REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, October 22, 2024,*9:00 A.M.

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

DONALD P. WAGNER
CHAIRMAN
Third District

DOUG CHAFFEE
VICE CHAIRMAN
Fourth District

ANDREW DO
SUPERVISOR
First District

VICENTE SARMIENTO
SUPERVISOR
Second District

KATRINA FOLEY
SUPERVISOR
Fifth District

ATTENDANCE:Supervisors: Chaffee, Foley, Sarmiento and Wagner

EXCUSED:Supervisor Do (Agenda Items 1-14)

PRESENT:	INTERIM COUNTY EXECUTIVE OFFICER	Michelle Aguirre
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Robin Stieler

INVOCATION:Supervisor Foley, Fifth District, gave the invocation

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

I.PRESENTATIONS/INTRODUCTIONS

Supervisor Sarmiento presented a resolution proclaiming October 20 - 26, 2024 as "Respiratory Care Week"

Supervisor Sarmiento presented a resolution proclaiming November 1 - 2, 2024 as "Dia de los Muertos"

Vice Chairman Chaffee and Supervisor Foley presented a resolution proclaiming October 2024 as "National Breast Cancer Awareness Month"

II.CONSENT CALENDAR (Items 1-10)

45123 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1 AND 6 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

HEALTH CARE AGENCY

1. Approve revised bylaws of Orange County Emergency Medical Care Committee to reflect new bylaw template and revisions to representation groups in accordance with State law - All Districts

45123 X **APPROVED AS RECOMMENDED**

2. Approve master Memorandum of Understanding (MOU) with various universities and accredited training institutions for Off-Campus Student Training, 12/1/24 - 11/30/29; and authorize County Procurement Officer or Deputized designee to execute individual MOUs - All Districts

3. Approve amendment 2 to contract MA-042-23010244 with Language Line Services, Inc. for language interpretation and translation services, 10/22/24 - 12/31/25 ($225,000; cumulative total $858,333); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

OC PUBLIC WORKS

4. Approve Final Tract Map 17934; approve subdivision improvement agreement S24-011015 with RMV PA3 Development, LLC; accept bonds guaranteeing construction; accept dedication of easements for storm drain access, emergency vehicle access, public street and public utility, and private park purposes and accept vehicular access rights on Legado Road, Gavilan Ridge, Bucker Way, Coyotes, Hawk Street and Corkscrew Road - District 5

5. Award contract MA-080-25010109 to West Coast Air Conditioning Company, Inc. for pre-construction phase services for OC Data Center Backup Generator Project ($89,241); authorize Director or designee to execute contract; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines 15301 - District 2

GENERAL ADMINISTRATION

Clerk of the Board:

6. Approve 2025 Board of Supervisors regular meeting schedule - All Districts

54123 X **APPROVED AS RECOMMENDED**

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

8. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for County Counsel - All Districts

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

10. **Registrar of Voters -** Receive and file Certificate of Nominees to be appointed in lieu of election on 11/5/24 for qualified candidates to special district offices for which they have filed a declaration of candidacy - All Districts

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 11-S24F)

ELECTED DEPARTMENT HEADS

11. **District Attorney -** Approve amendment 1 to contract MA-026-24011032 with Gartner, Inc. for consulting services for case management system, 10/30/24 - 6/30/25 ($135,000; cumulative total $385,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

53124 X **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

12. Approve amendment 2 to contract MA-060-22010241 with Computer Deductions Inc. for software development, maintenance, and support, 12/1/24 - 11/30/25 ($408,546; new total $3,813,090; cumulative total $14,026,722); renewable for two additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

54123 X **APPROVED AS RECOMMENDED**

13. Approve amendment 1 to contract MA-060-22010842 with Omni Enterprise, Inc. for janitorial services at Sheriff-Coroner Department's Brad Gates building, 1/25/25 - 1/24/26 ($317,880; cumulative total $1,271,520); renewable for one additional one-year term; and authorize County Procurement Officer or Deputized designee to execute amendment - District 2

25143 X **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

14. Approve contract MA 042-25010406 with ASC Treatment Group dba Anne Sippi Clinic Treatment Group for adult mental health intensive residential services, 11/2/24 - 6/30/26 ($1,125,000); renewable for three additional one-year terms; 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

