REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 29, 2020, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

MICHELLE STEEL
CHAIRWOMAN
Second District

ANDREW DO
VICE CHAIRMAN
First District

DONALD P. WAGNER
SUPERVISOR
Third District

DOUG CHAFFEE
SUPERVISOR
Fourth District

LISA A. BARTLETT
SUPERVISOR
Fifth District

ATTENDANCE:Supervisors: Do, Bartlett, Chaffee and Steel

EXCUSED:Supervisor Wagner

PRESENT:	COUNTY EXECUTIVE OFFICER	Frank Kim
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Valerie Sanchez, Chief Deputy

INVOCATION:Supervisor Chaffee, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE:Vice Chairman Do, First District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (Items 1-19)

14352 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1, 2, 3, 8, 9, 12, AND 19 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Chaffee -** Campaign Finance and Ethics Commission - Appoint Franz Miller, Santa Ana for term ending 9/28/23

41352 X **APPROVED AS RECOMMENDED**

2. **Supervisor Wagner -** Orange County Waste Management Commission - Reappoint Beth

Marie Haney, Yorba Linda for term ending 1/18/22

24135 **APPROVED AS RECOMMENDED**

X

ELECTED DEPARTMENT HEADS

Auditor-Controller:

3. Authorize Auditor-Controller to delete damaged, destroyed, dismantled, donated, missing, obsolete, stolen and surplused equipment from Health Care Agency and Clerk-Recorder capital asset inventories - All Districts

51342 **APPROVED AS RECOMMENDED**

X

4. Receive and file Annual Reports of Cash Difference Funds, Cash Shortages and Overage Funds for FY 2019-20 - All Districts

5. Receive and file Annual Report of Revolving Funds for FY 2019-20 - All Districts

6. Receive and file Report of Refunds for FY 2019-20 - All Districts

7. Receive and file Semi-Annual Fund/Budget Control Report for FY 2019-20 - All Districts

District Attorney:

8. Approve amendment 2 to contract MA-026-20010884 with Bode Cellmark Forensics, Inc. dba Bode Technology for sexual assault kit DNA testing services, 10/1/20 - 9/30/21 ($574,875; cumulative total $1,187,546); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

51342 **APPROVED AS RECOMMENDED**

X

9. Approve contract MA-026-20012132 with Axon Enterprise, Inc. for taser equipment and related supplies, 9/29/20 - 7/22/21 ($30,000); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

15342 **APPROVED AS RECOMMENDED**

X

HEALTH CARE AGENCY

10. Approve selection of and agreement MA-042-20010222 with Phoenix House Orange County, Inc. for Adult Residential Drug Medi-Cal Withdrawal Management services, 11/1/20 - 6/30/22; renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute agreement and execute agreement with additional providers under certain conditions - District 1

11. Approve amendment 3 to contract MA-042-20010234 with various providers of community clinic services, 7/1/19 - 6/30/21 ($3,849,393; cumulative total $22,288,197); and authorize Director or designee to execute individual amendments and subsequent amendments under

certain conditions - All Districts

OC COMMUNITY RESOURCES

12. Approve amendment 2 to contract 20-27-0044 with Council on Aging - Southern California, Inc. for Health Insurance Counseling & Advocacy Program, Medicare Improvement for Patients and Providers Act and Financial Alignment services, 10/1/20 - 6/30/21 ($116,856; cumulative total $639,753); and authorize Director or designee to execute amendment - All Districts

14352 **APPROVED AS RECOMMENDED**
X

OC PUBLIC WORKS

13. Approve amendment 3 to renew contract MA-080-18010124 with Action Research for stormwater education and outreach campaign services, 11/9/20 - 11/8/21 ($470,000; cumulative total $1,970,000); renewable for one additional one-year term; authorize County Procurement Officer or authorized Deputy to execute amendment; and make California Environmental Quality Act and other findings - All Districts

14. Approve Orange County Traffic Committee 7/16/20 report; and adopt resolution naming proposed public street within Tract 17605 and Vesting Tentative Tract Map 19108 as Spur Street, Rancho Mission Viejo area - District 5
RESO: 20-132

GENERAL ADMINISTRATION

Clerk of the Board:

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

16. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Orange County Sanitation District - All Districts

County Executive Office:

17. Receive and file Quarterly Information Technology Projects Progress Report for Fourth Quarter FY 2019-20 - All Districts

