REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, January 25, 2022,*9:30 A.M.

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

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 Do, First District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS

Chairman Chaffee - Orange County Board of Supervisors recognized Robin Stieler, Clerk of the Board of Supervisors for her 25 years of service to the County of Orange

II.CONSENT CALENDAR (Items 1-17)

15234 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1, 2, 3 AND 14 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Chairman Chaffee:

1. Orange County Veterans Advisory Council - Reappoint Stephanie Mary Wade, Seal

Beach, for term ending 12/31/23
42135 **APPROVED AS RECOMMENDED**

2. Orange County Senior Citizens Advisory Council - Reappoint Phillip Orland, Brea and Denise Ann Barnes, Anaheim, for terms ending 12/31/23
45123 **APPROVED AS RECOMMENDED**

3. Orange County Cemetery District - Reappoint Cynthia Ward, Anaheim, for term ending 1/5/26
45123 **APPROVED AS RECOMMENDED**

4. **Supervisor Do -** Orange County Cemetery District - Reappoint Maribel Marroquin-Waldram, Santa Ana, for term ending 1/5/26 (Continued from 1/11/22, Item S33A)

ELECTED DEPARTMENT HEADS

Auditor-Controller:

5. Approve Schedule of County Capital Assets Physical Inventory Dates for calendar years 2022 and 2023 - All Districts

6. Receive and file Fund/Budget Control Semi-Annual Report for FY 2021-22 - All Districts

7. Authorize Auditor-Controller to delete damaged, destroyed, dismantled, donated, missing, obsolete, stolen and/or surplused equipment from OC Public Works capital asset inventory - All Districts

HEALTH CARE AGENCY

8. Ratify Intergovernmental Transfer Agreement with Orange County Health Authority dba CalOptima to obtain federal reimbursement for uncompensated care to patients, 1/1/21 - 12/31/21; and authorize Director or designee to execute agreement - All Districts

OC COMMUNITY RESOURCES

9. Accept monetary donations from Angelo Madrigal Living Trust for Fountain Valley Branch Library ($30,000) and Judy Saxon Trust for Aliso Viejo Branch Library ($15,000); and authorize Director or designee to execute related documents - Districts 1 and 5

10. Accept funding award from Santiago Library System for patron internet service provider fees ($44,591) - All Districts

11. Accept Chromebooks and accessory kits from California State Library and Southern California Library Cooperative ($38,000) - All Districts

OC PUBLIC WORKS

12. Adopt resolution affirming County's commitment to projects submitted in 2023 Federal Transportation Improvement Program - All Districts
RESO: 22-009

13. **Acting as the Board of Supervisors and Orange County Flood Control District -** Adopt resolution authorizing Director or designee to approve payments to utility owners for relocations or related investigations for County or District projects or costs of obtaining utility services under certain conditions; authorizing Auditor-Controller to make related payments; and rescinding Resolution 07-071 - All Districts
RESO: 22-010

SOCIAL SERVICES AGENCY

14. Approve contract MA-063-22010520 with InTelegy Corporation for Workflow Redesign Services, 3/1/22 - 2/28/24 ($479,750); 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
23154 **APPROVED AS RECOMMENDED**

15. Approve amendment 2 to renew agreement CRB1217-A2 with Children and Families Commission of Orange County for production and distribution of 28th Annual Report on the Conditions of Children in Orange County, 3/1/22 - 2/28/23 ($113,000; cumulative total $565,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

16. Approve revised provisions to the General Relief Manual, effective 2/1/22 - All Districts

GENERAL ADMINISTRATION

17. **County Executive Office -** Approve Easement Deed and Easement Agreement with Metropolitan Water District of Southern California to provide access to and continued maintenance of existing water supply and distribution facilities at Peters Canyon Regional Park; and make California Environmental Quality Act and other findings - District 3

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 18-S34F)

ELECTED DEPARTMENT HEADS

18. **Assessor Department -** Approve appointment of Michael Hannah as Extra Help Working Retiree Administrative Manager III to the real property division of the Assessor's Department pursuant to Section 7522.56 (f) of the Public Employees' Pension Reform Act of 2013 - All Districts
13254 **APPROVED AS RECOMMENDED**

