

The County of Orange Report

Prepared for the Mesa Water District

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by Lewis Consulting Group



Update

Board of Supervisors - June 22nd - A Meaty Marathon

The June 22nd Board of Supervisors meeting was long! The six hour meeting was divided in two by a two hour closed session dividing the morning and afternoon sessions.

The meeting commenced with a raucous start as Supervisor Wagner called for a point of order following Chairman Do's explanation that members of the public would not attend in the main meeting room. Supervisor Wagner expressed his view that it was time to allow the public in, masked or not masked. Supervisor Do disagreed with his opinion, prompting Supervisor Wagner to appeal the decision of the Chair. The appeal was not successful. Interestingly, during the discussion, Supervisor Foley opined that once the main room is open, individuals not wearing masks should be compelled to self-attest under penalty of perjury that they have been vaccinated.

The lengthy agenda of 83 items bogged down because of the several hundred public comments spread across the meeting. The meeting included these items of note:

ADOPTION OF COUNTY BUDGET

The County budget was adopted unanimously. A number of members of the public testified in opposition to the \$7.7 billion document, finding fault with its prioritization of spending for the Sheriffs Department and instead called for a redirection of resources to help Orange County's homeless population.

HEALTH CARE LOCAL EMERGENCY

Despite protestation from numerous public speakers, the Board voted to continue the local health emergency. By doing so, they continued to mirror State policy and avert the risk of losing public funding.

LARGE POTENTIAL LAND SALE

In 1994 the Army Corp of Engineers began construction of a large embankment dam in San Bernadino County. The dam, just north of Mentone, along with Prado Dam provide flood protection for 2 million residents in Orange, San Bernadino and Riverside counties. Completed in 1999 the dam has a capacity if needed of 145,000 acre feet. Funding for the dam was primarily provided by the federal government (70%) and

Orange County (27%) of the \$450 million project. The dam replaced the more controversial proposed Mentone Dam. Upon completion, the Army Corp transferred ownership of 1,547 nearby acres to the Orange County Flood Control District. The County attempted to sell part of the acreage to Lewis Homes for development but environmental litigation and a threatened referendum by residents in the City of Highland led to cancellation of that proposal. The County Board of Supervisors have just approved a second attempt to sell the 1,547 acres, this time to Park Place Partners.

COUNTY SUPERVISOR TERM LIMITS

The Board of Supervisors voted 3-2 to place a term limit extension on the ballot, however their plan was stymied when the Legislature crafted a last minute amendment preventing the measure from appearing on the upcoming Governor Recall election. The measure would have allowed for a third term instead of the two-term limit, but it would have also banned a return of Supervisors after serving their third term. The practical effect is now Supervisor Lisa Bartlett is ineligible to seek re-election which will create a potential "free-for-all" in South Orange County.

BOARD OF SUPERVISORS REDISTRICTING

The Board of Supervisors have adopted their time-line for the all-important redistricting of Orange County Board seats. Redistricting, which occurs every 10 years, following the census is more challenging this year because the usual transmission of population data, which normally takes place in July, is being delayed to October 2021 because of the COVID-19 challenge. In addition, the County has to wait for its apportioned number of incarcerated individuals. Against this backdrop, the final plan must be adopted by December 15, 2021. The County will be organizing numerous meetings, including workshops held in each of the five current Supervisor Districts. Among other criteria, population can deviate no more than 10% between the five new districts. With the Board currently comprised of three Republicans and two Democrats in a county turning increasingly blue, the potential stakes could not be greater.

July 13th Board of Supervisors Meeting

The July 13th meeting of the Board of Supervisors was a mirror opposite of the June 22nd "meaty" meeting. The meeting was relatively short and lacking in controversial issues. The major highlight was the opening up of the main meeting room to the public. Face masks were not required, but attendees self-attested to their vaccinated status. Given that many in attendance spoke in opposition to the COVID-19 vaccine, it is hard to believe that self-attestation in all cases was truthful. A number of speakers took issue with vaccinated Supervisor Katrina Foley who wore a mask at the meeting. Foley was accused of "virtue signaling", and others pointed out that her masking undermined her argument of the effectiveness of the vaccine and provided ammunition to those who chose not to receive the vaccine.



Orange County Grand Jury Has Been Busy

The County Grand Jury has released five separate reports on subjects as diverse as marijuana retail sales in Santa Ana to Orange County Toll Road funding. The reports have been released between May 12 to June 21, 2021. A quick synopsis:

1. Orange County Pandemic Preparedness

As previously reported, the Grand Jury found multiple examples of a lack of preparation for the COVID-19 pandemic. Specifically singled out for criticism was the Orange County Health Care Agency.

2. Orange County Sheriff's Evidence Booking Issue

Although positive change has taken place, there are still "questions" whether current OCSA policies and procedures related to evidence booking and reporting are being followed.

