REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, January 14, 2020, 9:00 A.M.

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

LISA A. BARTLETT
CHAIRWOMAN
Fifth District

MICHELLE STEEL
VICE CHAIR
Second District

ANDREW DO
SUPERVISOR
First District

DONALD P. WAGNER
SUPERVISOR
Third District

DOUG CHAFFEE
SUPERVISOR
Fourth 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 Chair Steel, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Oral presentation by CHOC regarding Pediatric Mental Health

Chairwoman Bartlett presented a resolution in recognition of the 75th anniversary of OCERS

Vice Chair Steel presented a resolution recognizing January 13th as Korean American Day

II. CONSENT CALENDAR (Items 1-17)

32145 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 15 WHICH WAS CONTINUED TO 2/25/20, 9:30 A.M. AND ITEMS 1 AND 2 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairwoman Bartlett -** Orange County Cemetery District - Reappoint Noel Hatch, Laguna Woods, for term ending 1/1/24

52134 **APPROVED AS RECOMMENDED**

DEPARTMENT APPOINTMENTS

2. **Health Care Agency -** Orange County HIV Planning Council - Appoint Homero Beltran, Irvine; Sandra Boodman, Costa Mesa; Michael Carson, Placentia; Mark Coleman, Santa Ana; John Conrad, Costa Mesa; Heather Enciso, Whittier; Narciso Guevara, Fullerton; Liz Hall, Sacramento; Steven Madrid, Santa Ana; Fernando Martinez, Santa Ana; Darby Osnaya, Colton; Dr. Thomas Nakatsuchi, Aliso Viejo; reappoint Dr. George "Adam" Crits, Santa Ana; Dr. Geeta Gupta, Orange; John Paquette, Orange; Dr. Christopher Ried, Garden Grove for terms ending 12/31/21; and reassignment of Cindy "Michelle" Gallardo, Long Beach for term ending 12/31/21 - All Districts (Continued from 12/17/19, Item 1)

12345 **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

3. **Sheriff-Coroner -** Approve plans and specifications and set bid opening for 2/26/20, 2:00 p.m. for Jail Security Electronic Control Systems Capital project - Districts 1 and 3

OC COMMUNITY RESOURCES

4. **Acting as the Successor Agency to the Orange County Development Agency -** Approve Recognized Obligation Payment Schedule, 7/1/20 - 6/30/21; direct staff to submit schedule to Countywide Oversight Board and to notify the Board of Supervisors of any changes made by the Auditor-Controller, Countywide Oversight Board, State Department of Finance and/or State Controller's Office - All Districts

OC PUBLIC WORKS

5. Approve Final Tract Map 17605; approve Subdivision Improvement Agreement S19-09227 with The New Home Company Southern California, LLC and accept bonds guaranteeing construction of improvements; and accept vehicular access rights to southeastern portion of unincorporated west side of Medano Street, north of Suerte Street, east of Esencia Drive, Ranch Plan Planned Community - District 5

6. Approve Orange County Traffic Committee 11/17/19 reports; adopt resolutions naming proposed private streets within Assessor's Parcel Number 105-051-83 and 105-051-84 to Rue St. Pierre West, Rue St. Pierre East and Via Norbertini, and establishing "No Parking Any Time" zones on alternating sides of Overhill Drive from Cowan Heights Drive to its east end; and make California Environmental Quality Act and other findings - District 3
RESO: 20-001 - 20-002

SOCIAL SERVICES AGENCY

7. Approve revised bylaws to In-Home Supportive Services Advisory Committee clarifying the duties and membership composition, nature of meetings and administration support services - All Districts

8. Approve consent to accept the initial resettlement of any refugee in Orange County in Federal Fiscal Year 2020 under the United States Department of State's Reception and Placement Program; and authorize County Executive Officer or designee to sign the written letter of consent to the Secretary of State of the United States - All Districts

9. Accept donation from the G.B. Woods Trust for ($50,000) and amended donation from First American Trust on behalf of the Berck Family Trust ($4,058.50; new total $314,874.50) for Orangewood Children and Family Center - District 3

GENERAL ADMINISTRATION

Clerk of the Board:

10. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Huntington Beach Union High School District - Districts 1 and 2

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

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

13. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Orange County Transportation Authority - All Districts

14. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Children & Families Commission of Orange County - All Districts

County Executive Office:

15. Approve amendment 1 to master agreement with The Regents of the University of California at Irvine for data collection and evaluation services of County's Public Safety Realignment programs and services to limit definition of recidivism as established by Board of State and Community Corrections; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts (Continued from 12/17/19, Item 13)

32145 **CONTINUED TO 2/25/20, 9:30 A.M.**

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

17. Approve amendment 1 to Regional Cooperative Agreement RCA-017-17010018 with Tevora Business Solutions Inc. for Cyber Security Assessment and Audit services, 4/11/20 - 4/10/21; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-S40C)

ELECTED DEPARTMENT HEADS

18. **Auditor-Controller -** Approve amendment 4 to sole source contract MA-003-11012413 with CGI Technologies and Solutions Inc. for maintenance and support services of County's Performance Budgeting System ($31,640; new total $11,691,467); and authorize Auditor-Controller or authorized designee to execute contract - All Districts

23145 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

19. Retroactively accept 2019 Public Safety Power Shutoff Resiliency Allocation from the California Office of Emergency Services ($1,181,304) - All Districts

23145 **APPROVED AS RECOMMENDED**

20. Approve amendment 6 to sole source contract MA-060-13010457 with Idemia Identity & Security USA LLC for maintenance of Automated Biometrics Identification System, 1/27/20 - 1/26/21 ($795,000; cumulative total $9,174,384); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

21345 **APPROVED AS RECOMMENDED**

21. **Treasurer-Tax Collector -** Approve retroactive Assignment, Novation and Consent Agreement and amendment 1 to contract MA-074-15011958 to transfer and assign contract from Dunbar Armored, Inc. to Brink's Incorporated for armored car services, 8/13/19 - 7/31/20; and authorize County Procurement Officer or authorized Deputy to execute agreement and amendment - All Districts

21345 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

22. Approve amendment 2 to standard agreement 17-94065 with California Department of Health Care Services for Drug Medi-Cal Organized Delivery System Waiver for substance use disorder services, 6/18/18 - 6/30/20; authorize Director or designee to execute amendment and related certifications - All Districts

21345 **APPROVED AS RECOMMENDED**

23. Approve amendment 2 to standard agreement 17-94147 with California Department of Health Care Services for substance use disorder services, 7/1/19 - 6/30/20 ($358,797; revised total $19,276,499; cumulative total $57,419,239); authorize Director or designee to execute amendment, CCC-04/2017 Certification, California Civil Rights Laws Certification and Certification Regarding Lobbying - All Districts

13245 **APPROVED AS RECOMMENDED**

24. Approve amendment 1 to standard agreement 17-10336 A01 with California Department of Public Health for Immunization Local Assistance Grant, 7/1/19 - 6/30/22 ($3,320,793); authorize Director or designee to accept and execute amendment - All Districts

23145 **APPROVED AS RECOMMENDED**

25. Approve participation agreement 510-ITS-DRN-2019 with California Mental Health Services Authority for Behavioral Health System Transformation Innovation Project Part II, 1/21/20 - 6/30/22 ($8,360,000); authorize Director or designee to execute agreement; and direct

Auditor-Controller to distribute funds to California Mental Health Services Authority upon approval - All Districts

23145 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

26. Authorize Director or designee to issue a Request for Qualifications and Request for Proposal for Airport Concession Development Program Phase 2, empanel a qualified group of experts to score the responsive proposals and return to the Board with recommendations; and make California Environmental Quality Act and other findings - District 2

B.O. **CONTINUED TO 1/28/20, 9:30 A.M.**

27. Approve architect-engineer agreements with Twining and Langan and Ninyo & Moore for on-call geotechnical engineering, materials testing, construction observation and inspection services (each agreement effective upon approval, not to exceed $1,500,000 for a period of three years with option to renew for two additional one-year terms); approve amendments 1 to architect-engineer agreements with Ninyo & Moore and Kleinfelder for on-call geotechnical engineering, materials testing, construction observation and inspection services (each agreement effective 1/23/20 - 1/22/22; $660,000; new total $1,650,000, extending terms for two additional years); and make California Environmental Quality Act and other findings - District 2

