X

County Executive Office:

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

53241 **APPROVED AS RECOMMENDED**
X

16. Acting as the Orange County Flood Control District - Adopt resolution finding proposedamendment 1 to lease A06-203 does not materially alter previous adopted Resolution 10-121; approve amendment 1 to lease with BPI Brea LLC enabling an early exercise of two 10-year options by BPI Brea LLC upon payment of non-refundable $200,000 deposit and future payment of $2,263,000 to District; approve District consent of amendment 1 to sublease to allow BPI Brea LLC and City of Brea to update sublease; approve amendment 2 to Joint Community Facilities agreement relating to City of Brea Community Facilities District No. 2008-2; authorize OC Public Works Director or designee to perform all activities specified under lease terms, execute amendments and necessary documents for its implementation and subsequent amendments for non-monetary and monetary changes; authorize Auditor-Controller to receive non-refundable initial $200,000 and subsequent payments for deposit into OC Flood Fund 400; and make California Environmental Quality Act and other findings - District 4

13245 **APPROVED AS RECOMMENDED**
X

RESO: 18-075

17. Approve grant applications/awards submitted by OC Community Resources and OC PublicWorks in 7/31/18 grant report and other actions as recommended; adopt resolution authorizing OC Community Resources Director or designee to accept Emergency Solutions grant for Santa Ana/Anaheim/Orange County Continuum of Care and execute standard agreement, any subsequent amendments and related documents to the program - All Districts

25341 **APPROVED AS RECOMMENDED**
X

RESO: 18-076

18. Approve amendment 5 to agreement MA-017-13012100 with Atos Governmental IT Outsourcing Services, LLC for voice and data network services, ($746,614; new cumulative total $142,040,804); and authorize Chief Information Officer or designee to execute amendment - All Districts

53241 **APPROVED AS RECOMMENDED**
X

19. **Registrar of Voters -** Approve sole source contract MA-031-18012194 with DMT Solutions GlobalCorporation for hardware maintenance on Pitney Bowes DMT sorters, inserters and server and software licensing and maintenance, 8/12/18 - 8/11/21 ($321,561); and authorize County Procurement Officer or authorized Deputy to execute contract and make future non-monetary and non-material changes and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

32451 **APPROVED AS RECOMMENDED**
X

S19A. **Human Resource Services -** Approve and adopt 2018-2019 Memoranda of Understanding with Orange County Employees Association (OCEA) - All Districts

35241 **APPROVED AS RECOMMENDED**
X

S19B. **County Counsel -** Vacate Resolutions 17-053 previously adopting General Plan Amendment Land Use Element 16-01 for land use designation changes for Esperanza Hills Residential Development Project No. PA120037, 17-052 certifying Revised Final Environmental Impact Report No. 616 and 17-054 approving Vesting Tentative Tract Map 17522; and vacate Ordinance 17-006 previously adopting Esperanza Hills Specific Plan and Rezoning Certain Land from A-1 General Agricultural and A1(O) General Agricultural/Oil Production Districts to S 'Specific Plan' District - District 3

31245 **APPROVED AS RECOMMENDED**
X

S19C. **Chairman Do -** Adopt resolution dissolving existing ad hoc committees, creating ad hoc committeeslisted in Attachment 1 and establishing policy for creation and dissolution of future ad hoc committees

13245 **APPROVED RESOLUTION AS AMENDED, NUMBER 3 TO READ: 3. AT ANY**
X **MEETING OF THE BOARD OF SUPERVISORS AND IN CONNECTION WITH AN AGENDIZED ITEM OF BUSINESS, THE CHAIRMAN MAY CREATE AD HOC COMMITTEES COMPOSED SOLELY OF TWO BOARD MEMBERS TO SERVE AS AN ADVISORY COMMITTEE ON A SPECIFIC ITEM FOR A LIMITED PERIOD OF TIME. WHERE THE CHAIRMAN CREATES AN AD HOC COMMITTEE, HE OR SHE WILL IDENTIFY THE COMMITTEE'S MEMBERSHIP, SCOPE OF WORK, WORK PRODUCT, AND DATE OF DISSOLUTION. IF NO DATE OF DISSOLUTION IS SPECIFIED, THE AD HOC COMMITTEE SHALL TERMINATE CONCURRENTLY WITH THE TERM OF THE CHAIRMAN**
RESO: 18-077

