REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, October 4, 2022,*9:30 A.M.

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

DOUG CHAFFEE
CHAIRMAN
Fourth District

DONALD P. WAGNER
VICE CHAIRMAN
Third District

ANDREW DO
SUPERVISOR
First District

KATRINA FOLEY
SUPERVISOR
Second 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:Vice Chairman Wagner, Third District, gave the invocation

PLEDGE OF ALLEGIANCE:Supervisor Bartlett, Fifth District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS

Supervisor Bartlett presented a resolution in recognition of Trauma Intervention Program (TIP) of Orange County

Chairman Chaffee presented a resolution declaring October as National Bullying Prevention Month

Supervisors Foley and Bartlett made a presentation and statement on human rights of women and the death of Mahsa Amini and ongoing protests in Iran and throughout the world

Supervisor Foley presented a resolution recognizing October as National Disability Employment Awareness Month

Supervisor Foley presented a resolution recognizing October as Breast Cancer Awareness Month

II.CONSENT CALENDAR (Items 1-5)

15234 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 5 WHICH WAS CONTINUED TO 10/18/22 9:30 A.M.**

BOARD APPOINTMENTS

1. **Supervisor Do -** Orange County Historical Commission - Appoint Barbara Gossett, Garden Grove, for term concurrent with First District Supervisor's term of office

OC PUBLIC WORKS

2. **Acting as the Orange County Flood Control District -** Approve agreement MA-080-23010130 with Riverside County Regional Park and Open-Space District to delineate respective roles and responsibilities for administration of funds, design and construction of a riding and hiking trail for non-motorized bicycle, equestrian and pedestrian use; effective upon approval until completion or termination; authorize Auditor-Controller to make related payments; and authorize Director or designee to carry out terms of the agreement and execute future amendments under certain conditions - All Districts

GENERAL ADMINISTRATION

3. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for South Coast Water District - District 5

County Executive Office:

4. Receive and file Quarterly Information Technology Projects Progress Report for Fourth Quarter FY 2021-22 - All Districts

5. Receive and file Homeless Service System Pillars Report from the Commission to End Homelessness; and direct County Executive Office, Office of Care Coordination to utilize report as framework to create recommendations that shape policy and design programs aimed at addressing needs of individuals and families at risk of experiencing homelessness - All Districts

15234 **CONTINUED TO 10/18/22, 9:30 A.M.**

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 6-S17E)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

6. Approve amendment 3 to contract MA-060-19010584 with Life Technologies Corporation for maintenance of genetic analyzers and real time polymerase chain reaction instruments, 11/1/22 - 10/31/23 ($59,181; cumulative total $200,620); and authorize County Procurement Officer or Deputized designee to execute amendment -

All Districts
32154 **APPROVED AS RECOMMENDED**

7. Approve contract MA-060-22011785 with Special Services Group, LLC for hardwired Stealth V GPS Advanced slap on devices, micro trackers, replacement batteries, software connection and airtime for purposes of narcotic investigations and intelligence, 10/13/22 - 10/12/25 ($769,500); and authorize County Procurement Officer or Deputized designee to execute contract - All Districts
15234 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

8. Ratify standard agreement 22-20121 with State Department of Health Care Services for specialty mental health services to eligible Medi-Cal beneficiaries, 7/1/22 - 6/30/27; and authorize Chief of Mental Health and Recovery Services or designee to execute agreement and related documents - All Districts
53124 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

9. Approve amendment 8 to extend agreement S1000000270 with Orange County Fire Authority for aircraft rescue and fire fighting services, 12/1/22 - 11/30/27 ($31,091,284; cumulative total $122,041,469); and authorize County Procurement Officer or Deputized designee to execute amendment - District 5
52134 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

10. Authorize Director or designee to utilize funds for permanent loan financing to a limited partnership to be formed by C&C Development Co., LLC, The Waterford Group, Inc. and Riverside Charitable Corporation for development of The Meadows Senior Apartments, Lake Forest; approve loan commitment ($220,000 per unit; total $1,540,000); approve subordination of permanent financing to amortized first trust deed ($6,129,190); waive Regional Housing Needs Assessment transfer policy; and authorize Director or designee to subordinate additional senior debt up to 100% and execute related documents under certain conditions - District 3
32154 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

