ORANGE COUNTY BOARD OF SUPERVISORS

Agenda Revisions and Supplementals

Note: This supplemental agenda is updated daily showing items that have been added, continued, deleted or modified.
No new supplemental items will be added to the agenda following close of business on Friday.

October 16, 2018

DISCUSSION

29. Revised Title to read:
County Executive Office - Approve grant applications/awards submitted by Social Services Agency, Sheriff-Coroner, OC Community Resources, and District Attorney and ratify retroactive grant applications/awards submitted by OC Community Resources in 10/16/18 grant report and other actions as recommended; adopt resolution authorizing Sheriff-Coroner or designee to execute and submit application and grant assurance to California Office of Emergency Services for FY 2018 Emergency Management Performance Grant ($775,004); and approve related actions under certain conditions; adopt resolution authorizing OC Community Resources Director or designee to negotiate, execute and submit applications related documents and amendments to State Department of Parks and Recreation for Habitat Conservation Fund Program for Ted Craig Regional Park Lake Restoration project; adopt resolution authorizing District Attorney or designee to submit and execute grant agreement with California Department of Insurance for Life and Annuity Consumer Protection Program, 7/1/18 - 6/30/19 ($231,875); and make California Environmental Quality Act and other findings - All Districts

THE FOLLOWING AGENDA ITEMS HAVE HAD CHANGES TO THEIR RECOMMENDED ACTIONS SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Items: 7 and 29

Supplemental Item(s)

S32A. Chairman Do - Reappoint Supervisors Lisa A. Bartlett as Regular Member and Andrew Do as Alternate Member to California State Association of Counties for FY 2018-19 term

S32B. Supervisor Spitzer - Receive and file October 3, 2018 letter from County Counsel to Global Tel*Link Counsel requesting information related to recordings between attorneys and inmates in Orange County jails; receive report from Sheriff-Coroner that measures have been taken to prevent further breaches; discuss whether to terminate agreement MA-060-18010006 with Global Tel*Link Corporation; and provide direction to Sheriff-Coroner concerning procurement of legally-mandated inmate telephone services

S32C. District Attorney - Consider first reading of “An Ordinance of the County of Orange, California Adding Division 14, Article 1 to Title 4 of the Codified Ordinances of the County of Orange Regarding Registration of Alcohol, Narcotic, and Drug Abuse Programs”; and set second reading and adoption for 10/30/18, 9:30 a.m. - All Districts
SCS2. **County Counsel - Conference with Legal Counsel – Existing Litigation**
- Pursuant to Government Code Section 54956.9(d)(1):
Revision to ASR and/or Attachments

Date: October 12, 2018
To: Clerk of the Board of Supervisors
CC: County Executive Office
From: Frank Kim, County Executive Officer
Re: ASR Control #: 18-000143, Meeting Date 10/16/18 Agenda Item No. #29
Subject: Grant Applications/Awards Report

Explanation: Updating verbiage for items 4 and 5 on the grants report.

☒ Revised Recommended Action(s)

4. Approve Retroactive Ratify Grant Award and Adopt Resolution – OC Community Resources – Save America’s Treasures Grant Program-Arden Stone House Preservation –$153,016.

5. Approve Retroactive Ratify Grant Application and Adopt Resolution – OC Community Resources – Ted Craig Habitat Conservation Fund Program Grant-Regional Park Lake Restoration Project – $194,160.

☐ Make modifications to the:
☐ Subject ☐ Background Information ☐ Summary
☐ Budgeted: _______ ☐ Current Year Cost: _______
☐ Annual Cost: _______

☒ Revised Attachments (attach copy of revised attachment(s))

Attachment A - Grants Report
County of Orange Report on Grant Applications/Awards

The Grants Report is a condensed list of grant requests by County Agencies/Departments that allows the Board of Supervisors to discuss and approve grant submittals in one motion at a Board meeting. County policy dictates that the Board of Supervisors must approve all grant applications prior to submittal to the grantor. This applies to grants of all amounts, as well as to new grants and those that have been received by the County for many years as part of an ongoing grant. Receipt of grants $50,000 or less is delegated to the County Executive Officer. Grant awards greater than $50,000 must be presented to the Board of Supervisors for receipt of funds. This report allows for better tracking of county grant requests, the success rate of our grants, and monitoring of County’s grants activities. It also serves to inform Orange County’s Sacramento and Washington, D.C. advocates of County grant activities involving the State or Federal Governments.

On October 16, 2018 the Board of Supervisors will consider the following actions:

RECOMMENDED ACTIONS

Approve grant applications/awards as proposed and other actions as recommended.

ACTION ITEMS

1. Approve Grant Application – Social Services Agency – California State Preschool Program – $160,000.


3. Approve Grant Award – OC Community Resources – Prison to Employment Initiative Planning Grant – $142,500.

4. Approve Retroactive Grant Award – OC Community Resources – Save America’s Treasures Grant Program-Arden Stone House Preservation – $153,016.

5. Approve Retroactive Grant Application and Adopt Resolution– OC Community Resources – Ted Craig Habitat Conservation Fund Program Grant- Regional Park Lake Restoration Project – $194,160.


If you or your staff have any questions or require additional information on any of the items in this report, please contact Cynthia Shintaku at 714-834-7086.
**GRANT APPLICATION / Grant Award**

<table>
<thead>
<tr>
<th><strong>Today’s Date:</strong></th>
<th>September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Requesting Agency/Department:</strong></td>
<td>Social Services Agency</td>
</tr>
<tr>
<td><strong>Grant Name and Project Title:</strong></td>
<td>California State Preschool Program</td>
</tr>
<tr>
<td><strong>Sponsoring Organization/Grant Source:</strong></td>
<td>California Department of Education</td>
</tr>
<tr>
<td>(If the grant source is not a government entity, please provide a brief description of the organization/foundation)</td>
<td></td>
</tr>
<tr>
<td><strong>Application Amount Requested:</strong></td>
<td>$160,000</td>
</tr>
<tr>
<td><strong>Application Due Date:</strong></td>
<td>Application due on or before November 8, 2018</td>
</tr>
<tr>
<td><strong>Board Date when Board Approved this Application:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Awarded Funding Amount:</strong></td>
<td>Expected June 2019.</td>
</tr>
<tr>
<td><strong>Notification Date of Funding Award:</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Is this an Authorized Retroactive Grant Application/Award?**
(If yes, attach memo to CEO)

<table>
<thead>
<tr>
<th><strong>Type of Grant</strong></th>
<th>New ☐</th>
<th>Recurrent ✗</th>
<th>Other ☐ Explain:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FY 2018/19:</strong></td>
<td></td>
<td></td>
<td>Note: Annual increases are a result of state budget increases and are adjusted by California Department of Education (CDE).</td>
</tr>
<tr>
<td>• Amount Applied for – $209,201</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Amount Awarded – $136,569</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FY 2017/18:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Amount Applied for – $209,201</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Amount Awarded – $236,516</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FY 2016/17:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Amount Applied for – $186,682</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Amount Awarded – $199,239</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Does this grant require CEQA findings?**
Yes ☐ No ✗

**What Type of Grant is this?**
Competitive ☐ Other Type ✗ Explain: Continued Funding Application

**County Match?**
Yes ☐ Amount _____ or ______ % No ✗

**How will the County Match be Fulfilled?**
(Please include the specific budget)
N/A

**Will the grant/program create new part or full-time positions?**
No
### Purpose of Grant Funds:
Provide a summary and brief background of why Board of Supervisors why should accept this grant application/award, and how the grant will be implemented.

In 2014, the Social Services Agency (SSA) was awarded a grant from the California Department of Education (CDE), Early Education and Support Division, to provide full day/full-year preschool services to increase the availability of early education development programs to eligible preschool children so that more children from low and moderate-income families enter kindergarten ready to learn and succeed in school and in life.

SSA utilized this funding in Fiscal Years 2016-17, 2017-18, and 2018-19 to support full-day/full-year preschool services at the Tustin Family Campus Early Childhood Development Center (the Center) for children involved in the child welfare system due to abuse and neglect. After successfully completing an application for continued funding, SSA received a funding allocation from CDE to continue to support preschool services at the Center for Fiscal Year 2018-19.

SSA is requesting authority to submit a continued funding application in order to extend the state funding to Fiscal Year 2019-20 for the purpose of supporting the development and increasing school readiness of preschool youth served who have been victims, or at risk of becoming victims, of child abuse and neglect. The requested grant amount is slightly lower as compared to prior years in order to more closely align with expenditure trends and service needs.

<table>
<thead>
<tr>
<th>Board Resolution Required?</th>
<th>Yes ☐ No ☑</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Please attach document to eForm)</td>
<td>Yes ☐ No ☑</td>
</tr>
<tr>
<td>Deputy County Counsel Name:</td>
<td>Debra Baetz 714-541-7773 <a href="mailto:Debra.Baetz@ssa.ocgov.com">Debra.Baetz@ssa.ocgov.com</a></td>
</tr>
<tr>
<td>(Please list the Deputy County Counsel that approved the Resolution)</td>
<td>Debra Baetz 714-541-7773 <a href="mailto:Debra.Baetz@ssa.ocgov.com">Debra.Baetz@ssa.ocgov.com</a></td>
</tr>
<tr>
<td>Recommended Action/Special Instructions</td>
<td></td>
</tr>
<tr>
<td>(Please specify below)</td>
<td></td>
</tr>
<tr>
<td>A Board Resolution is not required by the California Department of Education to apply for California State Preschool Program funds. However, a Board Resolution is required to accept an award; therefore, the Social Services Agency will return to the Board of Supervisors with said Resolution if the application is successful.</td>
<td></td>
</tr>
<tr>
<td>Department Contact :</td>
<td>Debra Baetz 714-541-7773 <a href="mailto:Debra.Baetz@ssa.ocgov.com">Debra.Baetz@ssa.ocgov.com</a></td>
</tr>
<tr>
<td>List the name and contact information (telephone, e-mail) of the staff person to be contacted for further information.</td>
<td></td>
</tr>
<tr>
<td>Name of the individual attending the Board Meeting:</td>
<td>Debra Baetz 714-541-7773 <a href="mailto:Debra.Baetz@ssa.ocgov.com">Debra.Baetz@ssa.ocgov.com</a></td>
</tr>
<tr>
<td>List the name of the individual who will be attending the Board Meeting for this Grant Item:</td>
<td>Debra Baetz 714-541-7773 <a href="mailto:Debra.Baetz@ssa.ocgov.com">Debra.Baetz@ssa.ocgov.com</a></td>
</tr>
</tbody>
</table>
Today's Date: September 24, 2018

Requesting Agency/Department: Sheriff-Coroner Department

Grant Name and Project Title: Emergency Management Performance Grant, CFDA 97.042

Sponsoring Organization/Grant Source: Department of Homeland Security; California Office of Emergency Services

Application Amount Requested: $775,004

Application Due Date: October 31, 2018

Board Date when Board Approved this Application: 

Awarded Funding Amount: 

Notification Date of Funding Award: 

Is this an Authorized Retroactive Grant Application/Award? No

Recurrence of Grant: New ☐ Recurrent ☒ Other ☐ Explain: 

If this is a recurring grant, please list the funding amount applied for and awarded in the past: 

2015: $777,250
2016: $777,980
2017: $774,162

Does this grant require CEQA findings? Yes ☐ No ☒

What Type of Grant is this? Competitive ☐ Other Type ☒ Explain: Offered by federal government to previous recipients

County Match? Yes ☒ 100 % No ☐

How will the County Match be Fulfilled? Net County Cost Cash Match

Will the grant/program create new part or full-time positions? No

Purpose of Grant Funds: Provide a summary and brief background of why Board of Supervisors why should accept this grant application/award, and how the grant will be implemented.

On March 23, 2018, the President signed Public Law 115-141, authorizing the 2018 Emergency Management Performance Grant (EMPG) under the U.S. Department of Homeland Security (DHS).

On May 21, 2018, the DHS issued guidance and budget allocations to the States. In California, the administering agency is the California Office of Emergency Services (CalOES), which issues guidance to eligible applicants (Operational Areas). The grant application is due by October 30, 2018. The Orange County Sheriff's Department is responsible for administering and distributing the grant funds on behalf of the Orange County Operational Area. The anticipated award date is unknown at this time. The anticipated award amount is $775,004.

The purpose of the EMPG Program is to provide federal funds to states to assist state, local, and tribal governments in preparing for all hazards. Funds provided under the EMPG must be used to support activities that contribute to the Operational Area's capability to prevent, prepare for, mitigate against,
respond to, and recover from emergencies and disasters, whether natural or man-made. The grant-funded activities are a continuation of services funded by previous grant cycles. The goals described within the grant application relate to emergency management organizational and enterprise enhancement, managing risk and vulnerabilities, and enhancing customer and stakeholder services.

