REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 17, 2018, 9:00 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 Spitzer, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Do presented a resolution recognizing Arts Orange County and renewing designation of Arts Orange County as County's official local arts agency

Chairman Do presented a resolution proclaiming July 15 - 21, 2018 as "Probation Services Week"

II. CONSENT CALENDAR (Items 1-15)

25341 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 1 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

1. Ratify agreement 18112123 with State of California Commission on Peace Officer Standards and Training (POST) to provide coroner training courses, 7/1/18 - 6/30/19 ($77,280); accept reimbursement for training costs; and authorize Sheriff-Coroner or designee to execute agreement - All Districts

32451 **APPROVED AS RECOMMENDED**

2. Ratify agreement 18112308 with State of California for Peace Officer Standards and Training(POST) to provide Driving Simulator and Force Option Simulator courses, 7/1/18 - 6/30/19 ($165,000); accept reimbursement for courses; and authorize Sheriff-Coroner or designee to execute agreement - All Districts

3. Approve amendment 3 to contract CT-060-17010824 with Donald Krotee Partnership Inc. foradditional architect-engineering services for upgrades to closed circuit television at Central Men's and Women's Jails and James A. Musick Facility ($303,998; cumulative total $408,145); authorize County Procurement Officer or authorized Deputy to execute amendment; and make California Environmental Quality Act and other findings - Districts 1, 3 and 5

4. Approve lease agreement with State Department of Forestry and Fire Protection to provideintermittent, call-when-needed helicopter services, one-year term; and authorize Sheriff-Coroner or designee to execute lease related documents and subsequent agreements under certain conditions - All Districts

5. Approve amendment 1 to contract MA-060-17011070 with Hangar One Avionics Inc. forunforeseen radio repairs ($65,000; new total $235,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

6. Approve contract MA-060-18011372 with Nalco Company LLC for treatment of watercirculation loops and repair services for meters and chemical feeders at jail facilities, three-year term effective upon Board approval ($145,800); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - Districts 1, 3 and 5

7. Accept donation of 20 helmets from Sheriff's Advisory Council for Homeland Security Division to assist with protection of Special Weapons and Tactics Team during crisis situations - All Districts

HEALTH CARE AGENCY

8. Approve media placement of Drowning Prevention Campaign ads on behalf of the Orange CountyDrowning Prevention Task Force that feature Chairman Do - District 1

JOHN WAYNE AIRPORT

9. Accept donation of sculpture (valued at $24,000) from artist Betty Gold; and make CaliforniaEnvironmental Quality Act and other findings - District 2

OC COMMUNITY RESOURCES

10. **Acting as the Board of Supervisors and Orange County Housing Authority -** Approve amendment 5 to contract MA-012-16010348 with Corporation for Supportive Housing for technical assistance housing development programs and activities, 9/1/17 - 8/31/18 ($50,000; new total $150,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

11. Adopt resolution approving Development Processing Review Committee bylaws - All Districts
RESO: 18-069

12. **Acting as the Orange County Flood Control District -** Approve amendment 1 to Easement andQuitclaim Deed with Irvine Land Company LLC for realigned access road to San Diego Creek; authorize Director or designee to execute related documents; and consider application of prior Final Environmental Impact Report 86-ER-0072 and other findings - District 5

GENERAL ADMINISTRATION

Clerk of the Board:

13. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forBuena Park Library District - Districts 2 and 4

14. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forOrange County Employees Retirement System - All Districts

15. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forOrange County Public Works - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 16-S35B)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

16. Ratify contract MA-060-18011598 with L3 Mobile-Vision Inc. for purchase and installation of L3 Mobile-Vision parts, 6/24/18 - 6/23/19 ($108,442); and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts
52341 **APPROVED AS RECOMMENDED**

17. Approve amendment 1 to renew contract MA-060-16010085 with Rotorcraft Support Inc. forhelicopter airframe component exchange, repairs, overhauls, parts and tools, 8/25/18 - 8/24/19 ($400,000; cumulative total $1,600,000); renewable for one additional one-year term; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts
25341 **APPROVED AS RECOMMENDED**

18. Approve contract MA-060-18011592 with Axon Enterprise, Inc. for purchase and delivery oftaser equipment and related supplies, 7/26/18 - 7/25/20 ($2,000,000); renewable for three additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts
52341 **APPROVED AS RECOMMENDED**

19. Ratify and accept grant award from California Department of Justice for 2018 Tobacco LawEnforcement Grant Program, 7/1/18 - 6/30/20 ($999,895); authorize Sheriff-Coroner or designee to execute MOU, amendments or related documents; and authorize County Procurement Officer or authorized Deputy to purchase related equipment and services - All Districts
45231 **APPROVED AS RECOMMENDED**

