A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, December 19, 2023
9:30 A.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

COUNTY EXECUTIVE OFFICER
Frank Kim

COUNTY COUNSEL
Leon J. Page

CLERK OF THE BOARD
Robin Stieler

This agenda contains a brief description of each item to be considered. Except as provided by law, no action shall be taken on any item not appearing in the agenda. To speak on an item, complete a Speaker Request Form(s) identifying the item(s) and deposit the completed form(s) in the box to the left of the podium. To speak on a matter not appearing in the agenda, but under the jurisdiction of the Board of Supervisors, you may do so during Public Comments at the end of the meeting. Speaker request forms must be deposited prior to the beginning of the consent calendar, the reading of the individual agenda items, the opening of the public hearing and/or the beginning of Public Comments. When addressing the Board, it is requested that you state your name and city of residence for the record. Members of the public desiring to speak should address all remarks and questions to the Board. Speakers may address the Board on up to three occasions, with three minutes allotted to the speaker per occasion. PowerPoint and video presentations must be requested in advance of the meeting through the Clerk.

Supporting documentation is available for review in the Clerk of the Board of Supervisors office: 400 W. Civic Center Drive, First Floor, Room 110, Santa Ana, 92701 8:00 am - 5:00 pm, Monday-Friday.
The Agenda is available online at: https://board.ocgov.com/meetings-agendas
Meetings are broadcast live at https://board.ocgov.com/board-meeting-media-archive
To listen to live Board meetings by telephone, please call (866)590-5055, Access Code: 4138489

If you have special needs, such as ADA accommodation or need the services of a language interpreter,
the Clerk of the Board can assist you. To make such requests, please call the Board Services Division at least 72 hours prior to the meeting at 714-834-2206. Requests made less than 72 hours prior to the meeting will still receive every effort by Clerk of the Board to fulfill the request.

INVOCATION:Supervisor Foley, Fifth District

PLEDGE OF ALLEGIANCE:Vice Chairman Do, First District

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (Items 1-13)

All matters are approved by one motion unless pulled by a Board Member for discussion or separate action.At this time, any member of the public may ask the Board to be heard on any item on the Consent Calendar.

BOARD APPOINTMENTS

1. **Supervisor Chaffee -** Orange County Planning Commission - Appoint John Koos, Brea, for term concurrent with 4th District Supervisor's term of office

2. **Chairman Wagner -** Orange County HIV Planning Council - Reappoint Homero Beltran, Irvine, Adelmo Chan, Stanton, Cindy "Michelle" Gallardo, Long Beach, Dr. Geeta Gupta, Orange, Fernando Martinez, Fullerton, Dr. Christopher Ried, Fullerton, Ricardo Velasco, Mission Viejo and Dr. Jeffrey Vu, Tustin, for terms ending 12/31/25; and appoint Eder De Leon, Anaheim and Brian DeGeer, Irvine, for terms ending 12/31/25
Revised Title to read:
Chairman Wagner - Orange County HIV Planning Council - Reappoint Homero Beltran, Irvine, Adelmo Chan, Stanton, Cindy "Michelle" Gallardo, Long Beach, Dr. Geeta Gupta, Orange, Fernando Martinez, Fullerton, Dr. Christopher Ried, Fullerton, Ricardo Velasco, Mission Viejo and Dr. Jeffrey Vu, Tustin, for terms ending 12/31/25; and appoint Eder De Leon, Anaheim ~~and Brian DeGeer,~~ Irvine, for terms ending 12/31/25

ELECTED DEPARTMENT HEADS

3. **Sheriff-Coroner -** Adopt resolution authorizing expenditures in the amount of $35,000 annually to provide appreciation certificates, letters, plaques, awards, meals and refreshments to volunteers at Sheriff-Coroner Department's Special Operations Division Volunteer Recognition events; and make related findings per Government Code Section 26227 - All Districts
(Continued from 10/31/23, Item 4)
Revised Title to read:
Sheriff -Coroner - Adopt resolution authorizing expenditures in the amount

of $35,000 *$50,000* annually to provide appreciation certificates, letters, plaques, awards, meals and refreshments to volunteers at Sheriff-Coroner Department's Special Operations Division Volunteer Recognition events *and trainings*; and make related findings per Government Code Section 26227 - All Districts (Continued from 10/31/23, Item 4)