The grant includes a pass-through of $368,127 to local cities. These funds are distributed on a population basis to those cities who wish to apply and complete the required activities. The Operational Area Executive Board reviewed the proposed application budget and required activities at their quarterly meeting on August 8, 2018.

The performance period of the award is July 1, 2018 through June 30, 2019.

This grant has not been reviewed under the County Audit in the last 3 years.

ATTACHMENT(S): Resolution

---

**Board Resolution Required?**  
(Please attach document to eForm)  
Yes ☒ No ☐

**Deputy County Counsel Name:**  
(Please list the Deputy County Counsel that approved the Resolution)  
Wendy Phillips, Deputy County Counsel, has reviewed and approved the attached draft Board Resolution.

**Recommended Action/Special Instructions**  
(Please specify below)  
1. Authorize Sheriff-Coroner, or designee, to sign all necessary application documents required for the submission of the application and supporting documentation to CalOES.

2. Adopt a resolution authorizing the Sheriff, or specified designee, to execute any actions necessary for the purposes of obtaining federal financial assistance provided by DHS and sub-granted through CalOES, if those actions do not materially change the terms or amount of the County’s commitment as it is reflected in the above-referenced grant application and assurances.

A Board of Supervisors Resolution is required to appoint an agent authorized to execute any actions necessary for the submission of the application and supporting documentation.

**Department Contact:**  
List the name and contact information (telephone, e-mail) of the staff person to be contacted for further information.

Donna Boston 714-628-7059; dboston@ocsd.org

**Name of the individual attending the Board Meeting:**  
List the name of the individual who will be attending the Board Meeting for this Grant Item:

Donna Boston or designee
RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA
October 16, 2018

WHEREAS, the U.S. Department of Homeland Security, through the California Office of Emergency Services, is providing Fiscal Year 2018 Emergency Management Performance Grant funding to local Operational Areas to provide resources to sustain and enhance all-hazards emergency management capabilities;

NOW, THEREFORE, BE IT RESOLVED this Board authorizes the following positions to execute and submit to the California Office of Emergency Services, on behalf of the County of Orange, the Fiscal Year 2018 Emergency Management Performance Grant Application for assistance in the amount of $775,004 and grant assurances:

- Sheriff-Coroner
- Undersheriff
- Assistant Sheriff
- Executive Director

BE IT FURTHER RESOLVED this Board authorizes the above-listed positions to execute, on behalf of the County of Orange, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the U.S. Department of Homeland Security and sub-granted through the State of California, if those actions do not materially change the terms or amounts of the County’s commitment as it is reflected in the above-referenced grant application and assurances.

BE IT FURTHER RESOLVED that this Board will provide 100% of any grant awarded to and retained by the County of Orange if the grant application is approved.
<table>
<thead>
<tr>
<th><strong>Grant Authorization e-Form</strong></th>
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</thead>
</table>

### GRANT APPLICATION / GRANT AWARD

<table>
<thead>
<tr>
<th><strong>Today’s Date:</strong></th>
<th>September 26, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Requesting Agency/Department:</strong></td>
<td>OC Community Resources/OC Community Services/Community Investment Division/Orange County Development Board</td>
</tr>
<tr>
<td><strong>Grant Name and Project Title:</strong></td>
<td>Prison to Employment Initiative Planning Grant</td>
</tr>
<tr>
<td><strong>Sponsoring Organization/Grant Source:</strong></td>
<td>California Workforce Development Board</td>
</tr>
<tr>
<td><strong>Application Amount Requested:</strong></td>
<td>$150,000</td>
</tr>
<tr>
<td><strong>Application Due Date:</strong></td>
<td>August 27, 2018</td>
</tr>
<tr>
<td><strong>Board Date when Board Approved this Application:</strong></td>
<td>May 8, 2018 (Grants Matrix)</td>
</tr>
<tr>
<td><strong>Awarded Funding Amount:</strong></td>
<td>$142,500</td>
</tr>
<tr>
<td><strong>Notification Date of Funding Award:</strong></td>
<td>September 17, 2018</td>
</tr>
<tr>
<td><strong>Is this an Authorized Retroactive Grant Application/Award?</strong></td>
<td>No</td>
</tr>
</tbody>
</table>

#### Recurrence of Grant
- New
- Recurrent
- Other

**Explain:**
- N/A

#### Does this grant require CEQA findings?
- Yes
- No

#### What Type of Grant is this?
- Competitive
- Other Type

**Explain:**
- N/A

#### County Match?
- Yes
- No

**Explain:**
- N/A

#### How will the County Match be Fulfilled?
- (Please include the specific budget)

**Explain:**
- N/A

#### Will the grant/program create new part or full-time positions?
- No

#### Purpose of Grant Funds:
Provide a summary and brief background of why the Board of Supervisors should accept this grant application/award, and how the grant will be implemented.

Funding for the Prison to Employment Initiative is intended to support regional planning efforts, fund regional plan implementation, and provide resources for direct services to the formerly incarcerated and other justice-involved individuals. It also sets aside specific resources for both supportive services and earn and learn activities. Grant funds will be used to achieve the following:

- Determine relevant stakeholders for coordination of workforce and reentry services in the region
- Regionally convene stakeholders to discuss how to provide seamless, integrated, and effective services to the formerly incarcerated and other justice-involved individuals
- Determine services provided by regional partners to coordinate reentry, workforce, and related education service delivery to the formerly incarcerated and justice-involved populations
- Identify potential barriers to successful participation and completion of workforce education and training among the region’s reentry population
- Creation of Regional and Local Plan PY 17-21 - Two Year Modifications
- Identify existing and potential opportunities to collaborate with correction partners
- Exploring co-location of workforce development staff with parole and probation partners to provide workforce education and training services

<table>
<thead>
<tr>
<th>Board Resolution Required? (Please attach document to eForm)</th>
<th>Yes ☐</th>
<th>No ☑</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy County Counsel Name: (Please list the Deputy County Counsel that approved the Resolution)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Recommended Action/Special Instructions</strong> (Please specify below)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Authorize the OC Community Resources Director or designee to accept the grant award.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Department Contact:</strong></td>
<td>List the name and contact information (telephone, e-mail) of the staff person to be contacted for further information.</td>
<td></td>
</tr>
<tr>
<td>Dylan Wright (714) 480-2788</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Renee Ramirez (714) 480-6483</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Name of the individual attending the Board Meeting:</strong></td>
<td>List the name of the individual who will be attending the Board Meeting for this Grant Item:</td>
<td></td>
</tr>
<tr>
<td>Dylan Wright, Director, OC Community Resources</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
DATE: October 3, 2018

TO: Frank Kim, County Executive Officer

FROM: Dylan Wright, Director, OC Community Resources

SUBJECT: Request to Approve Retroactive Grant Award for OC Parks

On September 4, 2018, OC Parks received an offer from the National Parks Service (NPS) of an award for the Save America's Treasures Historic Preservation Grant. OC Parks was one of 16 applicants awarded throughout the United States and was offered $153,016. Save America's Treasures Awardees were directed by the National Park Service not to make any public notice of the award before the NPS announced the recipients on September 23, 2018. Because the agenda for the September 25, 2018 Board of Supervisors meeting would be posted on September 20, 2018; October 16, 2018 was the first meeting date available to submit this item while also meeting the NPS requirements. The attached eForm has been prepared for inclusion in the October 16, 2018 grants report. This date falls after the thirty-day award notification deadline.

Funding from the Save America’s Treasures grant will be used to restore the upper floor of the Stone House at Arden, the Helena Modjeska Historic House and Gardens. This structure may have been built as early as the 1860s, making it one of the oldest extant constructions in Orange County. It is an important contributing building to the site's National Historic Landmark status. The ground level stone floor of the building underwent seismic stabilization and restoration in 2008. Although the wood upper floor and roof have been protected from the elements using interim measures, this part of the structure was becoming endangered due to age and external conditions. This grant will allow OC Parks to restore the remaining portion of the Stone House, completing its preservation and making it available to the public for the first time in the buildings history.

Please indicate County Executive Officer's concurrence with OC Parks acceptance of this award by signing below and returning a copy via email to David Kim at David.Kim@occr.ocgov.com and Erika Padilla at Erika.Padilla@occr.ocgov.com. If you have questions, please contact Stacy Blackwood, Director, at 949-923-3743.

CONCURRENCE:

Frank Kim, County Executive Officer
County Executive Office

Dylan Wright, Director
OC Community Resources

Date 10/9/18

Date 10/4/18
**Grant Authorization eForm**

<table>
<thead>
<tr>
<th><strong>Today’s Date:</strong></th>
<th>10/16/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Requesting Agency/Department:</strong></td>
<td>OC Community Resources/OC Parks</td>
</tr>
<tr>
<td><strong>Grant Name and Project Title:</strong></td>
<td>Save America’s Treasures Grant Program, Arden Stone House Preservation</td>
</tr>
<tr>
<td><strong>Sponsoring Organization/Grant Source:</strong></td>
<td>U.S. Department of the Interior National Park Service</td>
</tr>
<tr>
<td><strong>Application Amount Requested:</strong></td>
<td>$250,000</td>
</tr>
<tr>
<td><strong>Application Due Date:</strong></td>
<td>February 21, 2018</td>
</tr>
<tr>
<td><strong>Board Date when Board Approved this Application:</strong></td>
<td>February 27, 2018</td>
</tr>
<tr>
<td><strong>Awarded Funding Amount:</strong></td>
<td>$153,016</td>
</tr>
<tr>
<td><strong>Notification Date of Funding Award:</strong></td>
<td>September 4, 2018</td>
</tr>
<tr>
<td><strong>Is this an Authorized Retroactive Grant Application/Award?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Recurrence of Grant</strong></td>
<td>New [x] Recurrent [ ] Other [ ] Explain:</td>
</tr>
<tr>
<td><strong>If this is a recurring grant, please list the funding amount applied for and awarded in the past:</strong></td>
<td>NA</td>
</tr>
<tr>
<td><strong>Does this grant require CEQA findings?</strong></td>
<td>Yes [ ] No [x]</td>
</tr>
<tr>
<td><strong>What Type of Grant is this?</strong></td>
<td>Competitive [x] Other Type [ ] Explain:</td>
</tr>
<tr>
<td><strong>County Match?</strong></td>
<td>Yes [x] Amount ___ or ___% No [ ]</td>
</tr>
<tr>
<td><strong>How will the County Match be Fulfilled?</strong></td>
<td>The match will be met with OC Parks-funded preservation consultant’s research and construction plans, ADA parking modifications and with in-kind contributions.</td>
</tr>
<tr>
<td><strong>Will the grant/program create new part or full-time positions?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Purpose of Grant Funds:</strong></td>
<td>Provide a summary and brief background of why Board of Supervisors why should accept this grant application/award, and how the grant will be implemented. OC Parks will utilize Save America’s Treasures Grant Program funds to stabilize and preserve the upper floor of the Stone House at Arden, the Helena Modjeska House and Gardens which is a contributing building to the site’s National Historic Landmark status. This structure was built by early OC settler Joseph Pleasants prior to 1880, thus being one of the oldest extant constructions in Orange County. The Stone House was an important support building in the operation of the property under Madame Helena Modjeska’s later ownership. During that time, pioneering environmentalist Theodore Payne seasonally lived on the upper floor of the building when he was Arden’s head gardener. The ground level stone floor of the building underwent seismic stabilization and restoration in 2008. Restoration of the wood upper floor and roof will complete this important structures restoration making it available for the public to experience for the first time in its history.</td>
</tr>
<tr>
<td><strong>Board Resolution Required?</strong></td>
<td>Yes [ ] No [x]</td>
</tr>
<tr>
<td><strong>Deputy County Counsel Name:</strong></td>
<td>(Please list the Deputy County Counsel that approved the Resolution)</td>
</tr>
</tbody>
</table>
### Recommended Action/Special Instructions

(Please specify below)

1. Retroactively authorize the OC Community Resources Director or OC Parks Director to accept the reduced Save America’s Treasures Grant Award for the Arden Stone House Restoration project.

2. Retroactively authorize the OC Community Resources Director, OC Parks Director, or designee to execute and submit all documents and payment requests which may be necessary for the administration of the Save America’s Treasures Grant.

### Department Contact:

List the name and contact information (telephone, e-mail) of the staff person to be contacted for further information.