20. Accept one-time donation of one narcotics detection canine and one hazardous device detectioncanine from Orange County Sheriff's Advisory Council ($33,500) - All Districts
34251 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

21. Approve Intergovernmental Agreement Regarding Transfer of Public Funds with California Department of Health Care Services for transfer of funds to the State ($2,203,341); approve Intergovernmental Transfer agreement with Orange County Health Authority dba CalOptima for participation in intergovernmental transfer to obtain federal reimbursement for uncompensated care to patients during FY 2017-18; authorize Director or designee to execute final agreements; and direct Auditor-Controller, upon notification from Director or designee to issue payments as required - All Districts
45231 **APPROVED AS RECOMMENDED**

22. Approve agreements for Nutrition Education and Obesity Prevention Program Projects with America On Track for Buena Park City Project ($520,000), Santa Ana City Project ($850,000), Community Action Partnership of Orange County for La Habra City Project ($520,000), and Anaheim City Project ($850,000), 10/1/18 - 9/30/20; authorize County Procurement Officer or authorized Deputy/Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions; and authorize Director or designee to execute agreements - Districts 1 and 4
12345 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

23. Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Section 2-5-29(n) of the Codified Ordinances of the County of Orange, Regarding Prohibited Motorized Wheeled Conveyances" - All Districts (Continued from 6/26/18, Item 69)
52341 **APPROVED AS RECOMMENDED**
ORD: 18-002

GENERAL ADMINISTRATION

County Executive Office:

24. Approve proposed response to FY 2017-18 Grand Jury Report "Orange County Fire Authority - Financial Flames on the Horizon." - All Districts

35241 **APPROVED AS RECOMMENDED**

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

35241 **RECEIVED AND FILED LEGISLATIVE BULLETIN WITH SUPERVISOR STEEL OPPOSING SUPPORT OF AB 448**

26. Approve grant applications/awards submitted by Health Care Agency and ratify grantapplications/awards submitted by Social Services Agency, Health Care Agency and District Attorney in 7/17/18 grant report and other actions as recommended; adopt resolution authorizing Social Services Agency Director or designee to execute grant agreement and amendments with California Department of Education for California State Preschool Program ($136,569); adopt resolution authorizing District Attorney or designee to execute standard agreement VC-8050 and amendments with California Victim Compensation Board for Victim Compensation Program, 7/1/18 - 6/30/21 ($1,605,549); and make California Environmental Quality Act and other findings - All Districts

25341 **APPROVED AS RECOMMENDED**
RESO: 18-070 - 18-071

27. Approve Option Agreement with Dana Point Harbor Partners LLC and Drystack OptionAgreement with Dana Point Harbor Partners Drystack LLC to conduct due diligence regarding master lease and development of Dana Point Harbor; approve Ground Lease Agreement with Dana Point Harbor Partners LLC and Drystack Lease Agreement with Dana Point Harbor Partners Drystack LLC, 66-year term to administer and manage Dana Point Harbor and initiate entitlement approvals for certain portions; authorize Chief Real Estate Officer or designee to execute the leases, agreements, related documents and amendments under certain conditions; and consider application of Final Environmental Impact Report (EIR) No. 591 and other findings - District 5

53241 **APPROVED AS RECOMMENDED; DIRECTED STAFF TO CONTINUE WORKING WITH THE STAKEHOLDERS, THE DANA POINT HARBOR ADVISORY BOARD AND THE MERCHANTS BY CIRCULATING THE LEASE AND THE OPTION AGREEMENTS.**

Human Resource Services:

28. Approve amendment 4 to renew contract with Hartford Life and Accident Insurance Company for Life and Accidental Death and Dismemberment Insurance for various eligible employees, 1/1/19 - 12/31/19; and authorize Chief Human Resource Officer or designee to execute amendment - All Districts

24351 **APPROVED AS RECOMMENDED**

29. Approve amendment 6 to renew contract with OptumRx Administrative Services, LLC foradministration of prescription drug card and mail order program, effective 1/1/19 - 12/31/19; extend contract for an additional one-year term, effective 1/1/20 - 12/31/20; and authorize Chief Human Resource Officer or designee to execute amendment and make various modifications under certain conditions - All Districts

45231 **APPROVED AS RECOMMENDED**

30. Adopt 2019 Employee Preferred Provider Organization (PPO) Health Plan rates for self-funded Wellwise Choice and Sharewell Choice - All Districts

