REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, November 5, 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

VACANT
SUPERVISOR
First District

VICENTE SARMIENTO
SUPERVISOR
Second District

KATRINA FOLEY
SUPERVISOR
Fifth District

ATTENDANCE:All Present

EXCUSED:None

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

INVOCATION:Supervisor Sarmiento, Second District, gave the invocation

PLEDGE OF ALLEGIANCE:Vice Chairman Chaffee, Fourth District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS

Chairman Wagner presented a resolution proclaiming November 11, 2024 as "Veterans Day"

II.CONSENT CALENDAR (Items 1-8)

2543 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 6 WHICH WAS CONTINUED TO 1/4/25, 9:30 A.M.; AND ITEMS 1, 5 AND 8 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

1. **Sheriff-Coroner -** Ratify amendment to 2024-2025 Cooperative Law Enforcement Operating & Financial Plan with United States Forest Service for patrol services, Cleveland National Forest, 10/1/24 - 9/22/25; and authorize Sheriff-Coroner or designee to execute amendment - District 3

3524 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

Clerk of the Board:

2. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for National Water Research Institute - All Districts

3. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Yorba Linda Water District - Districts 3 and 4

4. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Fullerton School District - District 4

County Executive Office:

5. Approve amendment 23 to Master Services Agreement MA-017-13011864 with Science Applications International Corporation for data center, desktop, applications and service desk services to update service level requirement numbers 2 - 5 and add service level requirement number 3.1; and authorize County Chief Information Officer or designee to execute amendment - All Districts

5324 **APPROVED AS RECOMMENDED**

6. Adopt resolution amending Orange County Human Relations Commission bylaws; direct Clerk of the Board to notify City Selection Committee not to fill Human Relations Commission vacancies; and direct County Executive Office to submit 2023 Hate Crime Report to the Board by end of calendar year - All Districts

2543 **CONTINUED TO 1/14/25, 9:30 A.M.**

7. Approve quitclaim deed to The Roman Catholic Bishop of Orange for relinquishment of remnant recreational trail easement, Parcel TR-59P-107.1, Rancho Santa Margarita; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15305 - District 3

8. **Chairman Wagner -** Approve addition of Miss City of Orange Scholarship Pageant to County Events Calendar; and make related findings per Government Code Section 26227

3524 **APPROVED AS RECOMMENDED**

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 9-S20F)

ELECTED DEPARTMENT HEADS

9. **Sheriff-Coroner -** Retroactively approve amendment 1 to contract MA-060-22010727 with Presidio Networked Solutions Group LLC for data communications telecommunication technology solution products and services, 10/1/24 - 9/30/26 ($21,000,000; cumulative total $31,500,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

5423 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

10. Approve continuation of local health emergency by County's Health Officer issued on 9/20/24 for Trabuco Canyon Airport Fire and affected areas to facilitate debris and ash removal as well as mitigation efforts to protect water wells; and set review to determine need for continuing local health emergency for 12/3/24, 9:30 a.m., and every 30 days thereafter until terminated - All Districts (Continued from 9/24/24, Item S37H; 10/8/24, Item 8)

5423 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

11. Approve amendment 1 to increase and renew contract MA-280-22010744 with Flagship Aviation Services, LLC for custodial services, term ending 3/31/25 ($266,178), 4/1/25 - 3/31/27 ($15,654,415; cumulative total $37,217,013); and authorize County Procurement Officer or Deputized designee to execute amendment - District 5

5243 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

12. Approve contract MA-012-25010275 with OverDrive, Inc. for digital content platform services and purchase of digital library materials licenses, 12/9/24 - 12/8/29, ($15,000,000); authorize County Procurement Officer or Deputized designee to execute contract; and authorize County Librarian or designee to purchase licenses for digital content, titles and materials using OverDrive, Inc. - All Districts

5423 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

13. Approve job order contracts with various contractors for general contracting services, 12/12/24 - 12/11/25 ($6,000,000 each; aggregate total $72,000,000); and authorize Director or designee to execute contracts - All Districts

