REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, October 8, 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:Supervisors: Chaffee, Foley, Sarmiento and Wagner

EXCUSED:Supervisor Do

PRESENT:	INTERIM COUNTY EXECUTIVE OFFICER	Michelle Aguirre
	COUNTY COUNSEL	Leon J. Page
	CHIEF DEPUTY, CLERK OF THE BOARD	Valerie Sanchez

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

PLEDGE OF ALLEGIANCE:Supervisor Foley, Fifth District invited Pearl Whitehurst 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 October 20-26, 2024 as "Childhood Lead Poisoning Prevention Week"

II.CONSENT CALENDAR (Items 1-4)

52143 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 1 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

CHILD SUPPORT SERVICES

1. Approve master agreement with various providers for Parentage Program services, 12/1/24 - 11/30/29 ($650,000); authorize Director or designee to execute individual agreements; and authorize County Procurement Officer or Deputized designee to make changes under certain conditions - All Districts

45123 X **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

Clerk of the Board:

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

3. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for North Orange County Regional Occupational Program - Districts 1, 2, 3 and 4

4. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Probation - All Districts

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 5-S14I)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

5. Approve job order contracts with various contractors for general building services ($5,800,000 each; aggregate total $63,800,000), electrical services ($5,800,000 each; aggregate total $29,000,000), mechanical services ($5,800,000 each; aggregate total $17,400,000), roofing services ($5,800,000 each; aggregate total $17,400,000); and low voltage, lock and security equipment services ($5,800,000); one-year terms; and authorize Director of Research and Development Division or designee to execute contracts under certain conditions - All Districts

54123 X **APPROVED AS RECOMMENDED**

6. Approve amendment 1 to contract MA-060-22010896 with Ray Carmody dba Carmody Construction Company, MA-060-22010897 with CTG Construction Inc., dba C.T. Georgiou Painting Co., and MA-22010898 with H.L. Miller, Inc. for general maintenance services, 12/13/24 - 12/12/25 ($600,000 each; cumulative total $6,300,000); renewable for an additional one-year term; and authorize County Procurement Officer or Deputized designee to execute amendments - All Districts

54123 X **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

7. Approve selection of and contract MA-042-25010192 with The Regents of the University of California UC Irvine, Division of Continuing Education for learning and development services, 11/11/24 - 6/30/27 ($4,000,000); and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

52143 X **APPROVED AS RECOMMENDED**

8. Approve continuation of local health emergency by County's Health Officer issued on 9/20/24 for Trabuco Canyon Airport Fire; and set review to determine need for continuing local health emergency for 11/5/24, 9:30 a.m., and every 30 days thereafter until terminated - All Districts (Continued from 9/24/24, Item S37H)

52143 X **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

9. Approve retroactive purchase order PO-012-25010132 with MTM Construction, Inc. for John D. Cooper Center Heating, Ventilation, Air Conditioning and Roofing Replacement Project ($37,124) - District 2

25143 X **APPROVED AS RECOMMENDED**

10. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve amendment 1 to contract MA-080-22010410 with OFRS, Inc. for environmental multi-purpose maintenance service, term ending 4/24/25 ($1,000,000; cumulative total $8,500,000); renewable for two additional years; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

25143 X **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

52143 X **APPROVED AS RECOMMENDED**

12. Approve lease agreement with City of Cypress for 15,090 square feet of space for Cypress Branch Library, Cypress, 11/1/24 - 10/31/34; renewable for two five-year terms; authorize Chief Real Estate Officer or designee to execute subsequent option terms and related documents and amendments under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - District 1

34125 X **APPROVED AS RECOMMENDED**

13. Approve amendment 2 to agreement with Rancho Niguel Plaza II LLC for development of Tesla Supercharger Station within Laguna Niguel Park and Ride; authorize Chief Real Estate Officer or designee to execute amendment; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - District 5

52143 **APPROVED AS RECOMMENDED**
X

14. Approve grant applications/awards submitted by Sheriff-Coroner, Health Care Agency and Social Services Agency and retroactive grant application/award submitted by County Executive Office in 10/8/24 grant report and other actions as recommended - All Districts

