REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, October 31, 2023,*9:00 A.M.

BOARD HEARING ROOM, FIRST FLOOR
400 W. Civic Center Drive
Santa Ana, California

DONALD P. WAGNER
CHAIRMAN
Third District

ANDREW DO
VICE CHAIRMAN
First District

VICENTE SARMIENTO
SUPERVISOR
Second District

DOUG CHAFFEE
SUPERVISOR
Fourth District

KATRINA FOLEY
SUPERVISOR
Fifth District

ATTENDANCE:Supervisors: Chaffee, Foley, Sarmiento and Wagner

EXCUSED:Supervisor Do

PRESENT:	COUNTY EXECUTIVE OFFICER	Frank Kim
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Robin Stieler

INVOCATION:Supervisor Chaffee, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE:Supervisor Foley, Fifth District invited Joie Gillissie from the Arts and Learni, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS

Chairman Wagner presented a resolution proclaiming October 23-31, 2023 as "Red Ribbon Week"

Chairman Wagner and Supervisor Chaffee presented a resolution proclaiming October 2023 as "Adopt a Shelter Dog Month"

Supervisor Foley presented a resolution proclaiming October 15, 2023 as "Pregnancy and infant Loss Remembrance Day"

II.CONSENT CALENDAR (Items 1-8)

42153 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 4 WHICH WAS CONTINUED TO 12/19/23, 9:30 A.M.; AND ITEMS 2, 3 AND 5 WHICH WERE**

PULLED FOR DISCUSSION AND SEPARATE VOTE

BOARD APPOINTMENTS

1. **Chairman Wagner -** Acting as the Orange County In-Home Supportive Services Public Authority - Orange County In-Home Supportive Services Advisory Committee - Appoint Michelle Ramos, Buena Park, to complete term ending 12/31/23

ELECTED DEPARTMENT HEADS

2. **District Attorney -** Ratify agreement with City of Laguna Beach for prosecution services, 7/1/23 - 6/30/28 - District 5

53124 X **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

3. Receive and file FY 2022-23 annual Inmate Welfare Fund Revenue and Expenditure Reports - Districts 2 and 3

23145 X **RECEIVED AND FILED**

4. Adopt resolution authorizing expenditures in the amount of $35,000 annually to provide appreciation certificates, letters, plaques, awards, meals and refreshments to volunteers at Sheriff-Coroner Department's Special Operations Division Volunteer Recognition events; and make related findings per Government Code Section 26227 - All Districts

42153 X **CONTINUED TO 12/19/23, 9:30 A.M.**

HEALTH CARE AGENCY

5. Approve contract MA-042-22011444 with The Regents of the University of California, on behalf of University of California, Irvine Medical Center for designated emergency services, term ending 6/30/28; and authorize County Procurement Officer or Deputized designee to execute contract - District 2

42153 X **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

6. Approve Final Tract Map 19191; approve subdivision improvement agreement S23-041010 with Shea Homes Limited Partnership; accept bonds guaranteeing construction; accept dedication of easements for emergency access, public utility and public service vehicle ingress and egress purposes; and accept vehicular access rights to Williams Way - District 5

GENERAL ADMINISTRATION

7. **Clerk of the Board -** Approve initial Conflict of Interest Code for California Republic Leadership Academy, a California Public Charter School - District 5 (Continued from 10/17/23, Item 5)

8. **County Executive Office -** Acting as the Legislative Body of Community Facilities Districts - Receive and file Community Facilities Districts 2001-1, 2002-1, 2003-1, 2004-1, 2015-1, 2016-1, 2017-1 and 2021-1 Report, pursuant to Local Agency Special Tax and Accountability Act - District 5

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 9-S23C)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

9. Approve amendment 1 to renew contract MA-060-21010113 with PVP Communications Inc. for motorcycle helmet communications equipment, 11/16/23 - 11/15/24 ($132,000; cumulative total $597,000); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 2, 3, 4 and 5

