A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, December 6, 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

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
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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:Vice Chairman Wagner, Third District

PLEDGE OF ALLEGIANCE:Supervisor Bartlett, Fifth District

I.PRESENTATIONS/INTRODUCTIONS (none)

Chairman Chaffee will be presenting a resolution proclaiming December 2022 as "Operation Christmas for our Troops & Their Families Month"

Chairman Chaffee will be presenting a resolution proclaiming December 5 - 9, 2022 as "Employee Learning Week"

Chairman Chaffee will be commemorating Mexico and the United States for 200 years of Diplomatic Relations

II.CONSENT CALENDAR (Items 1-9)

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

Chairman Chaffee:

1. Orange County HIV Planning Council - Reappoint Jessica Castellon, Sacramento, Dr. Charles "Scott" Huffman, Santa Ana, Wendy N. Lords, Aliso Viejo and Khole Rios-Wyatt, Santa Ana; and appoint Itamar Harari, Huntington Beach and Kristen N. Kowalczyk, Tustin, for terms ending 12/31/24

2. Commission to End Homelessness - Appoint Richard Afable, Newport Beach, Christy Cornwall, Aliso Viejo, Monique Davis, Buena Park, and Sean deMetropolis, Long Beach, for terms ending 12/5/24

Supervisor Do:

3. Orange County Senior Citizens Advisory Council - Reappoint Amina Sen-Matthews, Santa Ana, for term concurrent with 1st District Supervisor's term of office

4. Public Financing Advisory Committee - Reappoint John J. Moohr, Fountain Valley, for term ending 5/1/25

OC COMMUNITY RESOURCES

5. Approve amendment 2 to increase contract MA-012-22011379 with Webco LB, LLC. for street sweeping services, existing term ending 5/4/23 ($120,000; new total $320,000); and to renew contract 5/5/23 - 5/4/24 ($320,000; cumulative total $640,000); authorize County Procurement Officer or Deputized designee to execute amendment; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - All Districts

OC PUBLIC WORKS

6. Receive and file FY 2021-22 Development Fee Deposit Balance Reports; and make related findings - All Districts

GENERAL ADMINISTRATION

County Executive Office:

7. Adopt resolution approving FY 2021-22 Measure M2 Expenditure Report; and authorize Chief Financial Officer or designee to execute and submit report to Orange County Transportation Authority - All Districts

8. Receive and file Report of Minor Real Property Interests obtained under Delegated Authority, 7/1/21 - 6/30/22 - All Districts

9. **Registrar of Voters -** Receive and file certification of election results and Statement of Votes Cast for November 8, 2022 General Election; and declare elected the persons having majority of votes for that office - All Districts

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 10-26)

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

10. **Auditor-Controller -** Approve one-time exception to the Personnel & Salary Resolution provisions to allow inclusion of a clause in the At Will agreement for employment of the Chief Deputy Auditor-Controller, to allow the incumbent to return to the previous classification of

Administrative Manager III Director of Satellite Accounting Operations or equivalent position - All Districts

Sheriff-Coroner:

11. Ratify donation of 1999 Ford E450 vehicle with minimal value to Riverside County Sheriff's Department - All Districts (4/5 vote of the members present)

12. Approve retroactive contract MA-060-22011549 with Purple Communications, Inc. for remote video interpreting services for American Sign Language, 8/23/22 - 8/22/25 ($19,200); renewable for two additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract - Districts 2, 3 and 5

HEALTH CARE AGENCY

13. Approve contract MA-042-23010574 with Angeles Baseball LP for outreach and community awareness campaign, 1/6/23 - 1/5/26 ($9,618,024); 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

14. DELETED
Approve contract MA-042-23010263 with Composite Apps, Inc. for disease control and preventative health technology enabled solution, 1/2/23 - 12/31/24 ($3,446,400); renewable for one additional three-year term; 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 (Continued from 11/29/22, Item 40)

JOHN WAYNE AIRPORT

15. Approve Passenger FacilityCharge applications 2 and 3 with Federal Aviation Administration for eligible projects; authorize Director or designee to execute applications, amendments and closeouts for eligible projects; and make California Environmental Quality Act (CEQA) exemption findings under Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273 - District 5

OC COMMUNITY RESOURCES

16. Approve retroactive amendment 1 to contract CT-012-22010685 with Habitat West, Inc. for invasive plant control and post-fire habitat restoration services, extending term one month with no additional funds, 7/1/22 - 7/31/22; authorize County Procurement Officer or Deputized designee to execute amendment; and make California Environmental Quality Act and other findings - All Districts

