REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, February 8, 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:Pastor Lamont Hartman from the Reconcile Church in Santa Ana on behalf of Supervisor Foley, gave the invocation

PLEDGE OF ALLEGIANCE:Vice Chairman Wagner, Third District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (Items 1-4)

23154 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1, 2 AND 3 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairman Chaffee -** Acting as the Orange County In-Home Supportive Services Public Authority - Orange County In-Home Supportive Services Advisory Committee - Appoint Marquita Facen, Moreno Valley, to complete term ending 12/31/22

15234 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

2. Adopt resolution approving County of Orange Unincorporated Areas Disaster Debris Management Plan and authorizing distribution of plans to department heads; and make California Environmental Quality Act and other findings - All Districts
32154 **APPROVED AS RECOMMENDED**
RESO: 22-017

GENERAL ADMINISTRATION

3. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Buena Park Library District - District 4
13254 **APPROVED AS RECOMMENDED**

4. **County Executive Office -** Receive and file Quarterly Information Technology Projects Progress Report for First Quarter FY 2021-22 - All Districts

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 5-S19G)

ELECTED DEPARTMENT HEADS

5. **Sheriff-Coroner -** Approve amendment 5 to contract MA-060-18011425 with Geospatial Technologies, Inc. for software license and maintenance of GST Mapper/Tracker and HERE Maps, 3/6/22 - 3/5/23 ($47,744; cumulative total $231,218); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts
52134 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

6. Approve amendment 1 to standard agreement 17-94601 with State Department of Health Care Services for specialty mental health services to eligible Medi-Cal beneficiaries, 7/1/17 - 6/30/22; and authorize Chief of Mental Health and Recovery Services or authorized Deputy to execute amendment and related document - All Districts
12354 **APPROVED AS RECOMMENDED**

7. Approve contract MA-042-22010808 with Hazelden Betty Ford Foundation for substance use disorder training and education program, 3/1/22 - 6/30/25 ($1,950,000); and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts
21354 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

8. Approve contract MA-280-22010744 with Flagship Airport Services, Inc. for custodial services, 4/1/22 - 3/31/25 ($21,296,420); renewable for one additional two-year term; authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract; and make California Environmental

Quality Act and other findings - District 5
52134 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

9. Approve contract MA-012-22010741 with Cogstone Resource Management, Inc. for curation services for preservation of paleontological and archaeological artifacts, 3/10/22 - 3/9/25 ($750,000); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts
13254 **APPROVED AS RECOMMENDED**

10. Approve contract MA-012-22010856 with The ACE Agency, Inc. for public relations services for OC Parks, 4/1/22 - 3/31/25 ($913,568); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts
53124 **APPROVED AS RECOMMENDED**

11. Approve retroactive amendment 1 to contract CT-012-22010783 with Control Air Enterprises LLC for completed COVID-19 preventative maintenance services at OC Animal Care administration and kennel buildings, extending term through 3/15/22 ($23,205; cumulative total $73,205); and authorize County Procurement Officer or authorized Deputy to execute amendment - District 3
31254 **APPROVED AS RECOMMENDED**

12. Acting as the Board of Supervisors - Authorize Director or designee to utilize Mental Health Services Act funds for permanent loan financing to Jamboree Housing Corporation for development of Paseo Adelanto Mixed-Use Permanent Supportive Housing (PSH), 50-unit affordable housing development, San Juan Capistrano; approve loan commitment to a limited partnership to be formed by Jamboree Housing Corporation not to exceed $2,384,630, subject to contingencies; authorize Director or designee to execute subordination agreements and related documents under certain conditions for permanent loan financing ($2,384,630) to amortized first trust deed conventional permanent loan ($6,527,000); Acting as the Orange County Housing Authority - Approve selection of Paseo Adelanto Mixed-Use PSH for utilization of up to 40 Veterans Affairs Supportive Housing, Mainstream and/or Housing Choice Project Based vouchers; authorize execution of related documents, instruments and agreements; and authorize Executive Director of the Orange County Housing Authority to execute documents related to U.S. Department of Housing and Urban Development Project-Based Veterans Affairs Supportive Housing, Mainstream and/or Housing Choice Vouchers under certain conditions - District 5
52134 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

13. Approve retroactive emergency construction contract CT-080-22010471 with ATI Restoration, LLC for emergency water remediation services, SSA Children and Family services building, Orange, effective 9/26/21 for a 60-day term ($171,549); and authorize Director or designee to execute contract - District 2
25134 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

14. Approve amendment 1 to agreement MA-299-21011501 with Irvine Ranch Conservancy

for management services of Trabuco Creek Mitigation site, Prima Deshecha Landfill, term ending 4/13/31 ($54,900; cumulative total $4,563,100); and authorize Director or designee to execute amendment - District 5

52134 **APPROVED AS RECOMMENDED**

15. Approve amendment 3 to contract MA-299-18011418 with Tetra Tech BAS, Inc. for operation and maintenance services of gas collection and control systems, Central Region Landfills, 4/10/22 - 4/9/23 ($2,500,000; cumulative total $17,400,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - Districts 1 and 3

13254 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

16. Approve agreement CCD2721 with Seneca Family of Agencies for family finding and engagement services, 4/1/22 - 6/30/24 ($843,750); 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 agreement - All Districts

35124 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

17. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters; and approve 2022 Legislative Priorities - All Districts