52143 X **APPROVED AS RECOMMENDED**

15. Approve amendment 3 to contract MA-042-22010349 with Hologic Sales and Service, LLC for reagent test kits, equipment and maintenance for detection of infectious agents, 1/1/25 - 12/31/26 ($5,000,000; cumulative total $12,500,000); and authorize County Procurement Officer or Deputized designee to execute amendment - District 2

2543 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

OC PUBLIC WORKS

16. Approve amendment 1 to contract MA-012-24010851 with South Valley Companies, Inc. dba South Valley Pump & Drilling for Mile Square Regional Park Phase I groundwater well ($25,000; cumulative total $1,754,652); and authorize Director or designee to execute amendment - District 1

3524 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

17. Approve contract MA-080-24011356 with Aquatic Bioassay & Consulting Laboratories, Inc. for water toxicity testing services, 11/8/24 - 11/7/27 ($1,800,000); renewable for one additional two-year term; authorize County Procurement Officer or Deputized designee to execute contract; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15306 - All Districts

5243 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

18. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve amendment 2 to renew contract MA-080-21010645 with Myers & Sons Hi-Way Safety, Inc. for construction site flagger services, 12/11/24 - 12/10/25 ($500,000; cumulative total $2,300,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

4523 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

OC WASTE & RECYCLING

19. Approve contract MA-299-24011626 with Ron Dietz Inc. dba Dietz Hydroseeding Co. for hydroseeding services, 11/23/24 - 11/22/27 ($1,425,000); renewable for one additional two-year term; and authorize County Procurement Officer or Deputized designee to make changes under certain conditions - Districts 3, 4, and 5

3524 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

GENERAL ADMINISTRATION

County Executive Office:

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

2345 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

21. Approve grant applications/awards submitted by OC Public Works, District Attorney, Health Care Agency, Probation, OC Community Resources, and Sheriff-Coroner and retroactive grant application/award submitted by Health Care Agency in 10/22/24 grant report and other actions as recommended; adopt resolutions authorizing OCPW Director or designee to apply for and accept Orange County Transportation Authority Measure M2 Regional Capacity Program (Project O) funds for Los Patrones Parkway Extension Final Design Project and Ranch Canyon, Bucker Way and Bucker Way Bridge Design Project; adopt resolution authorizing District Attorney or designee to execute grant award agreement and amendment with California Department of Insurance for Automobile Insurance Fraud Program, 7/1/24 - 6/30/25 ($1,004,626); and making California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15061(b)(3) and other findings; adopt resolution authorizing Chief Probation Officer or designee to accept, execute grant agreement and amendments as necessary with Board of State and Community Corrections for Proposition 47 Grant Program: Safe Neighborhoods and Schools Act, 10/3/24 - 6/30/28 ($8,000,000); adopt resolution authorizing OC Community Resources Director or designee to negotiate, execute and submit required documents and amendments with California Department of Fish and Wildlife for Boating Access Grant - All Districts

5243 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

RESO: 24-115 - 24-119

22. Approve Utility Permit Agreement with Orange County Sanitation District (OCSD) to replace existing sewer force main pipelines under Newport Bay, Newport Beach; authorize Chief Real Estate Officer or designee to execute subsequent documents and amendments under certain conditions; and consider application of Final Environmental Impact Report (EIR) SCH No. 2016111031 certified by OCSD and other findings - District 5

5243 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

23. Adopt resolution approving updated 2024 Civic Center Facilities Strategic Plan; and authorizing staff to take related actions - District 2

2543 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

RESO: 24-120

24. Approve amendment 13 to extend contract MA-017-18010489 with Trapeze Software Group Inc., dba AssetWorks Inc. for Computerized Maintenance Management System to add specialized financial integration software, software consulting and development servers, 12/5/24 - 12/4/26 ($1,455,866; cumulative total $9,063,850); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

2543 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

Supervisor Foley:

S24A. Assessment Appeals Board No. 3 - Reappoint Barbara G. Borkowski, Capistrano Beach, for term ending 9/5/27
5324 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

S24B. Assessment Appeals Board No. 1 - Appoint Thomas C. Edwards, Newport Beach, for term ending 9/5/27
5243 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

S24C. Orange County Historical Commission - Appoint Margaret Moodian, Rancho Mission Viejo, for term concurrent with 5th District Supervisor's term of office
5243 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

