

Speech by Supervisor Todd Spitzer
January 7, 2013

Let's Call this "Round 1": 16 years ago I was elected to this position on one issue: Stop an Airport at the former Marine Corps. Airstation at El Toro. 3-2 BOS; very contentious; county entirely split; constant fighting and suspicion; lawsuits; very unhealthy environment for all. I was successful in working with a committed community to stopping that Airport; it appears that I was not so successful when I cut the deal with then Supervisor Coad to allow Irvine to annex the base which effectively terminated any prospect for an Airport. But every decision has potential, long-term, unanticipated consequences.

At the time I was excited about the vision for the Great Park and today I am just as excited. But more than ten years has passed and \$220 million has been expended and there is not much to show for it. The balloon is cool; but a Merry Go Round and a Balloon are not enough for me after ten years. The Great Park is an Orange County legacy project and it should be treated that way.

Now we have "Round 2": So now I have been fortunate enough to maintain voter confidence and I am back. I have been married for seventeen years; we now have two children; Justin was born while I was on the BOS; he is now a freshman in high school; Lauren was born while I was still in the State Assembly; she is now 6 and ½. Jamie was an attorney when I was on the BOS; she was appointed to the Worker's Compensation Board as a judge in 2005; she was appointed the Presiding Judge of the Worker's Compensation Board at the end of 2012. I am very proud of my family. My wife is smart, beautiful and an amazing wife and mother; my children are generally kind, caring and sweet. I have been an elected office for 22 years consecutive in this County starting with the Brea Olinda School Board if you include Central Committee.

There is no way I could have done this without a supportive family. Since I was here last, my mother passed from this Earth; I developed esophageal, vocal cord cancer and I was radiated every day for seven weeks; I have been cancer free for three years. I believe I am a survivor because of my faith in God and his Son and my practice of Yoga. Some of my yoga instructors are here and I am truly honored for what you have brought to my life. I have never felt so alive and healthy. Thank you.

So I have been gone for a while so let me address some key ISSUES from my perspective:

Our employee workforce: We have an amazing workforce and the BOS needs to honor and respect each and every one of our employees. We set an example of outstanding innovation for the rest of the state and nation; it has been difficult to boost employee morale given the economy and the county budget. My key role as a BOS is to ensure that our employees are successful. I was elected by the voters but I am an key and integral part of the county family; I will not be a push-over, but I will not be anti-county government to be fashionable.

Retired Army Colonel Tom Magness recently spoke to our management staff as part of our leadership series. He was INVITED by the County to teach our employees how to lead. I was invited also and I read his book. This is what our employees are being told: “ it seems that everywhere we look...we see leaders coming up short. Business executives seemingly care only about themselves. Community leaders fail under duress and during times of crisis.

Political leaders do not appear to understand consensus building, communication, long-range planning or risk mitigation, and cannot admit failure as a first step in self-examination and learning. Employees are uninspired, underdeveloped and unappreciated.” (page 17) This training shouldn't be just for managers; it should be for executives as well.

“Leaders provide the energy to make excellence possible. They sacrifice, provide blood, sweat and tears because

they care about the organization and its people, and the respective success of both. They are servants whose hopes and dreams are tied to the successes of each member of the team and their ability to accomplish the mission. They make everyone feel appreciated while seeking to increase the value of each team member.”
(page 20)

Lesson number one: you can delegate authority and specified tasks to others, but you cannot delegate the burdens of command or the overall responsibility to lead. Bottom line: no matter how much we delegate, we are still in charge.”

We are a full-time BOS with full-time staff. We are responsible for our pension liability just as we are for whether we have managers who are creating a hostile work environment or improperly grabbing the estates of those who have died. Everyone in this County needs to know that the BOS is in charge, has proper oversight and is holding people accountable. But it starts here; it cannot be delegated and we cannot blame others when there is wrong-doing.

