REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, January 23, 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: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Frank Kim
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Robin Stieler

INVOCATION: Supervisor Steel, Second District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS (None)

II. PUBLIC COMMENTS

Brigitte - Oral Re: Submission of documents provided during Public Comments not part of the Board Meeting record and invoice from the Franchise Tax Board; Board hiding a tax fraud crime syndicate

Jordan Hoiberg - Oral Re: Displacement of the homeless at the riverbed encampments and the availability of shelter or housing for the homeless; current availability at Courtyard, Bridges at Kraemer and armories; County severing case manager relationships that have been built with the homeless living on the riverbed; permanent supportive housing for the homeless population and Section 8 wait list; displaced homeless persons criminalized through anti-camping ordinances currently in place in all 34 Orange County Cities

Michele Musacchio - Oral Re: League of Women Voters observed the Campaign Finance and Ethics Commission meeting held on January 22, 2018; requested appointment of District 1 Commissioner be made immediately so the Commission can accomplish their important work with full representation

Scott Larson - Oral Re: Supports Agenda Item #29

Doris Starling - Oral Re: Provided update of the Courtyard; thanked the Board of Supervisors, County staff and the Fire Department for their support; encourages and provides services to the homeless as they change their lives and transition to housing

Kenneth Batiste - Oral Re: Would like to bring CicLAvia to Orange County with the support of the Board; opportunities not being provided to youth; displacement of the homeless encampments on the riverbed; wellness programs for veterans, Women's March

The Cameraman - Oral Re: Displacement of the homeless at the riverbed encampments and Supervisor Spitzer's presence at the riverbed; shelters are full and housing not available for the homeless; free Nate Tseglin

Suzana Boutaeib - Oral Re: Current resident at the Courtyard; commends Doris Starling and staff working at the Courtyard for their work and support; persons living at the Courtyard don't want to follow rules

Tom Schultz - Oral Re: Fire Chief of the City of Garden Grove and President of the Fire Chiefs Association; Agenda Item S35A; requests the Board find a resolution to the current situation related to rescue helicopters in Orange County

Tim Perkins - Oral Re: Chief Officers Association; Agenda Item S35A; would like to see coordination of air operations response; concerns with the safety of first responders, patients and citizens; requests the Board resolve the issue and restore the Memorandum of Agreement

Jamie Ludovise - Oral Re: Displacement of the homeless at the riverbed; lies regarding the homeless; County is not providing the necessary services to the homeless

Matthew Skaggs - Oral Re: Community Resource Advocate; his purpose is to promote and encourage programs for housing, education and healthcare for the residents of Orange County; displacement of the homeless at the riverbed; failure of the Ten Year Plan to End Homelessness; low income housing for the homeless; requested temporary campsite for the homeless

Tony Chargualaf - Oral Re: Displacement of the homeless at the riverbed and maintenance of the riverbed; no available housing for the homeless; suggested contracting with the U.S. Army Corps of Engineers for uniform fencing boundaries of the residents and canopies

Elizabeth Andrade - Oral Re: A2 Family Collaborative; believes there should not be homeless children in Orange County; collaborative has set out to create an infrastructure to end homelessness in Orange County

Mike Robbins - Oral Re: Forced movement of the homeless from the riverbed; homeless deaths on the streets; continuation of drug problems nationwide; hospitalization and deaths

Alex Cha - Oral Re: Displacement of the homeless at the riverbed; plans to help the homeless when they

are ill and need help; maintain health and public safety for everyone

Ilya Tseglin - Oral Re: Nate Tseglin; family is a target of false reports manufactured by high government officialsfor illegal profiteering; Public Defender lies in court

Robert Tseglin - Oral Re: Nate Tseglin; kidnapped by Irvine Police Department; removed from several group homes; cover-up of mental, psychotropic and physical abuse; concealment of medical records by the Public Defender

David Duran - Oral Re: Media articles regarding homeless evictions and arrests in Orange County; malicious attempts to criminalize the homeless; false statements regarding the homeless

