REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, December 7, 2021,*9:30 A.M.

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

ANDREW DO
CHAIRMAN
First District

DOUG CHAFFEE
VICE CHAIRMAN
Fourth District

KATRINA FOLEY
SUPERVISOR
Second District

DONALD P. WAGNER
SUPERVISOR
Third 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 Bartlett, Fifth District, gave the invocation

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

I.PRESENTATIONS/INTRODUCTIONS

Connor Medina, Government Affairs Manager for Orange County Business Council, presented the Business Retention and Expansion Award to the Board for County's OC One-Stop Center Mobile Unit

II.CONSENT CALENDAR (Items 1-13)

35241 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 3 WHICH WAS DELETED AND ITEMS 1, 2, 4 AND 13 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

HEALTH CARE AGENCY

1. Approve amendment VII to renew contract with Orange County Health Authority, a Public Agency, dba CalOptima for coordination and provision of Behavioral Health Care Services,

1/1/22 - 12/31/22; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

43251 **APPROVED AS RECOMMENDED**

2. Approve amendment 7 to contract MA-042-19010230 with Western Pacific Med-Corp, Inc. for Drug Medi-Cal Narcotic Replacement Therapy Treatment services, 1/7/22 - 6/30/22; approve amendment 4 MA-042-21010263 and amendment 6 MA-042-18010277 to contracts with Western Pacific Re-Hab, Inc. for Drug Medi-Cal Narcotic Replacement Therapy Treatment and Narcotic Replacement Therapy Treatment services, 1/7/22 - 6/30/22; and authorize County Procurement Officer or authorized Deputy to execute amendments - Districts 2, 4 and 5

45231 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

3. Approve Orange County Traffic Committee 7/15/21 report - Item B; adopt resolution establishing all-way stop control at Foothill Boulevard and Skyline Drive; and make California Environmental Quality Act and other findings - District 3 (Continued from 10/5/21, Item 3; RA #4 and #5 Continued from 11/2/21, Item 6)

35241 **DELETED**

4. Approve Final Tract Map 19025; approve Subdivision Improvement Agreement S21-09194 with Pulte Home Company, LLC; accept bonds guaranteeing construction; accept dedication of easements for emergency access, public utility and public service vehicle ingress and egress purposes; and accept dedication of easement for street purposes of Ivy Way - District 5

53241 **APPROVED AS RECOMMENDED**

5. Approve Orange County Traffic Committee 9/16/21 report; adopt resolutions renaming Street of the Golden Lantern, south of Dana Point Harbor Drive, as Harbor Way and adopting Transportation Implementation Manual 2021; and make California Environmental Quality Act and other findings - All Districts
RESO: 21-137 - 21-138

6. Approve and accept Grant of Storm Drain Easement from RMV PA3 Development, LLC for storm drain improvements south of Cow Camp Road; and authorize Director or designee to execute future amendments under certain conditions - District 5

7. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreement MA-080-22010588 with City of Laguna Beach for Bluebird Canyon Outfall and Diversion Structure Rehabilitation Project and transferring ownership and maintenance to City of Laguna Beach; authorize Director or designee to execute Quitclaim Deed, take related actions and make subsequent amendments under certain conditions; authorize Auditor-Controller to make related payments under certain conditions; and consider application of Final Mitigated Negative Declaration State Clearinghouse 2019079001 and other findings - District 5

GENERAL ADMINISTRATION

County Executive Office:

8. Acting as the Orange County Flood Control District - Approve Quitclaim Deed transferring fee title of real property to City of Orange; authorize Chief Real Estate

Officer or designee to execute Quitclaim Deed, related documents and to make changes under certain conditions; and make related findings - District 3

9. Receive and file Report of Minor Real Property Interests obtained under Delegated Authority for reporting period 7/1/20 - 6/30/21 - All Districts

10. Adopt resolution approving FY 2020-21 Measure M2 Expenditure Report; and authorize Chief Financial Officer or designee to sign and submit report to Orange County Transportation Authority - All Districts
RESO: 21-139

11. Approve Seventh Amended and Restated County of Orange Section 125 Plan Document adopting flexible spending account provisions afforded by Coronavirus Aid, Relief and Economic Security Act of 2020 and American Rescue Plan Act of 2021 and revise allowable options available to employees eligible for Optional Benefit Plan - All Districts

12. Approve amendment 2 to contract MA-017-15011934 with OptumRx, Inc. for pharmacy benefit management and claims administration for Preferred Provider Organization health plans, 10/1/21 - 12/31/23; and authorize Chief Human Resource Officer or designee to execute amendment - All Districts

13. **Supervisor Foley -** Approve addition of Newport Harbor High School Educational Foundation Anchors Away Annual Fundraiser to County Events Calendar and make related findings per Government Code Section 26227