18. Approve amendment 16 to master services agreement with Science Applications International Corporation for data center operations, service desk, desktop support and applications services to eliminate fees for CEO/IT enterprise dedicated storage, backup, replication and encryption hardware services, effective 11/1/20 ($3,187,551 decrease; cumulative total $171,079,623); authorize County Chief Information Officer or designee to execute amendment and pay termination fee ($133,669) - All Districts

19. **Internal Audit -** Receive and file Executive Summary of Internal Audit Reports for April - June 2020; and receive and file Annual Report on Independence - All Districts

15342 **APPROVED AS RECOMMENDED**
X

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 20-S29D)

ELECTED DEPARTMENT HEADS

20. **Sheriff-Coroner -** Approve amendment 4 to contract MA-060-19010294 with All City Management Services, Inc. for crossing guard services, 11/1/20 - 10/31/22 ($1,537,531); renewable for one additional one-year term; and authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute amendment - All Districts

51342 X **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

21. Ratify amendment 6 to contract MA-012-11010396 with US Ocean Safety, Inc. for lifeguard services, 8/1/20 - 6/30/21 ($718,750; new total $7,648,965; cumulative total $25,534,524); and authorize County Procurement Officer or authorized Deputy to execute amendment - Districts 2 and 5

25134 X **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

22. Approve cooperative agreement MA-080-20012079 with City of Westminster for Funding, Design and Construction of Traffic Signal Upgrades - Newland Street at Hazard Avenue Project; adopt resolution declaring portions of Newland Street and Hazard Avenue to be County of Orange highways; upon completion authorize Director or designee to file and record the resolution and notice of completion returning highways to City of Westminster; and authorize Director or designee to execute future amendments under certain conditions - District 1 (4/5 vote of the members present)

15342 X **APPROVED AS RECOMMENDED**

RESO: 20-133

GENERAL ADMINISTRATION

County Executive Office:

23. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts

12345 X **APPROVED AS RECOMMENDED; AND DIRECTED CEO/LEGISLATIVE AFFAIRS OFFICE TO DRAFT GUIDELINES TO FORMALIZE THE PROCESS FOR THE BOARD TO TAKE POSITIONS ON BALLOT INITIATIVES INCLUDING RESEARCH, ANALYSIS AND COUNTY COUNSEL REVIEW, AND RETURN WITH DRAFT GUIDELINES AT THE NEXT BOARD MEETING**

24. Approve in concept issuance of short-term Taxable Pension Obligation Bonds for early payment of County's FY 2021-22 employer pension obligation; and select Fieldman, Rolapp & Associates, Inc. as municipal advisor and Orrick, Herrington & Sutcliffe, LLP as bond counsel - All Districts

51342 X **APPROVED AS RECOMMENDED**

25. Approve grant applications/awards submitted by Registrar of Voters, Sheriff-Coroner, District Attorney, OC Community Resources and Social Services Agency and retroactive grant applications/awards submitted by OC Public Works in 9/29/20 grant report and other actions as recommended; adopt resolution approving State of California Standard Agreement 20G26130 for Federal HAVA funds for COVID-19 related election activities and authorizing Registrar of Voters or designee to execute standard agreement, amendments, related documents and make non-monetary and non-material changes under certain conditions; adopt resolutions authorizing Sheriff-Coroner or designee to execute Agreement for Transfer or Purchase of Equipment/Services or for Reimbursement of Training Costs for FY2018 and FY2019 Urban Area Security Initiative and making related assurances; adopt resolution authorizing Sheriff-Coroner or designee to execute and submit application and grant assurance to California Office of Emergency Services for FY 2019 Homeland Security Grant Program ($3,389,080); and take related actions under certain conditions; adopt resolutions authorizing District Attorney or designee to execute grant award agreements and amendments with California Department of Insurance for Disability and Healthcare Insurance Fraud Program ($1,109,824) and Automobile Insurance Fraud Program ($1,037,577), 7/1/20 - 6/30/21; and making California Environmental Quality Act and other findings; and adopt resolution authorizing OC Parks Director or designee to conduct negotiations, execute and submit related documents with California Natural Resources Agency for Clark Interpretive Center Educational Kits; and making California Environmental Quality Act and other findings - All Districts

15342 X **APPROVED AS RECOMMENDED**

RESO: 20-134 - 20-140

26. Receive update from County Executive Office, Health Care Agency, and other County departments concerning efforts to address and mitigate the public health and other impacts caused by the Novel Coronavirus (COVID-19) emergency, and provide direction to the County Executive Officer and other County Officers concerning ongoing County operations, allocation of County resources and personnel, maintenance of essential public services and facilities, temporary suspension and/or closure of non-essential public services and facilities, management of County property and finances, measures necessary to protect public health and safety, and expenditures necessary to meet the social needs of the population - All Districts