Sheena Innocente - Oral Re: Opposes evictions of the riverbed encampments; requested the County follow the guidelines of the National Center of Homeless and Poverty; service providers assumptions regarding the homeless; lack of housing for the homeless; Section 8 waitlist; reports of Orange County Police Department inappropriately touching woman who live in the homeless encampments; severing case manager relationships with the homeless living on the riverbed

Darren Veracruz - Oral Re: Clearing of the homeless living on the riverbed without providing an alternative solution; housing is a cost effective solution to address homelessness; homeless deaths

Bryan Kaye - Oral Re: Cleaning of the riverbed; Los Angeles gang members and clean up of graffiti west of Hart Park; quote from Fred Rodgers; Nuremburg Nazis

Lou Noble - Oral Re: Scriptures; false reports of the homeless; stop criminalizing the homeless; provide alternative location for the homeless

Sylvester Gomez - Oral Re: Living on the riverbed; homeless persons living on the riverbed are asking for more time to find a place that is stable; housing and tents are not needed; homeless need assistance in finding a way to be happy

David Wells - Oral Re: Originally from South Carolina; is homeless and living on the riverbed; rent affordable in South Carolina; cannot afford rent in California

Frank Lock - Oral Re: Homeless and living on the riverbed; County won't grant the necessities needed for the homeless such as bathrooms, water and showers; harassment of the homeless by Orange County Sheriff Deputies

Heidi Zimmermann - Oral Re: Oma's Angels Foundation; United Nations at Camp Hope; water and toilets for the homeless living at the riverbed

Albert Ramirez - Oral Re: Supports the homeless and homeless advocates; will be spreading the word regarding homeless women, children and wounded veterans

R. Joshua Collins - Oral Re: Impacts of homeless persons living on the riverbed; housing for the homeless; UCI report regarding housing for the homeless

Mohammed Aly - Oral Re: Supervisor Spitzer, Tony Rackauckas, employee lawsuit; lies regarding the homeless

Larry Ford - Oral Re: Speaking for the poor and the homeless; deaths of the homeless; harassment by law

enforcement

Chris Allen - Oral Re: Injured in Iraq in 1991; the Board has the power to help the homeless living on the riverbed

David Gillanders - Oral Re: Executive Director, Pathways of Hope; supports Agenda Item #29; acknowledged the advocates and the homeless who support the homeless

Kimberly Adams - Oral Re: Advocate for the homeless; story about women living on the streets

III. CONSENT CALENDAR (Items 1-18)

25341 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM I9 WHICH WAS CONTINUED TO 2/6/18, 9:30 A.M.; AND ITEM 5 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairman Do -** Senior Citizens Advisory Council - Appoint Tish (Guadalupe) Leon, Santa Ana, for term ending 12/31/18

2. **Supervisor Bartlett -** Senior Citizens Advisory Council - Reappoint Larry Kramer, San Juan Capistrano, for term ending 12/31/19

3. **Supervisor Steel -** Board of Supervisors Acting as the Board of Commissioners of the Orange CountyHousing Authority - Housing and Community Development Commission - Reappoint James Fisler, Costa Mesa, for term ending 6/30/19

ELECTED DEPARTMENT HEADS

Auditor-Controller:

4. Authorize Auditor-Controller to delete damaged, destroyed, dismantled, missing, obsolete, stolen and surplused equipment from Probation Department capital asset inventories - All Districts

5. Receive and file Semi-Annual Fund/Budget Control Report for FY 2017-18 - All Districts

15234 **APPROVED AS RECOMMENDED**

6. Approve schedule of County Capital Assets Physical Inventory Dates for calendar years 2018 and 2019 - All Districts

7. Receive and file Comprehensive Annual Financial Report for fiscal year ended June 2017 - AllDistricts

8. **Treasurer-Tax Collector -** Approve contract CT-074-18010499 with Macias Gini & O'Connell, LLP for County Treasury Compliance Audit for the periods ending 12/31/16 and 6/30/17, effective 1/24/18 - 1/23/19 ($20,000); and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

HEALTH CARE AGENCY

9. Approve agreement with various community based organizations for behavioral health prevention andearly intervention services and data sharing; and authorize Director or designee to execute individual agreements - All Districts

