REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 10, 2021,9:30 A.M.

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

ANDREW DO
CHAIRMAN
First District

DOUG CHAFFEE
VICE CHAIRMAN
Fourth District

KATRINA FOLEY
SUPERVISOR
Second District

DONALD P. WAGNER
SUPERVISOR
Third District

LISA A. BARTLETT
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:Supervisor Wagner, Third District, gave the invocation

PLEDGE OF ALLEGIANCE:Vice Chairman Chaffee, Fourth District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (Items 1-4)

53241 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1, 2 AND 3 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Vice Chairman Chaffee -** John Wayne Airport Arts Commission - Reappoint Margaret (Marge) Rollins, Buena Park, for term concurrent with 4th District Supervisor's term of office
43251 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

2. Approve amendment 1 to contract MA-280-21010007 with LAZ Parking California, LLC for shuttle maintenance, repair and support services, 8/28/20 - 12/31/21 ($25,000; cumulative total $75,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - District 2

23451 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

3. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Capistrano Unified School District - District 5

53241 **APPROVED AS RECOMMENDED**

4. **County Executive Office -** Receive and file Quarterly Information Technology Projects Progress Report for Third Quarter FY 2020-21 - All Districts

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 5-S25B)

ELECTED DEPARTMENT HEADS

5. **Assessor Department -** Approve amendment 1 to renew contract MA-002-20010182 with Digital Map Products, L.P., for Geo-Spatial Tools system module that interfaces with the Assessment Tax System, 10/1/21 - 9/30/23 ($355,000; cumulative total $725,000); and authorize Assessor or designee to execute contract - All Districts

53241 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

6. Approve amendment 1 to contract MA-060-20010308 with GenCore Candeo Ltd. dba The Genesis Group for offsite support and maintenance for Genesis Specified Packet Output software, 8/23/21 - 8/22/22 ($2,299; cumulative total $7,121); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

34251 **APPROVED AS RECOMMENDED**

7. Ratify agreement 21112123 with State of California Commission on Peace Officer Standards and Training (POST) for coroner training courses, 7/1/21 - 6/30/22 (reimbursement $173,493); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

34251 **APPROVED AS RECOMMENDED**

8. Approve revised classification specifications for Sheriff's Correctional Services positions, effective 8/13/21; and adopt Side Letter Agreements with Orange County Employees Association - All Districts

23451 **APPROVED AS RECOMMENDED**

9. **Treasurer-Tax Collector -** Approve amendment 8 to agreement MA-074-13010137 with

Wells Fargo Merchant Services, L.L.C. and Wells Fargo Bank, N.A. for electronic payment acceptance and processing services for non-convenience fee credit and debit cards and eCheck transactions, 8/14/21 - 8/13/23 ($4,600,000; cumulative total $21,000,000); approve amendment 9 to agreement MA-074-13010138 with Wells Fargo Bank, NA for internet payment gateway services, 8/14/21 - 8/13/23 ($20,000; cumulative total $120,000); and authorize County Procurement Officer or authorized Deputy to execute amendments - All Districts

45231 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

10. Approve Assignment, Novation and Consent Agreement and amendment 5 to renew and assign contract MA-042-18010028 from McKesson Medical-Surgical, Inc. to McKesson Medical-Surgical Government Solutions LLC for medical supplies, 9/1/21 - 8/31/22 ($950,000; cumulative total $4,750,000); and authorize County Procurement Officer or authorized Deputy to execute agreement and amendment - All Districts

45231 **APPROVED AS RECOMMENDED**

11. Approve amendment 3 to contract MA-042-20010886 with Charitable Ventures of Orange County for Early Childhood Mental Health Consultation services, 7/28/21 - 6/30/22 ($140,302; cumulative total $2,140,301); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts (Continued from 7/27/21, Item 18)

14235 **APPROVED AS AMENDED TO ADD RECOMMENDED ACTION NO. 3 TO AUTHORIZE HEALTH CARE AGENCY TO ALLOCATE UP TO $5 MILLION FROM MENTAL HEALTH SERVICES ACT AS WELL AS OTHER FUNDING SOURCES (SUCH AS PUBLIC HEALTH) TO STAND UP PROGRAMS TO OUTREACH, ENGAGE AND ASSESS CHILDREN AGES 1 TO 17 FOR MENTAL HEALTH AND ADDICTION SYMPTOMS, ESPECIALLY FOR CHILDREN WHO HAVE TESTED POSITIVE FOR COVID; HEALTH CARE AGENCY MAY ENTER INTO A MASTER AGREEMENT OR CONSIDER OTHER VENDORS AND IS TO REPORT BACK TO THE MENTAL HEALTH AD HOC COMMITTEE EVERY 6 MONTHS**