19. **Auditor-Controller -** Approve amendment 3 to contract MA-003-18010262 with ARK Technologies for technical services and support for Property Tax System project, term ending 1/31/23 ($558,383; cumulative total $2,570,030); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts
13254 **APPROVED AS RECOMMENDED**

20. **Sheriff-Coroner -** Approve amendment 2 to contract MA-060-20011202 with CML Security LLC for maintenance, repairs and emergency services for detention locks, sliders, doors and hardware, 5/20/22 - 5/19/23 ($1,293,000; cumulative total $3,879,000); renewable for two additional one-year terms - Districts 2 and 3

32154 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

21. Approve amendment 1 to contracts MA-042-20010233 with Occupational Health Centers of California dba Concentra Medical Centers ($300,000; cumulative total $1,650,000) and MA-042-22010460 with MemorialCare Medical Foundation ($300,000; cumulative total $500,000) for physical examination services; and authorize County Procurement Officer or authorized Deputy to execute amendments - District 1 and 2

12354 **APPROVED AS RECOMMENDED**

22. Approve retroactive master subrecipient agreement with various hospitals for transfer of property to provide COVID-19 related medical treatment and preserve public health, 5/15/20 - 1/31/22; authorize County Procurement Officer or authorized Deputy to execute subrecipient agreements; and make findings pursuant to Government Code Section 26227 - All Districts

25134 **APPROVED AS RECOMMENDED**

23. Approve retroactive amendment 10 to contract with Orange County Health Authority dba CalOptima for coordination and provision of public health care services, 1/1/22 - 12/31/23; and authorize Director or designee to execute amendment - All Districts

13254 **APPROVED AS RECOMMENDED**

24. Approve commitment of up to $3,929,648 of Homeless Housing, Assistance and Prevention Program funding to City of Anaheim for interim housing use of Studio 6 Motel located at 1251 N. Harbor Blvd., Anaheim; and authorize Director or designee to submit all necessary supporting documents for Homekey Program application - District 4

42135 **APPROVED AS RECOMMENDED**

25. Approve contract MA-042-22010828 with Orange County Superintendent of Schools dba Orange County Department of Education for School Nurse COVID Case Investigation Support services, 1/25/22 - 12/31/22 ($707,400); renewable for four additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

15234 **APPROVED AS RECOMMENDED**

26. Approve retroactive amendment 4 to contracts with Friendship Shelter, Inc., Kingdom Causes, Inc. dba City Net and Mercy House Living Centers, Inc., 7/1/21 - 6/30/22; approve amendment 6 to contract MA-042-20010815 with Friendship Shelter, Inc., ($349,524; cumulative total $1,202,061); approve amendment 5 to contracts MA-042-20010813 with Kingdom Causes, Inc. dba City Net ($210,000; cumulative total $2,246,972) and MA-042-20010816 with Mercy House Living Centers, Inc. ($493,088; cumulative total $1,498,504) for housing and disability income advocacy program services; and authorize County Procurement Officer or authorized Deputy to execute amendments - All Districts

52134 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

27. Approve amendment 5 to contract MA-012-18011140 with Guadalupe Medina dba Santa Fe

Building Maintenance for janitorial services at various facilities, 3/15/22 - 3/14/23 ($1,694,251; cumulative total $5,494,771); and make California Environmental Quality Act and other findings - All Districts

15234 **APPROVED AS RECOMMENDED**

28. Approve selection of and contract MA-012-22010839 with MRI Software LLC for purchase of Public Housing Agency Software System, 2/1/22 - 1/31/25 ($516,055); 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

31254 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

29. Approve increase to guarantee maximum price to fund negotiated construction phase services contract with Sukut Construction, LLC for Prima Fee Booth Relocation and Entrance Improvements Project, Prima Deshecha Landfill, 380-day term ($5,500,000; cumulative total $22,500,000); and authorize Director or designee to execute contract - District 5

