REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, October 6, 2020,*9:30 A.M.

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

MICHELLE STEEL
CHAIRWOMAN
Second District

ANDREW DO
VICE CHAIRMAN
First District

DONALD P. WAGNER
SUPERVISOR
Third District

DOUG CHAFFEE
SUPERVISOR
Fourth 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 Wagner, Third District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (Items 1-9)

15342 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1, 2 AND 8 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Chaffee -** Assessment Appeals Board No. 4 - Reappoint Steven White, Anaheim, for term ending 9/3/23

45132 **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

2. **District Attorney -** Accept cash donation from Orange County Gang Reduction and Intervention Partnership (OC GRIP) for GRIP Programs ($95,000) - All Districts
13452 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

3. Approve selection of and contract MA-042-21010263 with Western Pacific Re-Hab for Drug Medi-Cal Narcotic Replacement Therapy Treatment services, 11/6/20 - 6/30/23 ($1,333,333); authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions; and authorize Director or designee to execute contract - District 2

OC PUBLIC WORKS

4. **Acting as the Orange County Flood Control District -** Approve amendment 1 to Project Cooperation Agreement with Department of the Army for construction of Prado Dam; authorize Director or designee to execute ancillary documents and relocation agreements under certain conditions; and authorize Auditor-Controller to encumber funds and make related payments under certain conditions - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

5. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for El Toro Water District - District 5

6. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Orange County Mosquito and Vector Control District - All Districts

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

8. Approve 2021 Board of Supervisors regular meeting schedule - All Districts
13452 **APPROVED AS RECOMMENDED**

9. **County Executive Office -** Approve amendment 2 to renew contract MA-017-17019493 with Mercer Health & Benefits LLC for benefits consulting and actuarial services, 12/8/20 - 12/7/21 ($350,000; cumulative total $2,032,000); and authorize Chief Human Resource Officer or designee to execute amendment - All Districts

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 10-S16E)

HEALTH CARE AGENCY

10. Approve contract MA-042-21010508 with ImageTrend, Inc. for software maintenance and database hosting services, 11/1/20 - 10/31/25 ($1,464,441); and authorize County Procurement

Officer or authorized Deputy to execute contract - All Districts

13452 **APPROVED AS RECOMMENDED**

11. Approve Intergovernmental Agreement Regarding Transfer of Public Funds with California Department of Health Care Services ($5,300,000); authorize Director or designee to execute final agreement; and direct Auditor-Controller to make related payments under certain conditions - All Districts

53142 **APPROVED AS RECOMMENDED**

12. Receive and file status report and approve continuance of local health emergency and local emergency related to Novel Coronavirus (COVID-19); and set review to determine need for continuing local emergency for 11/3/20, 9:30 a.m. and every 30 days thereafter until terminated. Updates will be provided by County Executive Office, Health Care Agency, and other County departments concerning efforts to address and mitigate the public health and other impacts caused by the Novel Coronavirus (COVID-19) emergency, and (2) provide direction to the County Executive Officer and other County Officers concerning ongoing County operations, allocation of County resources and personnel, maintenance of essential public services and facilities, temporary suspension and/or closure of nonessential public services and facilities, management of County property and finances, measures necessary to protect public health and safety, and expenditures necessary to meet the social needs of the population - All Districts (Continued from Special Meeting 3/2/20, Item 1; 3/24/20, Item 23; 4/14/20, Item 8; 5/5/20; Item 28; 6/2/20, Item 53; 6/23/20, Item 48; 7/14/20, Item 17; 8/11/20, Item 10; 9/15/20, Item 8)

15342 **RECEIVED AND FILED STATUS REPORT AND APPROVED CONTINUANCE OF LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY RELATED TO NOVEL CORONAVIRUS (COVID-19), RECEIVED UPDATES FROM THE HEALTH CARE AGENCY CONCERNING EFFORTS TO ADDRESS AND MITIGATE THE PUBLIC HEALTH AND OTHER IMPACTS CAUSED BY THE NOVEL CORONAVIRUS (COVID-19) EMERGENCY**

OC PUBLIC WORKS

13. Approve amendment 1 to contract MA-080-18010784 with Parking Concepts, Inc. for management and operation of multi-facility parking complexes, 12/1/20 - 11/30/21 ($4,400,000; cumulative total $15,500,000); renewable for one additional one-year term; and authorize County Procurement Officer or authorized Deputy to execute amendment - Districts 1 and 3

13452 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

14. Approve amendment 1 to renew contract MA-299-18010447 with Civil Environmental Survey Group Inc. dba CES for continuing operation and maintenance services of groundwater control, monitoring systems and water supply systems, North Region Landfills, 11/15/20 - 11/14/21 ($350,000; cumulative total $1,400,000); renewable for one additional one-year term; and authorize County Procurement Officer or authorized Deputy to execute amendment - Districts 3 and 4

34152 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

15. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters; and approve "Statewide Ballot Initiative Measures" Policy Amendment to 2020 Legislative Affairs Program Guidelines - All Districts

