REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, August 13, 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:All Present

EXCUSED:None

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

INVOCATION:Vice Chairman Chaffee, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE:Supervisor Foley, Fifth District invited Rachel Hall to sing the National Anthem and Supervisor Foley led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS

Chairman Wagner presented a resolution proclaiming August 2024 as "Eligibility Professionals Month"

Supervisor Sarmiento presented a resolution proclaiming August 2024 as "Chicano Heritage Month"

II.CONSENT CALENDAR (Items 1-10)

52143 **APPROVED AS RECOMMENDED**

BOARD APPOINTMENTS

Chairman Wagner:

1. Assessment Appeals Board No. 3 - Reappoint Rick Violett, Yorba Linda, for term ending 9/5/27

2. Orange Park Acres Advisory Committee - Appoint Mary Renee Nori, Orange, to complete term ending 12/31/24

OC COMMUNITY RESOURCES

3. Accept donation of 22 pieces of artwork approximately valued at $24,250 from The Irvine Museum; and authorize Director of OC Parks or designee to execute Deed of Gift agreement and other related documents - All Districts

OC PUBLIC WORKS

4. Award contract MA-080-24010624 to Bernards Bros., Inc. for pre-construction phase services for Adult Re-Entry Center Project ($99,721); and authorize Director or designee to execute contract - District 2

5. Approve contract MA-080-24011031 with Bear Electrical Solutions, Inc. for traffic signal maintenance services, 10/1/24 - 9/30/27 ($975,000); 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 15301 - All Districts

Acting as the Board of Supervisors and Orange County Flood Control District:

6. Approve amendment 1 to aggregate contract MA-080-22010093 with Tetra Tech, Inc. and DebrisTech, LLC for disaster-related debris removal monitoring services, 11/23/24 - 11/22/26; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

7. Approve amendments 1 and 2 to aggregate contract MA-080-22010092 with Ashbritt, Inc. and DRC Pacific, Inc. for disaster-related debris management services, 11/23/24 - 11/22/26; and authorize County Procurement Officer or Deputized designee to execute amendments - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

8. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for OC Public Works - All Districts

9. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Magnolia School District - Districts 2 and 4

10. **County Executive Office -** Approve Colocation Service Order with Phoenix MSA Holdings LLC for data recovery space for Orange County Assessor, 2681 Kelvin Ave., Irvine, 9/1/24 - 8/31/25 ($8,110 per month); authorize Chief Real Estate Officer or designee to exercise option terms and execute subsequent documents and amendments under certain conditions; and make

California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - District 3

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 11-S28I)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

11. Approve amendment 1 to contract MA-060-23011646 with Computer Deductions Inc. for Unisys mainframe computer and Sheriff-Coroner Data Center operations, 11/1/24 - 10/31/25 ($500,000; cumulative total $1,615,832); renewable for three additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

53124 **APPROVED AS RECOMMENDED**

12. Approve amendment 2 to contract MA-060-21010113 with PVP Communications Inc. for motorcycle helmet communications equipment, 11/16/24 - 11/15/25 ($132,000; cumulative total $729,000); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 2, 3, 4 and 5

54123 **APPROVED AS RECOMMENDED**

13. Approve amendment 1 to extend contracts with various firms for on-call architectural services, 4/26/25 - 4/25/27; approve amendment 2 to contract MA-060-22010953 with Lionakis to extend contract for on-call architectural services, 4/26/25 - 4/25/27; authorize Director of Research and Development or designee to execute amendments; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15378 - All Districts

51243 **APPROVED AS RECOMMENDED**

14. **Treasurer-Tax Collector -** Approve amendment 10 to contract MA-074-13010137 with Wells Fargo Merchant Services, L.L.C. and Wells Fargo Bank, N.A. for electronic payment acceptance and processing services for non-convenience fee credit and debit cards and eCheck transactions, 8/14/24 - 8/13/25 ($4,600,000; cumulative total $28,000,000); approve amendment 11 to contract MA-074-13010138 with Wells Fargo Bank, N.A. for internet payment gateway services, 8/14/24 - 8/13/25 ($10,000; cumulative total $140,000); and authorize County Procurement Officer or Deputized designee to execute amendments - All Districts

15243 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

15. Approve license with AlClear, LLC for biometric verification services, one-year term; authorize Director or designee to make minor modifications and amendments under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines section 15301 - District 5 (4/5 vote of members present) (Continued from 7/23/24, Item 23)