Sue McIntire, OC Parks Grants Manager- (949) 923-3735; sue.mcintire@ocparks.com

### Name of the individual attending the Board Meeting:

List the name of the individual who will be attending the Board Meeting for this Grant Item:

Stacy Blackwood, or designee
DATE: October 3, 2018

TO: Frank Kim, County Executive Officer

FROM: Dylan Wright, Director, OC Community Resources

SUBJECT: Request to Approve Retroactive Grant Application for OC Parks

In August 2018, OC Parks identified a need and began preparation of an application for $194,160 to the State of California, Department of Parks and Recreation, Habitat Conservation Fund Program Grant to restore the lake at Ted Craig Regional Park. The eForm requesting permission to apply was prepared on time for the September 25, 2018 Grants Report however, due to an email error, the item was not included in that report. The error was not detected until the report was posted. October 16, 2018 is the next scheduled Board of Supervisors meeting. The attached eForm has been prepared for inclusion in the October 16, 2018 grants report. This date falls after the application due date of October 1, 2018.

If awarded, grants funds will be used to restore the deteriorating earthen lake edge and improve the water quality of the Ted Craig Regional Park Lake (Craig Lake). An ecological system will be used to dredge the shallow sediment from the lake bottom, which will be pumped into DredgeSox® for installation along the 3-acre lake edge. The encased, dredged material will be anchored around the lake perimeter and the area will be planted to stabilize the shoreline and restore the lakes natural appearance. Loss of lake depth through the deposit of sediment is detrimental to water quality and consequently, the wildlife that use this resource. Craig Lake is designated Water of the US which is stocked for fishing, provides habitat for local wildlife and is an important stop for migratory birds on the Pacific Flyway.

Please indicate the County Executive Officer's concurrence with OC Park's authorization to apply by signing below and returning a copy via email to David Kim at David.Kim@occr.ocgov.com and Erika Padilla at Erika.Padilla@occr.ocgov.com. If you have questions, please contact Stacy Blackwood, Director, at 949-923-3743.

CONCURRENCE:

Frank Kim, County Executive Officer
County Executive Office

Dylan Wright, Director
OC Community Resources

Date 10/9/18

Date 10/4/18
<table>
<thead>
<tr>
<th><strong>GRANT APPLICATION / ☒ GRANT AWARD</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Today’s Date:</strong> 10/16/2018</td>
</tr>
<tr>
<td><strong>Requesting Agency/Department:</strong> OC Community Resources/OC Parks</td>
</tr>
<tr>
<td><strong>Grant Name and Project Title:</strong> Habitat Conservation Fund Program Grant; Ted Craig Regional Park Lake Restoration Project</td>
</tr>
<tr>
<td><strong>Sponsoring Organization/Grant Source:</strong> State of California Natural Resources Agency Department of Parks and Recreation</td>
</tr>
<tr>
<td><strong>Application Amount Requested:</strong> $194,160</td>
</tr>
<tr>
<td><strong>Application Due Date:</strong> October 1, 2018</td>
</tr>
<tr>
<td><strong>Awarded Funding Amount:</strong> N/A</td>
</tr>
<tr>
<td><strong>Notification Date of Funding Award:</strong> N/A</td>
</tr>
<tr>
<td><strong>Is this an Authorized Retroactive Grant Application/Award?</strong> Yes</td>
</tr>
<tr>
<td><strong>Recurrence of Grant</strong></td>
</tr>
<tr>
<td>New ☐ Recurrent ☒ Other ☐ Explain:</td>
</tr>
<tr>
<td>If this is a recurring grant, please list the funding amount applied for and awarded in the past:</td>
</tr>
<tr>
<td>2015- $200,000.00</td>
</tr>
<tr>
<td>2018- $127,701.00</td>
</tr>
<tr>
<td>2018- $199,000.00</td>
</tr>
<tr>
<td>Applied for and awarded</td>
</tr>
<tr>
<td>Applied for and awarded</td>
</tr>
<tr>
<td>Applied for and awarded</td>
</tr>
<tr>
<td><strong>Does this grant require CEQA findings?</strong> Yes ☒ No ☐</td>
</tr>
<tr>
<td><strong>What Type of Grant is this?</strong> Competitive ☒ Other Type ☐ Explain:</td>
</tr>
<tr>
<td><strong>County Match?</strong> Yes ☒ Amount 1:1 or ___%</td>
</tr>
<tr>
<td>The applicant is required to provide a dollar-for-dollar match of the requested amount.</td>
</tr>
<tr>
<td>No ☐</td>
</tr>
<tr>
<td><strong>How will the County Match be Fulfilled?</strong> Planning, design, planting, administrative and overhead costs will be funded using existing OC Parks staff and resources.</td>
</tr>
<tr>
<td><strong>Will the grant/program create new part or full-time positions?</strong> No</td>
</tr>
<tr>
<td><strong>Purpose of Grant Funds:</strong> Provide a summary and brief background of why Board of Supervisors why should accept this grant application/award, and how the grant will be implemented.</td>
</tr>
</tbody>
</table>

If awarded, Habitat Conservation Fund Program Grant funds will be used to restore the deteriorating earthen lake edge and improve the water quality of the Ted Craig Regional Park Lake (Craig Lake). An ecological system will be used to dredge the shallow sediment from the lake bottom which will be pumped into DredgeSox® for installation along the 3 acre lake edge. The encased, dredged material will be anchored around the lake perimeter and the area will be planted to stabilize the shoreline and restore the lakes natural appearance.

Loss of lake depth through the deposit of sediment is detrimental to water quality and consequently, the wildlife that use this resource. Craig Lake is designated Water of the US which is stocked for fishing, provides habitat for local wildlife and is an important stop for migratory birds on the Pacific Flyway.
<table>
<thead>
<tr>
<th>Board Resolution Required? (Please attach document to eForm)</th>
<th>Yes ☒</th>
<th>No ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy County Counsel Name: (Please list the Deputy County Counsel that approved the Resolution)</td>
<td>Mark Batarse</td>
<td></td>
</tr>
<tr>
<td>Recommended Action/Special Instructions (Please specify below)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Authorize the OC Community Resources Director or designee to apply for the State of California Natural Resources Agency Habitat Conservation Fund Program Grant.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Adopt the attached Grant Resolution for the Habitat Conservation Fund Program Grant.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department Contact:</td>
<td>List the name and contact information (telephone, e-mail) of the staff person to be contacted for further information.</td>
<td></td>
</tr>
<tr>
<td>Sue McIntire, OC Parks Grants Manager- (949) 923-3735; <a href="mailto:sue.mcintire@ocparks.com">sue.mcintire@ocparks.com</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of the individual attending the Board Meeting:</td>
<td>List the name of the individual who will be attending the Board Meeting for this Grant Item:</td>
<td></td>
</tr>
<tr>
<td>Stacy Blackwood, OC Parks Director or designee</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA

October 16, 2018

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire, enhance, restore or develop facilities for public recreation and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the Habitat Conservation Fund (“HCF”) Program, setting up necessary procedures governing project application under the HCF Program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the project(s);

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby:

1. Approves the filing of an application for the HCF Program, Ted Craig Regional Park Lake Restoration project; and

2. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the required match and sufficient funds to complete the project; and

3. Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s); and

4. Certifies that the applicant has reviewed, understands, and agrees to the provisions contained in the contract shown in the grant administration guide; and
5. Delegates the authority to the OC Community Resources Director or OC Parks Director to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project.

6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
<table>
<thead>
<tr>
<th>GRANT APPLICATION / ☑ GRANT AWARD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Today's Date:</strong></td>
</tr>
<tr>
<td><strong>Requesting Agency/Department:</strong></td>
</tr>
<tr>
<td><strong>Grant Name and Project Title:</strong></td>
</tr>
<tr>
<td><strong>Sponsoring Organization/Grant Source:</strong></td>
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<tr>
<td><strong>Application Amount Requested:</strong></td>
</tr>
<tr>
<td><strong>Application Due Date:</strong></td>
</tr>
<tr>
<td><strong>Board Date when Board Approved this Application:</strong></td>
</tr>
<tr>
<td><strong>Awarded Funding Amount:</strong></td>
</tr>
<tr>
<td><strong>Notification Date of Funding Award:</strong></td>
</tr>
<tr>
<td><strong>Is this an Authorized Retroactive Grant Application/Award?</strong></td>
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<tr>
<td><strong>Recurrence of Grant</strong></td>
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<tr>
<td>If this is a recurring grant, please list the funding amount applied for and awarded in the past:</td>
</tr>
<tr>
<td><strong>Does this grant require CEQA findings?</strong></td>
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<tr>
<td><strong>What Type of Grant is this?</strong></td>
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<tr>
<td><strong>County Match?</strong></td>
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<tr>
<td><strong>How will the County Match be Fulfilled?</strong></td>
</tr>
<tr>
<td><strong>Will the grant/program create new part or full-time positions?</strong></td>
</tr>
<tr>
<td><strong>Purpose of Grant Funds:</strong></td>
</tr>
<tr>
<td><strong>Board Resolution Required?</strong></td>
</tr>
</tbody>
</table>

This grant award is made pursuant to the provisions of California Insurance Code Section 10127.17, and shall be used solely for the purposes of enhanced investigation and prosecution of life insurance and annuity financial abuse by insurance licensees, or any person purporting to be engaged in the business of insurance. This grant will provide continued funding for the vertical prosecution unit consisting of prosecutorial, investigative, and support staff to investigate and prosecute life insurance and annuity fraud cases.
### Deputy County Counsel Name:
(Please list the Deputy County Counsel that approved the Resolution)

| James Harman, Deputy County Counsel |

### Recommended Action/Special Instructions
(Please specify below)

CDI requires the District Attorney to submit a Board Resolution. County Counsel has reviewed and approved the attached sample Board Resolution.

1. Authorize the District Attorney or his designee, to sign and execute, on behalf of the County of Orange, the Grant Agreement with the CDI accepting the grant award of $231,875 to continue the Life and Annuity Consumer Protection Program for fiscal year 2018-19.
2. Authorize the District Attorney, or his designee, to execute, on behalf of the County of Orange, any extensions or amendments that reflect the actual grant award but do not materially alter the terms of the grant award.
3. Adopt the Resolution to receive funds for the Life and Annuity Consumer Protection Program.

By Resolution No. 17-110, dated September 12, 2017, the Board authorized the District Attorney or designee to sign and execute the Award to accept state funding to administer the Life and Annuity Consumer Protection Program for a period from July 1, 2017 to June 30, 2018. The District Attorney has received funding to participate in the State Life and Annuity Consumer Protection Program for the past ten years. Fiscal year 2018-19 will mark as the District Attorney Office’s 11th year of participation in the Program.

### Department Contact:

| Jenny Qian (714) 347-8443 | jenny.qian@da.ocgov.com |

### Name of the individual attending the Board Meeting:

| Jenny Qian |
RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA

October 16, 2018

WHEREAS, the County of Orange desires to undertake its project designated “The Life and Annuity Consumer Protection Program” to be funded in part from funds made available through the California Insurance Code Section 10127.17 and administered by the California Department of Insurance (hereafter referred to as CDI).

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby:

1. Find that the proposed project is exempt from CEQA pursuant to 14 C.C.R. 15061(b)(3) because it does not impose a significant effect on the environment.

2. Find that pursuant to Section 711.4 of the California Fish and Game Code, the proposed project is exempt from the required fees as it has been determined that no adverse impacts to wildlife resources will result from the project.

3. Authorize the District Attorney, or his designee, to sign and execute, on behalf of the County of Orange, a Grant Award Agreement with CDI for the Life and Annuity Consumer Protection Program, effective from July 1, 2018 through June 30, 2019, in the amount not to exceed $231,875.

4. Authorize the District Attorney, or his designee, to execute, on behalf of the County of Orange, any extensions or amendments that reflect the actual grant award amount but do not materially alter the terms of the grant award.

5. Assure that the County of Orange assumes any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages. The State of California and the California Department of Insurance disclaim responsibility for any such liability.

6. Assure that the County of Orange will not use grant funds to supplant expenditures controlled by the Board of Supervisors.
AGENDA STAFF REPORT

MEETING DATE: 10/16/18
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: County Executive Office (Approved)
DEPARTMENT CONTACT PERSON(S): Peter DeMarco (714) 834-5777,
Cynthia Shintaku (714) 834-7086

SUBJECT: Grant Applications/Awards Report

<table>
<thead>
<tr>
<th>CEO CONCUR</th>
<th>COUNTY COUNSEL REVIEW</th>
<th>CLERK OF THE BOARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concur</td>
<td>Approved Resolution to Form</td>
<td>Discussion</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 Votes Board Majority</td>
</tr>
</tbody>
</table>

Budgeted: N/A  Current Year Cost: N/A  Annual Cost: N/A

Staffing Impact: No  # of Positions: Sole Source: N/A
Current Fiscal Year Revenue: N/A  County Audit in last 3 years: No
Funding Source: N/A

Prior Board Action: N/A

RECOMMENDED ACTION(S):
Approve grant applications/awards as proposed and other actions as recommended.