OC COMMUNITY RESOURCES

4. Concur with recommended housing projects using previously allocated County funds as approved by Orange County Housing Finance Trust; and authorize OC Community Resources Director or designee to concur with future funding changes to projects previously recommended and concurred under certain conditions - District 2

5. **Acting as the Orange County Housing Authority acting as the Housing Successor Agency** - Receive and file FY 2022-23 Housing Successor Agency Annual Report and authorize Director or designee to make necessary adjustments under certain conditions - All Districts

OC PUBLIC WORKS

6. Receive and file FY 2022-23 Development Fee Deposit Balance Reports; and make related findings - All Districts

7. **Acting as the Orange County Flood Control District -** Approve agreement MA-080-24010631 for reservation of credits with Land Veritas Corp. for various projects completed under Countywide Long Term Maintenance Permit ($750,000); and authorize Director or designee to execute purchase agreements under certain conditions - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

8. Adopt resolution approving list of recurring Board of Supervisors resolutions for 2024 and authorizing Chair or other Supervisor to draft and execute resolutions - All Districts

9. Approve initial Conflict of Interest Code for Irvine Chinese Immersion Academy, a California Public Charter School - District 3

10. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Rancho Santiago Community College District - Districts 2 and 3

County Executive Office:

11. Approve Ground Lessor's Consent, Estoppel Certificates and Agreements to Citizens Business Bank to enable Dana Point Harbor Partners, LLC and Dana Point Harbor Partners Drystack, LLC to secure loan to fund construction of various phases of Marina Improvement Project and Commercial Core Parking Structure; approve Ground Lessor's Estoppel Certificate and Agreement form to facilitate Dana Point Harbor Partners, LLC and Dana Point Harbor Partners Drystack, LLC to secure additional financing for Marina, Commercial Core, Hotel and Drystack Components; and authorize Chief Real Estate Officer or designee to execute Ground Lessor's Consent, Certificates, agreements and related documents under certain conditions - District 5

12. Approve fifth amended and restated Retiree Medical Plan document; and authorize Chief Human Resources Officer or designee to execute document - All Districts

13. Receive and file Quarterly Information Technology Projects Progress Report for First Quarter FY 2023-24 - All Districts

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 14-35)

At this time, members of the public may ask the Board to be heard on the following items as those items are called.

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

14. Approve amendment 4 to contract MA-060-19010442 with Juguilon Medical Corporation for forensic pathology/autopsy services, 2/1/24 - 1/31/25 ($171,600; new total $3,603,600; cumulative total $18,222,600); renewable for four additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

15. Approve contract MA-060-24010232 with Gerstel, Inc. for three Gerstel Headspace Autosamplers, service and preventative maintenance, three-year term effective upon Board approval ($210,953); renewable for two additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

16. Approve amendment 2 agreement MA-060-21011194 with Archico Design Build, Inc. for equitable adjustment for extended overhead for construction services and costs due to unforeseen conditions found during demolition, excavation, and construction for Katella Range Facility Upgrade Project at Sandra Hutchens Regional Law Enforcement Training Center ($880,408; cumulative total $10,983,246); and authorize Sheriff-Coroner Director of Research and Development or authorized designee to execute amendment - District 2 (4/5 vote of members present)

Treasurer-Tax Collector:

17. Adopt resolution approving 2024 Investment Policy Statement and delegating investment authority to Treasurer-Tax Collector; and making related findings - All Districts

18. Authorize continuance of Medalion Signature Guarantee Program with Kenmark Financial Services, Inc. to remain Securities Transfer Agents Medalion Program guarantor, five-year term ($895 annual fee); re-authorize Treasurer-Tax Collector as Program Administrator, to provide services to County departments and agencies and to

execute related documents; authorize Manager CEO/Risk Management to annually obtain surety as required; and authorize County departments and agencies to recover costs under certain conditions - All Districts

OC COMMUNITY RESOURCES

19. **Acting as the Orange County Housing Authority** - Approve selection of Mesa Vista (formerly Motel 6) for utilization of 10 additional Housing Choice Project-Based Vouchers in accordance with policies and procedures identified in Orange County Housing Authority Administrative Plan; and authorize Executive Director of Orange County Housing Authority to execute related documents - District 5