B.O. **CONTINUED TO 10/20/20, 9:30 A.M.**

16. Approve grant applications/awards submitted by Health Care Agency in 10/6/20 grant report and other actions as recommended - All Districts

13452 **APPROVED AS RECOMMENDED**

S16A. **Vice Chairman Do and Supervisor Bartlett -** Receive and file Community Suicide Prevention Initiative - Board of Supervisors Progress Report; and direct County Executive Officer and Health Care Agency Director to establish an Office of Suicide Prevention to coordinate provision of suicide prevention activities and implement Community Suicide Prevention Initiative's Action Plan

51342 **APPROVED AS RECOMMENDED**

S16B. **Chairwoman Steel and Vice Chairman Do -** Approve Disabled Veterans Business Enterprise Preference Policy for County solicitations, except those with waivers or exceptions, governed by County's Contract Policy Manual, effective 1/1/21; direct County Procurement Office to implement policy, update Contract Policy Manual and one year after implementation provide the Board with memorandum update on status and outcomes; approve Memorandum of Understanding (MOU) with State of California for Small Business and Disabled Veterans Business Enterprise Certification Services and authorize County Procurement Officer or designee to execute MOU

21345 **APPROVED AS RECOMMENDED**

S16C. **County Executive Office -** Authorize Members of the Board of Supervisors to allocate their districts' remaining amount of previously designated portion of ($75,000,000) in Coronavirus Aid, Relief and Economic Security (CARES) Act funding for economic support - All Districts

51342 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

S16D. Approve selection of and contact MA-042-21010447 with Exodus Recovery, Inc. for Adult Crisis Residential services, 11/1/20 - 6/30/23 ($7,401,429); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - District 3

14352 **APPROVED AS RECOMMENDED**

S16E. Approve selection of and contact MA-042-21010209 with Exodus Recovery, Inc. for Crisis Stabilization services, 11/1/20 - 6/30/23 ($23,747,101); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - District 3

31452 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (Items 17-19)

OC COMMUNITY RESOURCES

17. Public Hearing to consider adopting Resolution of Abandonment of portion of Aliso and Wood Canyons Wilderness Park identified on County records as Parcel PR70T-701.1; authorize Chief Real Estate Officer or designee to execute documents necessary to amend 2009 Amended and Restated lease for Laguna Coast Wilderness Park with City of Laguna Beach to remove parcels required for Caltrans project along State Route 133, upon approval of County Counsel; and making California Environmental Quality Act and other findings - District 5 (Continued from 6/23/20, Item 49; 9/1/20, Item 2) (RA 2 (D) 4/5 vote of voting members present)

B.O. **CLOSED PUBLIC HEARING**

51342 **APPROVED AS RECOMMENDED**
RESO: 20-141

OC PUBLIC WORKS

18. Public Hearing to consider first reading of "An Ordinance of the Board of Supervisors of the County of Orange Granting to Suburban Water Systems, A California Corporation, a Franchise for the Distribution of Water within Certain Public Streets and Highways within Unincorporated Area"; and set Public Hearing for second reading and adoption for 10/20/20, 9:30 a.m. - District 4

B.O. **CLOSED PUBLIC HEARING**

45132 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

19. **County Counsel -** Acting as the Orange County Flood Control District - Public Hearing to consider adopting Resolution of Necessity acquiring by eminent domain real property for Santa Ana River Mainstem/Prado Dam Project located in County of San Bernardino; authorizing County Counsel and/or outside eminent domain counsel to take steps to initiate and facilitate the condemnation action; directing and authorizing Auditor-Controller to make related payments ($9,610,000); and considering application of Final Environmental Impact Report No. 583 and Final Supplemental Environmental Impact Statement/Environmental Impact Report 583 and other findings - All Districts (2/3 vote of membership)

B.O. **CLOSED PUBLIC HEARING**

15342 **APPROVED AS RECOMMENDED**
RESO: 20-142

V.CLOSED SESSION

GENERAL ADMINISTRATION

SCS1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Synycia and Rosenblatt v. County of Orange, Orange County Superior Court Case No. 30-2020-01147561-CU-OR-CJC

B.O. **HELD, COUNTY COUNSEL READ:THE BOARD UNANIMOUSLY APPROVED A PROPOSED SETTLEMENT IN THE MATTER OF SYNYCIA AND ROSENBLATT V.**

COUNTY OF ORANGE.THE AGREEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS.WHEN THE AGREEMENT IS FINALIZED, COPIES WILL BE MADE AVAILABLE FROM THE OFFICE OF COUNTY COUNSEL FOR ANY PERSON WHO INQUIRES.