1. Approve Grant Application – Social Services Agency – California State Preschool Program – $160,000.
3. Approve Grant Award – OC Community Resources – Prison to Employment Initiative Planning Grant – $142,500.
4. Ratify Grant Award – OC Community Resources – Save America’s Treasures Grant Program-Arden Stone House Preservation – $153,016.
5. Ratify Grant Application and Adopt Resolution – OC Community Resources – Ted Craig Habitat Conservation Fund Program Grant-Regional Park Lake Restoration Project – $194,160.

SUMMARY:
See the attached Grants Report.

BACKGROUND INFORMATION:
See the attached Grants Report.

FINANCIAL IMPACT:
N/A

STAFFING IMPACT:
N/A

ATTACHMENT(S):
Attachment A - Grants Report
Attachment B-OCSD Resolution
Attachment B- OCCR Resolution
Attachment B- DA Resolution
The Grants Report is a condensed list of grant requests by County Agencies/Departments that allows the Board of Supervisors to discuss and approve grant submittals in one motion at a Board meeting. County policy dictates that the Board of Supervisors must approve all grant applications prior to submittal to the grantor. This applies to grants of all amounts, as well as to new grants and those that have been received by the County for many years as part of an ongoing grant. Receipt of grants $50,000 or less is delegated to the County Executive Officer. Grant awards greater than $50,000 must be presented to the Board of Supervisors for receipt of funds. This report allows for better tracking of county grant requests, the success rate of our grants, and monitoring of County’s grants activities. It also serves to inform Orange County’s Sacramento and Washington, D.C. advocates of County grant activities involving the State or Federal Governments.

On October 16, 2018 the Board of Supervisors will consider the following actions:

RECOMMENDED ACTIONS

Approve grant applications/awards as proposed and other actions as recommended.

ACTION ITEMS

1. Approve Grant Application – Social Services Agency – California State Preschool Program – $160,000.


3. Approve Grant Award – OC Community Resources – Prison to Employment Initiative Planning Grant – $142,500.

4. Ratify Grant Award and Adopt Resolution – OC Community Resources – Save America’s Treasures Grant Program-Arden Stone House Preservation –$153,016.

5. Ratify Grant Application and Adopt Resolution – OC Community Resources – Ted Craig Habitat Conservation Fund Program Grant- Regional Park Lake Restoration Project – $194,160.


If you or your staff have any questions or require additional information on any of the items in this report, please contact Cynthia Shintaku at 714-834-7086
**CEO-Legislative Affairs Office**
**Grant Authorization eForm**

**GRANT APPLICATION / GRANT AWARD**

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Today’s Date</td>
<td>September 18, 2018</td>
</tr>
<tr>
<td>Requesting Agency/Department</td>
<td>Social Services Agency</td>
</tr>
<tr>
<td>Grant Name and Project Title</td>
<td>California State Preschool Program</td>
</tr>
<tr>
<td>Sponsoring Organization/Grant Source</td>
<td>California Department of Education</td>
</tr>
<tr>
<td>Application Amount Requested</td>
<td>$160,000</td>
</tr>
<tr>
<td>Application Due Date</td>
<td>Application due on or before November 8, 2018</td>
</tr>
<tr>
<td>Board Date when Board Approved this Application</td>
<td></td>
</tr>
<tr>
<td>Awarded Funding Amount</td>
<td></td>
</tr>
<tr>
<td>Notification Date of Funding Award</td>
<td>Expected June 2019.</td>
</tr>
<tr>
<td>Is this an Authorized Retroactive Grant Application/Award?</td>
<td>(If yes, attach memo to CEO)</td>
</tr>
<tr>
<td>Type of Grant</td>
<td>New ☐ Recurrent ☒ Other ☐ Explain:</td>
</tr>
<tr>
<td>FY 2018/19:</td>
<td></td>
</tr>
<tr>
<td>• Amount Applied for—$209,201</td>
<td></td>
</tr>
<tr>
<td>• Amount Awarded—$136,569</td>
<td></td>
</tr>
<tr>
<td>FY 2017/18:</td>
<td></td>
</tr>
<tr>
<td>• Amount Applied for—$209,201</td>
<td></td>
</tr>
<tr>
<td>• Amount Awarded—$236,516</td>
<td></td>
</tr>
<tr>
<td>FY 2016/17:</td>
<td></td>
</tr>
<tr>
<td>• Amount Applied for—$186,682</td>
<td></td>
</tr>
<tr>
<td>• Amount Awarded—$199,239</td>
<td></td>
</tr>
<tr>
<td>Note: Annual increases are a result of state budget increases and are adjusted by California Department of Education (CDE).</td>
<td></td>
</tr>
<tr>
<td>If this is a recurring grant, please list the funding amount applied for and awarded in the past:</td>
<td></td>
</tr>
<tr>
<td>FY 2017/18:</td>
<td></td>
</tr>
<tr>
<td>• Amount Applied for—$209,201</td>
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<td>• Amount Awarded—$236,516</td>
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</tr>
<tr>
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</tr>
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<td>• Amount Applied for—$186,682</td>
<td></td>
</tr>
<tr>
<td>• Amount Awarded—$199,239</td>
<td></td>
</tr>
<tr>
<td>Does this grant require CEQA findings?</td>
<td>Yes ☐ No ☒</td>
</tr>
<tr>
<td>What Type of Grant is this?</td>
<td>Competitive ☐ Other Type ☒ Explain: Continued Funding Application</td>
</tr>
<tr>
<td>County Match?</td>
<td>Yes ☐ Amount _____ or _____ %</td>
</tr>
<tr>
<td>How will the County Match be Fulfilled?</td>
<td>N/A</td>
</tr>
<tr>
<td>(Please include the specific budget)</td>
<td></td>
</tr>
<tr>
<td>Will the grant/program create new part or full-time positions?</td>
<td>No</td>
</tr>
</tbody>
</table>
**Purpose of Grant Funds:** Provide a summary and brief background of why Board of Supervisors why should accept this grant application/award, and how the grant will be implemented.

In 2014, the Social Services Agency (SSA) was awarded a grant from the California Department of Education (CDE), Early Education and Support Division, to provide full day/full-year preschool services to increase the availability of early education development programs to eligible preschool children so that more children from low and moderate-income families enter kindergarten ready to learn and succeed in school and in life.

SSA utilized this funding in Fiscal Years 2016-17, 2017-18, and 2018-19 to support full-day/full-year preschool services at the Tustin Family Campus Early Childhood Development Center (the Center) for children involved in the child welfare system due to abuse and neglect. After successfully completing an application for continued funding, SSA received a funding allocation from CDE to continue to support preschool services at the Center for Fiscal Year 2018-19.

SSA is requesting authority to submit a continued funding application in order to extend the state funding to Fiscal Year 2019-20 for the purpose of supporting the development and increasing school readiness of preschool youth served who have been victims, or at risk of becoming victims, of child abuse and neglect. The requested grant amount is slightly lower as compared to prior years in order to more closely align with expenditure trends and service needs.

<table>
<thead>
<tr>
<th>Board Resolution Required? (Please attach document to eForm)</th>
<th>Yes ☐ No ☒</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy County Counsel Name: (Please list the Deputy County Counsel that approved the Resolution)</td>
<td></td>
</tr>
<tr>
<td>Recommended Action/Special Instructions (Please specify below)</td>
<td></td>
</tr>
</tbody>
</table>

A Board Resolution is not required by the California Department of Education to apply for California State Preschool Program funds. However, a Board Resolution is required to accept an award; therefore, the Social Services Agency will return to the Board of Supervisors with said Resolution if the application is successful.

**Department Contact:** List the name and contact information (telephone, e-mail) of the staff person to be contacted for further information.

Debra Baetz 714-541-7773 Debra.Baetz@ssa.ocgov.com

**Name of the individual attending the Board Meeting:** List the name of the individual who will be attending the Board Meeting for this Grant Item:

Debra Baetz 714-541-7773 Debra.Baetz@ssa.ocgov.com
<table>
<thead>
<tr>
<th><strong>Today's Date:</strong></th>
<th>September 24, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Requesting Agency/Department:</strong></td>
<td>Sheriff-Coroner Department</td>
</tr>
<tr>
<td><strong>Grant Name and Project Title:</strong></td>
<td>Emergency Management Performance Grant, CFDA 97.042</td>
</tr>
<tr>
<td><strong>Sponsoring Organization/Grant Source:</strong></td>
<td>Department of Homeland Security; California Office of Emergency Services</td>
</tr>
<tr>
<td><strong>Application Amount Requested:</strong></td>
<td>$775,004</td>
</tr>
<tr>
<td><strong>Application Due Date:</strong></td>
<td>October 31, 2018</td>
</tr>
<tr>
<td><strong>Board Date when Board Approved this Application:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Awarded Funding Amount:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Notification Date of Funding Award:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Is this an Authorized Retroactive Grant Application/Award?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Recurrence of Grant</strong></td>
<td>New ☐ Recurrent ☒ Other ☐ Explain:</td>
</tr>
</tbody>
</table>
| If this is a recurring grant, please list the funding amount applied for and awarded in the past: | 2015: $777,250  
2016: $777,980  
2017: $774,162 |
| **Does this grant require CEQA findings?** | Yes ☐ No ☒ |
| **What Type of Grant is this?** | Competitive ☐ Other Type ☒ Explain: Offered by federal government to previous recipients |
| **County Match?** | Yes ☒ 100 % No ☐ |
| **How will the County Match be Fulfilled?** | Net County Cost Cash Match |
| **Will the grant/program create new part or full-time positions?** | No |
| **Purpose of Grant Funds:** | Provide a summary and brief background of why Board of Supervisors why should accept this grant application/award, and how the grant will be implemented. |

On March 23, 2018, the President signed Public Law 115-141, authorizing the 2018 Emergency Management Performance Grant (EMPG) under the U.S. Department of Homeland Security (DHS).

On May 21, 2018, the DHS issued guidance and budget allocations to the States. In California, the administering agency is the California Office of Emergency Services (CalOES), which issues guidance to eligible applicants (Operational Areas). The grant application is due by October 30, 2018. The Orange County Sheriff’s Department is responsible for administering and distributing the grant funds on behalf of the Orange County Operational Area. The anticipated award date is unknown at this time. The anticipated award amount is $775,004.

The purpose of the EMPG Program is to provide federal funds to states to assist state, local, and tribal governments in preparing for all hazards. Funds provided under the EMPG must be used to support activities that contribute to the Operational Area's capability to prevent, prepare for, mitigate against,
respond to, and recover from emergencies and disasters, whether natural or man-made. The grant-funded activities are a continuation of services funded by previous grant cycles. The goals described within the grant application relate to emergency management organizational and enterprise enhancement, managing risk and vulnerabilities, and enhancing customer and stakeholder services.

The grant includes a pass-through of $368,127 to local cities. These funds are distributed on a population basis to those cities who wish to apply and complete the required activities. The Operational Area Executive Board reviewed the proposed application budget and required activities at their quarterly meeting on August 8, 2018.

The performance period of the award is July 1, 2018 through June 30, 2019.

This grant has not been reviewed under the County Audit in the last 3 years.

**ATTACHMENT(S): Resolution**

<table>
<thead>
<tr>
<th>Board Resolution Required?</th>
<th>Yes ☒ No ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy County Counsel Name:</td>
<td>Wendy Phillips, Deputy County Counsel, has reviewed and approved the attached draft Board Resolution.</td>
</tr>
</tbody>
</table>

**Recommended Action/Special Instructions**

1. Authorize Sheriff-Coroner, or designee, to sign all necessary application documents required for the submission of the application and supporting documentation to CalOES.

2. Adopt a resolution authorizing the Sheriff, or specified designee, to execute any actions necessary for the purposes of obtaining federal financial assistance provided by DHS and sub-granted through CalOES, if those actions do not materially change the terms or amount of the County’s commitment as it is reflected in the above-referenced grant application and assurances.

A Board of Supervisors Resolution is required to appoint an agent authorized to execute any actions necessary for the submission of the application and supporting documentation.

<table>
<thead>
<tr>
<th>Department Contact:</th>
<th>Donna Boston 714-628-7059; <a href="mailto:dboston@ocsd.org">dboston@ocsd.org</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of the individual attending the Board Meeting:</td>
<td>Donna Boston or designee</td>
</tr>
</tbody>
</table>
RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA

October 16, 2018

WHEREAS, the U.S. Department of Homeland Security, through the California Office of
Emergency Services, is providing Fiscal Year 2018 Emergency Management Performance Grant
funding to local Operational Areas to provide resources to sustain and enhance all-hazards
emergency management capabilities;

NOW, THEREFORE, BE IT RESOLVED this Board authorizes the following positions
to execute and submit to the California Office of Emergency Services, on behalf of the County of
Orange, the Fiscal Year 2018 Emergency Management Performance Grant Application for
assistance in the amount of $775,004 and grant assurances:

• Sheriff-Coroner
• Undersheriff
• Assistant Sheriff
• Executive Director

BE IT FURTHER RESOLVED this Board authorizes the above-listed positions to
execute, on behalf of the County of Orange, a public entity established under the laws of the
State of California, any actions necessary for the purpose of obtaining federal financial assistance
provided by the U.S. Department of Homeland Security and sub-granted through the State of
California, if those actions do not materially change the terms or amounts of the County’s
commitment as it is reflected in the above-referenced grant application and assurances.