45123 **APPROVED AS RECOMMENDED**
X

S14A. **Chairman Wagner -** North Tustin Advisory Committee - Reappoint Peter Schneider, North Tustin, to complete term ending 3/31/26

35124 **APPROVED AS RECOMMENDED**
X

Supervisor Foley:

S14B. Coto de Caza Planning Advisory Committee - Reappoint Garrett Mott, Coto de Caza, for term concurrent with 5th District Supervisor's term of office

53124 **APPROVED AS RECOMMENDED**
X

S14C. Public Financing Advisory Committee - Reappoint Justin W. Fong, Costa Mesa, for term ending 8/11/27

53124 **APPROVED AS RECOMMENDED**
X

S14D. Direct staff to research and consider drafting an ordinance to adopt development guidelines and standards for Battery Energy Storage System (B.E.S.S.), also known as Lithium Battery storage, projects

54123 **APPROVED AS RECOMMENDED**
X

S14E. **Chairman Wagner -** North Tustin Advisory Committee - Reappoint Kendra Carney Mehr, North Tustin, to complete term ending 3/31/27

32145 **APPROVED AS RECOMMENDED**
X

S14F. **Supervisor Sarmiento -** Adopt resolution proclaiming November 1 - 2, 2024 as "Dia de los Muertos"

25143 **APPROVED AS RECOMMENDED**
X

RESO: 24-112

S14G. **Chairman Wagner -** Approve allocation of $360,600 from Third District discretionary funds to Orange County Sheriff's Department (OCSD) for installation and maintenance of

public safety cameras, specifically Automated License Plate Reader (ALPR) cameras and Pan Tilt Zoom (PTZ) cameras, in unincorporated Third District; make related findings per Government Code Section 26227; authorize County Procurement Officer or Deputized designee to execute related agreements or amendments under certain conditions; and authorize Auditor-Controller to make related payments

35124 **APPROVED AS RECOMMENDED**
X X

S14H. **Chairman Wagner and Vice Chairman Chaffee -** Adopt resolution supporting Proposition 36, the Homeless, Drug Addiction and Theft Reduction Act

34125 **APPROVED AS RECOMMENDED**
XN

RESO: 24-113

S14I. **County Counsel -** Consider adoption of "An uncodified urgency ordinance of the Orange County Board of Supervisors establishing requirements for the removal of fire debris from private property damaged by the Airport Fire"

IN ACCORDANCE WITH THE REQUIREMENTS OF THE RALPH M. BROWN ACT, GOVERNMENT CODE SECTION 54954.2(B)(1), ON A MOTION BY SUPERVISOR FOLEY, SECONDED BY SUPERVISOR SARMIENTO, WITH SUPERVISOR DO ABSENT, THE BOARD UNANIMOUSLY APPROVED THE ADDITION OF AN ITEM OF BUSINESS (AGENDA ITEM S14I) TO CONSIDER ADOPTION OF AN URGENCY ORDINANCE FOR AIRPORT FIRE DEBRIS REMOVAL PROGRAM BY FINDING THAT AN EMERGENCY EXISTS, AS DEFINED IN SECTION 54956.5

ON A MOTION BY CHAIRMAN WAGNER, SECONDED BY SUPERVISOR FOLEY, WITH SUPERVISOR DO ABSENT, THE BOARD UNANIMOUSLY ADOPTED AN URGENCY ORDINANCE ESTABLISHING REQUIREMENTS FOR THE REMOVAL OF FIRE DEBRIS FROM PRIVATE PROPERTY DAMAGED BY THE AIRPORT FIRE

ORD: 24-006

IV.PUBLIC HEARINGS (Item 15)

GENERAL ADMINISTRATION

15. **County Counsel -** Public Hearing to consider adopting Resolution adopting General Plan Amendment T24-01 - Transportation Element; and consider application of Final Environmental Impact Report No. 589, Addenda 1.0, 1.1, and 3.1 and Planning Area 2 Addendum and other findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