53124 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

30. Approve amendment 4 to contract MA-299-19010875 with Discovery Science Center of Orange County dba Discovery Cube Orange County for Strategic Marketing and Outreach Services, 3/1/22 - 2/28/23 ($191,494; cumulative total $1,517,236); renewable for one additional one-year term; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

24135 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

31. **County Counsel -** Acting as the Board of Supervisors and Orange County Flood Control District - Approve amendments to legal services agreements with Meyers Nave, BDG Law Group, Murphy & Evertz LLP and Burke Williams & Sorensen, LLP for updated legal rates for outside eminent domain counsel in support of Prado Dam Real Property Acquisition project, effective 2/1/22; and authorize County Counsel or designee to execute amendments - All Districts (2/3 vote of the membership)

13254 **APPROVED AS RECOMMENDED**

County Executive Office:

32. Approve recommended positions on introduced or amended legislative and consider other legislative subject matters; and approve 2022 Legislative Affairs Program Guidelines - All Districts

21354 **APPROVED AS RECOMMENDED**

33. Approve grant applications/awards submitted by Health Care Agency, OC Community Resources, Sheriff Coroner, District Attorney, and OC Waste and Recycling and retroactive grant applications/awards submitted by Health Care Agency in 1/25/22 grant report and other actions as recommended; adopt resolution authorizing District Attorney or designee to execute grant award agreement and amendments with

California Department of Insurance for Workers' Compensation Insurance Fraud Program, 7/1/21 - 6/30/22 ($6,573,661); and making California Environmental Quality Act and other findings; adopt resolution authorizing OC Waste & Recycling Director or designee to submit and execute application and related documents with State Department of Resources Recycling and Recovery for SB 1383 Local Assistance Grant Program, FY 2021-22 - All Districts

32154 **APPROVED AS RECOMMENDED**
RESO: 22-011 - 22-012

34. Approve FY 2021-22 Mid-Year Budget Report; approve related budget adjustments; amend master position control; direct Auditor-Controller to make related payments; direct Auditor-Controller to close Pension Obligation Bond Debt Service Fund 15J and transfer any residual balances to Miscellaneous, Budget Control 004; approve addition of events to FY 2021-22 County Event Calendar and make related findings per Government Code Section 26227; approve revised title descriptions and classification specifications and adjust pay grades for Pumping Station Operator, Chief Veterinarian, Tax Services Technician, Licensed Vocational Nurse, Behavioral Health Nurse, Registered Nurse, Senior Registered Nurse, Public Health Nurse Trainee, Public Health Nurse, Lead Public Health Nurse, Supervising Public Health Nurse, Nurse Practitioner I and Nurse Practitioner II, effective 1/28/22; approve new title description and classification specification, and set pay grade for Supervising Registered Veterinary Technician, Tax Services Technician Trainee and Senior Tax Services Technician, effective 1/28/22; approve deletion Public Health Nurse II, Senior Public Health Nurse and Supervising Animal Control Services Representative, effective 1/28/22; approve Side Letter agreement with Orange County Employees Association, effective 1/28/22; approve and adopt revised ML-E salary schedule, effective 1/28/22; and make related findings - All Districts (R.A. 1, 2 and 5 requires 4/5 vote of members present)

12345 **APPROVED AS RECOMMENDED**

S34A. Acting as the Board of Supervisors and Orange County Flood Control District - Consider second reading and adoption of "An Ordinance of the County of Orange, California, Creating Article 5 of Division 7 of Title 2 of the Codified Ordinances of the County of Orange, Adding thereto Sections 2-7-40 through 2-7-42 Providing for Commercial Advertising on County and Flood Control District Property" - All Districts (Continued from 1/11/22, Item 28)

31254 **APPROVED AS RECOMMENDED**
ORD: 22-001

S34B. **Chairman Chaffee and Supervisor Bartlett -** Adopt resolution recognizing National Trafficking and Modern Slavery Prevention Month, 1/1/22 - 2/1/22, culminating in observance on February 1, 2022 of National Freedom Day

