REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 26, 2022,9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
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:Supervisor Foley, Second District, gave the invocation

PLEDGE OF ALLEGIANCE:Supervisor Wagner, Third District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (Items 1-5)

13254 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 5 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

HEALTH CARE AGENCY

1. Approve retroactive agreement 21-10968 with California Department of Public Health for Pre-Exposure Prophylaxis Assistance Program Provider Network, 1/1/22 - 12/31/25; and authorize Director or designee to execute agreement, related documents and amendments under certain conditions - All Districts

GENERAL ADMINISTRATION

2. **County Counsel -** Approve Bylaws for various Boards, Commissions, and Committees; grant an exemption to bylaws template for Assessment Appeals Board Nos. 1-5, Board of Parole Commissioners and Campaign Finance and Ethics Commission to proceed without approval of bylaws; rescind Resolution No. 76-1811; and dissolve County of Orange Underground Utility Conversion Advisory Committee - All Districts

County Executive Office:

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

4. Acting as the Orange County Flood Control District - Approve Purchase and Sale agreement for conveyance of proposed easements to City of Orange, and Orange County Flood Control District's acceptance of quitclaim deed from City of Orange for former easement site; accept total payment of $36,546; authorize Chief Real Estate Officer or designee to carry out terms, execute easement deeds, certificate of acceptance and any related documents necessary to complete transaction and perform related actions under certain conditions; and make California Environmental Quality Act and other findings - District 2

5. Receive and file annual list of County Ad Hoc Committees for FY 2022-23 - All Districts
RECEIVED AND FILED

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 6-S22D)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

6. Approve amendment 4 to contract MA-060-18010198 with Sidepath, Inc. for purchasing EMC enterprise storage equipment, 7/31/22 - 2/28/23 ($2,500,000); and authorize County Procurement Officer or Deputized designee or execute amendment - All Districts
31254 **APPROVED AS RECOMMENDED**

7. Ratify agreement 22112445 with State of California Commission for Peace Officer Standards and Training (POST) Supervisory Course, 7/1/22 - 6/30/23 ($97,450); and authorize Sheriff-Coroner or designee to execute agreement - District 2
25134 **APPROVED AS RECOMMENDED**

8. Approve contract MA-060-22011634 with Range Ordinance Cleanup LLC for lead remediation services, three-year term ($900,000), renewable for two additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract - Districts 2 and 5
25134 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

9. Approve contract MA-042-22011155 with NetChemistry, Inc. for eligibility management system, 9/1/22 - 8/31/27 ($600,000); and authorize County Procurement Officer or Deputized designee to execute contract - All Districts
15234 **APPROVED AS RECOMMENDED**

10. Approve contract MA-042-22011996 with Anaheim Arena Management, LLC for outreach and community awareness campaign, 8/26/22 - 6/30/25 ($8,478,957); 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
21354 **APPROVED AS RECOMMENDED**

11. Approve contract MA-042-22011986 with Elevate Staffing, Inc. for large scale event staffing services, 8/26/22 - 6/22/24 ($12,000,000); renewable for two additional years; 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
31254 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

12. Approve amendment 2 to contract MA-012-18012188 with Tapia Landscaping for landscape maintenance for regional trails, community parks and open spaces, 9/1/22 - 8/31/23 ($565,000; cumulative total $2,825,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts
53124 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

13. Approve contracts with various firms for on-call design support services including mechanical, electrical and plumbing, 7/26/22 - 7/25/25 ($1,500,000 each; aggregate total $7,500,000); renewable for two additional years; and authorize Director or designee to execute contracts - All Districts
35124 **APPROVED AS RECOMMENDED**

14. Approve contracts MA-080-22010629 with J.C. Chang & Associates, Inc., MA-080-22011531 with Kitchell/CEM, Inc., MA-080-22011532 with Glumac, and MA-080-22011534 with IDS Group, Inc. for on-call design support services and cost estimating, 7/26/22 - 7/25/25 ($1,500,000 each; aggregate total $6,000,000); renewable for two additional years; and authorize Director or designee to execute contracts - All Districts
53124 **APPROVED AS RECOMMENDED**