OC PUBLIC WORKS

20. Approve Public Highway At-Grade Crossing agreement MA-080-24010466 with Union Pacific Railroad Company for construction, use, maintenance and repair of Gilbert Street Improvements at Rail Crossing (Phase 2) Project, effective upon approval (one-time payment $722,631; $11,444 annually); approve and accept Nonexclusive At-Grade Easement Deed for Parcel Z58-252 from Union Pacific Railroad Company for transfer of easement rights; and authorize Director or designee to execute future amendments under certain conditions - District 4

21. Approve contract MA-080-24010644 with Swinerton Builders for pre-construction phase services for John Wayne Airport Terminal Electrical Distribution Upgrades Project, effective upon execution ($14,194,585); authorize Director or designee to execute contract; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines section 15301 - District 5

22. Continued to 1/9/24, 9:30 a.m.
Award contract MA-080-24010619 to Walsh Construction Company II, LLC, for pre-construction phase services for John Wayne Airport Taxiways A, D and E Reconstruction Project, effective upon execution ($984,575); authorize Director or designee to execute contract; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines sections 15301 and 15302 - District 5

23. Approve amendment 2 to renew contracts MA-080-20010375 with Covello's Pacific AirCare, Inc. and The Machado Environmental Corporation dba Air Duct Cleaning Company for heating, ventilation and air conditioning equipment and duct cleaning services, 1/28/24 - 1/27/25 ($600,000; aggregate cumulative total $4,100,000); and authorize County Procurement Officer or Deputized designee to execute amendments - All Districts

24. Approve amendment 7 to subordinate contract MA-080-18011696 with Acro Service Corporation for temporary staffing, 1/1/24 - 12/31/25 ($200,000; cumulative total $1,700,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

25. Award contract MA-080-23011507 to Balfour Beatty Construction, LLC for design and construction services for Orange County Youth Transition Center Project, Juvenile Hall, 730-day term ($109,807,314); authorize Director or designee to make amendments under certain conditions and execute contract; approve contract MA-080-24010362 with Vanir Construction Management, Inc. for construction management services for Orange County Youth Transition Center, two-year term ($3,239,452); and authorize Director or designee to execute contract -

District 2

OC WASTE & RECYCLING

26. Approve contract MA-299-24010191 with Envent Corporation for mobile thermal oxidizer rental and services, 2/9/24 - 2/8/27 ($9,000,000); renewable for one additional two-year term ($6,000,000); authorize County Procurement Officer or Deputized designee to make minor changes under certain conditions and execute contract; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines sections 15301, 15308 and 15311 - All Districts

PUBLIC PROTECTION

27. **Probation -** Approve standard agreement 95999 with State Franchise Tax Board for collection of unpaid court ordered fines, forfeitures and penalties, 1/1/24 - 12/31/26; and authorize Chief Probation Officer or designee to execute agreement - All Districts

GENERAL ADMINISTRATION

County Executive Office:

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

29. Approve amendment 2 to Development Agreement with Capital Facilities Development Corporation and Griffin Structures, Inc. for separate Master Development Budget to provide additional funds necessary for Civic Center enhancements, additional safety, security and signage enhancements to County Superblock ($773,911; revised cumulative total $27,368,236); authorize Chair of the Board of Directors of Capital Facilities Development Corporation or designee to execute amendment and all related documents; and direct Auditor-Controller to make related payments - District 2

30. Receive and file 2023 Strategic Financial Plan and OC CARES Annual Report for FY 2022-23 - All Districts

31. Approve grant applications/awards submitted in 12/19/23 grant report and other actions as recommended - All Districts
County Executive Office - Approve grant applications/awards submitted *by Probation, Sheriff-Coroner, John Wayne Airport and County Executive Office, and retroactive grant applications/awards submitted by Health Care Agency* in 12/19/23 grant report and other actions as recommended - All Districts

32. Adopt resolution approving 2023 County Equal Employment Opportunity and Anti-Harassment Policy and Procedure; delegate authority to County Executive Officer or designee to make administrative changes and update policy and procedure to comply with legal requirements as needed; and approve removal of Abusive Conduct section from Equal Employment Opportunity and Anti-Harassment Policy and Procedures and designate it as County policy - All Districts

33. DELETED
Approve contract MA-017-24010706 with Baetz Strategic Consulting for

Public Administration services, 1/1/24 - 6/30/24 ($192,000); and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