But what we do to our executive managers based on an anonymous tip is wrong. The Bustamante scandal tipped the scales way too far and now everyone is running in fear. Anyone can make a false accusation and suddenly an independent law firm is hired to conduct an investigation at considerable expense. The stigma towards that employee could be incredibly unfair. If the

HR Director is doing his job, then an internal investigation can be launched to determine next steps and the BOS should be involved in that direction in conjunction with the CEO. Anyone with an axe to grind can anonymously complain without accountability and the manager is subject to a witch hunt. We can handle a probable cause inquiry in-house. If there is smoke, then let's call fire. But to call fire when someone has lit a match is a violation of our fundamental right to due process. This process needs to end immediately.

As to lawsuits, the County presently defends itself when it is sued; it does not go to the BOS for authorization to defend itself; the BOS is consulted only in order to initiate litigation. This must be modified as well. Supervisor Moorlach recently wrote in his newsletter that my previous BOS Board should have settled a lawsuit in its early stages. When I read that, I called Risk Management since I had no recollection of the case. The case never did come to the Board because the County was defending itself. I called BOS Moorlach and told him his newsletter was incorrect. But his assumption was correct: This practice is illogical to both of us.

Here is another example: The County recently defended the actions of our former convicted Sheriff in the demotion of former Lieutenant Bill Hunt. Judge David McEachan wrote a scathing opinion finding that the action against Hunt was retaliatory and punitive and the County was held liable for past wages and attorney's fees. Judge McEachan found that the the former Sheriff

violated Government Code section 3302 (a) in that he engaged in coercive methods to dissuade others from continuing their support for HUNT in an effort to render HUNT a less viable candidate. Judge McEachon found the each supporter who withdrew or feared joining HUNTS campaign, served as an example to others that support of HUNT was the equivalent of destroying one's own law enforcement career.

Why should the County be defending such action? The BOS is the conscious of the community; we get to say how our tax dollars are being spent; I do not want our tax dollars being used to defend such outrageous conduct of the former Sheriff. I want a say before we defend ourselves; in some cases the behavior of a County employee is non-defensible and the case should be settled. This policy must be modified as well.

The key principle is simple: never ask someone in your organization to suck up a task of responsibility that you have not already done first. You can't say "I'll do it when they do it".

So once a month I will spend time doing what our county employees do: I will interview applicants for public assistance; make restaurant inspections with our inspectors; change the brake linings on a sheriff's patrol vehicle; inspect the trash as it comes into the landfill; do a premises check with probation on a convicted sex offender who is on GPS monitoring.

And if I fail in any of these tasks then so be it. Failure is a great opportunity. If I am going to make decisions that impact the quality of life for 18,000 employees I should know what our employees do day in and day out. I am inviting employees to invite me to job share with them. They can email me the details and the suggestions. I am excited about this.

But we can reward our employees:

Health and Wellness Center: negotiate with our insurance plans for a wellness program; \$10/month for a gymnasium, diet and wellness counselors; yoga, pilates, aerobics, step and Zumba classes before and after work and during lunch. Provide the space; competitively bid to a Family Fitness or 24 Hour Fitness and Core Power Yoga or Bikram. We deserve to live healthy and clean lives. I am convinced that poor diet and stress produces bad habits and fuels environment for cancer to thrive. I helped drive this type of program for fire fighters when I was Chairman of the OCFA and it drove down our worker's compensation claims and work related injuries and time off. It makes sense economically and it makes sense from a physical and emotional standpoint: we are living longer, much longer, but the question will be what quality of aging do you want to have?

Pensions: Just as stopping an airport was the key issue in my 1996 election, public employee pensions was the number one issue I faced in 2012. The voters didn't forget. They were very aware of my vote to increase pensions for public safety employees to 3% at 50 when I was on the BOS the first time. I have been very clear that if I knew then what I know today about our fiscal situation and how our pension system is significantly impacting our ability to provide quality and reliable services today, I would not have cast that vote a decade ago in 2001. Irrespective, it was fully vetted in the election and the voters are giving me a second opportunity with nearly 70% of the vote. I intend to keep my promise: we must move to a 401 style pension system where the market determines the rate of return; any investment shortfalls cannot be forced on the taxpayer. The employees understand fully that in order for the system to be available and sustainable in retirement that it must be solvent. We are all digging deeper. Today, my pension, Supervisor Nguyen and Nelson's pension is 1.6%, the lowest level of any county employee. In order to lead on the issue, you have to walk the walk. Am I concerned? Of course, I am human and a provider. I am 52 years old with a 6 and 12 year old and years of financial support ahead of me and Jamie. I am in amazing health today, but I am a cancer survivor. But it is not government's function to provide for me. I work; I earn a living; and I should be expected to pay for my health and pension benefits and for those of my family as well.