15. Approve retroactive grant application to Orange County Transportation Authority for Measure M2 Comprehensive Transportation Funding Programs Environmental Cleanup Program Tier 1 - Ranch Plan Planning Area 3 Urban Stormwater Quality Infiltration and Pre-Treatment Basins Project ($500,000); adopt resolution authorizing application of funds on behalf of the Santa Margarita Water District; authorize Director of Public Works or designee to request allocation of funds, accept funding, execute cooperative agreements and amendments with Orange County Transportation Authority and Santa Margarita Water District and take related actions under certain conditions - District 5

52134 **APPROVED AS RECOMMENDED**
RESO: 22-095

16. Approve contracts with various firms for on-call architect-engineer services for contract administration-project management, 7/26/22 - 7/25/25 ($2,500,000 each; aggregate total $15,000,000); renewable for two additional years; and authorize Director or designee to execute contracts - All Districts
52134 **APPROVED AS RECOMMENDED**

17. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve contract MA-080-22011738 with Griffith Company for Santa Ana Gardens Channel Bikeway Extension Phases 2-4, effective 7/26/22 ($4,178,000); authorize return of bid guarantees; and authorize Director or designee to execute contract and future amendments to Cooperative Agreement D12-015 under certain conditions - District 2
25134 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

18. Approve 2022 Personnel and Salary Resolution; delegate authority to Chief Human Resources Officer to administratively update as needed; approve removal of conflict of interest, employment of relatives, drug and alcohol, and workplace violence sections from Personnel and Salary Resolution and designate them as County policies to be maintained and updated by County Executive Officer - All Districts
B.O. **CONTINUED TO 8/23/22, 9:30 A.M.**

19. Approve recommended positions on introduced or amended legislation and/or consider other legislative subject matters - All Districts
15234 **APPROVED AS RECOMMENDED**

20. Approve retroactive grant applications/awards submitted by Health Care Agency and Social Services Agency in 7/26/22 grant report and other actions as recommended - All Districts
23154 **APPROVED AS RECOMMENDED**

21. Approve amendment 1 to lease with IPT Partners, LLC for office space for Social Services Agency/Children and Family Services at 744 and 746 Eckhoff St., Orange, extending term until 7/31/23, with option to extend for an additional year; authorize Chief Real Estate Officer or designee to execute subsequent lease options and amendments under certain conditions; and make California Environmental Quality Act and other findings - District 2
25134 **APPROVED AS RECOMMENDED**

22. Approve lease with CGJP-1, LP for Public Defender office space at 14120 Beach Boulevard, Suites 200, 201 and 212, Westminster; ten-year term, 8/1/22 - 7/31/32; with three five-year options to extend; authorize Chief Real Estate Officer or designee to exercise options, execute subsequent lease and amendments under certain conditions; and make California Environmental Quality Act and other findings - District 1
13254 **APPROVED AS RECOMMENDED**

S22A. **County Counsel -** Acting as the Board of Supervisors and Orange County Flood Control District - Approve consent to and waive conflict of interest for Burke, Williams & Sorensen, LLP's representation of Prudential Insurance Company of America who will be a named defendant in an eminent domain action filed by Burke, Williams & Sorensen, LLP on behalf of Orange County Flood Control District - All Districts

31254 **APPROVED AS RECOMMENDED**

Supervisor Foley:

S22B. Approve addition of Discovery Cube Science Center, Chance Theater and Lyric Opera House events to County Events Calendar; and make related findings per Government Code Section 26227

21354 **APPROVED AS RECOMMENDED**

S22C. Reconsider Resolution of the Board of Supervisors of the County of Orange Supervisorial District Integrity adopted on April 26, 2022, and quash in light of recent opinion of California Attorney General related to redistricting

21354 **APPROVED AS RECOMMENDED**
NN

S22D. **Supervisor Do -** Approve $1,000,000 from First District allocation of discretionary funding to Office of Population Health and Equity for purpose of providing smaller, grassroots organizations, whose annual operating budgets are under $500,000, opportunity to build their infrastructure and capacity and become more sustainable in Equity in OC Initiative; and make related findings per Government Code Section 26227