53241 **APPROVED AS AMENDED FOR EVENT FUNDS TO BE ALLOCATED FROM THE CURRENT DISTRICT 2 SUPERVISOR'S BUDGET (SUPERVISOR FOLEY) WITH EVENT TO BE HELD AFTER TRANSITION OF SUPERVISORIAL DISTRICTS (FROM DISTRICT 2 TO DISTRICT 5) AND COLLABORATIVELY WITH DISTRICTS 2 AND 5**

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 14-S35D)

HEALTH CARE AGENCY

14. Approve selection of and contract MA-042-22010617 with The Teen Project, Inc. dba Sanctuary Recovery Center for adolescent residential drug Medi-Cal and withdrawal management services, 1/7/22 - 6/30/24 ($2,500,000); renewable for one additional two-year term; and authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - District 3

35241 **APPROVED AS RECOMMENDED**

15. Approve Intergovernmental Agreement Regarding Transfer of Public Funds with California Department of Health Care Services ($3,000,000); authorize Director or designee to execute agreement; and direct Auditor-Controller to make related payments under certain conditions - All Districts

34251 **APPROVED AS RECOMMENDED**

16. Approve selection of and contract MA-042-22010649 with Mindstrong, Inc. for telehealth and digital mental health support services, 1/1/22 - 3/31/23 ($4,500,000); and authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - All Districts

45231 **APPROVED AS RECOMMENDED**

17. Approve contract MA-042-22010349 with Gen-Probe Sales & Service, Inc. for reagent test kits, equipment and maintenance for detection of infectious agents, 1/1/22 - 12/31/24 ($7,500,000); and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

54231 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

18. Approve amendment 1 to contract MA-280-19010940 with JBT AeroTech Corporation for Terminals A, B and C Passenger Boarding Bridges and Baggage Handling System maintenance services, 1/14/22 - 1/13/23 ($4,273,116; cumulative total $16,334,663); and authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute amendment - District 2 (Continued from 11/16/21, Item 19 and 11/23/21, ItemS1A)

25341 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

19. Approve retroactive contract MA-012-22010566 with Council on Aging - Southern California for Medicare Improvement for Patient and Providers Act counseling services, 12/1/21 - 8/31/22 ($226,311); and authorize Director or designee to exercise cost contingency increase not to exceed 20% under certain conditions and execute contract - All Districts

43251 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

20. Approve contracts MA-012-22010511 with PlaceWorks, Inc., MA-012-22010513 with SWA Group and MA-012-22010514 with EPTDESIGN, Inc. for on-call land planning services, 1/7/22 - 1/6/25 ($800,000 each; cumulative total $2,400,000); renewable for two additional years; and authorize Director or designee to execute contracts - All Districts

34251 **APPROVED AS RECOMMENDED**

21. Approve amendment 6 to cooperative agreement MA-080-17011145 with Foothill/Eastern Transportation Corridor Agency for Oso Parkway Bridge Project - District 5

54231 **APPROVED AS RECOMMENDED**

22. Approve amendment 2 to aggregate contract MA-080-19010921 with Omega Fire Inc. DBA Kord Fire Protection and Majestic Fire Inc., for fire extinguisher and fire hose maintenance services, 2/1/22 - 11/30/23 (aggregate total $330,000; cumulative total $841,500); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

43251 **APPROVED AS RECOMMENDED**

23. Approve aggregate contracts with various firms for electrical systems maintenance and repair services, 1/10/22 - 1/9/25 (aggregate total $750,000); renewable for one additional two-year term; authorize County Procurement Officer or authorized Deputy to execute individual contracts; and make California Environmental Quality Act and other findings - All Districts
54231 **APPROVED AS RECOMMENDED**

24. Award contract MA-012-22010543 to Ohno Construction Company for Mile Square Regional Park Golf Course Conversion Phase I, 322-day term ($11,375,132); authorize Director or designee to execute contract; and authorize return of bid guarantees to all bidders upon execution of contract - District 1
15234 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

25. Approve contract MA-299-22010076 with Clean Harbors Environmental Services, Inc. for hazardous waste collection and disposal services, 2/1/22 - 1/31/25 ($21,810,000); renewable for one additional two-year term; authorize County Procurement Officer or authorized Deputy to execute contract; and make California Environmental Quality Act and other findings - Districts 2, 3, 4 and 5
24351 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Probation:

26. Approve contract MA-057-22010684 with Waymakers for outreach, support and education services for families of youth involved in Juvenile Justice System, 1/13/22 - 1/12/25 ($891,000); renewable for two additional one-year terms; and authorize Chief Probation Officer or designee to execute contract - All Districts
25341 **APPROVED AS RECOMMENDED**