5243 **APPROVED AS RECOMMENDED**

14. Approve job order contracts with various contractors for elevator services ($4,000,000), asbestos removal and decontamination services ($1,000,000 each, aggregate total $2,000,000), painting services ($1,000,000 each, aggregate total $2,000,000), and plumbing services ($2,000,000 each, aggregate total $4,000,000), 12/12/24 - 12/11/25; and authorize Director or designee to execute contracts - All Districts

4523 **APPROVED AS RECOMMENDED**

15. Approve retroactive purchase order PO-012-25010221 with Mel Smith Electric Inc. for Irvine Regional Park Irrigation Pump House Project ($166,968) - District 3

3524 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

16. Approve amendment 3 to contract CJP3422-A3 with Orangewood Foundation for Independent Living Program services, 7/1/25 - 6/30/27 ($4,344,304; cumulative total $10,535,992); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

5423 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

17. **County Counsel -** Approve continuation of Local Emergency for the Airport Fire; and order review to determine need for continuing local emergency for 12/17/24, 9:30 a.m. and every 60 days thereafter until terminated - All Districts (Continued from 9/10/24, Item S22I)

5243 **APPROVED AS RECOMMENDED**

County Executive Office:

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

5423 **APPROVED AS RECOMMENDED**

19. Approve grant applications/awards submitted by Social Services Agency and Health Care Agency and retroactive grant application/award by Social Services Agencyin 11/5/24 grant report and other actions as recommended; and adopt resolution authorizing Social Services Agency Director or designee to apply, accept, execute application, and amendments and deliver any related documents for Housing Navigation and Maintenance Program Round 3 ($671,821), Transitional Housing Program (THP) Round 6 ($1,129,322) and THP - Plus Housing Supplement Program Round 4 ($199,077) from Department of Housing and Community Development - All Districts

2543 **APPROVED AS RECOMMENDED**
RESO: 24-123

20. Approve amendment 1 to contract MA-017-22010299 with Mercer Health & Benefits LLC for benefits consulting and actuarial services, 1/1/25 - 12/31/25 ($850,000; cumulative total $2,695,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

4253 **APPROVED AS RECOMMENDED**

S20A. **Supervisor Sarmiento -** Adopt resolution proclaiming November 2024 as "Family Engagement Month; and add recognition to recurring resolution list

2543 **APPROVED AS RECOMMENDED**
RESO: 24-124

S20B. **Vice Chairman Chaffee -** Approve addition of various Gun Safety Programs and Events to County Events Calendar; and make related findings per Government Code Section 26227

B.O. **DELETED**

Supervisor Sarmiento:

S20C. Acting as the Orange County Flood Control District - Approve one-time exception to Agreement D12-015 with City of Santa Ana for security fencing along portions of Santa Ana Delhi Channel Bikeway (F01) adjacent to bikeway and pedestrian path between Alton Avenue and Sunflower ($100,000); and authorize Auditor-Controller to distribute funds to City of Santa Ana

2543 **APPROVED AS RECOMMENDED**

S20D. Approve allocation of $7,500 from Second District discretionary funds to United Across Borders Foundation to support their efforts in providing food to underserved communities; 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

2453 **APPROVED AS RECOMMENDED**

S20E. **Supervisor Foley -** Approve allocation of $28,925 from Fifth District discretionary funds to Fresh Beginnings Ministries for Thanksgiving turkeys and holiday family food boxes; 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

5243 **APPROVED AS RECOMMENDED**

S20F. **Vice Chairman Chaffee -** Approve amendment 1 to Beneficiary Agreement with City of Placentia for use of $500,000 in Fourth District State and Local Fiscal Recovery Funds (SLFRF) funds for development, construction and maintenance of playground at McFadden Park; make related findings per Government Code Section 26227; authorize County Executive Officer or designee to negotiate and enter into amended agreement as necessary; and direct Auditor-Controller to make related payments

4523 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (Item 21)

OC COMMUNITY RESOURCES

21. Public Hearing to consider adopting FY 2025-26 Funding Allocation Policy and Process for Housing and Community Development activities - All Districts

B.O. **CLOSED PUBLIC HEARING**

5423 **APPROVED AS RECOMMENDED**

V.CLOSED SESSION (Items CS-1-SCS8)