B.O. **DELETED**

16. Approve amendment 3 to contract MA-080-24011573 with Ocean Blue Environmental, Inc. for grease interceptor maintenance and repair services, 9/14/24 - 9/13/25 ($300,000; cumulative total $1,100,000); authorize County Procurement Officer or Deputized designee to execute amendment; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines section 15301 - District 5

52143 **APPROVED AS RECOMMENDED**

17. Approve amendment 2 to contract MA-080-21011287 with Kone, Inc. for elevator and escalator maintenance services, 10/1/24 - 9/30/26 ($2,063,785; cumulative total $5,259,732); and authorize County Procurement Officer or Deputized designee to execute amendment - District 5

52143 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

18. Approve amendment 3 to renew contract MA-012-23010628 with GetSetUp, Inc. for access to technology program, 10/1/24 - 8/31/25 ($74,620; cumulative total $354,145); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

25143 **APPROVED AS RECOMMENDED**

19. Acting as the Board of Supervisors - Approve Sale and Assignment and Assumption Agreements assigning HOME Investment Partnerships Program loan ($500,000) from Jamboree-Tal Housing, L.P. to Amistad Partners I LP for Mendocino at Talega I; approve Amended and Restated Regulatory Agreements extending affordability period for 55 years; approve Subordination Agreements subordinating debt ($21,000,000 first trust deed; $6,300,000 second trust deed); approve waiver of transfer provision; and authorize Director or designee to subordinate additional senior debt and execute agreements and related documents under certain conditions; Acting as the Orange County Housing Authority - Approve Sale and Assignment and Assumption Agreements assigning Housing Successor loan ($2,423,384) from Jamboree-Tal Housing, L.P. to Amistad Partners I L.P. for Mendocino at Talega I; approve Amended and Restated Regulatory Agreements extending affordability period for 55 years; approve Subordination Agreements subordinating debt ($21,000,000 first trust deed; $6,300,000 second trust deed); approve waiver of transfer provision; and authorize Executive Director of Orange County Housing Authority or designee to subordinate additional senior debt and execute agreements and related documents under certain conditions; approve Assignment and Assumption Agreement assigning Housing Successor loan ($728,176) from Jamboree-Tal II Housing, L.P. to Amistad Housing Partners II LP for Mendocino at Talega II; approve Amended and Restated Regulatory Agreement extending affordability period for 55 years; approve Subordination Agreements subordinating debt ($11,500,000 first trust deed); approve waiver of transfer provision; and authorize Executive Director of Orange County Housing Authority or designee to subordinate additional senior debt and execute agreements and related documents under certain conditions - District 5 (Continued from 6/4/24, Item 21; 6/25/24, Item 47; 7/23/24, Item 25)

52143 **APPROVED AS RECOMMENDED**
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OC PUBLIC WORKS

20. Approve amendment 1 to contract MA-080-23011507 with Balfour Beatty Construction LLC

for design and construction services for Orange County Youth Transition Center, 1,301-day term ($10,981,731; cumulative total $120,788,045); approve amendment 1 to contract MA-080-24010362 with Vanir Construction Management, Inc. for construction management services for Orange County Youth Transition Center, term ending 7/18/27 ($2,703,940; cumulative total $5,943,393); and authorize Director or designee to execute amendment - District 2 (4/5 vote of the membership)

25143 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

21. Approve contract MA-299-24011358 with Tetra Tech BAS, Inc. for design of Phase VIII-A2 Groundwater Protection and Stockpile Project, Frank R. Bowerman Landfill, 30-month term ($825,000); and authorize Director or designee to make minor modifications under certain conditions and execute contract - District 3

31245 **APPROVED AS RECOMMENDED**

22. Approve amendment 2 to contract MA-299-23011470 with SCA of CA, LLC for street sweeping services, 4/16/24 - 4/14/25 ($215,000; cumulative total $425,000); and authorize County Procurement Officer or Deputized designee to make minor modifications under certain conditions and execute amendment - Districts 3, 4 and 5

35124 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

23. Ratify non-financial Memorandum of Understanding (MOU) MA-063-24010922 with Maximus, Inc. for Health Care Options services for Medi-Cal managed care plans, 1/1/24 - 6/30/27; and authorize County Procurement Officer or Deputized designee to execute MOU - All Districts

31245 A **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

24. Approve recommended positions on introduced or amended legislation and/or consider other legislative subject matters; and approve draft correspondence to United States Veterans Administration, Office of National Cemetery Administration, in support of "Veterans Cemetery Grants Program" Pre-application submitted by California Department of Veterans Affairs for Southern California Veterans Cemetery at Gypsum Canyon, Anaheim Hills - All Districts