27. Approve contract MA-057-22010600 with Satellite Tracking of People, LLC for continuous electronic monitoring services using global positioning satellite equipment, 1/1/22 - 12/31/24 ($1,500,000); renewable for two additional one-year terms; and authorize Chief Probation Officer or designee to execute contract - All Districts
53241 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

28. Approve recommended positions on introduced or amended legislation and/or consider other legislative subject matters - All Districts
54231 **APPROVED AS RECOMMENDED**

29. Approve lease agreement with Channel Reef Community Association for continued operation and maintenance of boat marina on County tidelands at 2525 Ocean Boulevard, Corona Del Mar, thirty-year term; authorize Chief Real Estate Officer or designee to execute subsequent amendments under certain conditions; and make California Environmental Quality Act and other findings - District 2
25341 **APPROVED AS RECOMMENDED**

30. Approve grant applications/awards submitted by Health Care Agency, Sheriff-Coroner, Public Defender and OC Community Resources and ratify grant applications/awards submitted by Sheriff-Coroner and retroactive grant applications/awards submitted by Sheriff-Coroner and OC Community Resources in 12/7/21 grant report and other actions as recommended; adopt resolution authorizing Sheriff-Coroner or designee to execute grant assurance and related documents to California Office of Emergency Services for FY 2021 Homeland Security Grant Program ($3,216,641); and approving related actions under certain conditions; adopt resolution authorizing Sheriff-Coroner or designee to complete and execute Agreement for Transfer or Purchase of Equipment/Services or for Reimbursement of Training Costs with California Office of Emergency Services for FY 2020 Urban Area Security Initiative; and adopt resolution authorizing Public Defender or designee to submit and execute grant agreement and amendments with Board of State and Community Corrections for Public Defense Pilot Program - All Districts

53241 **APPROVED AS RECOMMENDED**
RESO: 21-140 - 21-142

31. Approve contract MA-017-22010011 with Riskonnect, Inc. for risk and claims management information system solutions, 12/10/21 - 12/9/26 ($571,070); renewable for one additional two-year term; and authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - All Districts

34251 **APPROVED AS RECOMMENDED**

32. Acting as the Legislative Body of Community Facilities District No. 2021-1 (Rienda) - Adopt resolution certifying election results and authorizing filing of validation action; consider first reading of "An Ordinance of the Board of Supervisors of Orange County, California Acting in its Capacity as the Legislative Body of Community Facilities District No. 2021-1 of the County of Orange (Rienda) Authorizing the Levy of Special Taxes"; and set second reading and adoption for 12/14/21, 9:30 a.m. - District 5

53241 **APPROVED AS RECOMMENDED**
RESO: 21-143

33. Acting as the Legislative Body of Community Facilities District No. 2021-1 (Rienda) - Adopt resolution of intention to provide for future annexation of territory to Community Facilities District No. 2021-1 (Rienda); and making related findings - District 5

54231 **APPROVED AS RECOMMENDED**
RESO: 21-144

34. Approve updated liability/property defense panel services legal fees, effective 1/1/22 - All Districts

34251 **APPROVED AS RECOMMENDED**

35. **Chairman Do and Vice Chairman Chaffee -** Consider second reading and adoption of "An Ordinance of the County of Orange, California Adding Division Seven of Title Five Authorizing the Implementation of a Community Choice Aggregation Program"; adopt resolution requesting participation in and stating an intention to join Orange County Power Authority; authorizing County Executive Officer to execute agreement; and making related findings - All Districts (Continued from 11/16/21, Item S35A)

41235 **APPROVED AS RECOMMENDED**

A A

RESO: 21-145
ORD: 21-012

S35A. **Chairman Do -** Orange County HIV Planning Council - Reappoint Homero Beltran, Irvine, Cindy Michelle Gallardo, Long Beach, Dr. Geeta Gupta, Orange, Fernando Martinez, Santa Ana, John Paquette, Orange and Dr. Christopher Ried, Garden Grove and appoint Ricardo Hernandez Velasco, Mission Viejo, for terms ending 12/31/23

12345 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

S35B. CalOptima Board of Directors - Select and appoint one candidate in seat designated for participating licensed physician who is a representative of a contracted independent physicians association or health network, for term ending 8/3/24 - All Districts

12345 **APPOINTED DR. JOSE MAYORGA, MD TO SERVE ON THE CALOPTIMA BOARD OF DIRECTORS FOR A FOUR-YEAR TERM BEGINNING AUGUST 4, 2020 AND ENDING AUGUST 3, 2024**

GENERAL ADMINISTRATION

S35C. **Supervisor Foley -** Approve donation of $15,000 to Orange County Model Engineers to support repair efforts and make related findings per Government Code Section 26227

21345 **APPROVED AS RECOMMENDED**

S35D. **Vice Chairman Chaffee -** Approve addition of Placentia Tamale Festival to County Events Calendar and make related findings per Government Code Section 26227