17. Approve and authorize Director or designee to increase amount of 2020 Supportive Housing Notice of Funding Availability and utilize funds for additional loan financing to CM Mercy House CHDO LLC for development costs associated with Motel 6, 94-unit motel conversion at 2274 Newport Boulevard, Costa Mesa, ($850,000; cumulative total $5,350,000); approve loan commitment to CM Mercy House CHDO LLC with per unit loan limit of $95,000 for 30 units for households experiencing homelessness, exceeding the per unit loan limits under 2020 Supportive Housing Notice of Funding Availability; approve subordination at acquisition, construction and permanent financing to first trust deed loan; authorize Director or designee to

increase amount by 10%, subordinate additional senior debt and execute subordination agreements and related documents under certain conditions; approve related Ground Lease with CM Mercy House CHDO LLC; authorize Chief Real Estate Officer or designee to execute Ground Lease and amendments under certain conditions; and make California Environmental Quality Act and other findings - District 5

OC PUBLIC WORKS

18. Approve subordinate contract MA-080-23010239 with Omni Enterprise, Inc. for janitorial services at various locations, 12/19/22 - 12/18/25 ($1,499,856); renewable for two additional years; authorize County Procurement Officer or Deputized designee to execute contract; and make California Environmental Quality Act (CEQA) exemption findings under CEQA guidelines section 15301 - All Districts

19. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve contracts with various firms for on-call architectural services, three-year term ($1,500,000 each; aggregate total $15,000,000); renewable for two additional years; authorize Director or designee to execute contracts; and make California Environmental Quality Act and other findings - All Districts

SOCIAL SERVICES AGENCY

20. Ratify non-financial agreement 22-1008 with California Department of Social Services for access to Employment Development Department base wage data, 7/1/22 - 6/30/25; and authorize Director or designee to execute agreement and related documents under certain conditions - All Districts

GENERAL ADMINISTRATION

County Executive Office:

21. Approve lease agreement with City of Placentia for a Senior Community Center at Tri-City Regional Park, Placentia, 75-year term; adopt resolution authorizing alcoholic beverage services; authorize Chief Real Estate Officer or designee to execute lease, related documents and amendments and exercise option terms under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines section 15301 - District 4 (4/5 vote of the Board)

22. Continued to 12/20/22, 9:30 A.M.
Approve Option to Lease Agreement and Lease Agreement with The Irvine Company for improvements to existing facilities at Balboa Marina and construction of public docks; approve Lease Agreement with City of Newport Beach; adopt resolution finding County Tidelands Property is exempt surplus land pursuant to Government Code Section 54221(f)(1)(H); authorize Chief Real Estate Officer or designee to execute lease agreements, related documents, amendments and option terms under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - District 5

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

24. Approve grant applications/awards submitted in 12/6/22 grant report and other actions as recommended - All Districts
Revised Title to read:
County Executive Office - Approve grant applications/awards submitted *by Health Care Agency, Social Services Agency, Sheriff-Coroner, Public Defender and OC Community Resources, retroactive grant applications/awards submitted by Health Care Agency* in 12/6/22 grant report and other actions as recommended*; adopt resolution authorizing Social Services Agency Director or designee to submit application, execute grant agreement and amendments with California Department of Education for continued California State Preschool Program funding ($160,000); adopt resolution authorizing Sheriff-Coroner or designee to execute grant assurance and related documents to California Office of Emergency Services for FY 2022 Homeland Security Grant Program ($3,091,412) and approving related actions under certain conditions; adopt resolution approving award agreements BF-1-21-091 for Orange County Public Libraries – Aliso Viejo project ($2,360,817), BF-1-21-092 for Orange County Public Libraries – Garden Grove Main Library project ($2,718,498), BF-1-21-093 for Orange County Public Libraries – Irvine University Park Library project ($2,861,578), BF-1-21-094 for Orange County Public Libraries – La Habra library project ($1,509,999) and BF-1-21-095 for Orange County Public Libraries – Stanton Library project ($364,752) with California State Library; and authorize OC Public Libraries County Librarian or designee to execute agreements, related documents and amendments; and making California Environmental Quality Act and other findings* - **All Districts

25. Acting as the Board of Supervisors and Orange County Flood Control District - Approve Cooperative Transfer agreement, Assignment agreement and Quitclaim Deeds with City of Laguna Beach for transfer of County and Orange County Flood Control District owned properties to City and assume all associated operations, maintenance and services of properties; authorize Chief Real Estate Officer or designee to execute agreements and Quitclaim Deeds to carry out terms of agreement and minor modifications under certain conditions; direct Auditor-Controller to make related payments under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15305 and other related findings - District 5 (R.A. #9 requires 4/5 vote of member present)

26. **Chairman Chaffee -** Receive and file 28th Annual Report on Conditions of Children in Orange County 2022