24153 X **APPROVED AS RECOMMENDED**

10. Approve contract MA-060-23011646 with Computer Deductions Inc to manage, supervise and operate Unisys mainframe computer and all Sheriff-Coroner Department Data Center operations, 11/1/23 - 10/31/24 ($1,115,832); renewable for four additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

53124 X **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

11. Approve amendment 3 to contract MA-042-22010466 with AG Coast Corporation for unarmed security guard services, 1/1/24 - 3/31/25 ($375,000; cumulative total $1,723,000); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 2 and 3

23145 X **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

12. Approve Memorandum of Understanding (MOU) between County of Orange, CalOptima Health, and Jamboree Housing Corporation for CalOptima Health pilot program for residents of supportive housing developments; and authorize Director or designee to execute MOU - Districts 1 and 4

B.O. **CONTINUED TO 11/7/23, 9:30 A.M.**

OC PUBLIC WORKS

13. Adopt resolution certifying completion of public streets, street lights, sewer, water, recycled

water, storm drain and monumentation; accepting easements for public street purposes; authorizing release of bond securities for Final Tract Map 17931, furnished by RMV PA3 Development, LLC; and making related findings - District 5

53124 X **APPROVED AS RECOMMENDED**

RESO: 23-129

14. Approve job order contracts with various contractors for general contracting services, 12/12/23 - 12/11/24 ($5,000,000 each; aggregate total $50,000,000); and authorize Director or designee to execute contracts - All Districts

54123 X **APPROVED AS RECOMMENDED**

15. Approve job order contract MA-080-24010008 with Elevators Etc. for elevator services ($4,000,000); approve job order contracts MA-080-23011743 with PUB Construction, Inc. and MA-24010293 with Horizons Construction Company International, Inc. for painting services ($1,000,000 each; aggregate total $2,000,000); approve job order contracts MA-080-24010038 with Prime ENC, Inc. and MA-080-24010297 with Harry H. Joh Construction Inc. for plumbing services ($2,000,000; aggregate total $4,000,000); approve job order contracts MA-080-24010264 with Environmental Remediation Contractors, Inc. and MA-080-24010265 with Quality Environmental, Inc. for asbestos removal and decontamination services ($500,000 each; aggregate total $1,000,000); contracts effective 12/12/23 - 12/11/24; and authorize Director or designee to execute contracts - All Districts

52143 X **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

16. Approve contract CT-299-24010110 with Quinn Company for certified powertrain rebuilds on heavy equipment, term ending 4/14/27 ($3,949,135); authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Sections 15301 and 15302 - All Districts

52143 X **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

17. **County Counsel -** Consider second reading and adoption of "An Ordinance of the County of Orange, California Adding Sections 1-2-32 and 1-2-118.1 of the Codified Ordinances of the County of Orange Regarding the Elections of the Public Administrator and Coroner" - All Districts (Continued from 10/17/23, Item 23)

52143 X **APPROVED AS RECOMMENDED**

ORD: 23-004

County Executive Office:

18. Acting as the Orange County Flood Control District - Approve Lease agreement with City of Orange for City's development and operation of public park on 2.39-acre portion of parcel E01-1116.01, fifty-year term; adopt resolution finding Orange County Flood

Control District (OCFCD) being leased to City of Orange is exempt surplus land pursuant to Surplus Land Act and State of California's Department of Housing and Community Development Guidelines regarding Surplus Land Act; adopt resolution pursuant to Orange County Flood Control Act finding that proposed lease is compatible with OCFCD uses and purposes; authorize Chief Real Estate Officer or designee to execute all necessary documents related to process of developing the property, amendments to make non-monetary and/or monetary changes under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301; and other related findings - District 2

25143 X **APPROVED AS RECOMMENDED**

RESO: 23-130 - 23-131

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

52143 X **APPROVED AS RECOMMENDED**

20. Acting as the Legislative Body of Community Facilities District No. 2023-1 (Rienda Phase 2B) - Adopt resolution authorizing issuance of bonds in a principal amount not to exceed $75,000,000; and approve related actions and execution of related documents - District 5