Tomorrow we will interview candidates for our County CEO position: we need a vibrant, dynamic, respected visionary and community leader who has a vision for Orange County and for our county work force. Our County vision statement is “Making Orange County a safe, healthy, and fulfilling place to live, work, and play, today and for generations to come, by providing outstanding, cost-effective regional public services.” I am excited about this process and I am thankful that I have been allowed by the BOS to participate in this process. I think it is critical that I am involved in this selection since I will be working with this CEO every day of my term.

Our vision: we may have a “County of Orange” vision, but I don’t know if we have a County vision. Later this year, in conjunction with the Association of California Cities, Orange County, we will hold a county-wide Summit with all the elected officials what we believe and what we want our County to look like in the areas of Education, the Economy, Transportation and Health Care to name a few. I personally believe that the Association is providing the most organized, vibrant and exciting leadership in our region bar none. I am an Emeritus Member and will be fully participating in the Association. It is a magnet for public and private entities who are seeking regional leadership, think-tank opportunities for problem solving and a forum to express ideas and provide solutions. It has

the membership of the majority of Orange County cities; if the County of Orange and the BOS join and get involved and encourage all cities to join, we can provide a clearinghouse for good ideas and innovation and a laboratory to share what is working in government.

The Homeless: I cannot turn my head and not see what is going on just across the street in our Civic Center. We have a County Health Care Agency, we have mental health services. What are we doing for these human beings? Where is our collective humanity? How do we assert that we provide services for the safety net and allow this human condition to exist?

Anaheim:

So I want to turn to one of our cities that I jointly represent with Supervisor Nelson, Anaheim. This summer we all watched the City of Anaheim experience incredible civil unrest. For most of OC Anaheim might as well be on another planet. If its on TV it's far away, right? Some of you may not know that in summer of 1968, when I was 7 years old, I watched the television as my family's furniture store in East Los Angeles burnt to the ground during the riots. The same type of civil disobedience was fueled by the same issues; lack of political power, inferior education opportunities and a belief that corporate interests trump personal freedoms and the right to

associate. I became a high school teacher in East LA because instead of being resentful, I saw an opportunity to make a difference to the youth growing up in that area. I became a cop in the same area of East LA—Hollenbeck—for the same reason—to impact the community in a positive way.

What is occurring in Anaheim did not go away because the protesters are no longer in the street. The underlying issues are still simmering and we have a responsibility as a County to talk about it. It is not an Anaheim problem, it is all of our opportunity. I have spoken to Mayor Tom Tait about our vision conference and I will be asking him to Co-Chair the Visioning Summit. Political unrest has simple answers: allow the community to elect one of its own to the Council so their voice can be heard on a consistent and regular basis and influence day to day public policy and support Chief Welter in his efforts to rebuild community trust and he is the leader to do it. Provide our youth an education that inspires them to achieve their highest potential; create local jobs so that prosperity provides dignity and opportunity—basic human needs and wants.

Dr. Nicholas founded the Nicholas Academic Centers in Santa Ana. More young high school graduates are attending outstanding universities and graduating. When I was a high school teacher in East LA, my students went to Berkeley and Stanford—for one year. There was no support mechanism. Anaheim needs to model the

Nicholas Academic Center model and I will assist in those introductions.

The Tustin Marine Corp Airstation:

The County will be preserving its Blimp Hangar, a national monument. If you have not seen the video about the Blimp Hangars, please see Peter Buffa's video on the City of Tustin's website. It is simply outstanding. We will have a new animal shelter at that location. We will have a new County Park there also and I am thrilled to shepherd the issues associated with this grand plan.