RECEIVED AND FILED STATUS REPORT RELATED TO NOVEL CORONAVIRUS COVID-19, RECEIVED UPDATE FROM HEALTH CARE AGENCY CONCERNING EFFORTS TO ADDRESS AND MITIGATE THE PUBLIC HEALTH AND OTHER IMPACTS CAUSED BY THE NOVEL CORONAVIRUS (COVID-19) EMERGENCY

27. Approve amendment 1 to Amended and Restated Lease with Palmo Investments for Newport Marina Improvements, extend term to 45 years beginning first day of full calendar month after submittal of Certification of Occupancy or final permits issued by

City of Newport Beach; and make California Environmental Quality Act and other findings - District 2

25134 X **APPROVED AS RECOMMENDED**

28. Approve FY 2019-20 Fourth Quarter Budget Report and related budget adjustments; receive and file FY 2019-20 Charitable Organization Summary Report; approve updated title descriptions, classifications or both for Project Manager positions, effective 10/9/20 and adopt Side Letter Agreements for Engineering Certification premium pay and revisions to Project Manager occupational series; approve and adopt Side Letter Agreement modifying Supervisory Management MOU to add case call premium pay, effective 10/9/20; and approve revised title descriptions and classifications for Epidemiologist occupational series, effective 10/9/20 - All Districts (R.A. 1, 2, 3 and 4 require 4/5 vote of the members present)

15342 X **APPROVED AS RECOMMENDED**

29. **Vice Chairman Do and Clerk-Recorder -** Authorize Clerk-Recorder to expend Clerk-Recorder (Budget Control 059) funds to establish program for expedited removal of illegally discriminatory provisions including racially and ethnically restrictive covenants from County-recorded property documents at no charge and notify property owners of program; authorize Clerk-Recorder to notify District Attorney and cooperate in criminal investigations involving persons filing property documents with illegally discriminatory language; and direct County Executive Officer to return to the Board with analysis of planned legislation to be introduced by Assemblyman Kevin McCarty - All Districts

15342 X **APPROVED AS AMENDED TO REVISERA#2 TO READ: AUTHORIZE CLERK-RECORDER TO EXPEND CLERK-RECORDER (BUDGET CONTROL 059) FUNDS, SUBJECT TO APPROPRIATION, TO NOTIFY THE DISTRICT ATTORNEY OF, AND TO COOPERATE IN ANY CRIMINAL INVESTIGATION INVOLVING PERSONS WHO HAVE BEEN ADVISED OF DISCRIMINATORY PROVISIONS AND KNOWINGLY FILED PROPERTY DOCUMENTS WITH ILLEGALLY DISCRIMINATORY LANGUAGE, INCLUDING BUT NOT LIMITED TO RACIALLY AND ETHNICALLY RESTRICTIVE COVENANTS; AND DIRECTED CLERK-RECORDER TO WORK WITH COUNTY COUNSEL TO DEVELOP A FORM NOTIFYING OWNERS WHEN THEIR DOCUMENT CONTAINS ILLEGAL DISCRIMINATORY LANGUAGE**

S29A. **Chairwoman Steel -** Orange County Veterans Advisory Council - Appoint Alex Maslin, Rancho Santa Margarita, for term ending 3/27/22; and reappoint Dale Soeffner, Garden Grove, for term ending 3/4/22 and Erik E. Duane, Westminster, for term ending 3/27/22

21345 X **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

S29B. Approve Subrecipient Agreement with City of Huntington Beach for Coronavirus Aid, Relief and Economic Security (CARES) Act financial assistance ($3,000,000) and transfer certain assets to establish temporary alternative shelter sites; direct Auditor-Controller to issue payment under certain conditions; authorize Director or designee to execute related documents under certain conditions; and make findings pursuant to Government Code Section 26227 - District 2

21345 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

S29C. **County Executive Office -** Approve Type 2 Work Order NCY2-007 under agreement for managed services network, voice and security with Science Applications International Corporation for services to assist with implementation of TelePresence solution ($340,000); and authorize Chief Information Officer or designee to execute work order and increase fee amount not to exceed 10% under certain conditions - All Districts
51342 **APPROVED AS RECOMMENDED**
X