12345 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (Item 23)

OC PUBLIC WORKS

23. Public Hearing to consider adopting resolution approving FY 2021-22 Weed Abatement Cost Report and special assessments on identified properties - All Districts

B.O. **CLOSED PUBLIC HEARING**

13254 **APPROVED AS RECOMMENDED**
RESO: 22-096

V.CLOSED SESSION (Items CS-1-SCS6)

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. **HELD, NO REPORTABLE ACTION**

SCS2. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title:Chief Probation Officer

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED THE APPOINTMENT OF DANIEL HERNANDEZ TO THE OFFICE OF CHIEF PROBATION OFFICER, EFFECTIVE TODAY, JULY 26, 2022.CONGRATULATIONS MR. HERNANDEZ!**

SCS3. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases:One Case

B.O. **COUNTY COUNSEL READ: CHAIRMAN CHAFFEE, AND SUPERVISORS FOLEY, WAGNER, AND BARTLETT VOTING YES, AND SUPERVISOR DO VOTING NO, THE BOARD APPROVED A PROPOSED $956,352 SETTLEMENT WITH AMPLIFY ENERGY CONCERNING THE OCTOBER 2021 OIL SPILL INCIDENT.IN EXCHANGE FOR A RELEASE AND WAIVER OF CLAIMS, AMPLIFY ENERGY AND ITS AFFILIATES HAVE AGREED TO PAY THE FULL AMOUNT OF THE COUNTY'S CLAIM FOR REIMBURSEMENT, WITHIN 60 DAYS, WHILE ALLOWING THE COUNTY TO PARTICIPATE IN NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION PROJECTS.**

SCS4. **County Executive Office -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Chairman Doug Chaffee
Unrepresented Employee: County Executive Officer
RE: Terms and Conditions of Employment

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

County Counsel:

SCS5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases:Ortiz Enterprises, Inc. v. County of Orange, Orange County Superior Court Case No.: 30-2022-01261845-CU-BC-CJC

B.O. **COUNTY COUNSEL READ: THE COUNTY HAS TENDERED THE DEFENSE OF THIS MATTER TO THE FOOTHILL/EASTERN TRANSPORTATION CORRIDOR AGENCY.PLAINTIFF ORTIZ ENTERPRISES, INC. SUED THE COUNTY OVER COSTS ASSOCIATED WITH THE COMPLETION OF THE OSO BRIDGE PARKWAY PROJECT AND THE REMEDIATION OF ROCK POCKETS IN THE BRIDGE CONSTRUCTION.TODAY, THE BOARD UNANIMOUSLY ACCEPTED THE TCA'S PROPOSAL TO ASSIGN THE COUNTY'S DEFENSE IN THIS MATTER TO NOSSAMAN LLP, AND AUTHORIZED THE FIRM TO FILE A CROSS-COMPLAINT AGAINST PLAINTIFF.**

SCS6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases:Orange County Flood Control District v. Bleck, Riverside County Superior Court Case No.:CVRI2100199

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A $325,000 SETTLEMENT OF AN EMINENT DOMAIN LAWSUIT CONCERNING THE ACQUISITION OF A FLOWAGE EASEMENT ON PRIVATE PROPERTY IN RIVERSIDE COUNTY AS PART OF THE PRADO DAM/SANTA ANA RIVER MAINSTEM PROJECT:**

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Brigitte - Oral re: Klubnikin case and judge's ruling to seize estate; Attorney General ordered investigation into fraud and coverup by court judges, District Attorney and County Counsel

Kimberly Battomley - Oral re: Suggested old animal shelter in Orange be converted to an urban forest with animal sculptures and maintained by Theo Lacy; seek State and Federal funding for beautification of property and urban forest

Steve Rocco - Oral re: Letters received from State Bar regarding hacking of their system and name of attorneys reported to State Bar; fire at Chapman University and lack of evidence to charge him with felony arson

Bryan Kaye - Oral re: Communication with mother regarding name-calling of Board Member; comments regarding Board Members

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:12:44 P.M.

BOARD COMMENTS:
None

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