11. Approve amendment 1 to renew contract MA-080-20010042 with Aquatic Bioassay & Consulting Laboratories, Inc. for water toxicity testing services, 11/8/22 - 11/7/23 ($200,000; cumulative total $3,200,000); renewable for one additional one-year term; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts
25134 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

12. Approve contract MA-299-22011943 with Civil Environmental Survey Group, Inc. dba CES for operation and maintenance services of groundwater control, monitoring and water supply systems, North Region Landfills, 11/15/22 - 11/14/25 ($1,050,000); renewable for one additional two-year term; authorize County Procurement Officer or Deputized designee to

execute contract; and make California Environmental Quality Act and other findings - Districts 3 and 4

43125 **APPROVED AS RECOMMENDED**

13. Approve amendment 1 to renew contract MA-299-20010242 with Ron Dietz, Inc., dba Dietz Hydroseeding Company for hydroseeding services, 11/23/22 - 11/22/23 ($575,000; cumulative total $1,625,000); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 1, 3, 4 and 5

B.O. **CONTINUED TO 10/18/22, 9:30 A.M.**

GENERAL ADMINISTRATION

County Executive Office:

14. Acting as the Board of Directors of South Orange County Public Financing Authority - Approve in concept proposed refunding of South Orange County Public Financing Authority Special Tax Revenue Refunding Bonds 2014 Series A; and select Fieldman, Rolapp & Associates, Inc. as municipal advisor, Stradling Yocca Carlson & Rauth as bond and disclosure counsel and Hilltop Securities Inc. as underwriter; Acting as the Legislative Body of Community Facilities District No. 2004-1 (Ladera Ranch) - approve in concept proposed refunding of Community Facilities District No. 2004-1 (Ladera Ranch) 2014 Special Tax Refunding Bonds Series A and B; and select Fieldman, Rolapp & Associates, Inc. as municipal advisor, Stradling Yocca Carlson & Rauth as bond and disclosure counsel and Piper Sandler & Company as underwriter - District 5

52134 **APPROVED AS RECOMMENDED**

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

13254 **APPROVED AS RECOMMENDED**

16. Approve grant applications/awards submitted by County Executive Office, District Attorney, Health Care Agency and OC Community Resources in 10/4/22 grant report and other actions as recommended - All Districts

52134 **APPROVED AS RECOMMENDED**

17. Approve amendment 2 to contract MA-017-20011127 with Hartford Life and Accident Insurance Company for life and accidental death and dismemberment insurance, 1/1/23 - 12/31/23; and authorize Chief Human Resources Officer or designee to execute amendment - All Districts

31254 **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

S17A. **Sheriff-Coroner -** Approve agreement with Orange County Fire Authority for security services; three-year term, renewable for two additional one-year terms; and approve FY 2022-23 charges ($1,004,112) - District 3 (Continued from 9/13/22, Item 14; 9/27/22, Item 27)

B.O. **CONTINUED TO 10/18/22, 9:30 A.M.**

GENERAL ADMINISTRATION

Vice Chairman Wagner:

S17B. Approve appropriation of $200,000 from Third District's discretionary funding to Orange County Parks towards its recurring expense of stocking of fish at Irvine Lake; and make related findings per Government Code Section 26227

32154 **APPROVED AS RECOMMENDED**

S17C. Approve appropriation of $250,000 from Third District discretionary funds to purchase $10 gift cards to fast food establishments to be given out to individuals who follow up and attend their medical appointments with Outreach and Engagement staff and $50,000 to purchase pet supplies for homeless individuals who have pets; and make related findings per Government Code Section 26227

34125 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

S17D. Adopt resolution authorizing designation of La Palma Intercommunity Hospital as facility for involuntary detention, evaluation and treatment for up to 23 beds for adults with mental health disorders, pursuant to Welfare and Institutions Code Section 5150 et seq.; and directing Health Care Agency to submit Lanterman-Petris-Short designation to Department of Health Care Services for approval - District 1

15234 **APPROVED AS RECOMMENDED**
RESO: 22-122

GENERAL ADMINISTRATION

S17E. **County Executive Office -** Approve appointment of Robert Paul Faigin as Executive Director for Office of Independent Review and employment agreement, effective 11/4/22 ($257,504 annual salary with estimated total compensation $422,739 including benefits) - All Districts