34. **Internal Audit -** Receive and file Executive Summary of Internal Audit Reports for July - September 2023 - All Districts

35. **Supervisor Chaffee and Supervisor Sarmiento -** Adopt resolution opposing any unilateral action by Kaiser Permanente's attempt to reduce mental health therapists' Patient Management Time (PMT) (Continued from 10/31/23, Item S23A; 11/7/23, Item S12B; 12/5/23, Item 16)
Revised Title to read:
Supervisor Chaffee and Supervisor Sarmiento - Adopt resolution opposing any unilateral action by Kaiser Permanente's attempt to reduce mental health therapists' Patient Management Time (PMT) *and encourages Kaiser Permanente to spend $150 million pledged funds to correct behavioral health disparity between disparity between Northern and Southern California and provide an annual public accounting of how pledged funds were spent* (Continued from 10/31/23, Item S23A; 11/7/23, Item S12B; 12/5/23, Item 16)

S35A. **County Executive Office** - Approve and adopt 2023-2026 Memorandum of Understanding (MOU) with Association of Orange County Deputy Sheriffs for Peace Officer and Supervising Peace Officer Units, 6/30/23 - 6/25/26; and authorize County Executive Officer or designee to execute MOU - All Districts

S35B. **County Executive Office** - Approve and adopt 2023-2026 Memorandum of Understanding (MOU) with Association of County Law Enforcement Managers for Law Enforcement Management Unit, 6/30/23 - 6/25/26; and authorize County Executive Officer or designee to execute MOU - All Districts

S35C. **Supervisor Sarmiento** - Approve amendments to Rule 37 of the Board of Supervisors Rules of Procedure and proposed Guidelines for District Discretionary Projects Program

S35D. **Supervisor Foley** - Direct OC Public Works, in consultation with Orange County Traffic Committee, to draft an ordinance updating County of Orange’s Municipal Code to adopt Electric Bicycle Safety Regulations

S35E. **Supervisor Chaffee** - Approve addition of County Volunteer Appreciation Day to County Events Calendar; and make related findings per Government Code Section 26227

S35F. **Health Care Agency** - CalOptima Board of Directors – Select and appoint one candidate to serve in seat designated for current CalOptima member or family member of a current CalOptima member, to complete term ending 8/3/24 - All Districts

S35G. **County Executive Office** - Approve Amended and Restated Lease agreement with MSPN, LLC, Royal BP, LLC and Fortunatos, LLC for Health Care Agency office space for Public Health/Women, Infants and Children program at 6301 Beach Boulevard, Buena Park, 1/1/24 - 12/31/33; renewable for one five-year term; authorize Chief Real Estate Officer or designee to execute subsequent documents, exercise option terms and amendments under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - District 4

S35H. **Sheriff-Coroner** - Approve amendment 1 to contract MA-060-23010500 with CASK NC LLC for ServiceNow support services, Human Resources Service Delivery Module Integration and Cask Managed Services support maintenance, term ending 4/30/26 ($877,044; cumulative total $2,378,530; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

IV.PUBLIC HEARINGS (None Scheduled)

V. CLOSED SESSION (Item CS-1)

The Board will break for lunch at approximately 12:00 PM and may consider closed session matters during that break.The Board will then resume to handle any remaining business if necessary.

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator:Colette Farnes, Chief Human Resources Officer
Employee Organizations:Association of Orange County Deputy Sheriffs (AOCDS), Association of County Law Enforcement Managers (ACLEM), Teamsters, and other non-represented employees
RE:Terms and Conditions of Employment

SCS2. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Tomasa Noriega v. Orange County Sheriff's Department Orange County Superior Court Case No. 30-2022-01249901

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

At this time, members of the public may address the Board of Supervisors regarding any off-agenda items within the subject matter jurisdiction of the Board of Supervisors provided that NO action may be taken on off-agenda items unless authorized by law.Comments shall be limited to three minutes per person, unless different time limits are set by the Chair subject to the approval of the Board.

COUNTY EXECUTIVE OFFICER COMMENTS:

ADJOURNED:

BOARD COMMENTS:

At this time, members of the Board of Supervisors may comment on agenda or non-agenda matters.

NEXT MEETINGS:

December 26, 2023	**No Scheduled Meeting**
January 2, 2024	**No Scheduled Meeting**
January 9, 2024	**Regular Meeting**