As many of you know, I authored legislation that created a Victim's Memorial site at the State Capitol grounds and included that plan in the State's Capitol Grounds Master Plan. I will be working to erect a crime victim's memorial here in Orange County at this site. We need a fitting location, in a Park setting for such a memorial. All the funds will be privately raised.

The Great Park:

I told you at the beginning that I was hired by the voters in 1996 to stop an airport. In order to do that, I was able to cut a deal to get the base annexed to the City of Irvine. In order to really know that we had stopped an Airport, we had to get those thousands of acres permanently out of the County's hands. In retrospect that turned out to

have unintended consequences. I did not imagine that a decade of stagnation and the squandering of more than \$220 million good dollars would occur. The voters of Irvine have recently spoken and tomorrow night the City Council will consider steps to reverse this misfortune.

At the time, I cared about one thing: stop the Airport.
Now I care about one thing—making the Great Park a permanent crown jewel for the Nation. In the heart of OC, this is not an Irvine project, this is and should be a National Treasure just like Golden Gate Park in San Francisco and Central Park in New York.

The County only has 100 acres, but it is prime real estate bordering the 5 freeway from Sand Canyon to the Irvine Transportation Center. Under my watch, the 100 acres will be planned as a seamless land mass in conjunction with the rest of the Great Park. I have spent many hours with our County Staff and Lowe, the City Council majority members, and the Five Points leadership team. We cannot operate as separate entities. We have too many landowners, interested parties and folks we need to make this property a success.

I recently met with Bikram and Raj Choudhury, the founders of Bikram Yoga. More than 1.5 million people a day in our world take a Bikram hot yoga class. Bikram opens up 3 new studios a week world-wide. The Governor's office of economic development brought myself and Five Points together to begin discussions about a Bikram International Training Center and Village at the

Great Park. Along with plans for leading edge Health Care centers mirroring the Mayo Clinic along with the vision for Arts, Entertainment, Sports training facilities, this is the enchanting place that I want to see for the Great Park.

Today the Great Park Board will meet to discuss its fate. I have three friends who are all correct about whether to dissolve the Great Park Board and return all the authority simply to the Irvine City Council. Col. Bill Kogerman says the broad representation was a promise made to the voters of Orange County; Mayor Miguel Pulido states that if the new council majority goes forward with its plan, they may as well call the Great Park, the Great Irvine Park since it will only be an Irvine Park; and Councilman Lalloway expresses the mandate of the Irvine voter that Irvine is paying the freight so Irvine needs to call the shots. They are all correct; but the premise for the Great Park is all wrong. It never should have been an Irvine Project in the first place.

I am excited for the new Irvine Council Majority. They basically have less than two years before the next election cycle to show the community that they can build long overdue inertia for this amazing land space. I will do everything I can to make them successful. We all need to get on board. But we need to realize that if they cannot, we always have the option to discuss with the voters again whether this should be a County Great Park.

Conclusion:

There is a lot of work to do; but it is fun and exciting work because it will make such a difference in the quality of our lives in Orange County.

- Chapman University Economic Update - predicts continued growth - but slow, fragile growth that can be reversed if government doesn't get out of the way of the economy. On Thursday Governor Brown will deliver his State of the State. If the Governor and the Legislature decide that increasing taxes is the solution to California's prosperity then I am very fearful for the future prosperity of our County and State.

Locally, we have to stay smart:

- We must continue in the fiscal reforms already begun - pension reform, smart budgeting and smart investing of public dollars aimed at boosting our economic engines.
- But I see a bright future for Orange County. There's reason that Orange County leads the state in nearly every economic measure.
- It's because of our families and our sense of community. And it's because our leaders are willing to stand up in the face of our challenges and chart the right the course for our future, for our children.
- We don't take the easy way out like some of our neighbors who just want to kick the can down the road to the next generation.

- Abraham Lincoln said, “The people will save their government, if the government itself will allow them.”
- Thank you - and I’m ready to go to work as Orange County’s next Supervisor!