REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, February 7, 2023,*9:00A.M.

BOARD HEARING ROOM, FIRST FLOOR
400 W. Civic Center Drive
Santa Ana, California

DONALD P. WAGNER
CHAIRMAN
Third District

ANDREW DO
VICE CHAIRMAN
First District

VICENTE SARMIENTO
SUPERVISOR
Second District

DOUG CHAFFEE
SUPERVISOR
Fourth District

KATRINA FOLEY
SUPERVISOR
Fifth District

ATTENDANCE:All Present

EXCUSED:None

PRESENT:	COUNTY EXECUTIVE OFFICER	Frank Kim
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Robin Stieler

INVOCATION:Vice Chairman Do, First District, gave the invocation

PLEDGE OF ALLEGIANCE:Supervisor Sarmiento, Second District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS

Chairman Wagner and Supervisor Foley presented a resolution recognizing February 2023 as "Career and Technical Education Month"

Supervisor Foley and Supervisor Sarmiento presented a resolution recognizing February 2023 as "Black History Month"

II. CONSENT CALENDAR (Items 1-9)

41253 **APPROVED AS RECOMMENDED**

BOARD APPOINTMENTS

Supervisor Chaffee:

1. Development Processing Review Committee - Reappoint James (Jim) Richard Holas, Anaheim, for term concurrent with 4th District Supervisor's term of office

2. Community Action Partnership of Orange County - Reappoint Thomas "Douglas" Wooley, Fullerton, for term concurrent with 4th District Supervisor's term of office

3. Orange County Historical Commission - Reappoint Helen Myers, Anaheim, for term concurrent with 4th District Supervisor's term of office

4. **Vice Chairman Do -** Assessment Appeals Board No. 2 - Appoint Patrick Harper, Fountain Valley, to complete term ending 9/1/24

OC COMMUNITY RESOURCES

5. Approve revised Orange County Workforce Development Board Bylaws to conform with County approved template and to align processes of membership appointments, committees, duties, and proxies, as well as use of technology and election protocols with standards of the United States Department of Labor & Training Administration and California Employment Development Department standards - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

6. Approve proposed amendment to the list of Boards, Commissions and Committees Conflict of Interest Code Designated Filer Exhibits to include Orange County Traffic Committee - All Districts

7. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Orange County Department of Education - All Districts

8. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Moulton Niguel Water District - Districts 3 & 5

9. **Chairman Wagner -** Adopt resolution renewing support and designation of Arts Orange County as county's local arts agency and State-Local Partner
RESO: 23-009

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 10-S23F)

ELECTED DEPARTMENT HEADS

10. **District Attorney -** Approve contract MA-026-22011546 with Vigilant Systems, LLC for Two

Camera License Plate Reader Trailers with support and maintenance, 2/15/23 - 2/14/27 ($74,865); authorize County Procurement Officer or Deputized designee to execute contract; and receive and file Orange County District Attorney's policy to implement the license plate scan program - All Districts

15243 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

11. Approve contract MA-060-23010471 with GeoSpatial Technologies Inc for software license and maintenance of GST Mapper/Tracker and HERE Maps, 3/6/23 - 3/5/28 ($255,484); and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

12453 **APPROVED AS RECOMMENDED**

12. Approve amendment 4 to contract MA-060-19011528 with Praeses LLC for consultant services for inmate telephone system services, 4/23/23 - 4/22/24 ($275,000; cumulative total $1,375,000); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 2 and 3

B.O. **CONTINUED TO 2/28/23, 9:30 A.M.**

OC COMMUNITY RESOURCES

13. Approve subordinate contracts MA-012-23010704 with Universal Building Maintenance, LLC, dba Allied Universal Janitorial Services ($3,068,424) and MA-012-23010703 with US Metro Group, Inc. ($3,585,823) for janitorial services at various locations, 3/15/23 - 8/31/26; authorize County Procurement Officer or Deputized designee to execute subordinate contracts andexercise cost contingency increases not to exceed 10% under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - All Districts