52143 **APPROVED AS RECOMMENDED**

25. Approve grant applications/awards submitted by County Executive Office, Health Care Agency, OC Community Resources, Public Defender and Social Services Agency and retroactive grant applications/awards submitted by OC Community Resources and Social Services Agency in 8/13/24 grant report and other actions as recommended - All Districts

52143 **APPROVED AS RECOMMENDED**

26. Approve combined follow-up responses to various 2022-23 Grand Jury Reports - All

Districts

25143 NNN **MOTION TO AMEND FOLLOW-UP RESPONSES TO RECOMMENDATIONS 3 AND 4 DELETING "..AND CONCLUDED THAT THE CURRENT STAFFING LEVELS ARE SUFFICIENT." FAILED TO CARRY**

14253 N **APPROVED AS RECOMMENDED**

27. Approve proposed response to FY 2023-24 Grand Jury Report "Talking Trash: Recyclables and Organic Waste." - All Districts

52143 **APPROVED AS RECOMMENDED**

28. **Chairman Wagner and Vice Chairman Chaffee -** Approve list of honorees for induction into Orange County Hall of Fame

34125 **APPROVED AS RECOMMENDED**

S28A. **Vice Chairman Chaffee -** Adopt resolution recognizing August 14, 2024 as "Pakistan Independence Day"

42153 **APPROVED AS RECOMMENDED**

RESO: 24-090

S28B. **Chairman Wagner -** Orange County Commission on the Status of Women and Girls - Appoint Laura Ramos, Yorba Linda and Crystal Miles, Villa Park, for terms ending 8/12/26

34125 N **APPOINTED LAURA RAMOS TO THE ORANGE COUNTY COMMISSION ON THE STATUS OF WOMEN AND GIRLS**

34125 NN **APPOINTED CRYSTAL MILES TO THE ORANGE COUNTY COMMISSION ON THE STATUS OF WOMEN AND GIRLS**

S28C. **Supervisor Do -** Assessment Appeals Board No. 2 - Reappoint Patrick Harper, Fountain Valley, for term ending 9/5/27

15243 **APPROVED AS RECOMMENDED**

Chairman Wagner:

S28D. Approve allocation of $10,000 from Third District discretionary funds to Crime Survivors, Inc.; 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

35124 **APPROVED AS RECOMMENDED**

S28E. Adopt resolution requesting Insurance Commissioner, State Legislature and Governor to declare a state of emergency and take immediate emergency regulatory and legislative action to strengthen and stabilize California's marketplace for homeowners insurance and commercial property insurance

35124 **APPROVED AS RECOMMENDED**

RESO: 24-091

S28F. Coastal Greenbelt Authority - Appoint Barbara Norton, Laguna Beach, for a continuous term until a new appointment is made

53124 **APPROVED AS RECOMMENDED**

S28G. Establish Human Relations Commission ad hoc, consisting of Chairman Wagner and Supervisor Foley

35124 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

S28H. Adopt resolution approving property tax transfer with City of Irvine relating to withdrawal from County free library system; authorize Director or designee and County Librarian to execute agreement with City of Irvine for transfer of library services and execute Bills of Sale for Irvine University Park Library furniture, fixtures and equipment, Irvine Heritage Park Library furniture, fixtures and equipment and for Library Collection Materials transferred to City of Irvine; approve lease with City of Irvine for Irvine University Park Property, 4512 Sandburg Way for use as a public library, effective 7/1/25 - 6/30/30; authorize Chief Real Estate Officer or designee to execute subsequent lease amendments under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - Districts 3 and 5

53124 **APPROVED AS RECOMMENDED**
RESO: 24-092

GENERAL ADMINISTRATION

S28I. **Supervisor Sarmiento -** Adopt resolution recognizing August 6, 2024 as "Bolivian Independence Day"

25143 **APPROVED AS RECOMMENDED**
RESO: 24-093

IV.PUBLIC HEARINGS (None)

V.CLOSED SESSION (Items CS-1-SCS5)

GENERAL ADMINISTRATION

County Executive Office:

CS-1. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title: County Executive Officer

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

CS-2. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Colette Farnes
Unrepresented Employee: County Executive Officer

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

CS-3. 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:

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Surjiwan Sharma v. County of Orange, WCAB Cases: ADJ11932971; ADJ11932975; ADJ11932978; ADJ11297614