54123 **APPROVED AS RECOMMENDED**
RESO: 22-013

S34C. **Chairman Chaffee -** Acting as the Orange County Housing Authority - Housing and Community Development Commission - Appoint James Mai, Irvine, to complete term ending 6/30/22

32154 **APPROVED AS RECOMMENDED**

S34D. **Vice Chairman Wagner -** Adopt resolution joining with Orange County Law Enforcement in committing to eliminate threat of fentanyl to our community

32154 **APPROVED AS RECOMMENDED**
RESO: 22-014

ELECTED DEPARTMENT HEADS

S34E. **Clerk-Recorder -** Approve amendment 2 to contract MA-059-17010305 with Granicus, LLC for continued maintenance and technical support to Clerk-Recorder applications, 2/1/22 - 1/31/23 ($139,683.15; cumulative total $1,167,408.15); and authorize County Procurement Officer or authorized Deputy to execute agreement - All Districts
25134 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S34F. **Clerk of the Board -** Approve 2022 Chairman's appointments of board members to various boards, commissions and committees; and adopt California Form 806 - Agency Report of Public Official Appointments - All Districts
43125 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (Items 35-36)

HEALTH CARE AGENCY

35. Public Hearing to consider adopting resolution approving updated Emergency Medical Services fee schedule, effective one year after date of proclamation ending State of Emergency due to COVID-19 pandemic; superseding and rescinding Resolution 17-025; authorizing Director or designee to adjust fees annually by Consumer Price Index; and making California Environmental Quality Act and other findings - All Districts
DELETED

OC WASTE & RECYCLING

36. Public Hearing to consider adopting resolutions approving amendment 4 to Prima Deshecha Landfill General Development Plan and certifying Final Second Supplemental Environmental Impact Report to Final Environmental Impact Report 575, adopting related Statement of Facts and Findings, Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations; and making related findings - District 5
B.O. **CLOSED PUBLIC HEARING**

53124 **APPROVED AS RECOMMENDED**
RESO: 22-015 - 22-016

V.CLOSED SESSION (Items CS-1-SCS4)

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** 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**

County Counsel:

SCS2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Mark Wood v. County of Orange Case Number: ADJ12796702

B.O. **HELD, COUNTY COUNSEL READ: BY A UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED $200,000 SETTLEMENT IN THE WORKERS' COMP CASE OF MARK WOOD V. COUNTY OF ORANGE. THE APPLICANT SERVED AS A FLEET TECHNICIAN IN OC PUBLIC WORKS AND CLAIMED INDUSTRIAL INJURIES ON SHOULDER, BACK, ELBOWS, HANDS, LUNGS, HEART, CARDIOVASCULAR SYSTEM. THE SETTLEMENT REMAINS SUBJECT TO THE APPROVAL OF OTHERS. WHEN THE SETTLEMENT IS FINALIZED COPIES WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Jeffrey Schnell v. County of Orange Case Number: ADJ13501039

B.O. **HELD, COUNTY COUNSEL READ: BY A UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED $300,000 SETTLEMENT IN THE WORKERS' COMP CASE OF JEFFREY SCHNELL V. COUNTY OF ORANGE. THE APPLICANT SERVERD AS A SERGEANT AT ORANGE COUNTY SHERIFF DEPARTMENT AND CLAIMED VARIOUS FORMS OF CUMULATIVE TRAUMA INJURY. THE SETTLEMENT REMAINS SUBJECT TO THE APPROVAL OF OTHERS. WHEN THE SETTLEMENT IS FINALIZED COPIES 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: Lab Holding, LLC v. County of Orange OCSC Case No.: 30-2018-01013127-CU-BC-CJC