45231 **APPROVED AS RECOMMENDED**

31. Adopt 2019 Cigna Employee HMO Health Plan rates; approve implementation of Cigna SelectHMO network for 2020; authorize Chief Human Resource Officer or designee to execute 2019 Cigna Group Service Policy after approval by State Department of Managed Health Care and report back to the Board if any changes to the policy are required under certain conditions; approve amendment 1 to renew Administrative Services agreement with Cigna for active health plan, effective 1/1/19 - 12/31/19; and authorize Chief Human Resource Officer or designee to execute amendment and amend underlying agreements with Cigna as necessary in order to continue Wellness Programs under certain conditions - All Districts

25341 **APPROVED AS RECOMMENDED**

32. Adopt 2019 Kaiser Employee HMO Health Plan rates; authorize Chief Human Resource Officer or designee to execute 2019 Kaiser Group Service Policy after approval by State Department of Managed Health Care and report back to the Board if any changes to the policy are required; approve amendment 1 to renew Administrative Services agreement with Kaiser for active health plan, effective 1/1/19 - 12/31/19; and authorize Chief Human Resource Officer or designee to execute amendment and amend underlying agreements with Kaiser as necessary in order to continue Wellness Programs under certain conditions - All Districts

34251 **APPROVED AS RECOMMENDED**

33. Adopt 2019 Retiree Preferred Provider Organization Health Plan rates for self-funded Wellwise and Sharewell; authorize Chief Human Resources 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

42351 **APPROVED AS RECOMMENDED**

34. Adopt 2019 Retiree Insured HMO and PPO Health Plan rates; approve amendment 1 to renewAdministrative Services agreements with Anthem Blue Cross, Kaiser Foundation Health Plan, Inc. and SCAN for retiree medical health plans, effective 1/1/19 - 12/31/19; and authorize Chief Human Resource Officer or designee to execute amendments and 2019 Group Service/Benefit Policies with Anthem Blue Cross, Kaiser Foundation Health Plan, Inc. and SCAN after approval by State 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

42351 **APPROVED AS RECOMMENDED**

35. **Registrar of Voters -** Consider first reading of "An Ordinance of the County of Orange, California,Amending Section 1-6-30 Relating to Electronic Campaign Disclosure"; and set second reading and adoption for 7/31/18, 9:30 a.m. - All Districts (4/5 vote of the members present)
(Continued from 6/26/18, Item 88)

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

ELECTED DEPARTMENT HEADS

S35A. **Sheriff-Coroner -** Accept donation of one 2018 Iron Panther Flatbed Trailer (valued at $5,927.24) from Orange County Sheriff's Advisory Council for Reserve Bureau Search and Rescue Unit to transport Search and Rescue off-road vehicles - All Districts

54231 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

S35B. Approve one-time payment for relocation expenses for Administrative Manager III, Director of OCAnimal Care candidate - All Districts

54231 **APPROVED AS RECOMMENDED**
N

IV. PUBLIC HEARINGS (Items 36-38)

OC COMMUNITY RESOURCES

36. Public Hearing to consider adopting resolution approving OC Animal Care Fee Schedule effective 9/1/18 for all animal license and permit related fees and 8/1/18 for all other fees and rescinding and superseding Resolution 14-038; and making California Environmental Quality Act and other findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

51234 **APPROVED AS RECOMMENDED**
N

RESO: 18-072

OC PUBLIC WORKS

37. Public Hearing to consider adopting resolution approving annual sewage unit fee for La Mirada CountyService Area No. 13 sewer services; and make California Environmental Quality Act and other findings - District 4 (4/5 vote of the members present)

B.O. **CLOSED PUBLIC HEARING**

45231 **APPROVED AS RECOMMENDED**
RESO: 18-073

GENERAL ADMINISTRATION

38. **County Counsel -** Acting as the Orange County Flood Control District - Public Hearing to consideradopting Resolution of Necessity acquiring by eminent domain real property for Santa Ana River Mainstem/Prado Dam Project located in County of Riverside; authorize County Counsel and/or outside litigation counsel to take steps to initiate and facilitate the condemnation action; and direct and authorize Auditor-Controller to make related payments ($1,775,000); and consider application of Final Environmental Impact Report 583, and Final Supplemental Environmental Impact Statement 583 and other findings - All Districts (4/5 vote of membership)

B.O. **CLOSED PUBLIC HEARING**

45231 **APPROVED AS RECOMMENDED**
RESO: 18-074

V. CLOSED SESSION (Items CS-1-SCS9)

GENERAL ADMINISTRATION

County Counsel:

CS-1. 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**

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Paula Curley v. County of Orange, et al OCSC Case No.: 30-2017-00929332