12453 **APPROVED AS RECOMMENDED**

14. Approve and accept retroactive Workforce Innovation and Opportunity Act Subgrant Agreement AA311023 with California Employment Development Department to implement Workforce Innovation and Opportunity Act Title I FY 2022-23, and incorporate Workforce Innovation and Opportunity Act Youth formula funding, 4/1/22 - 6/30/24 ($3,973,723); accept retroactive grant award from California Employment Development Department to implement Workforce Innovation and Opportunity Act Title I FY 2022-23, and incorporate Workforce Innovation and Opportunity Act Youth formula funding, 4/1/22 - 6/30/24 (3,973,723); authorize Director or designee to execute Modification 1 to Subgrant Agreement AA311023 with California Employment Development Department to incorporate Adult Formula, Dislocated Worker Formula, Rapid Response and Rapid Response Layoff Aversion funds into FY 2022-23 Subgrant Agreement, 4/1/22 - 6/30/24 ($1,877,045); accept retroactive grant award from California Employment Development Department ($1,877,045), 4/1/22 - 6/30/24 to incorporate Adult Formula, Dislocated Worker Formula, Rapid Response, and Rapid Response Layoff Aversion funds into FY 2022-23 Subgrant agreement; and authorize Director or designee to accept non-material modifications to Subgrant Agreement AA311023 and execute all related documents under certain conditions - All Districts

51243 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

15. Approve contracts MA-080-23010758 with Willdan Engineering and The Code Group, Inc. dba VCA Code for on-call code enforcement services, 3/15/23 - 3/14/26 ($900,000 aggregate total); renewable for one additional two-year term; authorize County Procurement Officer or Deputized designee to execute contracts; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines section 15378 - All Districts

12453 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

16. **Clerk of the Board -** Approve 2023 Chairman's appointments of board members to Orange County Fire Authority and adopt related resolutions; and adopt revised California Form 806 - All Districts (Continued from 1/24/23, Item S29I)

41253 **APPROVED AS RECOMMENDED**
RESO: 23-010 - 23-011

17. **County Counsel -** Select Theodora Oringher, PC for legal services in administrative proceedings on an as-needed basis ($25,000 per year), three-year term commencing on date of execution; renewable for two additional one-year terms; and authorize County Counsel to execute agreement - All Districts

15243 **APPROVED AS RECOMMENDED**

County Executive Office:

18. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters; and approve 2023 Legislative Priorities - All Districts

52143 **APPROVED AS AMENDED TO ADD LANGUAGE TO THE FIRST SENTENCE OF THE PREAMBLE OF THE STATE LEGISLATIVE PRIORITIES TO READ: TO MEET THE NEEDS OF OUR RESIDENTS AND ENSURE THE HEALTH AND STABILITY OF OUR COMMUNITIES, AND CONTINUE OUR EQUITY EFFORTS, THE COUNTY OF ORANGE STRIVES TO STRENGTHEN THE SOCIAL SAFETY NET, WHILE REMAINING FISCALLY PRUDENT AND ACCOUNTABLE TO TAXPAYERS.; AND TO ADD LANGUAGE TO THE SECOND SENTENCE OF THE PREAMBLE OF THE FEDERAL LEGISLATIVE PRIORITIES TO READ: TO MEET THE NEEDS OF OUR RESIDENTS AND ENSURE THE HEALTH AND STABILITY OF OUR RESIDENTS AND COMMUNITIES, THE COUNTY STRIVES TO STRENGTHEN THE SOCIAL SAFETY NET AND CONTINUE OUR EQUITY EFFORTS, WHILE REMAINING FISCALLY PRUDENT AND ACCOUNTABLE TO TAXPAYERS.; AND TO ADD ENVIRONMENT & SUSTAINABILITY FUNDING TO THE FEDERAL LEGISLATIVE PRIORITIES**

19. Approve contract MA-017-23010850 with Kingdom Causes, Inc. dba City Net for professional and technical support services for Orange County 2023 Homelessness Survey, 3/15/23 - 12/31/23 ($160,000); and authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - All Districts

54123 **APPROVED AS RECOMMENDED**

20. Approve grant applications/awards submitted by County Executive Office, Health Care Agency, Sheriff-Coroner and OC Community Resources, and retroactive grant

applications/awards submitted by John Wayne Airport, Health Care Agency and Sheriff-Coroner in 2/7/23 grant report and other actions as recommended; adopt resolution approving standard agreement MI-2223-22, Amendment 1 with California Department of Aging for Older Americans Act Programs, effective upon Board approval through 8/31/23 ($20,458); and authorizing OCCR Director or designee to execute amendment and related documents - All Districts