21345 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

28. Adopt resolution of intention to grant a 10-year refined petroleum, non-exclusive franchise to Torrance Pipeline Company LLC; set public hearing for 2/11/20 for first reading and 2/25/20 for second reading of proposed ordinance and adoption of the Torrance Pipeline Company LLC franchise; and make California Environmental Quality Act and other findings - District 4

41235 **APPROVED AS RECOMMENDED**
RESO: 20-003

29. Receive bids and award contract MA-012-20010734 with Big Ben Inc. for Irvine Regional Park Drainage Improvement Project ($2,201,370); authorize Director or designee to execute contract under certain conditions; and authorize return of bid guarantees to all bidders upon execution of contract - District 3

31245 **APPROVED AS RECOMMENDED**

30. **Acting as the Board of Supervisors and Orange County Flood Control District -** Adopt resolution authorizing establishment and implementation of Cooperative Services Agreement Program to provide municipal services or functions to local agencies; approving Cooperative Services Agreement Program template and authorizing Director or designee to enter into agreements with local agencies, three-year term (maximum $1,500,00 per agreement); and authorizing Director or designee to make minor changes, expend funds and charge local agencies for costs under certain conditions; approve agreement MA-080-20010760 with City of Stanton, three year term ($300,000); authorize Director or designee to execute agreement; authorize Director to make minor amendments and exercise cost contingency increase not to exceed 15% under certain conditions; and make California Environmental Quality Act and other findings - All Districts

31245 **APPROVED AS RECOMMENDED; DIRECTED OC PUBLIC WORKS TO PROVIDE ANNUAL REPORT ON PROJECTS (I.E., KEEP TRACK OF THE NUMBER OF**

PROJECTS, COSTS, VALUE, HOW IT MAY IMPACT STAFFING ON THE COUNTY, ETC.).
RESO: 20-004

SOCIAL SERVICES AGENCY

31. Approve agreements CML0420 with Children's Home Society of California for Bridge Program Emergency Child Care Voucher Services, 2/1/20 - 6/30/22 ($4,452,762); and CML0920 for Bridge Program Child Care Navigator and trauma-informed and coaching services, 7/1/20 - 6/30/22 ($592,930); and authorize Director or designee to exercise a cost contingency increase not to exceed 10% under certain conditions - All Districts
12345 **APPROVED AS RECOMMENDED**

32. Approve amendment 1 to contract MA-063-19010383 with OMNI Enterprise Inc. for janitorial and day porter services at 800 and 840 North Eckhoff Street, Orange, 1/15/20 - 10/31/21 ($30,000; cumulative total $813,300); and authorize County Procurement Officer or authorized Deputy to execute contract - District 3
32145 **APPROVED AS RECOMMENDED**

33. Approve agreement negotiations with various contractors for Families and Communities Together, Family Resource Center Services and return to the Board for approval of final agreements, 7/1/20 - 6/30/23; renewable for two additional one-year terms - All Districts
21345 **APPROVED AS RECOMMENDED**

34. Approve retroactive amendment 1 to extend master agreement CJC1418-00-A1 for group home services, 1/1/20 - 12/31/20; and authorize Director or designee to execute amendment - All Districts
12345 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

35. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
14235 **APPROVED AS RECOMMENDED**

36. Approve amendment 5 to agreement MA-017-12011201 with Granicus, Inc. for eGovernment Services, 3/28/20 - 3/31/22 ($549,968; cumulative total $3,444,261); approve contract MA-017-20010482 with Promet Solutions Corporation for Comprehensive Web Development and Managed Services for a new eGovernment platform, effective upon approval through 10/31/21 ($788,117); authorize County Procurement Officer or authorized Deputy to execute amendment and contract; and authorize Chief Information Officer or designee to execute Work Orders up to $50,000 with Promet Solutions Corporation - All Districts
21345 **APPROVED AS RECOMMENDED**