B.O. **COUNTY COUNSEL READ: THE BOARD VOTED 4-1, WITH CHAIRMAN DO, AND SUPERVISORS STEEL, NELSON, BARTLETT VOTING YES, AND SPITZER VOTING NO, TO APPROVE A PROPOSED SETTLEMENT AGREEMENT IN THE MATTER OF PAULA CURLEY V. COUNTY OF ORANGE, ORANGE COUNTY SUPERIOR COURT CASE NO. 30-2017-00929332. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, COPIES OF THE FINALIZED SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Allison Boroch v. Olivia CoCo, et al OCSC Case No.: 30-2016-00892163

B.O. **COUNTY COUNSEL READ: THE BOARD VOTED 4-1, WITH CHAIRMAN DO, AND SUPERVISORS STEEL, NELSON, BARTLETT VOTING YES, AND SPITZER VOTING NO, TO APPROVE A PROPOSED SETTLEMENT AGREEMENT IN THE MATTER OF ALLISON BOROCH V. OLIVIA COCO, ET AL, ORANGE COUNTY SUPERIOR COURT CASE NO. 30-2016-00892163. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, COPIES OF THE FINALIZED SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

CS-4. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Orange County Flood Control District owned +/-95 acre property located at the
intersection of Mountain Avenue and Bickmore Avenue, Chino, CA
County Negotiator: Thomas A. Miller, Chief Real Estate Officer

Negotiating Party: Majestic Realty
Under Negotiation: Terms and Value of Future Lease

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

Human Resource Services:

CS-5. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section54957.6:
Agency Negotiator: Bob 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, 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**

CS-6. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title: Director of Social Services Agency

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPOINTED DEBRA BAETZ TO THE POSITION OF DIRECTOR, SOCIAL SERVICES AGENCY. PURSUANT TO GOVERNMENT CODE SECTION 24001, THE BOARD FOUND THAT THE APPOINTMENT OF MS. BAETZ, A RESIDENT OF LOS ANGELES COUNTY, IS IN THE BEST INTERESTS OF THE COUNTY OF ORANGE.**

County Counsel:

SCS7. 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. **DELETED**

SCS8. 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**

SCS9. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Mary Gordon v. County of Orange District Court Case No.: SACV14-01050 CJC

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY AUTHORIZED OUTSIDE RISK COUNSEL LYNBERG & WATKINS TO FILE A PETITION FOR CERTIORARI FOR REVIEW BY THE US SUPREME COURT IN THE MATTER OF MARY GORDON V. COUNTY OF ORANGE, US DISTRICT COURT CASE NO. SACV14-01050 CJC.**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Steve Rocco - Oral re: Wrote book "Behind the Orange Curtain"; July 20th anniversary killings; James Holmes in Colorado thinks he's the Joker from Batman and killed twelve people on July 20, same day as the killing of Rocco's parents; he has dual citizenship in Europe; mass killing in Europe by a Norwegian on July 20; Tim McVey and Oklahoma City bombing; Itzcoatl 'Izzy' Ocampo and killing of homeless persons; Los Angeles Times article stating Rocco was on Izzy's list; District Attorney harassments and false charges

Ilya Tseglin - Oral re: Ilya and Robert have spoke at Board Meetings for 6 years, 150 times; pleading for the life of his son, Nate, who is disabled and Jewish; Social Services Agency and police violate the constitution and the law without court orders and fabricated reports; Larry Landauer embezzlement of public funding; police beating his son; son housed in group home, tortured and forced to take toxic drugs

Robert Tseglin - Oral re: Nate Tseglin removed from his home three times and placed at Fairview Development Center and group homes; Public Defender helped to release him on a writ of Habeas Corpus; Regional Center took away the services provided to Nate; Irvine Police Department accused the family of neglect regarding Nate's care and Nate was removed him from his home; the Board of Supervisors intervened to release Nate on his 2nd writ of Habeas Corpus; Nate was placed in Orange County Regional Center; hopes the Public Defender can intervene and help Nate

Bryan Kaye - Oral re: Forced mental health and medical procedures; forged plea agreement after a threatened arrest over a civil matter; Judges entered forged plea agreements to put him in mental health; reasons why the State and Federal Government does not endorse forced medical procedures; slaves to the Sheriff Department and mental health program

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

None

ADJOURNED: 2:25 P.M.

51234 **Adjourned in memory of Dr. James A. Raub**

51234 **Adjourned in memory of Stephen A. Nordeck**

51234 **Adjourned in memory of Hon. Paul W. Egly**

51234 **Adjourned in memory of Arnold Forde**

*** KEY ***

Left Margin Notes

1. = Supervisor Do A. = Abstained

2. = Supervisor Steel
3. = Supervisor Spitzer
4. = Supervisor Nelson
5. = Supervisor Bartlett

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