



TODD SPITZER

SUPERVISOR, THIRD DISTRICT
ORANGE COUNTY BOARD OF SUPERVISORS

ORANGE COUNTY HALL OF ADMINISTRATION
333 W. SANTA ANA BLVD., SANTA ANA, CALIFORNIA 92701
PHONE (714) 834-3330 FAX (714) 834-2786
Todd.Spitzer@ocgov.com

CONTACT: Melanie Eustice, Chief of Staff
Phone: (714) 834-5492
Tori Richards, Communications Director
Phone: (714) 834-5498

FOR IMMEDIATE RELEASE
OCT. 30, 2018

Funding Details of New Registry Tax to Remain Secret from Public

Supervisors Spitzer & Nelson Called on Board to Release County Counsel Memo

SANTA ANA, CA – The Board of Supervisors voted 2-3 (Do, Bartlett and Steel voted no) against releasing a confidential memo, keeping details of a proposed new tax secret from residents. This rushed through a new residential sober living ordinance with no ongoing revenue source.

“Unlawful sober living homes need aggressive oversight,” Supervisor Todd Spitzer said. “This serious issue has been completely mishandled by the District Attorney. If he was sincere about addressing sober living home issues then he would have been serious about developing this ordinance years ago. Instead, the Board was presented with something half baked. We should all be appalled.”

Spitzer argued that the Board was not being honest and transparent with the public by withholding a county counsel memo that was critical of a new registry to monitor sober living homes. The state already has a similar law.

“We are making law here. We need to release the memo so residents get the truth and understanding that there is no revenue stream for this,” Spitzer said. “This will either steal money from other programs that are important or result in a tax, which is illegal under Prop. 26. The public has a right to know.”

Creation of a sober living registry was first introduced by the District Attorney during an Oct. 1 Board meeting, 13 years after a registry statute was created by law.

“The District Attorney tried to pull a tax increase on Board members,” Spitzer said. “I argued at the time that it was malfeasance to bring a Board action for a new law covering a fraction of the county without a stated funding source.”

District Attorney Tony Rackauckas said the registry would initially be funded by the county’s Health Care Agency. The HCA would only have enough operating funds to last one year which is how the Board avoided the tax increase discussion.

Spitzer filed a letter Monday with the Clerk of the Board, stating that approving such an ordinance would create an illegal tax under Prop. 26, which passed in 2010. This issue was highlighted in the secret county counsel memo.

“It is my personal belief that the County is open to significant litigation and that our arguments in the application of a new fee to cover the costs of the registry are weak,” Spitzer wrote. “The Board needs to resolve the issue of an ongoing fee versus tax before HCA invests in an illegal fee program.”

###