JOHN WAYNE AIRPORT

S29D. Approve Consent to Assignment and Second Amendment to On-Airport Rental Car Concession Lease from The Hertz Corporation dba Thrifty Car Rental assigning to The Hertz Corporation dba Hertz for On-Airport Rental Car Concession, Site 7, effective 9/29/20 - District 2
25134 **APPROVED AS RECOMMENDED**
X

IV.PUBLIC HEARINGS (None)

V.CLOSED SESSION

GENERAL ADMINISTRATION

SCS1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Rebecca Contreras (Deceased) v. County of Orange, Workers' Compensation Appeals Board Case Nos. ADJ13385367; ADJ11496328
B.O. **HELD, COUNTY COUNSEL READ: BY A VOTE OF 4 TO 0, AND SUPERVISOR WAGNER BEING ABSENT, THE BOARD APPROVED A PROPOSED SETTLEMENT IN THE CASE OF REBECCA CONTRERAS (DECEASED) V. COUNTY OF ORANGE. THE PROPOSED AGREEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE AGREEMENT IS FINALIZED, COPIES WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

VI.PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Cally K - Oral re: Read a poem "These are not my words"; death of Kurt Reinhold who committed no crime and was a kind man who did not deserve treatment by bullets; systemic racism and lack of de-escalation attempts by deputies

Name not provided - Oral re: Cannot trust OC Sheriff with evidence after two deputies admitted they were not trained in the penal code; improper evidence handling; Immigration and Customs Enforcement and Homeland Security are performing illegal hysterectomies on immigrants

Patrick C. - Oral re: 55% of budget goes to policing and punishment instead of rehabilitation; accountability of officials; release videos of incidents; need for civilian oversight

Richard Smith - Oral re: Veterans Service Office has management issues; not enough veterans service officers working there to allow flex time; hire more veterans service officers; employees only get one step increases; the managers are not veterans and do not know how to lead

Truc Tran - Oral re: Suggested government pay for people to go to school to get an education; current programs are reactive and short term solutions; education can help reduce the problems and help people; require people to take classes in leadership, healthcare and electronics

Ilya Tseglin - Oral re: Yom Kippur and day of judgement; corrupted courts putting people in jail or mental health facilities for profit; Public Defender is as corrupt as the judges who profit at the expense of innocent people

Patty C - Oral re: Terrorist groups walking streets; asked how citizens not involved in political movements being protected; incident in Yorba Linda where two people were run over by a car; Tatiana Turner deserves full charges

Jesse S - Oral re: Opposes mask mandate because virus can go through the masks; open up California; Black Lives Matter is a terrorist organization; no right to get violent; fatherless children are not taught to comply with law enforcement

Bryan Kaye - Oral re: Sheriffs are communists; violations of constitutional rights; forged documents; stop defrauding people; judges and deputies are liars; oppression of Tseglin family

Name not provided - Oral re: From Carry On organization with message of anti-racism; hold a symposium to have a conversation and acknowledge ignorance of racism; hate crimes and labeling all black lives as criminals; value gap in society

Cassandra F - Oral re: Listen to the people who spoke today; there is going to be a global explosion of violence if protests are not shut down; not getting paid for work done for 25 years

Pat Davis - Oral re: Death of Kurt Reinhold by Sheriff officers is direct result of budgeting decisions; prioritizing law enforcement ignores need for affordable housing and leads to over-policing of unhoused people; develop new funding mechanisms to provide resources to end and prevent homelessness

Felicity Figueroa - Oral re: Death of Kurt Reinhold was logical and inevitable result of sending armed law enforcement agents to deal with situations that require mental health specialists and professionals; law enforcement are trained to control and exercise authority

David Duran - Oral re: Death of Kurt Reinhold because officers were not trained properly in harm reduction/ADA training and discriminated against mentally disabled black man for jaywalking; yelling out "He's got my gun" immediately sends a message to other deputies that it is OK to shoot to kill; Sheriff deputies do not deal with mental health issues and instead they kill the disabled, especially if they are disabled people of color

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:

None

ADJOURNED:1:24 P.M.

12345 **Adjourned in memory of John Mendez**
X

KEY

Left Margin Notes

1. = Supervisor Do
2. = Supervisor Steel
3. = Supervisor Wagner
4. = Supervisor Chaffee
5. = Supervisor Bartlett

A.=Abstained
X.=Excused
N.=No
BO=Board Order

ORD.= Ordinance
RESO. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

Chair, Orange County Board of Supervisors

Orange County Clerk of the Board