S26A. **Supervisor Bartlett** - Senior Citizens Advisory Council - Reappoint Patty Barnett Mouton, Laguna Niguel, for term concurrent with 5th District Supervisor's term of office

S26B. **Supervisor Bartlett** - Approve addition of Laguna Beach Seniors holiday event to County Events Calendar; and make related findings per Government Code Section 26227

S26C. **Supervisor Bartlett** - Approve Orange County Traffic Committee report dated 11/17/22; adopt resolution establishing a traffic signal control at the intersection of Oso Parkway and Coto de Caza Drive; and make California Environmental Quality Act (CEQA) exemption findings under

CEQA Guidelines section 15301

S26D. **Chairman Chaffee and Supervisor Do -** Adopt resolution declaring Racism and Inequity as a Public Health Crisis

S26E. **John Wayne Airport** - Approve amendment 4 to contract MA-280-19010940 with JBT AeroTech Corporation for Terminals A, B and C Passenger Loading Bridge and Baggage Handling System maintenance services, term ending 1/13/23 ($292,227; new total $5,225,343; cumulative total $17,286,890) and amendment 5 to renew contract, 1/14/23 – 1/13/25 ($15,424,813; cumulative total $32,711,703); and authorize County Procurement Officer or Deputized designee to execute amendments - District 5

S26F. **Continued to 12/20/22, 9:30 A.M.**
Chairman Chaffee and Supervisor Bartlett - Approve withdrawal of County from Orange County Power Authority Joint Powers Agreement (JPA); direct County Counsel to send notice to all appropriate parties of County's withdrawal from JPA and demand that Power Authority immediately cease undertaking any activities to procure power for unincorporated residents and desist from incurring any further costs attributable to County

S26G. **Supervisor Bartlett** - Assessment Appeals Board No. 5 - Appoint Dave Sanner, Newport Beach, to complete term ending 9/1/24

IV.PUBLIC HEARINGS (Items 27-28)

OC COMMUNITY RESOURCES

27. Public Hearing to consider adopting resolution for revised fee schedule for OC Parks to create an accession fee; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 21080(b)(8) and other related findings - All Districts

OC PUBLIC WORKS

28. Public Hearing to consider adopting resolutions and second readings and adoption of "An Ordinance of the County of Orange, California, Repealing the International Building Code, 2018 Edition; the California Building Code, 2019 Edition; the California Residential Code, 2019 Edition; the California Energy Code, 2019 Edition; the California Green Building Standards Code, 2019 Edition; the California Historical Building Code, 2019 Edition; the California Existing Building Code, 2019 Edition; Repealing Ordinance 19-006 and Adopting by Reference the California Building Code, 2022 Edition; the International Building Code, 2021 Edition; the California Residential Code, 2022 Edition; the California Energy Code, 2022 Edition; the California Green Building Standards Code, 2022 Edition; the California Historical Building Code, 2022 Edition; the California Existing Building Code, 2022 Edition; with Amendments Thereto"; "An Ordinance of the County of Orange, California, Repealing the 2018 Edition of the Uniform Plumbing Code, Repealing the 2019 Edition of the California Plumbing Code

Repealing Ordinance 19-009, and Adopting by Reference the Uniform Plumbing Code, 2021 Edition and the California Plumbing Code, 2022 Edition, Including Appendices, with Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing the 2018 Edition of the Uniform Mechanical Code, Repealing the 2019 Edition of the California Mechanical Code, Repealing Ordinance 19-008 and Adopting by Reference the Uniform Mechanical Code, 2021 Edition, and the California Mechanical Code, 2022 Edition, Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing the National Electrical Code, 2017 Edition, Repealing the California Electrical Code, 2019 Edition, Repealing Ordinance 19-009 and Adopting by Reference the National Electrical Code, 2020 Edition and the California Electrical Code, 2022 Edition with Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing the California Fire Code, 2019 Edition Ordinance 19-010 and Adopting by Reference the California Fire Code, 2022 Edition with Appendix B, BB, C, CC, and H and Amendments Thereto"; and order further reading of the Ordinances be waived - All Districts (Continued from 11/29/22, Item 52)

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 REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Orange County Flood Control District owned 95+/- acre property located at the intersection of Mountain Avenue and Bickmore Avenue, Chino, CA
County Negotiator: Thomas A. Miller, Chief Real Estate Officer
Negotiating Party: Majestic Realty Co.
Under Negotiation: Terms and Value of Option and Future Lease

SCS2. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Daniel Aikin v. County of Orange
Case Number: ADJ11233967

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

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 13, 2022	**No Regular Meeting**
December 20, 2022	**Regular Meeting**
December 27, 2022	**No Regular Meeting**