JOHN WAYNE AIRPORT

12. Approve contracts MA-280-21011648 with Jeff Oviedo & Associates, Inc. dba JOA Group and Woolpert, Inc. for on-call maintenance consulting services, 9/1/21 - 8/31/24 ($3,162,320); renewable for one additional two-year term; authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute contracts; and make California Environmental Quality Act and other findings - District 2

25341 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

13. Approve agreement C-1-3446 with Orange County Transportation Authority for senior non-emergency medical transportation services, term ending 6/30/26, in an award amount up to 1% of net Measure M2 revenues; renewable for one additional five-year term; and authorize Director or designee to execute agreement - All Districts

34251 **APPROVED AS RECOMMENDED**

14. Approve contract MA-012-22010006 with West Coast Arborists, Inc. for tree care and maintenance services, 9/1/21 - 8/31/24 ($9,360,000); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute contract; and make California Environment Quality Act and other findings - All Districts

54231 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

15. Approve amendment 1 to contract MA-080-21010246 with R.G. Vanderweil Engineers, LLP for Central Utility Facility Engineering services, 8/10/21 - 7/27/23 ($600,000; cumulative total $2,100,000) renewable for two additional years; and authorize Director or designee to execute amendment - Districts 1, 2 and 3

31245 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

16. Approve amendment 1 to renew contracts MA-299-19010028 with Adam's Falconry Service, LLC, Airstrike Bird Control, Inc. and Avian Entertainment, LLC for bird abatement services, 9/20/21 - 9/19/22 (aggregate total; $280,000; cumulative total $1,120,000); renewable for one additional one-year term; and authorize County Procurement Officer or authorized Deputy to execute amendments - Districts 3, 4 and 5

45231 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

17. **Clerk of the Board -** Approve amendment 4 to renew contact MA-011-18010445 with Granicus, LLC for Comprehensive Agenda Management Solution Software maintenance and technical support, 9/1/21 - 8/31/22 ($77,796; cumulative total $361,403); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

34251 **APPROVED AS RECOMMENDED**

County Executive Office:

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

45231 **APPROVED AS RECOMMENDED**

19. Approve proposed response to FY 2020-21 Grand Jury Report "Orange County Sheriff's Department Evidence Booking Issue - Has it Been Resolved?" - All Districts

41235 **APPROVED AS RECOMMENDED**

20. Approve grant applications/awards submitted by Sheriff-Coroner in 8/10/21 grant report and other actions as recommended - All Districts

43251 **APPROVED AS RECOMMENDED**

21. Approve proposed response to FY 2020-21 Grand Jury Report "A Look Behind the Bars of the Orange County Jails." - All Districts

43251 **APPROVED AS RECOMMENDED**

22. Acting as the Board of Supervisors and Legislative Body of Community Facilities Districts 86-1 (Rancho Santa Margarita), 87-4 (Foothill Ranch), 87-5A (Rancho Santa

Margarita), 87-5B (Rancho Santa Margarita), 87-5C (Rancho Santa Margarita), 87-5D (Rancho Santa Margarita), 87-5E (Rancho Santa Margarita), and 87-8 (Coto de Caza), Irvine Coast Assessment District No. 88-1, Newport Coast Reassessment District No. 99-1R and Newport Coast Reassessment District No. 01-1R - Consider second readings and adoption of "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 86-1 (Rancho Santa Margarita) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 86-1"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-4 (Foothill Ranch) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-4"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-5A (Rancho Santa Margarita) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-5A"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-5B (Rancho Santa Margarita) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-5B"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-5C (Rancho Santa Margarita) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-5C"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-5D (Rancho Santa Margarita) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-5D"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-5E (Rancho Santa Margarita) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-5E"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-8 (Coto De Caza) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-8" - Districts 2 and 5 (Continued from 7/27/21, Item 33)

52341 **APPROVED AS RECOMMENDED**
ORD: 21-003 - 21-010

Registrar of Voters:

23. Approve contract MA-031-21011799 with APLPD HOLDCO Inc. & Subsidiary dba PODS Enterprises LLC for equipment storage and delivery services, 8/10/21 - 8/9/24 ($1,740,000); renewable for two additional one-year terms ($580,000 per year); authorize County Procurement Officer or authorized Deputy to execute contract, make future non-monetary and non-material changes and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

35241 **APPROVED AS RECOMMENDED**

24. Approve contract MA-031-21011546 with DMT Solutions Global Corporation dba BlueCrest for hardware maintenance on Document Messaging Technologies sorters, inserter and server and software licensing and maintenance, 8/12/21 - 8/11/24 ($566,243); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute contract and make future non-monetary and non-material changes and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

35241 **APPROVED AS RECOMMENDED**

25. Approve contract MA-031-21011755 with DFM Associates for software lease and maintenance on Election Information Management System, 10/1/21 - 9/30/24 ($621,288); renewable for two additional one-year terms ($207,096 per year); and authorize County Procurement Officer or authorized Deputy to execute contract and make future non-monetary and non-material changes under certain conditions - All Districts