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** 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
HELD, NO REPORTABLE ACTION

County Counsel:

SCS2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Clarisse Magtoto v. County of Orange, Orange County Superior Court Case No. 30-2022-01241335, Amy Tallakson v. County of Orange, Orange County Superior Court Case No. 30-2022-01241346, Shabnum Azizi v. County of Orange, Orange County Superior Court Case No. 30-2022-01232544, Rebecca Garcia v. County of Orange, Orange County Superior Court Case No. 30-2022-01241348, Mallory Miller v. County of Orange, Orange County Superior Court Case No. 30-2022-01252436, Barbara Nicholson v. County of Orange, Orange County Superior Court Case No. 30-2022-01252445, Bethel Cope-Vega v. County of Orange, Orange County Superior Court Case No. 30-2022-01252452, Mohammad Abuershaid v. County of Orange, Orange County Superior Court Case No. 30-2022-01243989, and Tracy Miller v. County of Orange et al., Orange County Superior Court Case No. 30-2022-01262015
COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY DELEGATED TO COUNTY COUNSEL AND OUTSIDE COUNSEL LIMITED SETTLEMENT AUTHORITY TO SETTLE VARIOUS CASES OF SEXUAL HARASSMENT AND SEX DISCRIMINATION CASES BROUGHT BY CURRENT AND FORMER COUNTY EMPLOYEES OF THE DISTRICT ATTORNEY'S OFFICE.

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Edgar Mora Silva, et al. v. Orange County, et al., Orange County Superior Court Case No. 30-2022-01290332-CU-PA-CJC
COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED $5 MILLION SETTLEMENT IN THE MATTER OF SILVA, ET AL. V. COUNTY OF ORANGE.IN THIS CASE, PLAINTIFFS ALLEGED PERSONAL INJURIES, INCLUDING TRAUMATIC BRAIN INJURY, RESULTING FROM A TRAGIC AUTOMOBILE COLLISION WITH A COUNTY TRUCK ON THE 5 FREEWAY.LIABILITY WAS NOT DISPUTED.THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT IS FINALIZED, COPIES OF THE SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Fernando Angel Pelagio v. County of Orange, Orange County Superior Court Case No. 30-2022-01292229-CU-CR-CJC
COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY DELEGATED TO CEO-RISK MANAGEMENT LIMITED SETTLEMENT AUTHORITY TO SETTLE THIS CASE WHICH INVOLVES INJURIES SUSTAINED BY AN INMATE WHEN HE FELL FROM AN ESCALATOR IN THE MEN'S JAIL WHILE BEING ESCORTED TO HIS HOUSING LOCATION.

SCS5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):

Name of Case:Rosa Sanabria Perez v. County of Orange, et al., United States District Court Case No. 8:23-cv-1983-CJC-DFM
COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED $75,000 SETTLEMENT IN THE MATTER OF PEREZ V. COUNTY OF ORANGE, ET AL.IN THIS CASE, PLAINTIFF ALLEGED SEXUAL HARASSMENT AND OTHER MISCONDUCT ON THE PARTY OF A DEPUTY SHERIFF AT THE THEO LACY FACILITY.THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT IS FINALIZED, COPIES OF THE SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

SCS6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Rene Fregoso v. County of Orange, Orange County Superior Court Case No. 30-2020-01172747-CU-PO-CJC
COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY DELEGATED TO CEO-RISK MANAGEMENT LIMITED SETTLEMENT AUTHORITY TO SETTLE THIS CASE THAT INVOLVES INDUSTRIAL INJURIES SUSTAINED BY A COUNTY EMPLOYEE IN A WAREHOUSE ACCIDENT.