37. Approve grant applications/awards submitted by Health Care Agency, Sheriff-Coroner and OC Community Resources in 1/14/20 grant report and other actions as recommended - All Districts
13245 **APPROVED AS RECOMMENDED**

38. Accept an in-kind donation of Identity Management Implementation services from Microsoft Corporation ($275,767), pursuant to Government Code Section 25355; approve amendment 2 to master agreement MA-017-19010780 with Microsoft Corporation for Identity Management Implementation services; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

35124 **APPROVED AS RECOMMENDED**

39. Approve lease agreement GA 1254-197 with W-GL 1241 OCBC Holdings VIII, L.P. for office and warehouse space for Health Care Agency at 1241 East Dyer Road, Santa Ana, 11/1/20 - 10/31/35, with three five-year options to extend term; authorize Chief Real Estate Officer or designee to execute subsequent documents, lease amendments and option terms, non-monetary and/or monetary changes under certain conditions; and make California Environmental Quality Act and other findings - District 1

13245 **APPROVED AS RECOMMENDED**

40. **Board of Supervisors -** Election of 2020 Officers

43125 **NOMINATED AND ELECTED BY UNANIMOUS ACCLAMATION SUPERVISOR STEEL AS 2020 CHAIR AND SUPERVISOR DO AS 2020 VICE CHAIRMAN OF THE BOARD**

S40A. **Vice Chair Steel -** Receive report from Orange County Sheriff-Coroner regarding County response to hate crimes and efforts being taken to protect minorities and religious institutions and provide direction as needed

RECEIVED AND FILED; DIRECTED COUNTY EXECUTIVE OFFICE AND PETER DEMARCO, DIRECTOR OF LEGISLATIVE AFFAIRS TO PREPARE A REPORT ON ANY STATE OR FEDERAL FUNDING THE COUNTY RECEIVES TO COMBAT ANTI-SEMITISM AND OTHER HATE CRIMES, AND TO INVESTIGATE AND REPORT ON WHAT OTHER SOURCES MAY BE AVAILABLE FOR THE COUNTY TO PROVIDE INCREASED SUPPORT FOR SECURITY AND PREPAREDNESS AT RELIGIOUS INSTITUTIONS OR OTHER TARGETS OF VIOLENCE; AND TO SHARE WITH ALL OF THE BOARD OFFICES AS SOON AS REPORT IS READY.

S40B. **Supervisor Chaffee -** Orange County Audit Oversight Committee - Appoint Stella Acosta, Rancho Santa Margarita, for term ending 12/31/23

41235 **APPROVED AS RECOMMENDED**

S40C. **County Executive Office -** Approve and adopt 2019-2023 Memorandum of Understanding with Teamsters Local 952 for Operations and Service Maintenance Unit, 6/21/19 - 6/20/23 - All Districts

23145 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 41)

OC COMMUNITY RESOURCES

41. Public Hearing to consider approving contract with City of Stanton for Housing Rehabilitation, effective upon Board approval through 6/30/20 ($100,000); authorizing Director or designee to redirect FY 2019-20 capital improvements for FY 2019-20 Housing Rehabilitation projects; approving amendment 1 contract 19-23-0024-HCD with City of Yorba Linda for administration, senior services, single family rehabilitation and Americans with

Disabilities Act projects effective upon Board approval through 6/30/20 ($78,385; new total $274,409); and authorizing Director or designee to execute contracts - Districts 2 and 3

B.O. **CLOSED PUBLIC HEARING**

32145 **APPROVED AS RECOMMENDED**

V. CLOSED SESSION (Items CS-1-SCS3)

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Tom Hatch
Employee Organizations: Teamsters Local 952 (Teamsters), Orange County Attorneys Association (OCAA), International Union of Operating Engineers (IUOE), and other non-represented employees
RE: Terms and conditions of employment

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

County Counsel:

SCS2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Luiza Cole v. County of Orange, United States District Court Case No. 8-18-cv-1020 DOC-KES

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

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases: Orange County Catholic Worker, et al. v. County of Orange, et al., USDC Case No. 8:18-cv-00155-DOC (JDEx); and David Ramirez, et al. v. County of Orange, USDC Case No. 8:18-cv-0220-DOC (KESx)