34251 **APPROVED AS RECOMMENDED**

S25A. **Supervisor Foley -** Approve allocation of up to $25 million to waive all permit fees issued by Environmental Health Services to small businesses impacted by COVID-19 pandemic

B.O. **CONTINUED TO 8/24/21, 9:30 A.M.**

S25B. **Health Care Agency -** Approve retroactive agreement GOVOPS-C2084 with California Government Operations Agency for Vaccine Equity Engagement Program, 5/1/21 - 1/31/22 ($4,500,000); approve retroactive amendment 1 to agreement MA-042-21011445 with Multi-Ethnic Collaborative of Community Agencies for COVID-19 community outreach and engagement services, 4/13/21 - 12/31/21 ($4,500,000; cumulative total $8,000,000); and authorize Director or designee to execute agreement and amendment and to execute future amendments under certain conditions - All Districts

41235 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (None)

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

GENERAL ADMINISTRATION

County Executive Office:

CS-1. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator:Tom Hatch
Employee Organization:Association of Orange County Deputy Sheriffs (AOCDS)
RE:Terms and Conditions of Employment

B.O. **DELETED**

CS-2. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title: Agricultural Commissioner/Sealer of Weights & Measures

B.O. **DELETED**

County Counsel:

SCS3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: Eight Cases

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

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Delux Public Charter, LLC et al., v. County of Orange Case No.20-cv-02344

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

VI.PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Brigitte - Oral re: Filed complaints with Attorney General regarding fraud on the public; Board is guilty of crimes of misleading the public to increase Board Members terms of office

Victoria S - Oral re: Played audio recording of Kary Mullis, inventor of the PCR test

Bryan Kaye - Oral re: Wears masks while working as an exterminator; making fun of individuals wearing masks and following laws

Fayaz Nawabi - Oral re: Policy and Advocacy Manager at CAIR Los Angeles; spoke out against the racism, bigotry, zenophobia and anti-API rhetoric against Chairman Do at a previous Board Meeting

Name not provided - Oral re: Votes by the Board does not support real data and facts; end state of emergency

Mitesh - Oral re: Vote in person and not by mail-in ballots due to fraud in elections; vaccinated employees working in organic stores

Name not provided - Oral re: Supervisors are not listening to speakers at meetings and science regarding COVID-19; masks and COVID-19 vaccinations do more harm than good

Name not provided - Oral re: Study published on July 30 by CDC acknowledged children between the ages of 12-17 experienced heart inflammation, pulmonary embolism, suicide, intracranial hemorrhages, heart failure, blood disorder and death after receiving Pfizer COVID-19 vaccine

David E - Oral re: Number of COVID-19 cases is irrelevant but deaths matter; deaths due to obesity and pre-existing conditions do not constitute as COVID-19 deaths; terminate the state of emergency

Patty C - Oral re: Speakers who attend meetings are speaking the truth; Board Members referring to other Americans as racists; speakers do not attend meetings with negative racial intentions

Name not provided - Oral re: Stop giving medical advice regarding COVID-19 vaccine and advising individuals to get the COVID-19 vaccine; people have a right to choose what is put in their body; the vaccine kills people

Name not provided - Oral re: Requested clarification on mask wearing for children in schools

Mary Urashima - Comments read by County Counsel: Lack of commonsense COVID protocols at Board meetings; lack of timely COVID updates for the public, as the Delta variant surges in Orange County and elsewhere in the country

Carol Elliot - Comments read by County Counsel: Continuation of Agenda Item 41 at the 6/22/21 Board Meeting; rescind and terminate the local health emergency

David Durran - Comments read by County Counsel: Board's efforts to silence public voices and ignoring the Bagley-Keene Act; Board has until 9/30/21 to transition back to fully compliant Brown Act meetings

Felicity Figueroa - Comments read by County Counsel: District Attorney report exonerating Fullerton police officer Jonathan Ferrell in the killing of Hector Hernandez proves the District Attorney is unfit to hold the County's highest law enforcement office

Pat Davis - Comments read by County Counsel: Concerned how Board is using county resources with limited positive outcomes for those in need; make a difference for the most vulnerable and marginalized individuals in our community

Brianna - Comments read by County Counsel: Disinformation regarding masks; Dr. Barke claiming masks do not work and coordinating anti-vaccination protests in front of CHOC Children's Hospital; vaccine equity engagement programs can save lives

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
None

ADJOURNED:1:05 P.M.

41235 **Adjourned in memory of Dr. Steven Richardson**

51234 **Adjourned in memory of John Cunningham**

51234 **Adjourned in memory of Stanley Cummings**

KEY

Left Margin Notes

1. = Supervisor Do
2. = Supervisor Foley
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)

Chairman, Orange County Board of Supervisors

Orange County Clerk of the Board