BE IT FURTHER RESOLVED that this Board will provide 100% of any grant awarded
to and retained by the County of Orange if the grant application is approved.
CEO-Legislative Affairs Office
Grant Authorization eForm

☐ GRANT APPLICATION / ☒ GRANT AWARD

<table>
<thead>
<tr>
<th>Today’s Date:</th>
<th>September 26, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requesting Agency/Department:</td>
<td>OC Community Resources/OC Community Services/Community Investment Division/Orange County Development Board</td>
</tr>
<tr>
<td>Grant Name and Project Title:</td>
<td>Prison to Employment Initiative Planning Grant</td>
</tr>
<tr>
<td>Sponsoring Organization/Grant Source:</td>
<td>California Workforce Development Board</td>
</tr>
<tr>
<td>Application Amount Requested:</td>
<td>$150,000</td>
</tr>
<tr>
<td>Application Due Date:</td>
<td>August 27, 2018</td>
</tr>
<tr>
<td>Board Date when Board Approved this Application:</td>
<td>May 8, 2018 (Grants Matrix)</td>
</tr>
<tr>
<td>Awarded Funding Amount:</td>
<td>$142,500</td>
</tr>
<tr>
<td>Notification Date of Funding Award:</td>
<td>September 17, 2018</td>
</tr>
<tr>
<td>Is this an Authorized Retroactive Grant Application/Award?</td>
<td>No</td>
</tr>
</tbody>
</table>

Recurrence of Grant

<table>
<thead>
<tr>
<th>New ☒</th>
<th>Recurrent ☐</th>
<th>Other ☐ Explain:</th>
<th>N/A</th>
</tr>
</thead>
</table>

Does this grant require CEQA findings?

| Yes ☐ | No ☒ |

What Type of Grant is this?

| Competitive ☒ | Other Type ☐ Explain: |

County Match?

| Yes ☐ Amount _____ or _____ % | No ☒ |

How will the County Match be Fulfilled?

| N/A |

Will the grant/program create new part or full-time positions?

| No |

Purpose of Grant Funds:

Provide a summary and brief background of why Board of Supervisors why should accept this grant application/award, and how the grant will be implemented.

Funding for the Prison to Employment Initiative is intended to support regional planning efforts, fund regional plan implementation, and provide resources for direct services to the formerly incarcerated and other justice-involved individuals. It also sets aside specific resources for both supportive services and earn and learn activities. Grant funds will be used will be used to achieve the following:

- Determine relevant stakeholders for coordination of workforce and reentry services in the region
- Regionally convene stakeholders to discuss how to provide seamless, integrated, and effective services to the formerly incarcerated and other justice-involved individuals
- Determine services provided by regional partners to coordinate reentry, workforce, and related education service delivery to the formerly incarcerated and justice-involved populations
- Identify potential barriers to successful participation and completion of workforce education and training among the region’s reentry population
- Creation of Regional and Local Plan PY 17-21 - Two Year Modifications
- Identify existing and potential opportunities to collaborate with correction partners
- Exploring co-location of workforce development staff with parole and probation partners to provide workforce education and training services

<table>
<thead>
<tr>
<th>Board Resolution Required? (Please attach document to eForm)</th>
<th>Yes ☐</th>
<th>No ☒</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy County Counsel Name: (Please list the Deputy County Counsel that approved the Resolution)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommended Action/Special Instructions (Please specify below)</td>
<td>Authorize the OC Community Resources Director or designee to accept the grant award.</td>
<td></td>
</tr>
<tr>
<td>Department Contact:</td>
<td>List the name and contact information (telephone, e-mail) of the staff person to be contacted for further information.</td>
<td></td>
</tr>
<tr>
<td>Dylan Wright (714) 480-2788</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Renee Ramirez (714) 480-6483</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of the individual attending the Board Meeting:</td>
<td>List the name of the individual who will be attending the Board Meeting for this Grant Item:</td>
<td></td>
</tr>
<tr>
<td>Dylan Wright, Director, OC Community Resources</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM

DATE: October 3, 2018

TO: Frank Kim, County Executive Officer

FROM: Dylan Wright, Director, OC Community Resources

SUBJECT: Request to Approve Retroactive Grant Award for OC Parks

On September 4, 2018, OC Parks received an offer from the National Parks Service (NPS) of an award for the Save America’s Treasures Historic Preservation Grant. OC Parks was one of 16 applicants awarded throughout the United States and was offered $153,016. Save America’s Treasures Awardees were directed by the National Park Service not to make any public notice of the award before the NPS announced the recipients on September 23, 2018. Because the agenda for the September 25, 2018 Board of Supervisors meeting would be posted on September 20, 2018; October 16, 2018 was the first meeting date available to submit this item while also meeting the NPS requirements. The attached eForm has been prepared for inclusion in the October 16, 2018 grants report. This date falls after the thirty-day award notification deadline.

Funding from the Save America’s Treasures grant will be used to restore the upper floor of the Stone House at Arden, the Helena Modjeska Historic House and Gardens. This structure may have been built as early as the 1860s, making it one of the oldest extant constructions in Orange County. It is an important contributing building to the site’s National Historic Landmark status. The ground level stone floor of the building underwent seismic stabilization and restoration in 2008. Although the wood upper floor and roof have been protected from the elements using interim measures, this part of the structure was becoming endangered due to age and external conditions. This grant will allow OC Parks to restore the remaining portion of the Stone House, completing its preservation and making it available to the public for the first time in the buildings history.

Please indicate County Executive Officer’s concurrence with OC Parks acceptance of this award by signing below and returning a copy via email to David Kim at David.Kim@occr.ocgov.com and Erika Padilla at Erika.Padilla@occr.ocgov.com. If you have questions, please contact Stacy Blackwood, Director, at 949-923-3743.

CONCURRENCE:

[Signature]  
Frank Kim, County Executive Officer  
County Executive Office

[Signature]  
Dylan Wright, Director  
OC Community Resources

Date: 10/9/18

Date: 10/4/18
**CEO-Legislative Affairs Office**

**Grant Authorization eForm**

<table>
<thead>
<tr>
<th>GRANT APPLICATION / ☒ GRANT AWARD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Today’s Date:</strong> 10/16/2018</td>
</tr>
<tr>
<td><strong>Requesting Agency/Department:</strong> OC Community Resources/ OC Parks</td>
</tr>
<tr>
<td><strong>Grant Name and Project Title:</strong> Save America’s Treasures Grant Program, Arden Stone House Preservation</td>
</tr>
<tr>
<td><strong>Sponsoring Organization/Grant Source:</strong> (If the grant source is not a government entity, please provide a brief description of the organization/foundation) U.S. Department of the Interior National Park Service</td>
</tr>
<tr>
<td><strong>Application Amount Requested:</strong> $250,000</td>
</tr>
<tr>
<td><strong>Application Due Date:</strong> February 21, 2018</td>
</tr>
<tr>
<td><strong>Board Date when Board Approved this Application:</strong> February 27, 2018</td>
</tr>
<tr>
<td><strong>Awarded Funding Amount:</strong> $153,016</td>
</tr>
<tr>
<td><strong>Notification Date of Funding Award:</strong> September 4, 2018</td>
</tr>
<tr>
<td><strong>Is this an Authorized Retroactive Grant Application/Award?</strong> Yes</td>
</tr>
<tr>
<td><strong>Recurrence of Grant</strong> New ☒ Recurrent ☐ Other ☐ Explain:</td>
</tr>
<tr>
<td><strong>If this is a recurring grant, please list the funding amount applied for and awarded in the past:</strong> NA</td>
</tr>
<tr>
<td><strong>Does this grant require CEQA findings?</strong> Yes ☐ No ☒</td>
</tr>
<tr>
<td><strong>What Type of Grant is this?</strong> Competitive ☒ Other Type ☐ Explain:</td>
</tr>
<tr>
<td><strong>County Match?</strong> Yes ☒ Amount ___ or ___ 50__% _No ☐</td>
</tr>
<tr>
<td><strong>How will the County Match be Fulfilled?</strong> (Please include the specific budget) The match will be met with OC Parks-funded preservation consultant’s research and construction plans, ADA parking modifications and with in-kind contributions.</td>
</tr>
<tr>
<td><strong>Will the grant/program create new part or full-time positions?</strong> No</td>
</tr>
<tr>
<td><strong>Purpose of Grant Funds:</strong> Provide a summary and brief background of why Board of Supervisors why should accept this grant application/award, and how the grant will be implemented. OC Parks will utilize Save America’s Treasures Grant Program funds to stabilize and preserve the upper floor of the Stone House at Arden, the Helena Modjeska House and Gardens which is a contributing building to the site’s National Historic Landmark status. This structure was built by early OC settler Joseph Pleasants prior to 1880, thus being one of the oldest extant constructions in Orange County. The Stone House was an important support building in the operation of the property under Madame Helena Modjeska’s later ownership. During that time, pioneering environmentalist Theodore Payne seasonally lived on the upper floor of the building when he was Arden’s head gardener. The ground level stone floor of the building underwent seismic stabilization and restoration in 2008. Restoration of the wood upper floor and roof will complete this important structures restoration making it available for the public to experience for the first time in its history.</td>
</tr>
<tr>
<td><strong>Board Resolution Required?</strong> (Please attach document to eForm) Yes ☐ No ☒</td>
</tr>
<tr>
<td><strong>Deputy County Counsel Name:</strong> (Please list the Deputy County Counsel that approved the Resolution)</td>
</tr>
<tr>
<td>Recommended Action/Special Instructions</td>
</tr>
<tr>
<td>----------------------------------------</td>
</tr>
<tr>
<td><strong>1.</strong> Retroactively authorize the OC Community Resources Director or OC Parks Director to accept the reduced Save America’s Treasures Grant Award for the Arden Stone House Restoration project.</td>
</tr>
<tr>
<td><strong>2.</strong> Retroactively authorize the OC Community Resources Director, OC Parks Director, or designee to execute and submit all documents and payment requests which may be necessary for the administration of the Save America’s Treasures Grant.</td>
</tr>
</tbody>
</table>

**Department Contact:**
List the name and contact information (telephone, e-mail) of the staff person to be contacted for further information.

Sue McIntire, OC Parks Grants Manager- (949) 923-3735; sue.mcintire@ocparks.com

**Name of the individual attending the Board Meeting:**
List the name of the individual who will be attending the Board Meeting for this Grant Item:

Stacy Blackwood, or designee
DATE: October 3, 2018

TO: Frank Kim, County Executive Officer

FROM: Dylan Wright, Director, OC Community Resources

SUBJECT: Request to Approve Retroactive Grant Application for OC Parks

In August 2018, OC Parks identified a need and began preparation of an application for $194,160 to the State of California, Department of Parks and Recreation, Habitat Conservation Fund Program Grant to restore the lake at Ted Craig Regional Park. The eForm requesting permission to apply was prepared on time for the September 25, 2018 Grants Report however, due to an email error, the item was not included in that report. The error was not detected until the report was posted. October 16, 2018 is the next scheduled Board of Supervisors meeting. The attached eForm has been prepared for inclusion in the October 16, 2018 grants report. This date falls after the application due date of October 1, 2018.

If awarded, grants funds will be used to restore the deteriorating earthen lake edge and improve the water quality of the Ted Craig Regional Park Lake (Craig Lake). An ecological system will be used to dredge the shallow sediment from the lake bottom, which will be pumped into DredgeSox® for installation along the 3-acre lake edge. The encased, dredged material will be anchored around the lake perimeter and the area will be planted to stabilize the shoreline and restore the lakes natural appearance. Loss of lake depth through the deposit of sediment is detrimental to water quality and consequently, the wildlife that use this resource. Craig Lake is designated Water of the US which is stocked for fishing, provides habitat for local wildlife and is an important stop for migratory birds on the Pacific Flyway.

Please indicate the County Executive Officer’s concurrence with OC Park’s authorization to apply by signing below and returning a copy via email to David Kim at David.Kim@occr.ocgov.com and Erika Padilla at Erika.Padilla@occr.ocgov.com. If you have questions, please contact Stacy Blackwood, Director, at 949-923-3743.