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED $375,000 COMPROMISE AND RELEASE IN THE WORKERS' COMPENSATION CASE SURJIWAN SHARMA V. COUNTY OF ORANGE.IN THIS CASE, THE APPLICANT, A RETIRED SOCIAL SERVICES AGENCY DATA ENTRY TECHNICIAN, CLAIMED CUMULATIVE TRAUMA TO HER SPINE, WRISTS, BACK, AND SHOULDERS.THE SETTLEMENT APPROVED TODAY REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT AGREEMENT IS FINALIZED, COPIES OF THE AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

SCS5. 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)

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

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Matt Page - Oral Re: Orange County does not maintain a single disc golf course and lack of accessible courses across Southern California; cost is minimal and does not require additional maintenance outside normal park maintenance; requested the Board recommend the OC Park System work with the community to identify and build a full-length course in a safe location

Jeff Weaver - Oral Re: Provided outline of Climate Action Plan at the July 23, 2024 Board Meeting; plan maximizes the capture of methane gas released from landfills, turns it into energy that cities need and creates electricity, and provides revenue for the County

Linda - Oral Re: Volunteer for the United Sovereign Americans and concerns with the State voter database; analysis of the 2022 election research indicates issues with compliance of Federal law and shows the votes cast, counted and certified may not all be valid and accurate under the constitution and under the law; presented a resolution demanding an end to the inaccuracy and uncertainty plaguing elections along with a summary of findings; requested the Board add the United Sovereign Americans Resolution to their next agenda

Carolyn - Oral Re: Read first portion of the United Sovereign Americans resolution relating to elections

Linda - Oral Re: Read next section of the United Sovereign Americans resolution relating to elections

Walter N. - Oral Re: Read last section of the United Sovereign Americans resolution relating to elections

George Aguirre - Oral Re: United Sovereign Americans resolution outlines massive inaccuracies in the 2022 election; resolution will protect the validity of the 2024 General Election; trustworthiness of elections is essential for securing our liberty; requested the Board add the United Sovereign Americans Resolution to their next agenda

Bryan Kaye - Oral Re: No quorum in Boardroom during public comments; copy of a psychiatric evaluation prepared by County psychologist that recommends medication which violates the federal standards of prescribing medication; reasons for attending Board meetings; requests communication and respect from the Board

Patty Caboda - Oral Re: Supervisors not present to hear grievances; requested the Board make Orange County a sanctuary County for parents, create a resolution to make Orange County a 'Parents Right to Know' County and follow the City of Huntington Beach and the Orange County Board of Education; families will be devastated by AB1955; use political power and speak up for constituents and stand up against Sacramento

Alfred Benoit - Oral Re: Discussed what has transpired with the medical system during COVID which is against American values and removal of informed consent under the law; legal structure changes during COVID at the public's expense; medical countermeasures are not safe or effective; COVID vaccine mortality report; vaccines increase chances of testing positive for COVID

John Spring - Oral Re: List of unreported incidents related to a young girl/woman; confined to a studio apartment and impregnated by her captors while still underage and received an abortion; bruises and scars from being tortured

Roseann - Oral Re: New California; Reorganized California State held second constitutional convention following the West Virginia model to statehood where ordinances were passed; portion of ordinance was read into the record

Name not provided - Oral Re: Continued reading of ordinance passed by Reorganized California State

Name not provided - Oral Re: Continued reading of ordinance passed by Reorganized California State

Name not provided - Oral Re: Continued reading of ordinance passed by Reorganized California State

Name not provided - Oral Re: Continued reading of ordinance passed by Reorganized California State

Urson Russell - Oral Re: Requested to place elections on the agenda; Bob Page unqualified in the position as the Registrar of Voters; played audio of Harry Haury who co-authored Help America Vote Act and risks of violating federal law through certifications of elections that are uncertifiable

Eileen McDermott - Oral Re: Board of Supervisors betrayed and are traitors to We the People, ignored evidence of election fraud, enforced COVID mandates, shut down the County and businesses, forced mandates and face coverings and pushed vaccines; quoted Jesus Christ; Donald Trump removed central casting who committed crimes against humanity; Board will not be in their positions until the end of the year and doesn't know when they will be taken out

COUNTY EXECUTIVE OFFICER COMMENTS:

Michelle Aguirre - Oral Re: Kickoff of the Strategic Financial Plan and opportunity for public comments to be considered during the County's Strategic Financial Planning Process is now open through August 30, 2024

ADJOURNED:2:06 P.M.

BOARD COMMENTS:
None

KEY

Left Margin Notes

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

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