25341 **CONTINUED TO 2/6/18, 9:30 A.M.**

10. Ratify amendment 1 to standard agreement 15-10972 with California Department of Public Health, Office of AIDS for Pre-Exposure Prophylaxis HIV Prevention, 1/1/16 - 9/30/18; authorize Director or designee to execute amendment, CCC-04/2017 Certification form, Darfur Contracting Act Certification form and California Civil Rights Laws Certification form - All Districts

OC COMMUNITY RESOURCES

11. Approve amendment 1 to subordinate contract MA-012-17011816 with Clean Harbors EnvironmentalServices Inc. for on-call environmental clean-up services at OC Parks facilities 3/27/18 - 3/26/19 ($275,000; cumulative total $550,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

12. Accept donation of $18,000 from the Friends of the Villa Park Library to offset cost of new furnishings, Villa Park Library - District 3

13. Approve amendment 3 to contract MA-012-16011797 with The ACE Agency, Inc. for public relationsservices for OC Parks facilities, 4/1/18 - 3/31/19 ($300,000; cumulative total $729,167); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

14. Adopt October 2017 job order contract unit price book and technical specifications and set bid openingfor 2/21/18, 2:00 p.m. for Job Order Contracts for demolition services, electrical services, heating, ventilation and air conditioning services, roofing services, and slurry and paving services; and make California Environment Quality Act and other findings - All Districts

15. Adopt resolution affirming 2019 Federal Transportation Improvement Program for FFY 2018-19 to FFY 2023-24 - All Districts
RESO: 18-006

16. **Acting as the Orange County Flood Control District -** Approve Offer and Agreement to Purchase Real Property and Quitclaim Deed; authorize sale of Orange County Flood Control District parcel to Jeffrey W. Lyall and Robin G. Lyall, trustees of the Jeffrey and Robin Lyall Trust, ($7,330); and make California Environmental Quality Act and other findings - District 3

SOCIAL SERVICES AGENCY

17. Approve agreement CRB1217 with Children and Families Commission of Orange County for production and distribution of 24th through 26th Annual Reports on the Conditions of Children in Orange County, 3/1/18 - 2/28/21 ($339,000) - District 1

GENERAL ADMINISTRATION

18. **County Executive Office** - Approve amendment 2 to lease agreement with Orange County HealthAuthority dba Orange Prevention and Treatment Integrated Medical Assistance dba CalOptima for 540 rentable square feet of raised floor space at Orange County Data Center, 1400 South Grand Avenue, Santa Ana, for five years through 2/28/23; authorize Chief Information Officer or designee to increase premises not to exceed 500 additional rentable square feet upon written request by CalOptima; and authorize Chief Real Estate Officer or designee to execute subsequent lease amendments for non-monetary and/or monetary changes under certain conditions - District 1

END OF CONSENT CALENDAR

IV. DISCUSSION ITEMS (Items 19-S35C)

ELECTED DEPARTMENT HEADS

Assessor Department:

19. Ratify retroactive amendment 3 to renew agreement MA-002-15010027 with Digital MapProducts, Inc. for software licensing, database subscription and GIS support services, 10/01/17 - 09/30/18 ($138,000; cumulative total $917,540); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

45231 **APPROVED AS RECOMMENDED**

20. Adopt resolution to exclude tax liens against assessed real or personal property or the assessee if less than ($200) per individual assessee, 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; 1/9/18, Item 8)

REQUEST DENIED. NO ACTION TAKEN

Sheriff-Coroner:

21. Receive and file status report and approve continuance of local emergency related to Theo LacyFacility 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 2/6/18, 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; 1/9/18, Item 9)

32451 **APPROVED AS RECOMMENDED**

22. Approve Change Order No. 4 to contract with Dalke & Sons Construction, Inc. for additionalconstruction services to upgrade the fire alarm system at Emergency Operations Center, Loma Ridge; authorize Director of Research and Development to execute change order ($128,704; cumulative total $2,064,863); and make California Environmental Quality Act and other findings - District 3