SCS7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Michael Wallace v. County of Orange, WCAB Cases: ADJ13380659
COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED $420,000 SETTLEMENT IN THE MATTER OF WALLACE V. COUNTY OF ORANGE.IN THIS CASE, THE APPLICANT, A RETIRED SHERIFF'S SPECIAL OFFICER II, SUSTAINED CUMULATIVE TRAUMA TO HIS HEARING, BACK, SHOULDERS, KNEES, AND ALSO SUFFERED CARDIOVASCULAR DISEASE.THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT IS FINALIZED, COPIES OF THE SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

SCS8. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Nicholas Criscione v. County of Orange, Orange County Superior Court Case No. 30-2024-01371132-CU-PA-CJC
COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED $45,000 SETTLEMENT IN THE MATTER OF NICHOLAS CRISCIONE V. COUNTY OF ORANGE.THIS MATTER INVOLVES AN AUTOMOBILE ACCIDENT INVOLVING AN ON-DUTY DEPUTY SHERIFF WHO WAS DRIVING CODE 3 EARLY IN THE MORNING WITHOUT LIGHTS AND SIRENS AND WHO COLLIDED WITH A VEHICLE MAKING AN ILLEGAL LEFT TURN.THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT IS FINALIZED, COPIES OF THE SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Ilya Tseglin - Oral Re: Demands resignation and removal of law licenses of Board members; violation of Constitution and disrespect for rule of law and freedom of speech; bribery of judges by Larry Landauer, Director of Orange County Regional Center who forced psychotropic drugs, kidnapped, abused, tortured his son Nate used him as a slave for personal profiteering; Board does nothing to stop the stealing of public funding collected from taxes; son's estrangement from family is psychological abuse

Cheryl - Oral Re: Honoring Veterans while stealing military votes of active military; failure to send absentee ballots to active military service members; submitted public records request for number of active military and number of those registered oversees; data central shows 13,000 overseas military but the results of the public records request shows 805 are military and 8,680 are civilians overseas, reviewed process to apply for an oversees military ballot

Kate - Oral Re: Past and current elections; former Registrar of Voters Neal Kelly's previous comments regarding return to voting at precincts; Orange County's voting system failed to comply with state and federal laws regarding certification of voting systems; decertify prior illegal elections and do not certify the 2024 election

Shellie - Oral Re: Concerns about election integrity; people have provided facts and bad data but Board will not have a discussion regarding the people's findings; asked why people cannot have a dialogue or discussion with the Board and Registrar of Voters about their concerns

Urson Russell - Oral Re: Asked if it is a Board violation to engage in public comments; observed Registrar of Voters process and duplication of ballots that won't scan through a scanner; no reimbursement for cost of elections and voting machines; elections are not partisan; requested an open debate with Bob Page, Registrar of Voters; stand against the State regarding duplication of ballots in system controlled by the state and county

Nick Kolev - Oral Re: Civil Engineer and Civil Rights Activist; reported problems with Department of Child Support Services and family court; cannot travel due to passport being held for two months; Carlotta Serna, Chief Legal Counsel for Child Support Services has an active complaint to disbar her for committing a felony

Lisa H. - Oral Re: Election certification date is December 3, 2024; correct voter rolls

Roseann - Oral Re: Board received cease and desist letters that states the Board cannot certify the election without breaking the law due to conflicting state and federal laws; Board has a duty to uphold the constitution and oath of office that defends from all enemies, foreign and domestic; only eligible voters should be able to vote; Alex Padilla never signed the 2020 certification

Mary - Oral Re: State laws made on whims and wishes; Board should stand up to Sacramento; return to precinct voting which is convenient for everyone; Voters Choice Act was a fraud

COUNTY EXECUTIVE OFFICER COMMENTS:

Michelle Aguirre - Oral Re: Announced in-person County Strategic Financial Planning Public Workshop on December 12, 2024 from 3:00 p.m. - 5:00 p.m. with a virtual event to be held in the evening at a date to be determined; County offices will be closed on Monday, November 11, 2024 in observance of Veterans Day; thanked Chairman Wagner and Supervisor Foley for attending the California Association of County Executives (CACE) conference and Supervisors Chaffee and Sarmiento for attending and providing remarks at Deputy Purchasing Agents All-Hands Meeting

ADJOURNED:11:34 A.M.

3425 **Adjourned in memory of Sheriff Brad Gates**

BOARD COMMENTS:

Supervisor Foley - Oral Re: Please Vote!

KEY

Left Margin Notes

1. = Vacant
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