B.O. **HELD, COUNTY COUNSEL READ: BY A UNANIMOUS VOTE OF 5 TO 0, THE BOARD APPROVED A PROPOSED $105,924.66 SETTLEMENT IN THE CASE OF LAB HOLDING, LLC V. COUNTY OF ORANGE, THAT WILL INCLUDE WAIVERS OF COSTS AND A MUTUAL RELEASE AND WAIVER OF CLAIMS. THE SETTLEMENT REMAINS SUBJECT TO THE APPROVAL OF OTHERS. WHEN THE SETTLEMENT IS FINALIZED COPIES WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Brigitte - Oral re: Microsoft applied for Patent WO060606 which gives them intellectual property rights over your body

Bryan Kaye - Oral re: Filed petitions with the Board asking not to be called a racist term; employee called

Polish and Jewish people racist terms and denied service to people who file petitions

Ian Jameson - Oral re: Los Angeles Leftists for Choice and Unity; opposes mask and testing mandates; cancel contract with Othena, lift the state of emergency and mask recommendation; keeping speakers out of public meetings is anti-democratic; will protest, recall and vote the Board Members out of office

Pat Davis - Comments read by County Counsel: Focus on housing acquisitions, conversions and new builds; there is no housing to transition shelter occupants and voucher holders; outreach, case management, disability benefits advocacy and housing assistance is not working because there is no housing available

Thomas Fielder - Comments read by County Counsel: A poem to the OC Board of Supervisors regarding housing

Jackie Cordova - Comments read by County Counsel: Free speech/Cutting off speakers during their comments; food oppression in County jails; food conditions in the Orange County Jails; do not approve more funding to the Sheriff's Department; Sheriff is torturing people and spreading COVID; opposes Vicente Sarmiento as candidate for Board of Supervisors

Felicity Figueroa - Comments read by County Counsel: Food conditions in Orange County jails; increase transparency around Sheriff budget and audit Sheriff to ensure budget is being used to provide basic necessities and healthy meals to inmates

Lisa Pedersen - Comments read by County Counsel: Housing shortages in Orange County; voucher holders cannot find housing; high rent costs and limitations on one application at a time means voucher holders cannot secure housing within the 60-day limit

Sarah Kahn, Anastasia Surch, Cindy Ashley, Paula Woktaszek, Chelsea Boyle, Mai Tran, Maya Dunne, Rona Henry, Eve Garrow - Comments read by County Counsel: Be honest about the challenges unhoused community members face trying to use housing vouchers; recipients are not getting enough assistance locating housing and do not have transportation or access to computers; dollar amount of vouchers is too low for Orange County rents; vouchers do not come with ongoing supportive services; provide monthly data on percentage of voucher holders able to secure housing; increase the dollar amount of vouchers and ensure people receive the assistance they need

Catherine Van Camp - Comments read by County Counsel: Orange County's voucher system is broken; applicants need restrictions on applications removed and need assistance with deposits; increase value of vouchers; create a concierge position to work with recipients to facilitate housing search

Donna Vidrine - Comments read by County Counsel: Board should speak to voucher holders to understand challenges they face finding housing; pursue affordable and supportive housing; spend unspent monies on emergency housing

Maura Mikulec - Comments read by County Counsel: Holding public comments at end of meeting is prohibitive and prevents seniors and disabled people from attending to share their stories

Karen Hernandez - Comments read by County Counsel: Food oppression in County jails; poor nutrition and high sodium content causes hypertension; serving inadequate food in jails is inhumane

COUNTY EXECUTIVE OFFICER COMMENTS:

None

ADJOURNED:1:34 P. M.

34125 **Adjourned in memory of Bill Nelson, Eula Nelson and Vernon Myers McDonald**

54123 **Adjourned in memory of Ilse Byrnes, Honorable Jim Dahl, Jonathan Flagler, Richard Gardner and Barbara Krogius**

24135 **Adjourned in memory of John Hughes and Ruth Ann Moriarty**

BOARD COMMENTS:

Chairman Chaffee - Oral re: Presentations will be scheduled for the first Board meeting of every month at 9:30 a.m.; January is Parenting Awareness Month and Health Care Agency will host activities related to parenting

KEY

Left Margin Notes

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

ORD.= Ordinance
RESO. = Resolution

A.=Abstained
X.=Excused
N.=No
BO=Board Order

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