31245 **APPROVED AS RECOMMENDED**

23. Approve amendment 7 to contract MA-060-11011428 with Juguilon Medical Corporation forforensic pathology/autopsy services, 2/1/18 - 1/31/19 ($1,800,445; cumulative total $14,216,670); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

32451 **APPROVED AS RECOMMENDED**

24. **Treasurer-Tax Collector -** Adopt resolution requesting to increase Low Value Exemption for Property Tax for real and personal properties having an adjusted base year value or full value, if not exempt, to $4,800 or less; rescind Resolution 15-093; 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 2/6/18, 9:30 a.m. - All Districts (Continued first reading from 12/5/17, Item 33; 1/9/18, Item 14)

B.O. **DELETED**

CHILD SUPPORT SERVICES

25. Ratify Plan of Cooperation with Superior Court for coordination of respective efforts and delineation ofresponsibilities in relation to Child Support Enforcement Program under Title IV-D of Social Security Act, 1/1/18 - 12/31/19; and authorize Director or designee to execute Plan of Cooperation - All Districts

45231 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

26. Approve selection of and agreement with Colette's Children's Home for housing navigator services,3/1/18 - 6/30/20 ($1,587,192); and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute agreement - District 2

23451 **APPROVED AS RECOMMENDED**

27. Ratify standard agreement 17-94147 with State of California Department of Health Care Services forsubstance use disorder services, 7/1/17 - 6/30/20 ($18,917,702; cumulative total $56,753,106); authorize Director or designee to execute agreement, CCC-04/2017 Certification form, California Civil Rights Laws Certification form and Certification Regarding Lobbying form - All Districts

45231 **APPROVED AS RECOMMENDED**

28. Ratify amendment 2 to master agreement with various providers of recuperative care services, 7/1/17 -12/31/20 ($754,820; revised cumulative total $4,902,890); and authorize Director or designee to execute individual amendments and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

52341 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

29. Adopt resolution dissolving existing Commission to End Homelessness, effective 1/31/18; andestablishing newly structured Commission to End Homelessness and bylaws - All Districts

14235 **APPROVED AS RECOMMENDED**
RESO: 18-007

30. Approve amendment 2 to contract MA-012-16011855 with The ACE Agency, Inc. for managementservices for OC Parks Summer Concert and Sunset Cinema series and other events, 5/11/18 - 5/10/19 ($100,000; new total $400,000; cumulative total $1,000,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

25341 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

31. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approveamendment 1 to contract MA-080-17011265 with Ocean Blue Environmental Services, Inc. and OFRS, Inc. for on-call environmental multi-purpose maintenance services, 4/25/17 - 4/24/20 ($2,000,000 per year; aggregate total $6,000,000); and authorize County Procurement Officer or authorized Deputy to execute amendments - All Districts

42351 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

32. **Probation -** Adopt resolution making certain findings and authorizing expenditures to provide incentive items as awards for youth (amount not to exceed $100,000 per year); retroactively approve expenditures for incentives under certain conditions, 5/25/10 - 1/22/18 - All Districts

B.O. **CONTINUED TO 2/6/18, 9:30 A.M.**

GENERAL ADMINISTRATION

County Executive Office:

33. Approve recommended positions on introduced or amended legislation and consider otherlegislative subject matters; and approve 2018 Legislative Proposals - All Districts

52341 **APPROVED AS RECOMMENDED**

34. Acting as the Legislative Body of Community Facilities District No. 2017-1 (Village of Esencia) - Adopt resolution authorizing issuance of bonds for Improvement Area No. 1 in a principal amount not to exceed $80,000,000; approve related actions and execution of related documents; and direct Auditor-Controller to establish appropriations and estimated revenues, pursuant to Government Code Section 29130 - District 5 (R.A. #2 4/5 vote of members present)