S24D. **Vice Chairman Chaffee -** Approve allocation of $100,000 from Fourth District discretionary funds to Islamic Circle of North America Relief USA for mental health programs; make related findings per Government Code Section 26227; authorize County Executive Officer or designee to execute related agreements under certain conditions; and authorize Auditor-Controller to make related payments
4523 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

S24E. **Chairman Wagner -** Approve allocation of $30,000 from Third District discretionary funds to Children's Education Foundation of Orange County for Gift of History program; make related findings per Government Code Section 26227; authorize County Executive Officer or designee to negotiate and enter into agreement as necessary; and direct Auditor-Controller to make related payments
3524 X **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

OC PUBLIC WORKS

S24F. Acting as the Board of Supervisors and Orange County Flood Control District - Approve expenditure of funds on terms specified in amendment 2 to contract MA-080-22010092 with DRC Pacific, Inc. for disaster-related debris management services ($11,414,362) and amendment 1 to contract MA-080-22010093 with Tetra Tech, Inc. for disaster-related debris monitoring services ($1,107,700); Acting as the Board of Supervisors - authorize use of public road funds on private property and waive requirement to pass emergency ordinance for this emergency event only; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15269(b)(c) and other findings - Districts 3 and 5

3524 X **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**

IV.PUBLIC HEARINGS (Item 25)

GENERAL ADMINISTRATION

25. **County Executive Office -** Acting as the Orange County Flood Control District - Public Hearing to consider adopting Resolution of Necessity for Rancho Miramonte property (Project Parcel No. E01PD-31-943 Miramonte); directing and authorizing County Counsel and/or outside eminent domain counsel, Murphy and Evertz, to initiate condemnation proceedings; consider adopting resolution partially rescinding Resolution of Necessity 23-056 to eliminate Parcel 1 of real property owned by Fisher Scientific Company, LLC, 15982 San Antonio Avenue, City of Chino; directing and authorizing County Counsel and outside counsel to take related actions; directing and authorizing Auditor-Controller to make related payments; and considering application of 1989 Environmental Impact Statement, Final Environmental Impact Statement/Environmental Impact Report 583, Addendum No. 1 (IP 21-0211) and other findings - All Districts (2/3 vote of the membership)

B.O. **CLOSED PUBLIC HEARING**

5243 **APPROVED AS RECOMMENDED WITH DISTRICT 1 VACANT DUE TO RESIGNATION OF ORANGE COUNTY SUPERVISOR, FIRST DISTRICT, EFFECTIVE IMMEDIATELY**
RESO: 24-121 - 24-122

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:Colette Farnes, Chief Human Resources Officer
Employee Organizations:Workers represented by United Domestic Workers of America (UDWA)
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: Lisa Fettis v. County of Orange, WCAB Cases: ADJ13173008; ADJ9627639

B.O. **HELD, COUNTY COUNSEL READ:THE BOARD UNANIMOUSLY APPROVED A PROPOSED $185,000 WORKERS COMPENSATION SETTLEMENT IN THE MATTER OF LISA FETTIS V. COUNTY OF ORANGE.THE APPLICANT IS A RETIRED DEPUTY SHERIFF WHO ALLEGED INDUSTRIAL INJURIES RELATING TO HER KNEES AND HEART.THE SETTLEMENT APPROVED TODAY IS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT IS**

FINALIZED, COPIES OF THE AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Joseph Bull v. County of Orange, WCAB Cases: ADJ13777430; ADJ7732865

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED $280,0000 WORKERS COMPENSATION SETTLEMENT IN THE MATTER OF JOSEPH BULL V. COUNTY OF ORANGE.THE APPLICANT IS A RETIRED DEPUTY SHERIFF SERGEANT WHO ALLEGED CUMULATIVE TRAUMA TO HIS HEART AND SPINE, AMONG OTHER INDUSTRIAL INJURIES. THE SETTLEMENT APPROVED TODAY IS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT IS FINALIZED, COPIES OF THE AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Lupe Morfin - Oral Re: Laws and rules have changed and people need to fight for rights and integrity in voting; registration with Real ID should be required and only citizens should be allowed to vote; requested to look at the inhumane conditions at the Registrar of Voters warehouses

Brigitte - Oral Re: Quoted Tupac Shakur; Trump is going to prove the election was stolen; document and public comments provided at 5/24/22 Board meeting; treatment of seniors and desecration of his mother; update regarding Klubnikin case; County Counsel violated subpoena rules and lawyers engage in fraud