3. "Pot Luck" - Santa Ana's Monopoly on Licensed Retail Adult-Use Cannabis in Orange County

The Grand Jury seems to have found success for the City of Santa Ana with its three year monopoly on Orange County legal cannabis sales. Under their commendation section, the Grand Jury noted additional tax revenue for the City of \$20 million, a reduction in the number of illegal / unlicensed cannabis shops and no corresponding increase in the crime rate.

4. A Look Behind the Bars of the Orange County Jails

The Grand Jury conducted an extensive look at Orange County's seven custodial facilities. Although the Grand Jury had a number of suggestions for improvements at various facilities, it also notes they found "the jails and facilities to be acceptable and in overall compliance with state and federal standards".

5. \$28 Billion for a \$2.8 Billion Road

The Grand Jury notes that the overall construction costs for Orange County's Toll Roads was \$2.8 billion. However, the underutilization of the roads for many years led to burgeoning debt which was re-financed utilizing capital appreciating bonds. With the addition of developer fees, it is estimated \$28 billion will have been spent by the time the debt is retired in 2053. The Grand Jury proposes paying off the debt by 2040 and the elimination of developer fees.



Update

The July 14th meeting of LAFCO was brief and with one exception, devoid of controversy. Adoption of the 2021-2022 OCLAFCO Work Plan was at the top of the agenda and the agenda going forward focuses on five areas. The five areas are: Project Applications, the 4th Sphere of Influence and Municipal Service Reviews, dealing with unincorporated areas, South Orange County governance and enhanced communication.

The one interesting controversy that took place centered around the granting of a contract to prepare a MSR focused on Newport Harbor and Tidelands Patrol Service. Orange County Sheriff Barnes opposes another review and the final vote was postponed a month to accommodate him, however, the request from the City of Newport Beach appears in order and should be approved in the future.

Polling - Recall Still Unlikely

With the exception of two Republican polling firms, every poll has shown the recall of Governor Gavin Newsom failing. The latest poll by Moore Information Group, one of the two aforementioned polling companies, indicated there is a large divide between registered voters and voters most likely to cast ballots.

Poll source	Date(s) administered	Sample size ^[a]	Margin of error	Yes on recall	No on recall	Other	Undecided
Change Research (D)	June 11–16, 2021	1,085 (RV)	± 3.0%	40%	54%	–	6%
Moore Information Group (R) ^[A]	June 1–3, 2021	800 (RV)	± 3.0%	44%	50%	–	6%
		682 (LV)	± 4.0%	49%	46%	–	5%
Tulchin Research (D)	May 21–30, 2021	1,500 (RV)	± 2.5%	37%	50%	–	13%
		1,168 (LV)	± 2.9%	38%	52%	–	9%
Public Policy Institute of California	May 9–18, 2021	1,074 (LV)	± 4.2%	40%	57%	–	3%
Berkeley IGS	April 29 – May 5, 2021	10,289 (RV)	± 2.0%	36%	49%	–	15%
		7,943 (LV)	± 2.3%	42%	50%	–	8%
SurveyUSA	April 30 – May 2, 2021	642 (RV)	± 5.3%	36%	47%	–	17%
McLaughlin & Associates (R) ^[B]	April 15–19, 2021	1,000 (LV)	± 3.1%	45%	45%	–	10%
Public Policy Institute of California	March 14–23, 2021	1,174 (LV)	± 3.9%	40%	56%	–	5%
Probolsky Research (R)	March 16–19, 2021	900 (RV)	± 3.3%	40%	46%	–	14%
		900 (LV) ^[b]	± 3.3%	35%	53%	–	13%
Emerson College	March 12–14, 2021	1,045 (RV)	± 3.0%	38%	42%	6% ^[c]	14%
WPA Intelligence (R) ^[C]	February 12–14, 2021	645 (LV)	± 3.9%	47%	43%	–	10%
Berkeley IGS	January 23–29, 2021	10,357 (RV)	± 2.0%	36%	45%	–	20%
		7,980 (LV)	± 2.4%	36%	49%	–	15%
Remington Research (R) ^[D]	March 17–18, 2019	1,303 (LV)	± 2.7%	31%	52%	–	17%

This Just In. . . . Recall Race Tightens, Elder Leads Replacement Candidates

The most recent poll conducted by Emerson University indicates a tightening race in the Gavin Newsom recall and good news for recently qualified GOP candidate Larry Elder.

The poll of 1,000 registered Californians was conducted July 19th & 20th and has a margin of error of +/- 2.9%.

The poll found growing discontent with Governor Newsom's performance in dealing with a number of California issues. As a result, 43% of Californians support the recall effort, while 48% oppose. The poll also found Republican media commentator Larry Elder with a lead among the 46 candidates who appear on the recall ballot.

Which candidate would you vote for to replace Gov. Gavin Newsom if he is recalled?

John Cox: 6%

Larry Elder: 16%

Kevin Faulconer: 6%

Caitlyn Jenner: 4%

Kevin Kiley: 4%

Kevin Paffrath: 2%

Undecided: 53%

Someone else: 8%

NOAA Predicts Return of La Niña

CFSv2 forecast Nino3.4 SST anomalies (K) (PDF corrected)