41235 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (Item 18)

OC COMMUNITY RESOURCES

18. Public Hearing to consider approval of Substantial Amendment to FY 2021-22 Annual Action Plan to approve HOME Investment Partnership American Rescue Plan Allocation Plan for use of HOME American Rescue Plan funding ($5,017,613); and authorize Director or designee to increase 2020 Supportive Housing Notice of Funding Availability ($4,264,972) and return to Board for approval of individual projects and execute related documents - All Districts

B.O. **CLOSED PUBLIC HEARING**

12354 **APPROVED AS RECOMMENDED**

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:Colette Farnes
Employee Organization:United Domestic Workers of America (UDWA), and other non-represented employees
RE:Terms and Conditions of Employment

B.O. **DELETED**

SCS2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Approximately 10 acres of County Owned Property Former MCAS El Toro at the Southeast corner of Marine Way and Ridge Valley, Irvine, California
County Negotiator: Thomas A. Miller, Chief Real Estate Officer
Negotiating Party: City of Irvine Surf Park Holdings, LLC
Under Negotiation: Terms and Value of Future Lease

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

County Counsel:

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:James McAnally v. County of Orange
Case Number:ADJ7425263, ADJ5801214, ADJU Unassigned

B.O. **CONTINUED TO 10/18/22, 9:30 A.M.**

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Eduardo Macedo v. County of Orange
Case Number:ADJ11618068, ADJ11618114

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A $500,000 SETTLEMENT IN THE WORKERS' COMPENSATION CASE EDUARDO MACEDO V. COUNTY OF ORANGE. THE APPLICANT IS A RETIRED DEPUTY JUVENILE CORRECTIONAL OFFICER II WHO SUSTAINED VARIOUS INDUSTRIAL INJURIES, INCLUDING CUMULATIVE TRAUMA TO HIS INTERNAL SYSTEM AND LOWER BACK.**

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Brigitte - Oral re: County departments and probate judges ignoring criminal activity and covered up fraud on the court to steal an estate; Klubnikin case

Mike Robbins - Oral re: Bryan Kaye is doing work at his house; read comments provided by Bryan Kaye regarding name calling and labeling him mentally ill; forged plea agreements

Name not provided - Oral re: Has seen fraud on every level including lying to the public and by psychological operations

Name not provided - Oral re: Requested the clerk read the monetary amounts included in each item; certification of election where there are more votes than voters; duplicate voters on the roll; poll books are responsible for fraudulent elections and in violation of law and treason

Roseann Di' Costanzo - Oral re: Celebrating bullying and first amendment rights; eliminate the state of emergency; criminal felony investigation regarding voter fraud

Belen - Oral re: Peggy Hall's case scored victory with tentative ruling that the County must provide proof that an emergency exists or rescind state of emergency; sang 'Amazing Grace'

Dr. Tang - Oral re: Vaccine mandates should be terminated; vaccines cause side effects and kill people; fake data and articles regarding COVID-19 is not scientific data

West Seegmiller - Oral re: Clinical research worker; rescind the state of emergency

Ian Jameson - Oral re: California Leftists for Freedom; vaccinated vs unvaccinated status; Biden stated that the pandemic is over; judge tentative ruling that the County must review local conditions and terminate the state ofemergency if local conditions are not justified

Ava Harrison - Oral re: Member of Informed Parents of CAPO-USD; judge ordered County to review state of emergency; forced mask wearing in schools

Bryant Rumbaugh - Oral re: Issues in Orange County similar to Riverside and San Diego County; need to find solutions so people are not beholden to wealthy people and businesses

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:12:47 P.M.

BOARD COMMENTS:

Chairman Chaffee - Oral re: Invited everyone to attend Fourth District's Kids Fishing Derby on Saturday, October 22 at Tri City Park in Placentia

Vice Chairman Wagner - Oral re: Email received regarding brain tumor patient who received assistance from CalOptima for requested services; thanked Chairman Chaffee and Supervisor Do for providing assistance to the constituent who lives in Irvine

KEY

Left Margin Notes

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

ORD.= Ordinance
RESO. = Resolution

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

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