IV. PUBLIC HEARINGS (Item 20)

OC PUBLIC WORKS

20. Public Hearing to consider adopting resolution approving FY 2017-18 Weed Abatement Cost Report and special assessments on identified properties - All Districts

B.O. **CLOSED PUBLIC HEARING**

25341 **APPROVED AS RECOMMENDED**
X

RESO: 18-078

V. CLOSED SESSION

GENERAL ADMINISTRATION

SCS1. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Robert Leys
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, United Domestic Workers of America (UDWA), 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 - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases: One Case

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

SCS3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - INITIATION OF LITIGATION- Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases: One Case

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

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment 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-JDE. David Ramirez, et al. v. County of Orange, United States District Court Case No. 8:18-cv-0220-DOC-JDE

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

SCS5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):Name of Case: FEI Enterprises v. County of Orange OCSC Court Case No. 30-2018-00997429-CU-BC-CJC

B.O. **DELETED**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Patricia Martz - Oral re: California Cultural Resource Preservation Alliance, 1997 Board of Supervisor's approval of a resolution establishing a County oriented natural history museum; museum never opened due to lack of facility; Alliance has formed a museum task force and is asking for the Board's support and influence to open an Orange County cultural and natural history museum at the Great Park in Irvine; requested the Great Park Board of Directors delegate 100 acres for botanical gardens and museum

campus

Ana Ramirez - Oral re: The Transparent Review of Unjust Transfers and Holds Act (TRUTH) forum was required by law to bring transparency and accountability to local law enforcement's involvement with ICE programs in 2017; requests TRUTH Act public forum be placed on the next Board meeting agenda

Brigitte - Oral re: Ad hoc item placed on supplemental agenda, Brown Act requirements, public disclosure; November 8, 2016 Board Rule Amendment regarding public comments

Ilya Tseglin - Oral re: Ilya and his son Robert have attended Board meetings for 6 years requesting help for his son Nate; Larry Landauer at OC Regional Center embezzling public funds, Public Defender and protective services

Robert Tseglin - Oral re: Nate Tseglin kidnapped three times and placed in group homes; Probate case, Public Defender, writs of habeas corpus, OC Regional Center, conservatorship and physical and psychotropic abuse, scientific methods and Public Defender's use of photographs in court

Frank Mitchell, III - Oral re: National Association for the Advancement of Colored People (NAACP); concerns with current jail situations and use of solitary confinement; Sheriff and District Attorney treat inmates like wild animals

Rosa Guadarrama - Oral re: Partner in jail participated in hunger strike, read inmate statement; spoke to County staff regarding issues

Bryan Kaye - Oral re: Government communication with constituents; Judges forged plea agreements; innocent individuals placed in jail; war on the mentally ill; Bruno Serato and Anaheim White House Restaurant

Daisy Ramirez - Oral re: American Civil Liberties Union (ACLU); creation of the Office of Independent Review (OIR); Sheriff remains plagued with controversy and conduct; ACLU continues to fight for justice of inmates who are incarcerated; ACLU continues to pursue a request for an independent investigation of the conditions in the jails and oversight of the Sheriff's Department; requested Board direct the OIR investigate abuses and violations inside County jails

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Spitzer - Oral re: AB1810 provides that every person charged with a crime is to receive a mental health evaluation; requested County Counsel coordinate with affected County Departments to gather information regarding impacts, workload, staffing, etc. and to provide consolidated information in a confidential memo to the Board

Supervisor Steel - Oral re: Introduced summer intern Ben Gillman and wished Fred Emmert a speedy recovery

ADJOURNED: 2:37 P.M.
51234 **Adjourned in memory of Bill Kahn**
X

12345 **Adjourned in memory of Phillip Anthony**
X

*** 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