John W. Spring - Oral Re: Memories of his wife who passed in 2021; October 19th is America's real independence day; sent analytical report to President John F. Kennedy regarding US Naval blockade of Cuba; approached by agent of Defense Intelligence Agency in 1961

Elizabeth Rios - Oral Re: County should not allow Social Services Agency to seize children from parents without a warrant; children were removed after disciplining her teenage daughter by taking her cell phone away which is not abuse; hearing on October 29th and requested Board return her children and investigate matter

Toni Taloa - Oral Re: Home care provider for her sister; In-Home Supportive Services (IHSS) wage increases allowed purchase of daily essentials that she was unable to previously provide

Gloria - Oral Re: Home care provider for her mother; In-Home Supportive Services (IHSS) benefits and wage increases for United Domestic Workers of America (UDW) are life changing; insurance benefits helped her with her health condition and to continue caring for her mom

Alberta Martinez - Oral Re:In-Home Supportive Services (IHSS) provider for 10 years; lost her husband and IHSS benefits helped cover funeral and other expenses during very difficult times

Ilya Tsegin - Oral Re: Demands resignation of Chairman Wagner and revocation of his law license; Board misrepresents elected officials who are corrupted in Orange County such as judges and County officials; suppressing constitutional free speech

Nick Kolev - Oral Re: Reported felony committed by Carlotta Serna, Chief Legal Counsel for Child Support Services who says he owes child support money to the State disbursement unit; passport renewal is blocked

Cheryl - Oral Re: Problems with voter rolls in primary election; voter rolls are not accurate as required by the National Voter Registration Act of 1993; Supervisor Sarmiento's absence from public comments; had no intentions of disparaging Supervisor's son

Kate - Oral Re: 2021 recall, 2022 election and the 2024 primary were fraudulent; could save money and be better if the Board of Supervisors were closed down, removed County Executive Officer and County Counsels salaries and bomb building (CAN); Board needs to take care of the fundamental right provided by the almighty GOD in the Constitution of the United States, right to vote and select representatives from cities to the federal government; need to clean voter rolls

Roseann - Oral Re: Democracy is majority rule system and clarifying we are not a democracy, we are a constitutional republic; Board has the responsibility not to certify elections that violate the law; certification of the 2024 election; cease and desist letter regarding certification of election; nothing has been done to cleanup voter rolls; voting system needs to be auditable; need back-up voting system for power outages

Lisa H - Oral Re: Volunteers for the United Sovereign Americans (USA) read into the public record their resolution for a legally valid 2024 general election at a previous Board meeting; USA analysis of 2022 election indicates it was invalid and Shirley Webber served with complaint

Eileen McDermott - Oral Re: Provided information for informed voters in 2024; quit shutting the public from speaking and listen; names of prominent people in government who are married to prominent people in the media which proves they are all connected and it is all rigged; Kamala Harris' husband was Executive at DLA Piper and in charge of Clinton Foundation audit

Bryan Kaye - Oral Re: Board interaction with public during Board meetings; additional speaker time provided to one speaker; freedom of speech and silencing the public

Mary - Oral Re: Waste of money sending election materials in the mail; people can register to vote without ID and without any kind of verification, voter rolls are inaccurate, votes can be changed electronically on uncertified equipment; no audit control and rules are not followed; provided list of items not required by hand counting of ballots

COUNTY EXECUTIVE OFFICER COMMENTS:

None

ADJOURNED:12.50 P.M.

5324 **Adjourned in memory of Buzz Amble**

BOARD COMMENTS:

Supervisor Foley - Oral Re: Provided comments regarding the indictment, guilty plea and resignation of Andrew Do from the Orange County Board of Supervisors; disgusted by the level of corruption in

the indictment and the allegations of bribery; County will continue to investigate any further actions coming out of District 1 and the Board as a whole is committed to implementing reforms and protocols that will prevent this from happening again

Supervisor Sarmiento - Oral Re: Investigation of Andrew Do and misuse of public funds in a bribery scheme where he directed taxpayer dollars to organizations and payments to himself and his family and exploiting the people he purported to champion; plea agreement and resignation; the Board should look at how to better ensure disclosure, transparency and more open government; thanked journalist Nick Gerda and media for making sure Board was alerted of misconduct

KEY

Left Margin Notes

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

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