CONCURRENCE:

[Signature]
Frank Kim, County Executive Officer
County Executive Office

[Signature]
Dylan Wright, Director
OC Community Resources

Date 10/9/18

Date 10/4/18
<table>
<thead>
<tr>
<th><strong>Today’s Date:</strong></th>
<th>10/16/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Requesting Agency/Department:</strong></td>
<td>OC Community Resources/OC Parks</td>
</tr>
<tr>
<td><strong>Grant Name and Project Title:</strong></td>
<td>Habitat Conservation Fund Program Grant; Ted Craig Regional Park Lake Restoration Project</td>
</tr>
<tr>
<td><strong>Sponsoring Organization/Grant Source:</strong></td>
<td>State of California Natural Resources Agency Department of Parks and Recreation</td>
</tr>
<tr>
<td><strong>Application Amount Requested:</strong></td>
<td>$194,160</td>
</tr>
<tr>
<td><strong>Application Due Date:</strong></td>
<td>October 1, 2018</td>
</tr>
<tr>
<td><strong>Board Date when Board Approved this Application:</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Awarded Funding Amount:</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Notification Date of Funding Award:</strong></td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Is this an Authorized Retroactive Grant Application/Award?** Yes

**Recurrence of Grant**

<table>
<thead>
<tr>
<th>New</th>
<th>Recurrent</th>
<th>Other</th>
</tr>
</thead>
</table>

**If this is a recurring grant, please list the funding amount applied for and awarded in the past:**

| 2015- | $200,000.00 | Applied for and awarded |
| 2018- | $127,701.00 | Applied for and awarded |
| 2018- | $199,000.00 | Applied for and awarded |

**Does this grant require CEQA findings?** Yes

**What Type of Grant is this?** Competitive

**County Match?** Yes Amount 1:1 or ___ %

The applicant is required to provide a dollar-for-dollar match of the requested amount.

**How will the County Match be Fulfilled?** Planning, design, planting, administrative and overhead costs will be funded using existing OC Parks staff and resources.

**Will the grant/program create new part or full-time positions?** No

**Purpose of Grant Funds:**

If awarded, Habitat Conservation Fund Program Grant funds will be used to restore the deteriorating earthen lake edge and improve the water quality of the Ted Craig Regional Park Lake (Craig Lake). An ecological system will be used to dredge the shallow sediment from the lake bottom which will be pumped into DredgeSox ® for installation along the 3 acre lake edge. The encased, dredged material will be anchored around the lake perimeter and the area will be planted to stabilize the shoreline and restore the lakes natural appearance.

Loss of lake depth through the deposit of sediment is detrimental to water quality and consequently, the wildlife that use this resource. Craig Lake is designated Water of the US which is stocked for fishing, provides habitat for local wildlife and is an important stop for migratory birds on the Pacific Flyway.
<table>
<thead>
<tr>
<th>Board Resolution Required?</th>
<th>Yes ☒</th>
<th>No ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy County Counsel Name:</td>
<td>Mark Batarse</td>
<td></td>
</tr>
<tr>
<td>Recommended Action/Special Instructions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Authorize the OC Community Resources Director or designee to apply for the State of California Natural Resources Agency Habitat Conservation Fund Program Grant.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Adopt the attached Grant Resolution for the Habitat Conservation Fund Program Grant.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department Contact:</td>
<td>Sue McIntire, OC Parks Grants Manager- (949) 923-3735; <a href="mailto:sue.mcintire@ocparks.com">sue.mcintire@ocparks.com</a></td>
<td></td>
</tr>
<tr>
<td>Name of the individual attending the Board Meeting:</td>
<td>Stacy Blackwood, OC Parks Director or designee</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA
October 16, 2018

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire, enhance, restore or develop facilities for public recreation and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the Habitat Conservation Fund (“HCF”) Program, setting up necessary procedures governing project application under the HCF Program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the project(s);

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby:

1. Approves the filing of an application for the HCF Program, Ted Craig Regional Park Lake Restoration project; and

2. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the required match and sufficient funds to complete the project; and

3. Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s); and

4. Certifies that the applicant has reviewed, understands, and agrees to the provisions contained in the contract shown in the grant administration guide; and
5. Delegates the authority to the OC Community Resources Director or OC Parks Director to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project.

6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
Today's Date: October 5, 2018
Requesting Agency/Department: District Attorney
Grant Name and Project Title: Life and Annuity Consumer Protection Program
Sponsoring Organization/Grant Source: California Department of Insurance (CDI)
Application Amount Requested: $298,140
Application Due Date: May 10, 2018
Board Date when Board Approved this Application: March 27, 2018
Awarded Funding Amount: $231,875
Notification Date of Funding Award: September 28, 2018
Is this an Authorized Retroactive Grant Application/Award? No
Recurrence of Grant: Recurrent

If this is a recurring grant, please list the funding amount applied for and awarded in the past:

- $304,072 was applied, $152,475 was awarded for FY 17-18

Does this grant require CEQA findings? Yes

What Type of Grant is this? Competitive

County Match? No

How will the County Match be Fulfilled? N/A

Will the grant/program create new part or full-time positions? No new position is required.

Purpose of Grant Funds: Provide a summary and brief background of why Board of Supervisors why should accept this grant application/award, and how the grant will be implemented.

This grant award is made pursuant to the provisions of California Insurance Code Section 10127.17, and shall be used solely for the purposes of enhanced investigation and prosecution of life insurance and annuity financial abuse by insurance licensees, or any person purporting to be engaged in the business of insurance. This grant will provide continued funding for the vertical prosecution unit consisting of prosecutorial, investigative, and support staff to investigate and prosecute life insurance and annuity fraud cases.

Board Resolution Required? Yes

Attachment A
### Deputy County Counsel Name:
(Please list the Deputy County Counsel that approved the Resolution)

| James Harman, Deputy County Counsel |

### Recommended Action/Special Instructions
(Please specify below)

<table>
<thead>
<tr>
<th>CDI requires the District Attorney to submit a Board Resolution. County Counsel has reviewed and approved the attached sample Board Resolution.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Authorize the District Attorney or his designee, to sign and execute, on behalf of the County of Orange, the Grant Agreement with the CDI accepting the grant award of $231,875 to continue the Life and Annuity Consumer Protection Program for fiscal year 2018-19.</td>
</tr>
<tr>
<td>2. Authorize the District Attorney, or his designee, to execute, on behalf of the County of Orange, any extensions or amendments that reflect the actual grant award but do not materially alter the terms of the grant award.</td>
</tr>
<tr>
<td>3. Adopt the Resolution to receive funds for the Life and Annuity Consumer Protection Program.</td>
</tr>
</tbody>
</table>

By Resolution No. 17-110, dated September 12, 2017, the Board authorized the District Attorney or designee to sign and execute the Award to accept state funding to administer the Life and Annuity Consumer Protection Program for a period from July 1, 2017 to June 30, 2018. The District Attorney has received funding to participate in the State Life and Annuity Consumer Protection Program for the past ten years. Fiscal year 2018-19 will mark as the District Attorney Office's 11th year of participation in the Program.

### Department Contact:
List the name and contact information (telephone, e-mail) of the staff person to be contacted for further information.

| Jenny Qian (714) 347-8443  jenny.qian@da.ocgov.com |

### Name of the individual attending the Board Meeting:
List the name of the individual who will be attending the Board Meeting for this Grant Item:

| Jenny Qian |
RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA

October 16, 2018

WHEREAS, the County of Orange desires to undertake its project designated “The Life and Annuity Consumer Protection Program” to be funded in part from funds made available through the California Insurance Code Section 10127.17 and administered by the California Department of Insurance (hereafter referred to as CDI).

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby:

1. Find that the proposed project is exempt from CEQA pursuant to 14 C.C.R. 15061(b)(3) because it does not impose a significant effect on the environment.

2. Find that pursuant to Section 711.4 of the California Fish and Game Code, the proposed project is exempt from the required fees as it has been determined that no adverse impacts to wildlife resources will result from the project.

3. Authorize the District Attorney, or his designee, to sign and execute, on behalf of the County of Orange, a Grant Award Agreement with CDI for the Life and Annuity Consumer Protection Program, effective from July 1, 2018 through June 30, 2019, in the amount not to exceed $231,875.

4. Authorize the District Attorney, or his designee, to execute, on behalf of the County of Orange, any extensions or amendments that reflect the actual grant award amount but do not materially alter the terms of the grant award.

5. Assure that the County of Orange assumes any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages. The State of California and the California Department of Insurance disclaim responsibility for any such liability.

6. Assure that the County of Orange will not use grant funds to supplant expenditures controlled by the Board of Supervisors.
MEMORANDUM

To: Robin Stieler, Clerk of the Board

From: Chairman Andrew Do, Supervisor 1st District

Subject: Chairman Appointment to California State Association of Counties Fiscal Year 2018-2019 Appointment

Please add the following item to the Agenda for the October 16, 2018 Board of Supervisor Meeting:

- Appoint Supervisor Bartlett as the Regular Member to the California State Association of Counties (CSAC) for Fiscal Year (FY) 2018-2019
- Appoint Chairman Do as the Alternate to CSAC for FY 2018-2019
To: Clerk of the Board

From: Todd Spitzer, Third District Supervisor
       Melanie Eustice, Third District Chief of Staff

Date: October 9, 2018

RE: Termination of Contract between the County of Orange and Global Tel*Link Corporation; Direction to the Sheriff-Coroner

Please add a supplemental item of business to the October 16, 2018, Board meeting agenda. The title of the supplemental agenda item should read:

**Supervisor Spitzer** – 1. Receive and File October 3, 2018 Letter from Orange County Counsel to Global Tel*Link Counsel requesting clarification and complete information related to the discovery of recordings between attorneys and inmates in the Orange County jails.

2. Receive a report from the Sheriff-Coroner that the Inmate Telephone Service has been reviewed by Sheriff Personnel and that measures have been taken to prevent further breaches.

3. Conduct a discussion whether to Terminate agreement MA-060-18010006 with Global Tel*Link Corporation, either immediately for cause or after thirty (30) days’ written notice without cause.

4. Provide direction to the Sheriff-Coroner concerning the procurement of legally-mandated inmate telephone services in the Orange County jail in order to avoid delay for a November 24, 2018 contract renewal discussion in the event the County would like to: a). pursue options with a new, qualified vendor or b) renegotiate its existing contract terms and impose additional remedies for contract breach to ensure contract compliance or c) pursue additional options.
Attachments:

A. Letter from Orange County Counsel to Global Tel*Link Counsel, October 3, 2018
VIA FACSIMILE (310) 586-0582 AND U.S. MAIL

Adil M. Khan, Esq.
Michael Sklare, Esq.
Daniell Newman, Esq.
GREENBERG TRAURIG, LLP
1840 Century Park East, Suite 1900
Los Angeles, CA 90067-2121

Re: Global Tel*Link Contract Inmate Telephone Services Contract with County of Orange, MA 060-15010542

Dear Counsel:

We write to express our frustration concerning the piecemeal and incomplete information provided by Global Tel*Link (GTL) to date in relation to the above-referenced contract. As we explain below, based on facts that have recently come to light, GTL has apparently failed to take immediate actions as previously requested by OCSD in relation to the discovery of recordings between attorneys and inmates in the Orange County jails. Surely you are aware that, in 2015, GTL failed to transfer the phone numbers of over 1000 attorneys that existed in the predecessor system – Lazerphone – to the new inmate telephone system. GTL’s failure to transfer these phone numbers from the old system to the new system led to the improper recording of well over 1,000 potentially privileged phone calls between Orange County jail inmates and their attorneys.

Herein we ask that you respond to a series of questions in regards to what GTL has done since the failure to transfer the numbers to the new system was discovered in June. We also make demands in regard to additional steps we ask that GTL take to provide assurances to OCSD and the County that all improperly recorded calls between attorneys and their inmate clients have been identified. The OCSD not only needs accurate and complete information to effectively manage the jail but also demands that the Superior Court in both the Special Master proceedings in People v. Does 1-58 and in People v. Waring similarly be informed.

As you are probably aware, on September 25, 2018, the Superior Court scheduled a hearing in the case of People v. Waring. An off-the-record meeting occurred at the courthouse that included GTL employee, George McNitt, and many others. During this meeting, Mr. McNitt revealed that the GTL recordings database contains 549 recordings of calls apparently made to Joel Garson, a criminal defense attorney in the County of Orange. These 549 recordings are in addition to the almost 1,100 recordings of calls, presumably to
attorneys’ phone numbers, that Executive Vice President Darren Wallace noted in his correspondence of July 27, 2018. Mr. McNitt also revealed that the almost 1,100 recordings originally found to exist, as reported in July 2018, were discovered by searching the current recordings database against a “2015 list” taken from the Lazerphone system, the predecessor platform to ICMv, the current platform.