41253 **APPROVED AS RECOMMENDED**
RESO: 23-012

21. Approve contract MA-042-23010693 with Charitable Ventures of Orange County, Inc., acting through its fiscally sponsored project, Project Kinship for Re-Entry Success Center services, 3/7/23 - 6/30/25 ($11,645,839); renewable for one additional two-year term; and authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions, execute contract and consent to assignment - District 2

25143 **APPROVED AS RECOMMENDED**

Office of Campaign Finance and Ethics Commission:

22. Receive and file Campaign Finance and Ethics Commission Annual Report for 2022 - All Districts

12453 **APPROVED AS RECOMMENDED**

23. Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Section 1-6-5 of the Codified Ordinances of the County of Orange Adjusting the Limitations on Campaign Contributions" - All Districts (Continued from 1/24/23, Item S29A)

12453 **APPROVED AS RECOMMENDED**
ORD: 23-001

S23A. **Supervisor Chaffee -** Orange County Human Relations Commission - Reappoint Jo-Anne Matsuba, Fullerton, for term concurrent with 4th District Supervisor's term of office

41253 **APPROVED AS RECOMMENDED**

S23B. **Supervisor Foley -** Coastal Greenbelt Authority - Appoint Kelly Osborne, Laguna Beach, as alternate for term concurrent with 5th District Supervisor's term of office

52143 **APPROVED AS RECOMMENDED**

Supervisor Chaffee:

S23C. Acting as the Orange County Housing Authority - Housing and Community Development Commission - Appoint John Koos, Brea, for term ending 6/30/23

41253 **APPROVED AS RECOMMENDED**

S23D. Approve addition of Orange County Labor Federation and Orange County Business Council events to County Events Calendar; and make related findings per Government Code Section 26227

41253 **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

S23E. **Sheriff-Coroner -** Ratify contract MA-060-22011978 with CentralSquare Technologies LLC for computer-aided dispatch, records management systems mobile software support, 11/15/22 - 11/14/25 ($1,272,844); renewable for two additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

12453 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S23F. **Chairman Wagner -** Approve establishment of list of Ad Hoc Committees for 2023

34125 **APPROVED AS RECOMMENDED; DIRECTED STAFF TO UPDATE THE DESCRIPTION OF THE AD HOC COMMITTEES ON THE WEBSITE TO MATCH THE DESCRIPTION AS PROVIDED IN AGENDA ITEM**

IV.PUBLIC HEARINGS (None)

V.CLOSED SESSION (Items CS-1-SCS4)

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location:1725 West 17th Street, Santa Ana, California
County Negotiator:Thomas A. Miller, Chief Real Estate Officer
Negotiating Party:17th Street Partners, LLC
Under Negotiation:Terms and Value of Future Lease

B.O. **HELD, NO REPORTABLE ACTION**

SCS2. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases: One Case

B.O. **COUNTY COUNSEL READ: ON A VOTE OF 4-1, WITH CHAIRMAN WAGNER, AND SUPERVISORS SARMIENTO, DO, AND FOLEY, VOTING AYE, AND SUPERVISOR CHAFFEE VOTING NO, THE BOARD AUTHORIZED COUNTY COUNSEL TO EXECUTE A NON-DISCLOSURE AGREEMENT WITH THE OC POWER AUTHORITY TO AVOID LITIGATION AND TO OBTAIN ACCESS TO UNREDACTED POWER PURCHASE AGREEMENTS AND OTHER RELATED DOCUMENTS RELATED TO THE COUNTY'S WITHDRAWAL FROM THE OCPA JOINT POWERS AUTHORITY**

SCS3. **County Executive Office -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Colette Farnes
Employee Organizations: United Domestic Workers of America (UDWA), and other non-represented employees
RE: Terms and Conditions of Employment

B.O. **HELD, NO REPORTABLE ACTION**

SCS4. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuantto Government Code Section 54956.9(d)(1):
Name of Case: David Caler v. County of Orange, WCAB Case: ADJ12568329; ADJ10202406

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A $375,000 WORKERS' COMPENSATION SETTLEMENT WITH APPLICANT DAVID CALER.THE APPLICANT IS A RETIRED OCSD SERGEANT WHO SUFFERED INDUSTRIAL INJURIES TO HIS NECK, SHOULDER, KNEES, AND WHO ALSO SUFFERS FROM HYPERTENSION**