52143 X **APPROVED AS RECOMMENDED**

RESO: 23-132

21. Approve grant applications/awards submitted by OC Waste & Recycling, District Attorney, OC Community Resources and Health Care Agency, and retroactive grant application/award submitted by OC Community Resources in 10/31/23 grant report and other actions as recommended; 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; adopt resolution authorizing District Attorney or designee to execute grant award agreements and amendments with California Office of Traffic Safety for Alcohol and Drug Impaired Driver Vertical Prosecution Program ($1,303,250) and California Traffic Safety Resource Prosecutor Training Network ($1,539,354), FFY 2023-24; and making California Environmental Quality Act (CEQA) exemption findings pursuant to CEQA Guidelines Section 15061(b)(3) and other findings; adopt resolution approving standard agreement HI-2122-22, Amendment 3 with California Department of Aging for Older Americans Act Programs, ($29,908), effective through 3/31/24; and authorizing OCCR Director or designee to execute amendment and related documents - All Districts

53124 X **APPROVED AS RECOMMENDED**

RESO: 23-133 - 23-135

22. Adopt resolution superseding Resolution 00-202 delegating authority to County Risk Manager to settle pending actions and pursue subrogation matters; authorizing Risk Manager or designee to settle claims filed against County for up to $50,000 and execute all documents necessary and appropriate to implement the resulting settlements; and authorizing Auditor-Controller to pay amounts as requested by Risk Manager or

designee - All Districts

24153 X **APPROVED AS RECOMMENDED**

RESO: 23-136

23. Approve 2024 Contract Policy Manual, effective 1/1/24; and adopt resolution authorizing OC Public Works Director, Sheriff-Coroner or those qualified County officials or department designees to advertise bids in manner set forth in Public Contract Section 22037 for performance of public projects described in Public Contract Code Section 22032(c) - All Districts

B.O. **CONTINUED TO 11/7/23, 9:30 A.M.**

S23A. **Supervisor Chaffee and Supervisor Sarmiento -** Adopt resolution opposing any unilateral action by Kaiser Permanente's attempt to reduce mental health therapists' Patient Management Time (PMT)

B.O. **CONTINUED TO 11/7/23, 9:30 A.M.**

ELECTED DEPARTMENT HEADS

S23B. **Sheriff-Coroner -** Approve contract MA-060-23011532 with Life Technologies Corporation for maintenance of genetic analyzers, magnetic particle processors, rapid DNA, and real time polymerase chain reaction instruments, 11/1/23 - 10/31/25 ($217,398); renewable for three additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

35124 X **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S23C. **County Executive Office -** Reappoint Robin Stieler as Clerk of the Board; approve amendment 5 to employment agreement, effective 11/3/23 ($195,555 annual salary; total compensation including benefits $312,167) - All Districts

53124 X **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (None)

V.CLOSED SESSION (Items CS-1-SCS2)

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:Association of Orange County Deputy Sheriffs (AOCDS), Association of County Law Enforcement Managers (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Teamsters, and other non-represented employees
RE:Terms and Conditions of Employment

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

SCS2. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Reyner Guerrero v. County of Orange, WCAB Case: ADJ17014596

B.O. **COUNTY COUNSEL READ: THE BOARD, ON A VOTE OF 4 TO 0, WITH CHAIRMAN WAGNER, AND SUPERVISORS SARMIENTO, CHAFFEE, AND FOLEY VOTING AYE, AND WITH SUPERVISOR DO ABSENT, APPROVED A PROPOSED $275,000 SETTLEMENT IN THE WORKERS' COMPENSATION MATTER, GUERRERO V. COUNTY OF ORANGE.THE APPLICANT IS A RETIRED DEPUTY SHERIFF WITH ALMOST 37 YEARS OF PUBLIC SERVICE WHO CLAIMED VARIOUS FORMS OF CUMULATIVE TRAUMA, INCLUDING INDUSTRIAL INJURIES TO HIS HEAD AND CARDIOVASCULAR SYSTEM. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT IS FINALIZED, COPIES OF THE 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:

Steve Rocco - Oral re: Great American genocide; Four Presidents have Jewish grandchildren; Albert Camus founded replacement theory; Legal and illegal immigration and French teacher beheaded by her students; diversity is another word for genocide or holocaust; gypsies will never become Europeans; United States does not have a nationality; United States is run by five empires of the United Nations

Eplanet Thunderstriker - Oral re: Homeland Security and online trojan horse; tried to be a music producer; Katy Perry song 'Dark Horse'; monarchies have been running our country since World War II; Trump was held back during Covid which was used to wipe out baby boomers; corruption and social engineering by monarchies

Cheryl - Oral re: Clarified that it was not schools giving pharmaceutical drugs to children but the agencies receiving grants; State budget shortfall, ranked 45th out of 50 states for solvency; Newsom has failed to uphold the State constitution and is running the State and County into bankruptcy; lack of ability to deal with issues

Ilya Tseglin - Oral re: Public demands Board members resign immediately; constitution and corrupted courts; sold out the public to con-man Larry Landauer and Nancy Bardman; interrupting his speeches and cutting his time

Kate - Oral re: 80% of people in Orange County do not want Proposition 1; Board promotes fraudulent elections; requested Board write letter to Governor to respect life and not stop life of baby in its mother's womb

Stella - Oral re: Ignoring request to agendize discussion of voter identification, precinct voting and Voters Choice; Riverside County illegitimate activities; Nevada County illegally withdrew election records; Registrar of Votes Bob Page should be fired for incompetence

Calvin - Oral re: Loss of confidence in voting machines; provided information how voting machines came into existence; documentary 'Hacking Democracy' proved how votes can be stolen

Bryan Kaye - Oral re: Condolences to Supervisor Foley; District Attorney Todd Spitzer opposition to

driving under the influence and Matt Morrison urinating in CVS; Project Kinship should pick up inmates from jail

Carolyn - Oral re: Opt out of AB969 and Voters Choice Act

Eva Weisz - Oral re: Board bombarded by Palestinians siding with Hamas at the October 17 Board meeting; thanked the Board for standing for Israel; requested to eliminate election administrator position and transfer all election duties to the County Clerk and the Tax Assessor Collector

Patty Cabada - Oral re: AB665 signed by Governor Newsom allows removal of children from home without court order; requested Board take initiative to protect parents and children

Roseann - Oral re:Orange County Chair for New California State; shared selections for Orange County and California elections; Tony Thurman and Al Mijares did not win their elections; San Luis Obispo filed documents to implicate Racketeer Influenced and Corrupt Organizations (RICO) charges through the Registrar of Voters

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS.

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:12:10 P.M.

53124 X **Adjourned in memory of Patty Mitchell, Barbara Harrington and former California State Fire Marshal Ronny J. Coleman**

43125 X **Adjourned in memory of Ed Paul**

BOARD COMMENTS:

Supervisor Foley - Oral re: Held Senior Summit at Soka University on October 27 and thanked all partners for planning and working the event

Supervisor Sarmiento - Oral re: Wished everyone a happy and safe Halloween; recall election of Santa Ana Councilmember Jessie Lopez despite concerns raised by the Registrar of Voters who found the wrong map was used in the recall process; recall petition should have been circulated to registered voters within the boundaries of Lopez's electoral ward that existed in 2020, the year she was elected and before her ward boundaries were redrawn; disappointed in the Santa Ana City Council for not cancelling the recall election

Chairman Wagner - Oral re: Death of Steve Ambriz occurred prior to the Matt Morrison incident at CVS

KEY

Left Margin Notes

1. = Supervisor Do A.=Abstained

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

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