You will also recall that when this issue was discovered in June, OCSD had learned that GTL only had a list of 72 phone numbers on its “private” list for OCSD’s system. OCSD staff worked with Russ Williams, OCSD’s assigned GTL field service manager, to upload to the list of 72 phone numbers approximately 1,300 phone numbers that OCSD had record of being on a “do not record list” under the Lazerphone system that were/are attorneys’ telephone numbers. (See attached e-mail strings on the subject.) After OCSD requested that the 1,300 numbers be added to the private list, OCSD asked whether there were any record of recordings to the then updated private list. In pursuit of this information, Mr. Williams sent the following e-mail (excerpted from the e-mail string referenced above and attached hereto):

From: Russ Williams
Sent: Friday, July 06, 2018 3:58 AM
To: Support <support@gtl.net>
Cc: Wayne Morris <wayne.morris@gtl.net>; O'Chareon, Diane <DOChareon@ocsd.org>; Matthew McFall <Matthew.McFalls@gtl.net>; Justin Tidwell <Justin.Tidwell@gtl.net>; Ken McNiel <Ken.McNiel@gtl.net>; O'Neil, BUFFY M <BOnell@ocsd.org>
Subject: 1,300 number list

Team

The Sheriff at Orange County CA is requesting to know if any calls exist to each and any of the “privileged/Private” numbers for Orange County CA. (approx. 1382) This would be from Jan 2015 to present. (the list attached is only 1300 of the numbers)

Please open a ticket to confirm there “are no recordings available” for any of the numbers on the list.

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1 The current contract defines a phone number that is categorized as “private” as a number that “will not be recorded nor subject to monitoring.” Since the discovery of the issue relating to the phone calls in June, OCSD has learned that there is both a “private” list and a “do not record” list. This letter is intended to address any phone number of an attorney that was in put into the GTL database categorized as “private” or “do not record.”
This info is needed asap so we will need an ETA if possible for gathering the info.

Thanks Team

R.D. "Russ" Williams CTM
Field Service Manager - Field Service Team

After the above e-mail, Mr. Williams forwarded to OCSD a list referencing 1,064 recordings to phone numbers, which Mr. Williams described as: "... the numbers called from the 1300 list." Based on the e-mail exchange with Mr. Williams, OCSD believed that the information regarding the number of recordings that exist in GTL’s database was derived from cross-referencing the entirety of the OCSD’s privileged/private numbers, as referenced by Mr. Williams, after the list had been updated with the 1,300 numbers provided by OCSD.

On July 25, 2018, at a meeting at Sheriff’s Headquarters with Mr. Wallace, other GTL representatives, Assistant Sheriff Greenberg, Commander Balicki, Greg Boston, and other OCSD staff, GTL apparently provided a hardcopy list of recorded numbers that showed 1,079 recordings. GTL also provided a list referencing 58 recordings of phone calls that were accessed in some manner by GTL and/or Sheriff’s staff. (See Mr. Wallace’s letter of July 27, 2018.) It is unclear whether GTL provided an explanation for the difference in the number of recordings that was provided by Mr. Williams on July 11 and the number of recordings on the list provided at the July 25 meeting. In an abundance of caution, though, OCSD submitted both lists to the Court in People v. Waring in response to the Court’s order to turn over all lists of recordings. OCSD continued to believe that both lists were derived from the newly-updated “privileged/private” phone numbers for Orange County.

This brings us to September 25, when the department’s good faith belief was controverted by the new information provided by Mr. McNitt. Obviously, if GTL had derived the list of recordings based on the updated list of “privileged/private” phone numbers, which as Mr. Williams indicates in his e-mail total approximately 1,382 numbers, Mr. McNitt should not have found an additional 549 recordings of calls to Mr. Garson. Mr. Garson’s two phone numbers were already on the list of 72 phone numbers when this issue was discovered in June. Thus, if the full list of 1,382 had been used to determine the number of recordings on the GTL database to privileged/private numbers, then the recordings of calls to Mr. Garson’s number(s) would have necessarily already been found. One possible explanation for this discrepancy is that both the list of 1,064 recordings originally provided
by Mr. Williams, and the list of 1,079 recordings provided by GTL at the July 25, 2018 meeting did not include review of the 72 phone numbers that were on the privileged/private list when this issue first arose in June.

Moreover, based on Mr. McNitt’s statements on September 25, we suspect that the list that Mr. Williams provided containing 1,064 recordings and the list containing 1,079 recordings may have been created from different data sets. Based on the e-mail exchange with Mr. Williams, the list of 1,064 recordings should have been based upon the then-updated “privileged/private” list of numbers (approximately 1382 numbers). However, Mr. McNitt apparently indicated on September 25 that the list of 1,079 recordings was derived by relying on data drawn from the Lazerphone system as that list existed in 2015. GTL has provided no information about whether the data drawn from the Lazerphone system matches any of the updated privileged/private list of numbers.

Finally, during the September 25 meeting, OCSD learned for the first time that the list of 1,079 recordings only included completed calls. However, the list of 58 accessed calls, which was also provided by GTL to OCSD, included both completed and incomplete calls. This distinction is obviously significant because it explains why a telephone number on the list of 58 is not on the list of 1,079. Again, OCSD was left in the dark and given either incomplete or inaccurate information.

To avoid further compounding any misunderstandings and/or misinformation, we ask that you provide responses in writing to the following questions:

1) What was the basis for the list of 1,064 recordings provided by Mr. Williams on July 11, 2018? In other words, from what data was that list derived?

2) What was the basis for the list of 1,079 recordings provided by GTL to OCSD command staff at the meeting on July 25, 2018? In other words, from what data was that list derived?

3) Presuming that different data sets were used to create the two lists of recordings, why was this done and why was OCSD not made aware of this at an earlier date?

In addition, we make the following demands on GTL in regards to potential recordings that GTL may possess in its databases:

1) Run the attached list of 72 numbers, which existed in OCSD’s “privileged/private list” as of June 11, against GTL’s recordings database to determine what recordings exist to these numbers. We know that there should be at least 549 records, since Mr. Garson’s numbers are on this list. Please ensure that the following data fields are on the list of calls to attorneys for which there is a record of a recording:
a. Complete/Incomplete to reflect whether the call was completed or not.
b. The date/time the call was made.
c. The PIN associated with the call.
d. The duration of the call.
e. Whether the call was accessed in anyway by GTL and/or OCSD staff. If a recording was accessed, provide the following additional information:
   i. the identifier of the person accessing the call,
   ii. the manner in which it was accessed, i.e., recorded, downloaded, or whatever other identifier the GTL system may have to reference the nature of how a recording/call is accessed
   iii. when it was accessed

2) Please provide a copy of the list of recordings to the list of 72 numbers with the above mentioned categories to both the undersigned and to the Special Master in the case of People v. John Does 1-58, Case No. M-17638, filed under seal.

3) Preserve and sequester any recordings to the list of 72 phone numbers discovered such that no OCSD staff or GTL staff may access the recordings.

4) Confirm that the 1,300 numbers provided by OCSD to Mr. Williams on June 20th have been added to OCSD’s list of privileged/private numbers in the GTL database such that calls made to those numbers are not recorded by the system. Please provide proof that this action has been taken.

5) Provide the undersigned a copy of the “2015 list” of numbers from the Lazerphone system referenced by Mr. McNitt on September 25.

6) Cross-reference the list of 1,300 provided by OCSD on June 20th to Mr. Williams, against the “2015 list” from the Lazerphone system referenced by Mr. McNitt. If GTL discovers any number on the 2015 list that is not on the list from OCSD, please do the following:

   a. Provide a list of the number(s) to the undersigned,
   b. Add the number(s) to the “privileged/private” list for OCSD,
   c. Run the number(s) against the GTL recordings database to determine if any recordings (both complete and incomplete) exist,
   d. Preserve and sequester any discovered recordings from access by OCSD and GTL staff, and
e. Determine if any of the recordings were accessed in anyway by GTL or OCSD staff.

f. If previously undiscovered recordings are found, provide a list of the phone numbers for which recordings exist to the undersigned and the Special Master in the case of People v. Does 1-58, filed under seal. The list should contain the same data fields as referenced above in paragraph 1. a. – e., above.

7) Determine which numbers have been added to OCSD’s privileged/private list since June 12, excluding the 1,300 plus numbers that were provided by OCSD to Mr. Williams, and run those numbers against the GTL recordings database. If this results in discovery of more recordings, perform the same steps as noted in paragraphs 6) c. – f., above.

In short, OCSD needs to know about any recording of a phone call between an inmate at the OC Jail and his or her attorney. OCSD expects full transparency. If there is any data field that GTL believes that the OCSD should be aware of that is not requested above, please contact the undersigned immediately.

Please feel free to contact the undersigned with any questions or concerns.

Very truly yours,

LEON J. PAGE
COUNTY COUNSEL

By [Signature]
Wendy J. Phillips, Senior Deputy

WJP:azs

cc: Sandra Hutchens, Orange County Sheriff
Stuart Greenberg, Chief, Corrections Division, Orange County Sheriff
October 10, 2018

To: Clerk of the Board of Supervisors

From: Frank Kim, County Executive Officer

Subject: Exception to Rule 21

The County Executive Office is requesting a Supplemental Agenda Staff Report for the October 16, 2018, Board Hearing.

Agency: District Attorney
Subject: Ordinance for Registration of Alcohol, Narcotic and Drug Abuse Programs
Districts: All Districts

Reason for supplemental: The Registration of Addiction Treatment and Recovery Businesses and Related Entities ASR needs to go to the Board of Supervisors Meeting on October 16, 2018, because there is a critical need to protect victims who are currently being harmed by unscrupulous operators of illegitimate addiction treatment facilities and body brokers looking to profit from victims’ addiction. The case filed by the District Attorney involved the use of body brokers or marketers to pay people up to $1,000 who they met at sober living homes, AA meetings, and by word of mouth to undergo a medically unnecessary surgery. Many of these patients/victims were from out of state and developed serious side effects from the surgery upon returning home. The registration requirement in the ordinance is the first step in developing a framework to protect the victims of these types of schemes. The health and safety of the citizens of Orange County is at stake so moving quickly is crucial. This Agenda Staff Report and attachments were finalized after the filing deadline to the Clerk of the Board.

Concur: Chairman Andrew Do, Supervisor, First District

cc: Board of Supervisors
County Executive Office
County Counsel
SUPPLEMENTAL AGENDA ITEM
AGENDA STAFF REPORT

MEETING DATE: 10/16/2018
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: District Attorney
DEPARTMENT HEAD REVIEW: Jenny Qian (714) 347-8443
          Tracy Hughes (714) 834-6504
DEPARTMENT CONTACT PERSON(S): 

SUBJECT: Ordinance for Registration of Alcohol, Narcotic and Drug Abuse Programs

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CEO CONCUR

COUNTY COUNSEL REVIEW
Approved ordinance to form
               Action

CLERK OF THE BOARD
Discussion
3 Votes Board Majority

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Budgeted: N/A
Current Year Cost: See Financial Impact Section
Annual Cost: See Financial Impact Section

Staffing Impact: Yes
# of Positions: See Staffing Impact Section
Sole Source: N/A

Current Fiscal Year Revenue: N/A
Funding Source: See Financial Impact Section
County Audit in last 3 years: No

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Prior Board Action: N/A

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RECOMMENDED ACTION(S)

1. Read title of Ordinance: "An Ordinance of the County of Orange, California Adding Division 14, Article 1 to Title 4 of the Codified Ordinances of the County of Orange Regarding Registration of Alcohol, Narcotic, and Drug Abuse Programs."

2. Order that further reading of the Ordinance be waived.

3. Consider the matter.

4. Direct that the Ordinance be placed on agenda of the next regularly scheduled Board meeting for adoption.
5. At the next regularly scheduled meeting, consider the matter and adopt the Ordinance.

SUMMARY:

As provided under state law, the ordinance requires alcohol, narcotic, and drug abuse programs to register each year with the Orange County Health Care Agency, to promote coordination of substance abuse prevention efforts within the County and to protect the vulnerable population in need of such services.

BACKGROUND INFORMATION:

State law requires alcohol, narcotic, and drug abuse programs to register with counties to promote coordination of substance abuse prevention efforts. The District Attorney is not aware of any county that maintains a program registry. Through its law enforcement and consumer protection efforts, the District Attorney's Office identified the addiction treatment industry as an area that is increasingly a target of unscrupulous operators. Providing a registration process under state law will empower consumers to make informed choices about available programs, facilitate the discernment of legitimate operators, and maximize the coordination of substance abuse efforts.

High insurance reimbursement for addiction treatment services, combined with the increased incidence of addiction to opiates in Orange County and throughout the United States, have attracted many unscrupulous operators to the addiction treatment and recovery industry. Documented numbers of addiction treatment centers in Orange County are among the highest per capita in the country. Some operators run related enterprises in which they have a financial interest, and many charge innocent patients and their insurance companies for unnecessary services. Growth of this industry has also pushed some operators running fraudulent enterprises into residential areas.