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Steve Rocco - Oral re: Media lies, American genocide, guns, homeless situation caused by illegal immigration, serial killers and owners of newspapers and the media

Eileen McDermott - Oral re: Election corruption and deceit; need to review states that have overturned election results over the last three years; remove Hart voting machines and ask for voter ID when voting; requested same day, one day voting, provide same day results and discontinue mail in voting

Keith "Buster" - Oral re: Representing family members and consumers who propose a Housing Solution Concept; housing Orange County's disadvantaged including the homeless has been resistant to solution; will be submittingMental Health Services Act Innovation Project to the Orange County Health Care Agency Mental Health Services Act Innovations Division in March

Kate - Oral re: Six principles of the Declaration of Independence; government's duty is to protect our rights

Cynthia Williams - Oral re: Home Care provider for sister; supports IHSS providers request for increase in wages and benefits; other counties have surpassed United Domestic Workers in wages

Joette - Oral re: Resignation of the Chairman of CalOptima after article in OC Voice regarding investigation by the State of California Auditor's office; Dr. Chau has fake degree and has a history of public deception

Gregory Voelker - Oral re: In-Home Supportive Services providers in the County of Riverside received increase in wages and benefits for care providers

Tania Ferrucci - Oral re: Caregiver for mother and IHSS provider; San Diego and Riverside Counties have reached agreements providing increased wages, money for personal protective equipment and transportation costs

Jane Luong - Oral re: Supports pay raise for in home care providers; cost of living increased due to higher prices of food and gas

Cheryl - Oral re: Contracts approved by the Board over $65 million without audits and no accountability; issues with CalOptima contracts; Dr. Margaret Bredehoft resignation and issues with Othena and Be Well OC

Daisy Ramirez - Oral re: Member of the Stop the Musick Coalition and a policy advocate and organizer at the American Civil Liberties Union at Southern California; Robert Faigin, Director of the Office of Independent Review will not provide impartial and unbiased oversight of the Orange County Sheriff's Department; the OC Jail Project exposed conditions in OC jails; care first as an alternative to incarceration

Name not Provided - Oral re: Vaccine mandates (aka bioweapons);Switzerland ministry of health is suing the government over bioweapons; say no to mandates; survey homeless regarding the homeless situation

Name not Provided - Oral re: Rescind the Voters Choice Act and election integrity

Karen Hernandez - Oral re: Member of the Stop the Musick Coalition and of Transforming Justice Orange County and an intern at theAmerican Civil Liberties Union at Southern California; opposes appointment of Robert Faigin as the Director of the Office of Independent Review

Harumi - Oral re: Current election system was forced on the people to further the agenda of government bureaucrats; opposes mail in ballots, drop boxes and duplication; requests paper ballots, same day results and support of AB13

Bryan Kaye - Oral re: Supervisors do not follow the law, derogatory names, forged plea agreements and use of power to follow the law and set people free

Claire - Oral re: Questions vote integrity; sentence of 47 individuals by CCP in Hong Kong with a secret trial;rescind the Voters Choice Act

Roseann DiCostanzo - Oral re: Orange County Chair for New California state and Orange County Senator for New California state for new 51st state in the making; people have a right to be heard; United States is not a democracy and is a republic of the United States; cited the oath of office taken by each Board member

Sharon Logan - Oral re: Attended hearing of current lawsuit against Orange County Animal Care by rescue groups regarding euthanasia of animals in the shelter

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:1:32P.M.

Supervisor Sarmiento - Adjourned in memory of Martha Sarmiento Peña

Supervisor Foley - Adjourned in memory of Dr. Michael John Mammone and Ann Keith

Chairman Wagner - Adjourned in memory of Allan Zaremberg and Rex Hime

BOARD COMMENTS:

Supervisor Do - Oral re: Serving on CalOptima; joined CalOptima when the First District included the City of Santa Ana with 42% of the membership; the new Second District represents the Cities of Santa Ana and portions of Anaheim and should be now served by District 2 Supervisor Sarmiento

KEY

Left Margin Notes

1. = Supervisor Do
2. = Supervisor Sarmiento
3. = Supervisor Wagner
4. = Supervisor Chaffee
5. = Supervisor Foley

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)

Chairman, Orange County Board of Supervisors

Orange County Clerk of the Board