42153 **APPROVED AS RECOMMENDED**
X

RESO: 24-114

V.CLOSED SESSION

GENERAL ADMINISTRATION

SCS1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION - Pursuant to Government Code section 54956.9(d)(2):
Number of Cases: Unknown

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

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Steve Rocco - Oral Re: Happy Columbus Day; has a bullet in bedroom window from whirly birds and political murder of his family; ran for office against Andrew Do and Janet Nguyen; home invasions by the FBI without paperwork; was framed three times by organized crime which leads to death and the gates of hell; organized crime by Chapman University, UCI and Orange School District; property taxes double dipping paying for trash twice

Michelle Rubio - Oral Re: Senior Labor Relations representative from OCEA representing the Health Care Agency's Outreach and Engagement team providing services to homeless out on the streets and the significant risks they face in their work with individuals with mental health and addiction issues; employees petition for special assignment pay for the classifications listed in the petition

Julio Ventura - Oral Re: Staff Assistant for five years with the outreach and engagement team, petition for workers to receive special assignment pay reflecting the work and risks they face on a daily basis; building trust with most vulnerable to help them regain stability; their work meets the criteria for special assignment pay

Barbara Sepulveda - Oral Re: Mental Health Specialist for four years, experiences elevated risks and exposure; outreach and engagement workers engage with some of the most vulnerable people including those with severe mental health and substance abuse disorders who are often unpredictable and dangerous; hazardous risks include increased physical danger, communicable diseases, toxic substances and adverse weather; petitioning for special assignment pay to align compensation with the dangers of their work

Billy Polanco - Oral Re: Mental Health Specialist for five years; outreach workers meet people where they are and sometimes experience physical confrontations, assaults, verbal abuse and threats from the people they are trying to help creating a stressful work environment

Edward Darvin - Oral Re: Supervising Public Health Nurse for six years; outreach workers interact with a population that has limited access to health care increases the risk of communicable diseases such as tuberculosis, hepatitis, HIV/AIDS, Covid-19, Monkey Pox, MRSA and exposure to lice and scabies; outreach workers continued working during pandemic; Naloxone administration by outreach and engagement workers

Rosa Gonzalez - Oral Re: Mental Health Specialist and has been with the County for 20 years; responds to life threatening situations including eight successful reversals of Fentanyl overdose but the risks include accidental exposure to drugs and drug paraphernalia

Agatha Wise - Oral Re: Program Supervisor II for six years; as an outreach worker, she works outside in extreme temperatures including heat, cold and rain to help the most vulnerable during storms and along flood control channels

Gabby Diaz-Vallejo - Oral Re: Mental Health Specialist for two years; outreach and engagement team are first to respond to crisis situations at encampments and shelters and exposure to communicable diseases putting health at risk every day and should receive special assignment pay

Joana Corsaut - Oral Re: Mental Health Specialist for five years; outreach workers are often on scene first and helping while waiting for first responders to arrive; encounters requiring timely response of crisis stabilization, law enforcement or medical services to respond to crisis situations

Lorena Fisher - Oral Re: Mental Health Specialist for four years; outreach and engagement teams have to reach clients in hard to reach places including parks, remote trails, flood control channels and experience increased risk during travel or transporting clients

Thanh Nghi - Oral Re: Mental Health Specialist for three years; building trust with individuals struggling with abandonment, trauma or loss and struggling to survive with limited resources is very difficult making outreach and engagement an emotionally exhausting job that leads to staff burnout, compassion fatigue and secondary post-traumatic stress

Calvin Nguyen - Oral Re: Continued outreach and engagement work during the pandemic, even when exposure to Covid-19 put his family's health at risk including his elderly high-risk parents

Michael Marks - Oral Re: Fair compensation for hazardous work will maintain the workforce and attract qualified individuals

Michelle Ruiz - Oral Re: Crisis Stabilization Units receive higher compensation than outreach and engagement employees yet face similar conditions and challenges