54231 **APPROVED AS RECOMMENDED**
RESO: 18-008

35. Approve grant applications/awards submitted by Registrar of Voters, Health Care Agency, OCCommunity Resources and Sheriff-Coroner in 1/23/18 grants report and other actions as recommended; adopt resolution approving State of California Standard agreement 17G26129 for Help America Vote Act of 2002 (HAVA) Polling Place Accessibility Training Program for improvement of administration of elections ($50,000); and authorizing Registrar of Voters or his designee to execute agreement, related documents, and make non-monetary and non-material changes to agreement - All Districts

54231 **APPROVED AS RECOMMENDED**

RESO: 18-009

S35A. **Vice Chairman Nelson and Supervisor Spitzer -** Discussion regarding mediation with Orange County Sheriff's Department and Orange County Fire Authority regarding Helicopter Rescue
DISCUSSED; REQUESTED COUNTY COUNSEL PROVIDE A MEMO OUTLINING POTENTIAL REMEDIES AVAILABLE TO THE BOARD CONCERNING SEARCH AND RESCUE OPERATIONS, INCLUDING A DISCUSSION OF THE COUNTY'S LEGAL AND CONTRACTUAL RELATIONSHIP WITH THE OCFA; REQUESTED COUNTY COUNSEL NOTIFY THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (CALOES) OF THE EXISTING CONFLICT BETWEEN OCSD AND OCFA ON REMOTE AREA SEARCH AND RESCUE OPERATIONS AND SEEK THAT OFFICE'S ADVICE AND GUIDANCE, INCLUDING A DETERMINATION FROM THAT OFFICE AS TO INDUSTRY BEST PRACTICES AND AIR SAFETY; AND REQUESTED CEO CONTACT STEVE DANLEY AND DIRECT HIM TO MEET WITH EACH OF THE BOARD MEMBERS TO PROVIDE AN INITIAL BRIEFING AND/OR FOLLOW-UP RELATED TO THE CANYON 2 FIRE INVESTIGATION, AND HIS PERSONAL OBSERVATIONS REGARDING POSSIBLE OCFA INTERFERENCE WITH OCSD AIR SUPPORT UNIT OPERATIONS.

S35B. **Supervisor Bartlett -** Coto de Caza Planning Advisory Committee - Reappoint Diane Ontko and Richard Roy, Coto de Caza, for terms ending 1/31/20
54231 **APPROVED AS RECOMMENDED**

S35C. **Clerk of the Board -** Approve 2018 Chairman appointments of Board Members to various Boards,Commissions, and Committees; and adopt California Form 806 - Agency Report of Public Official Appointment - All Districts
15234 **APPROVED AS RECOMMENDED**

V. PUBLIC HEARINGS (None)

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

GENERAL ADMINISTRATION

Human Resource Services:

CS-1. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section54957.6:
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**

SCS2. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section

54957(b):
Title: Executive Director of the Office of Independent Review

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

SCS3. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Deron Holmes v. County of Orange, et al. USDC Case No. 8:16-CV-00867-JLS-JCG

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE MATTER OF DERON HOLMES V. COUNTY OF ORANGE USDC CASE NO. 8:16-CV-00867-JLS-JCG. THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS. WHEN THE AGREEMENT BECOMES FINAL, COPIES OF THE AGREEMENT WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

SCS4. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Honda Center Parking Parcel, Anaheim 92806
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: Anaheim Sports Holding, LCC, H & S Ventures, LLC
Under Negotiation: Terms and Value of Future Sale

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

VII. CEO, BOARD COMMENTS & ADJOURNMENT

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Spitzer - Oral Re: Commended CEO, County staff and contract employees for work performed at the riverbed

Chairman Do - Oral Re: Echoed Supervisor Spitzer's comments commending CEO, County staff and contract employees for work performed at the riverbed; Orange County Sheriff Deputies made contact with 2,900 individuals living on the riverbed 90% of whom declined assistance; 4,500 syringes removed from the riverbed; professionalism of County staff during the eviction of homeless individuals living on the riverbed

ADJOURNED: 2:52 P.M.

14235 **Adjourned in memory of Jennie Castillon**

*** KEY ***

Left Margin Notes

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

A. = Abstained
X. = Excused
N. = No

4. = Supervisor Nelson
5. = Supervisor Bartlett

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