B.O. **COUNTY COUNSEL READ: THE BOARD, ON A VOTE OF 4-0 WITH CHAIRWOMAN STEEL, AND SUPERVISORS WAGNER, CHAFFEE, AND BARTLETT VOTING YES, AND SUPERVISOR DO ABSENT, APPROVED A PROPOSED SETTLEMENT IN THE HOMELESS LITIGATION, OC CATHOLIC WORKER AND RAMIREZ VS. THE COUNTY OF ORANGE. SPECIALLY, THE BOARD AUTHORIZED COUNTY COUNSEL TO EXECUTE A SETTLEMENT AGREEMENT AUTHORIZING THE PAYMENT OF TWO MILLION DOLLARS TO THE "ELDER LAW CENTER" FOR SETTLEMENT OF THE OC CATHOLIC WORKER AND RAMIREZ CASES IN EXCHANGE FOR A FULL AND FINAL WAIVER AND RELEASE OF ALL OUTSTANDING CLAIMS FOR ATTORNEYS' FEES, DAMAGES, AND COSTS; (2) AUTHORIZED AND DIRECTED THE AUDITOR-CONTROLLER TO MOVE THE APPROVED APPROPRIATION OF $2 MILLION FROM MISCELLANEOUS CONTINGENCY APPROPRIATIONS [100-017-004-5500-5200-0000] TO MISCELLANEOUS JUDGMENTS AND DAMAGES [100-017-004-5500-3500-0000]; AND (3) UPON EXECUTION OF THE SETTLEMENT AGREEMENT BY ALL PARTIES, AUTHORIZED AND DIRECTED THE AUDITOR-CONTROLLER TO ISSUE SAID SETTLEMENT PAYMENT IN THE AMOUNT OF $2 MILLION FROM THE**

MISCELLANEOUS JUDGMENTS AND DAMAGES PAYABLE TO THE ELDER LAW CENTER.

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Shelly McKay - Oral re: Health and Wellness Director at Kannabis Works; invited veterans and Board Members to the launch of the Veterans Compassionate Network on Sunday, January 19, 2020 at 2106 South Susan Street, Santa Ana; the program provides free education and medicinal cannabis to veterans in need.

Steve Rocco - Oral re: Running for Orange County Board of Education and has been in 15 elections; all elections are fixed; Measure S rebuttal was kept off the ballot.

Brigitte - Oral re: Suppression of public participation at public meetings and silencing the public; Internal Audit report; fraud on the court scheme.

Gianni Castellanos - Oral re: Member of Transforming Justice Orange County; where we spend our money tells us what we care about.

Daisy Ramirez - Oral re: Member of Transforming Justice Orange County and Jails Conditions and Policy Coordinator at the American Civil Liberties Union of Southern California; time for elected officials to divest from incarceration and invest in people and communities; Orange County voters are in support of criminal justice reform; however, people diagnosed with mental health diagnosis and those with substance abuse disorder continue to be over policed and over criminalized; incarceration is costly and ineffective; urged the Board to leverage their legal authority and political influence to fund policies and practices that reduce Orange County's jail population, increase public health and safety, stop revolving door of incarceration and treat people with dignity and respect; vote no on James A. Musick facility and invest money on diversion options.

David Duran - Oral re: Read names of persons living on the streets who have died in Orange County in 2019; disappointed with the vote of the 2020 Chair and Vice Chairman of the Board of Supervisors.

Bryan Kaye - Oral re: Advisors to Board Members do not provide information that reflects what is going on in the world.

Lou Noble - Oral re: Homeless advocate; reads scriptures about helping the poor and the homeless at Board meetings; oppression and criminalization of the homeless; death of homeless in Orange County.

Ilya Tseglin - Oral re: Supervisors will not speak with him regarding the persecution of his family; went to Israel to prepare his family to leave the United States; son Nate is on life support.

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
None

ADJOURNED: 12:53 P.M.
32145 **Adjourned in memory of Don Bankhead and Ida MacMurray**

12345 **Adjourned in memory of Nancy Carol Smith**

*** 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)

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Chair, Orange County Board of Supervisors

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Orange County Clerk of the Board