VI.PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Cally K - Oral re: Death of Kurt Reinhold; police brutality against the houseless; police brutality against unarmed protesters

Patrick C - Oral re: Sheriff deputies uninformed that lying on a police report is illegal; Sheriff Barnes should hold himself accountable; need for civilian oversight board with subpoena powers

Name not provided - Oral re: Evidence scandal; law enforcement needs to follow the law; Project Roomkey participants facing shut down of program while still in the middle of pandemic; adopt the people's budget

Ilya Tesglin - Oral re: Nate Tseglin's illegal mental jailing; requests meeting with family to present information regarding corrupted courts; no justice without jury trial or constitutional witnesses and discovery

Robert Tseglin - Oral re: Nate Tseglin probate case; kidnapping and placement in group home where he is subjected to psychotropic and physical abuse; evidence and medical records are being concealed

Name not provided - Oral re: Mother's store incident in Costa Mesa; two women were locked in by a manager and arrested for trespassing; charges are ridiculous for not wearing a mask; discrimination for people who chose not to wear a mask

Kim Sorgente - Oral re: Incident at Mother's Market; cannot charge someone for trespassing when the storekeeper locked them in; lack of leadership; Corona virus has a small mortality rate

Bryan Kaye - Oral re: Voice of OC articles about Vice Chairman Do; board sent people to his home to place pipe bombs and arrest him and beat him; ignoring petitions

Nicole Monteilh Brown - Oral re: Harassed by Whole Foods employees for not wearing a mask; there are those that have exemptions; Costa Mesa sign threatens residents with fines for not wearing masks; refuses to be locked in for refusing to wear a mask

Leigh Dundas - Oral re: Family escaped communism in Europe; we are headed to being a 3rd world country; 60,000 homeless in Los Angeles and will increase as people cannot work to pay for rent or mortgages; thin orange line between us and tyranny; do not keep County shut

Tamara Roe - Oral re: Looking for people to be the change; chaos and division regarding mask requirements; wearing masks in 100 degree heat and social distancing at a shower; harassed for not wearing a mask

Victoria S - Oral re: Masks cannot contain the virus; played recording of doctor talking about how masks are not effective against small particle viruses

Carry On - Oral re: Anti-racist movement; how to invent hope when people are getting shot; black lives

matter; game saying shootings are justified; what is the solution

Name not provided - Oral re: New California seeks removal of California President of State Senate; Senate Resolution 86 was not in print 72 hours as required and passed without hearings

Joe Kerr - Oral re: Community outreach from the Board; wants to work with the Board to reduce money to policing and put money toward community; police brutality; wants more community outreach and understanding from the Board; black lives matter

Bee Nicole - Oral re: Board is not listening to speakers; tragedies happening like George Floyd, Breona Taylor and Kurt Reinhold; black lives matter

David - Oral re: Opposes mask mandate; Nigerian president rejected money offered by Bill Gates for masks and forced vaccination; read a poem about Russia

Gina Q - Oral re: Enjoyed OC back in the day when farming fields were all over; masking, social distancing and handwashing are satanic rituals designed to enslave society and bring the new world order; defy the Governor's orders

Name not provided - Oral re: Houseless people on riverbed in Long Beach and sign posted that they are going to do a sweep to remove people from riverbeds

Name not provided - Oral re: CDC recommends not moving houseless people during COVID pandemic; people out of work and unable to pay rent will create a bigger crisis; hold sheriff's accountable for displacing people

Stephen S - Oral re: California Association for Private Events; guidelines for safely opening weddings and events similar to restaurants; event businesses have furloughed or laid off employees; please include opening for receptions of 50 - 100 people with appropriate guidelines

Felicity Figueroa - Oral re: Demand for date to be set for 2020 Truth Act Forum for transparency in law enforcement transferring community members to ICE custody in the middle of a pandemic; SB54 makes it illegal to hold people in jail after their release date for ICE to pick them up; death of Kurt Reinhold

Callie Rutter - Oral re: Project Roomkey allowed her to protect herself from COVID but now ending Project Roomkey with less than 23 days notice without a place to go puts life at grave risk; deaths, illness and stress places a bigger burden on healthcare systems; provide all Project Roomkey participants with permanent supportive housing

Deborah Kraft - Oral re: Currently a Project Roomkey participant and received notice that program is coming to an end with no plans for a safe transition for anyone; was told that this program was going to transition everyone to permanent housing; honor Governor's commitment for safe housing for the elderly and immune compromised members of the community

Alissa Washington - Oral re: Works closely with those impacted by Project Roomkey and the devastating effects of prematurely ending the program; informing participants the program is closing has resulted in immense anxiety due to lack of clear direction where they will be placed next; extend Project Roomkey

David Duran - Oral re: Allegations against Supervisor Do of residency fraud; state law states Supervisors automatically lose their seat if they live outside of their district

Pat Davis - Oral re: Death of Kurt Reinhold; homeless deaths on the streets; need for housing not shelters; services not citations or arrests, healthcare not injuries; adopt housing first model; Musick jail expansion for mental health jail

Thomas Fielder - Oral re: Allegations against Supervisor Do of not living in the district he represents and employment of two campaign aides who pleaded guilty to laundering campaign donations

Eve Garrow - Oral re: Project Roomkey participants are under extreme duress facing the reality that Project Roomkey is closing; many do not qualify for housing or motel/hotel vouchers and shelters already at capacity; protect the Project Roomkey participants

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Chairwoman Steel - Oral re: Created Legislative Ad Hoc Committee and appointed Supervisors Wagner and Chaffee to the committee

ADJOURNED:2:26 P.M.

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)

Chair, Orange County Board of Supervisors

Orange County Clerk of the Board