Armin Salamati - Oral Re: Outreach and engagement support of homeless community puts own and family's health at risk due to exposure to communicable diseases; passion for this work diminishes without adequate compensation for the level of risk they face on a daily basis

Stephanie Jeffcoat - Oral Re: Governor issued apology for California's contribution to slavery; urges support for Proposition 6 on the ballot to end modern day slavery and exploitation of incarcerated individuals forced into labor; Proposition 6 makes work while incarcerated voluntary

Cathleen Pryor - Oral Re: Climate Action Plan should include incentives to connect to the power grid and reduce the distance energy must travel; utilize robots in fire fighting efforts to prevent injury to fire fighters entering burning structures

Chuck - Oral Re: Election integrity and problems with fraud and cheating by allowing dead people, dogs and ineligible people to vote; lack of chain-of-custody for mailed in ballots and post offices lose ballots; problems with ballot reconciliation and signature comparisons; California was never a slave state

Cheryl - Oral Re: Discretionary funds to non-profit Latino Health Access to pay for voter outreach yet they hosted a black-tie gala raising $165,000; should give the money to poverty line residents to help them achieve the American dream, not registering people to vote

Ilya Tseglin - Oral Re: Demands resignation of Chairman and board members for ignoring and covering up corruption by Larry Landauer and OC Regional Center, for suppressing free speech and ignoring the public concern of election violations; kidnap and torture of his son

Kate - Oral Re: Only 23 people attended meeting that changed voting system in Orange County for millions of voters; voters do not want the Voters Choice Act; return to one-day precinct voting on paper ballots with hand counts and voter ID

Eileen McDermott - Oral Re: Welcomed Donald Trump to California at Coachella; the price of freedom is eternal vigilance; same issue today as throughout history; a true patriot will defend their country; 28 days until republic is restored

Bryan Kaye - Oral Re: Supervisor Foley $1.2 million grant to businesses in Santa Ana and contacted the businesses who petitioned for money and some of them never received the grant money; provided evidence of crimes committed by Supervisor Foley and her friend Gassia Apgarian; mental health workers are not helping, just forcing people to take medication like the Nazi's did

Luz Cedeno - Oral Re: In Home Supportive Services provider caring for her 90 year old mother suffering dementia; IHSS caregivers need increased wages to continue providing care

John Spring - Oral Re: October 19 is the real American independence day which is the anniversary of Yorktown victory; mind control and permanent brain damage of young woman; found her on internet performing illicit acts; does not remember things due to brain tumor; calls are ignored by Child Protective Services

Roseann - Oral Re: Cease and desist letter regarding elections; AB969 allows Board to declare urgency statute to overturn the Voters Choice Act

Calvin - Oral Re: Create an election commission to look at discrepancies in elections; get rid of Voters Choice Act and return to one day precinct voting on paper ballots with voter ID, hand count results

Carolyn - Oral Re: Elections certified using inaccurate voter rolls; widespread distrust of machine counts; if County received Help America Vote Act (HAVA) funds it should either follow HAVA or return the funds

George - Oral Re: Oath of Office requires defending both the State and Federal Constitutions which guarantee citizens the right to vote; certification of uncertifiable election results is treason

COUNTY EXECUTIVE OFFICER COMMENTS:

None

ADJOURNED:1:30 P.M.

BOARD COMMENTS:

Chairman Wagner - Oral Re: Requests the Office on Aging provide the Board with a copy of the draft Master Plan on Aging currently under development and while not requesting a final product, but would like an interim check on the draft plan; need to do a better job towards letting senior population know about what County and Office on Aging can do and resources available to them and bolster information access

Supervisor Foley - Oral Re: Thanked her team, Health Care Agency, the Office on Aging, Cal-Optima Health and City of Aliso Viejo for hosting a Senior Summit last Friday that included information provided and presentations given; Nancy Brady's presentation on Jazzercize activities for older adults

Supervisor Sarmiento - Oral Re: Requested County Counsel to advise on rules regarding a Supervisor's failure to attend meetings and vacating their official duties; and what rule or measure could be implemented going forward to declare a County elected office vacant under similar circumstances

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