According to the California Department of Health Care Services, as of August 8, 2018, there were 140 licensed outpatient addiction treatment/recovery centers, and 323 residential addiction treatment centers in Orange County, for a total of 463. This does not include unlicensed facilities or numbers of sober living homes, many of which are operating as treatment centers. In comparison, Los Angeles County has 269 outpatient and 250 residential facilities as of August 8, 2018, for a total of 519. Despite the similar totals, Los Angeles County's population is over 3 times that of Orange County (10.17 million versus 3.17 million in 2015).

Unscrupulous operators are harming vulnerable patients within this industry. The District Attorney created the Sober Living-home Investigation and Prosecution task force to address citizen and community complaints and concerns about criminal activities occurring within the addiction treatment industry. Through the task force's work, the District Attorney recently filed criminal charges against 11 defendants in an alleged multi-million dollar, large scale insurance fraud scheme. The District Attorney alleges the defendants used body brokers or marketers to pay people up to $1,000 who they met at sober living homes, AA meetings, and by word of mouth to undergo a medically unnecessary surgery. Many of these patients/victims developed serious side effects from the surgery upon returning home.

Criminal activity in the addiction treatment industry has a chilling effect on those in need of substance abuse services from getting assistance. The registration process proposed in the ordinance is the first step in developing a framework to protect the consumers from these types of schemes. The ordinance is based on Health and Safety Code sections 11842-11843.5, which require alcohol, narcotic, and drug abuse
programs to register each year with the county agency responsible for alcohol and drug treatment programs. To assist consumers in making informed decisions on the programs available in Orange County, the proposed ordinance requires private programs to identify their location(s), owner(s), and affiliated programs and facilities. Maintaining a roster of alcohol, narcotic, and drug abuse programs will:

- Encourage the effective use of these programs by giving consumers information so that they can make informed decisions;
- Facilitate the coordination of drug abuse prevention efforts among stakeholders such as consumers, providers, and public agencies;
- Protect victims/patients from conflicts of interest related to their care;
- Protect victims/patients and their families from billing fraud associated with co-ownership of related entities
- Assist in preventing criminal acts related to insurance fraud.

The Ordinance in its current version would apply only to private programs in County unincorporated areas. The District Attorney will cooperate and work with cities interested in adopting the ordinance. As more cities adopt this program the related workload will require an ongoing funding mechanism. This may necessitate further review and study on the feasibility of registration fees and sharing costs with cities adopting the ordinance.

FINANCIAL IMPACT:

The cost to the Health Care Agency to implement and enforce the ordinance would be minimal if limited only to those sober living facilities within unincorporated Orange County. However, if the program were to expand beyond unincorporated Orange County, then the Health Care Agency will require an ongoing funding mechanism to fund the program. The Health Care Agency and the District Attorney's office would return to the Board for approval of such mechanism. The Health Care Agency anticipates absorbing this minimal workload within their existing appropriations.

STAFFING IMPACT:

The District Attorney has discussed this item with the Health Care Agency and it is not anticipated the maintenance of a registry will have a significant impact on County staffing with the initial workload. This, however, may change if cities adopt this ordinance and the workload increases.

REVIEWING AGENCIES:

Health Care Agency

ATTACHMENT(S):

Attachment A - Ordinance for Registration of Alcohol, Narcotic, and Drug Abuse Programs
Attachment B - Health and Safety Code Sections 11842-11843.5
ORDINANCE NO. 18-____

AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA ADDING DIVISION 14, ARTICLE 1 TO TITLE 4 OF THE CODIFIED ORDINANCES OF THE COUNTY OF ORANGE REGARDING REGISTRATION OF ALCOHOL, NARCOTIC, AND DRUG ABUSE PROGRAMS

The Board of Supervisors of the County of Orange, California ordains as follows:

SECTION 1. The United States is facing a public health crisis related to opioid addiction, and Orange County has also experienced a sharp rise in rates of addiction, drug overdose deaths, and emergency room visits related to drug overdose in the last decade. The increase in drug abuse and addiction has created a population of people in need of substance abuse services in Orange County.

SECTION 2. Orange County has experienced exponential growth in numbers of alcohol, narcotic, and drug abuse programs, beyond rates of other California regions. Crime related to fraudulent activity associated with alcohol, narcotic, and drug abuse programs has risen sharply in line with the proliferation of these programs, including but not limited to widespread patient brokering, insurance fraud, and illegal drug sales.

SECTION 3. Individuals in need of substance abuse services are often the victims where alcohol, narcotic, and drug abuse programs engage in criminal activity. This criminal activity discourages individuals from seeking and obtaining the substance abuse services they need.

SECTION 4. Lack of information on items such as who provides substance abuse services, what services are provided, where those services can be obtained, and how those services can be financially supported has a chilling effect on individuals from seeking and obtaining the legitimate substance abuse services they need.

SECTION 5. Maintaining a registry of alcohol, narcotic, and drug abuse programs within Orange County will promote information regarding substance abuse prevention efforts within the County, increase transparency in relationships between business entities, reduce factors that discourage individuals from seeking and obtaining substance abuse services, and enhance the effective use of alcohol, narcotic, and drug abuse programs.

SECTION 6. Division 14, Article 1 to Title 4 is hereby added to the Codified Ordinances of the County of Orange to read as follows:

Sec. 4-14-1. Definitions.

Alcohol, Narcotic, and Drug Abuse Program means any program that provides any service of care, treatment, rehabilitation, counseling, vocational training, self-improvement classes or courses, narcotic replacement therapy in maintenance or detoxification treatment, or other medication services for detoxification and treatment, and any other services that are provided either public or private, whether free of charge or for compensation, which services are intended
in any way to alleviate the problems of narcotic addiction or habituation or drug abuse addiction or habituation or any problems in whole or in part related to the problem of narcotics addiction or drug abuse, or any combination of these problems. Programs meeting this definition include, but are not limited to:

(a) Residential programs that provide a residential setting and services such as detoxification, counseling, care, treatment, and rehabilitation in a live-in facility.

(b) Drop-in centers that are established for the purpose of providing counseling, advice, or a social setting for one or more persons who are attempting to understand, alleviate, or cope with their problems of alcohol and other drug abuse.

(c) Crisis lines that provide a telephone answering service that provides, in whole or in part, crisis intervention, counseling, or referral, or that is a source of general drug abuse information.

(d) Free clinics that are established for the purpose, either in whole or in part, of providing any medical or dental care, social services, or treatment, or referral to these services for those persons recognized as having a problem of narcotics addiction or drug abuse. Free clinics include primary care clinics licensed under California Health and Safety Code Section 1204, subdivision (a), paragraph (2).

(e) Detoxification centers that are established for the purpose of detoxification from drugs, regardless of whether or not narcotics, restricted dangerous drugs, or other medications are administered in the detoxification and whether detoxification takes place in a live-in facility or on an outpatient basis.

(f) Narcotic treatment programs, whether inpatient or outpatient, that offer narcotic replacement therapy and maintenance, detoxification, or other services, in conjunction with that replacement narcotic therapy.

(g) Chemical dependency programs, whether inpatient or outpatient and whether in a hospital or nonhospital setting, that offer a set program of treatment and rehabilitation for persons with a chemical dependency that is not primarily an alcohol dependency.

(h) Alcohol and other drug prevention programs that promote positive action that changes the conditions under which the drug-taking behaviors to be prevented are most likely to occur and a proactive and deliberate process that promotes health and well-being by empowering people and communities with resources necessary to confront complex and stressful life conditions.

(i) Nonspecific drug programs that have not been specifically mentioned in subdivisions (a) to (h), inclusive, but that provide or offer to provide, in whole or in part, for counseling, therapy, referral, advice, care, treatment, or rehabilitation as a service to those persons suffering from alcohol and other drug addiction, or alcohol and other drug abuse related problems that are either physiological or psychological in nature.
Affiliated Entity refers to any entity where the Owner has served or currently serves as an administrator, partner, trustee, trust applicant, sole proprietor, executor, officer, director, or has held an ownership interest of five percent or more.

Affiliated Facility refers to any premises, business, place, or building in Orange County in which the Owner provides any Alcohol, Narcotic, and Drug Abuse Program service.

Owner means individual or entity with an ownership interest of five-percent or more in a Alcohol, Narcotic, or Drug Abuse Program.

Section 4-14-2. Registration with Health Care Agency

Each privately owned Alcohol, Narcotic, and Drug Abuse Program in unincorporated Orange County shall register annually with the Orange County Health Care Agency by July 1 or within 30 days after being established.

Section 4-14-3. Registration Requirements

Each Alcohol, Narcotic, and Drug Abuse Program shall include with its registration under this Article the following information:

(a) its name;

(b) its business address;

(c) its state license number;

(d) For each location where it provides services within Orange County:

(1) the address;

(2) the services provided;

(3) method of payment accepted for services (e.g. private insurance, Medi-Cal).

(e) the identity of each Owner;

(f) the identity of each director, partner, and officer of the Alcohol, Narcotic, and Drug Abuse Program;

(g) the identity of each Affiliated Entity; and,

(h) the identity of each Affiliated Facility.
HEALTH AND SAFETY CODE
SECTION 11842-11843.5

11842. As used in this chapter, "narcotic and drug abuse program" means any program that provides any service of care, treatment, rehabilitation, counseling, vocational training, self-improvement classes or courses, replacement narcotic therapy in maintenance or detoxification treatment, or other medication services for detoxification and treatment, and any other services that are provided either public or private, whether free of charge or for compensation, which services are intended in any way to alleviate the problems of narcotic addiction or habituation or drug abuse addiction or habituation or any problems in whole or in part related to the problem of narcotics addiction or drug abuse, or any combination of these problems.

11842.5. As used in this chapter, an alcohol and other drug abuse program includes, but is not limited to:

(a) Residential programs that provide a residential setting and services such as detoxification, counseling, care, treatment, and rehabilitation in a live-in facility.

(b) Drop-in centers that are established for the purpose of providing counseling, advice, or a social setting for one or more persons who are attempting to understand, alleviate, or cope with their problems of alcohol and other drug abuse.

(c) Crisis lines that provide a telephone answering service that provides, in whole or in part, crisis intervention, counseling, or referral, or that is a source of general drug abuse information.

(d) Free clinics that are established for the purpose, either in whole or in part, of providing any medical or dental care, social services, or treatment, or referral to these services for those persons recognized as having a problem of narcotics addiction or drug abuse. Free clinics include primary care clinics licensed under paragraph (2) of subdivision (a) of Section 1204.

(e) Detoxification centers that are established for the purpose of detoxification from drugs, regardless of whether or not narcotics, restricted dangerous drugs, or other medications are administered in the detoxification and whether detoxification takes place in a live-in facility or on an outpatient basis.

(f) Narcotic treatment programs, whether inpatient or outpatient, that offer replacement narcotic therapy and maintenance, detoxification, or other services, in conjunction with that replacement narcotic therapy.
(g) Chemical dependency programs, whether inpatient or outpatient and whether in a hospital or nonhospital setting, that offer a set program of treatment and rehabilitation for persons with a chemical dependency that is not primarily an alcohol dependency.

(h) Alcohol and other drug prevention programs that promote positive action that changes the conditions under which the drug-taking behaviors to be prevented are most likely to occur and a proactive and deliberate process that promotes health and well-being by empowering people and communities with resources necessary to confront complex and stressful life conditions.

(i) Nonspecific drug programs that have not been specifically mentioned in subdivisions (a) to (h), inclusive, but that provide or offer to provide, in whole or in part, for counseling, therapy, referral, advice, care, treatment, or rehabilitation as a service to those persons suffering from alcohol and other drug addiction, or alcohol and other drug abuse related problems that are either physiological or psychological in nature.

11843. The county shall establish and maintain a registry of all narcotic and drug abuse programs and alcohol and other drug abuse programs within the county in order to promote a coordination of effort in the county.

11843.5. Each narcotic and drug abuse program and alcohol and other drug abuse program in a county shall register annually with the county alcohol and drug program administrator by July 1 or within 30 days after being established.
MEMORANDUM

October 10, 2018

TO: Robin Stieler, Clerk of the Board of Supervisors

FROM: Leon J. Page, County Counsel

SUBJECT: Request for Supplemental Closed Session

I am requesting a supplemental closed session on Tuesday, October 16, 2018, to discuss with the Board the status of existing litigation, pursuant to Government Code section 54956.9(d)(1).

Accordingly, please prepare the Agenda Item to read:

“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-JDE. David Ramirez, et al. v. County of Orange, United States District Court Case No. 8:18-cv-0220-DOC-JDE.

RECOMMENDED ACTION: Conduct Closed Session.”

Thank you.

LJP:jr

cc: Members of the Board of Supervisors
Frank Kim, CEO