45231 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (Items 36-S37A)

OC COMMUNITY RESOURCES

36. Public hearing to consider approving Permanent Local Housing Allocation Program Year 2 Allocation Application and substantial amendment to Permanent Local Housing Allocation Five-Year Plan; adopt resolution authorizing Director or designee to execute and submit application and related documents to California Department of Housing and Community Development for Permanent Local Housing Allocation Year 2 Funds; and authorizing receipt of grant funds (9,051,696); approve agreement with City of San Juan Capistrano for development of affordable rental housing ($566,322 in Year 2; five-year cumulative total $1,347,776); authorize Director or designee to execute agreement; approve amendment 1 to Permanent Local Housing Allocation agreement with City of La Habrafor joint project in North Service Planning Area ($900,465 in Year 2; five-year cumulative total $3,476,004); and authorize Health Care Agency Director or designee to execute amendment - All Districts

B.O. **CLOSED PUBLIC HEARING**

45231 **APPROVED AS RECOMMENDED**
RESO: 21-146

37. Public Hearing to consider adopting FY 2022-23 Funding Allocation Policy and Process for Housing and Community Development Activities - All Districts

B.O. **CLOSED PUBLIC HEARING**

52341 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S37A. **County Executive Office -** Public Hearing to consider first reading and adoption of "An Ordinance of the County of Orange, California Amending Sections 1-2-2 Through 1-2-6 of the Codified Ordinances of the County of Orange Regarding Supervisorial District Boundaries" - All Districts

B.O. **CLOSED PUBLIC HEARING**

54231 **APPROVED AS RECOMMENDED**
ORD: 21-013

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

GENERAL ADMINISTRATION

County Executive Office:

CS-1. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator:Colette Farnes
Employee Organization:Association of Orange County Deputy Sheriffs (AOCDS)
RE:Terms and Conditions of Employment

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

SCS2. 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 theintersection of Mountain Avenue and Bickmore Avenue, Chino, CA
County Negotiator:Thomas A. Miller, Chief Real Estate Officer
Negotiating Party:Majestic Realty
Under negotiation:Terms and Value of Option and Future Lease

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

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

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

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Kim Sorgente - Oral re: Concerned with Supervisor Foley's links to terrorism and extremist group BLM (burn, loot, murder); Darrell Brooks Jr. accused in the Waukesha Christmas Parade tragedy in Wisconsin is linked to BLM leaders and is a sex offender; Orange County housewife hit by a BLM protester who was not arrested; actions of extremist group BLM

Bryan Kaye - Oral re: Provided documents concerning allegations of hate crimes and forged plea agreements; Todd Spitzer and the Orange County Victim's Monument Dedication Ceremony; volunteered to repair vandalism to the miniature railroad in Costa Mesa; Supervisors not standing up for what is right

Karen Hernandez - Comments read by County Counsel: Food served in OC jails is unhealthy, exacerbates illnesses by serving and selling unhealthy foods and is a public health concern

Pat Davis - Comments read by County Counsel: Number of deaths for individuals without fixed abode and continued support of congregate shelter model; National Homeless Persons' Memorial on December 21; mandate hybrid model for all meetings under the Board's jurisdiction

Chelsea Boyle - Comments read by County Counsel: Cold, rotten sandwiches and meals served at OC jail during the pandemic; charge against El Centro Cultural de Mexico for taking care of unhoused neighbors; Satellite Tracking of People, LLC contract for electronic monitoring is not an effective alternative to incarceration

I am Jackie, Santa Ana - Comments read by County Counsel: Charge of multiple crimes of humanity for continuous attacks against civilian population; charge against El Centro Cultural de Mexico for taking care of homeless population

Felicity Figueroa - Comments read by County Counsel: Hot meals have not been served at OC jail since March 2020; denying community members decent meals

David Duran - Comments read by County Counsel: No support to individuals seeking help in Orange County; lack of hot meals in OC jail

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:12:35 P.M.

BOARD COMMENTS:

Supervisor Wagner - Oral re: National Pearl Harbor Remembrance Day; groundbreaking ceremony for the first Veteran's Cemetery in Orange County in Anaheim Hills to be held on December 8, 2021

Supervisor Foley - Oral re: Attending the groundbreaking ceremony for the Veteran's Cemetery; National Pearl Harbor Remembrance Day

Vice Chairman Chaffee - Oral re: All 34 cities in Orange County passed resolutions in support of the Veteran's Cemetery; thanked Nick Berardino for his leadership and support of the Veteran's Cemetery; City of Fullerton dedicated a Korean War Memorial; attending the groundbreaking ceremony for the Veteran's Cemetery

Supervisor Foley - Oral re: Provided an overview of District 2 activities and updates

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

Orange County Clerk of the Board