23154 **APPROVED AS RECOMMENDED**

18. Approve grant applications/awards submitted by Health Care Agency, OC Public Works, Social Services Agency, Public Defender and District Attorney in 2/8/22 grant report and other actions as recommended; Acting as the Orange County Flood Control District - adopt resolutions authorizing OC Public Works Director or designee to execute agreements, amendments and take related actions under certain conditions with State Department of Water Resources for Orange County Floodplain Management Plan Project and Rossmoor Channel Improvements Project; Acting as the Board of Supervisors - adopt resolution authorizing Social Services Agency Director or designee to apply, accept, execute standard agreement, amendments and deliver any related documents for Transitional Housing Program Plus Housing Supplement Allocation ($203,864) from California Department of Housing and Community Development; adopt resolution authorizing District Attorney or designee to execute grant award agreement and amendments with California Department of Insurance for Automobile Insurance Fraud Program, 7/1/21 - 6/30/22 ($1,119,392); and making California Environmental Quality Act and other findings - All Districts

31254 **APPROVED AS RECOMMENDED**
RESO: 22-018 - 22-021

19. Approve easement agreement from Serrano and Irvine Ranch Water Districts for Santiago Reservoir access road adjacent to Irvine Lake; approve easement agreements to Irvine Ranch and Serrano Water Districts for access and utilities; approve Irvine Lake Property and Recreational Rights Umbrella Agreement and Termination Agreement with The Irvine Company LLC and Irvine Ranch and Serrano Water Districts; approve Assignment Agreement for transfer of recreation rights with The Irvine Company LLC

and Irvine Ranch and Serrano Water Districts; authorize Chief Real Estate Officer or designee to execute agreements and related documents under certain conditions; and make California Environmental Quality Act and other findings - District 3

31254 **APPROVED AS RECOMMENDED**

S19A. **Supervisor Do -** Assessment Appeals Board No. 5 - Appoint Norman Chung, Cypress, to complete term ending 9/3/23

B.O. **DELETED**

Chairman Chaffee:

S19B. Approve addition of Buena Park Elementary Annual Award Art Show and Fourth District Future Leaders Program events to County Events Calendar and make related findings per Government Code Section 26227

43125 **APPROVED AS RECOMMENDED**

S19C. Adopt resolution renewing support and designation of Arts Orange County as county's official local arts agency and State-Local Partner

42135 **APPROVED AS RECOMMENDED**
RESO: 22-022

S19D. **Vice Chairman Wagner -** Discussion of proper use of Board staff and resources when conducting constituent outreach outside of district
DISCUSSED, NO ACTION TAKEN

ELECTED DEPARTMENT HEADS

S19E. **Sheriff-Coroner -** Approve contract MA-060-22011008 with Hunter Consulting, Inc. dba HCI Environmental & Engineering Service for replacement of lead contaminated filters and bio-hazard filters, three year term ($2,100,000); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

15234 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

S19F. Adopt resolution designating Signature Health Care, Aliso Ridge Behavioral Health Hospital as a facility with up to 119 beds for involuntary detention, evaluation and treatment for individuals with mental health disorders, 200 Freedom Lane, Aliso Viejo; and directing HCA to submit Lanterman-Petris-Short designation to State Department of Health Care Services for approval - District

52134 **APPROVED AS RECOMMENDED**
RESO: 22-023

GENERAL ADMINISTRATION

S19G. **County Executive Office -** Approve amendment 1 to lease agreement with GVI-SW Bell Ave Owner, LLC for Sheriff Coroner use of 120,000 square feet of industrial and warehouse space, 1382 Bell Avenue, Tustin, 25-year term; approve purchase and sale agreement with GVI-SW Bell Ave Owner, LLC for purchase of leased facility ($91,000,000) and return to the Board for final approval of purchase; authorize Chief Real Estate Officer or designee to execute

amendment and agreement and take related actions and costs ($300,000) under certain conditions; direct Auditor-Controller to make related payments; and make California Environmental Quality Act and other findings - District 2

24135 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (None)

V.CLOSED SESSION (Items CS-1-SCS6)

GENERAL ADMINISTRATION

County Executive Office:

CS-1. 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**

SCS2. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title:County Health Officer

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

County Counsel:

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Janet Du Monceau De Bergendal v. County of Orange Case Number:ADJ11033126

B.O. **COUNTY COUNSEL READ: BY A UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED $350,000 WORKERS' COMPENSATION SETTLEMENT IN THE MATTER OF JANET DU MONCEAU DE BERGENDAL V. COUNTY OF ORANGE.THE APPLICANT WAS A FORMER OCSD SERGEANT WHO CLAIMED CUMULATIVE TRAUMA TO HER HIPS AND CIRCULATORY SYSTEM. THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT AGREEMENT IS FINALIZED, COPIES OF THE FINALIZED AGREEMENT CAN BE OBTAINED THROUGH 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:Robert Peterson v. County of Orange Case Number:ADJ11512519

B.O. **COUNTY COUNSEL READ: BY A UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED $415,373.90 WORKERS' COMPENSATION SETTLEMENT IN THE MATTER OF ROBERT PETERSON V. COUNTY OF ORANGE.THE APPLICANT WAS THE FORMER OCSD UNDERSHERIFF WHO FILED A CUMULATIVE TRAUMA CLAIM AND ALLEGED, AMONG OTHER CLAIMS, VARIOUS INJURIES TO HIS SPINE, HAND, AND**

SHOULDER.THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT AGREEMENT IS FINALIZED, COPIES OF THE FINALIZED AGREEMENT CAN BE OBTAINED THROUGH 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:David Andrews v. County of Orange, Deputies Seamans & Harder Case Number:8:20-cv-00667

B.O. **COUNTY COUNSEL READ: BY A UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED $500,000 CIVIL SETTLEMENT IN THE MATTER OF DAVID ANDREWS V. COUNTY OF ORANGE, DEPUTIES SEAMANS AND HARDER.THE PLAINTIFF ALLEGED, AMONG OTHER THEORIES, CAUSES OF ACTION UNDER THE FEDERAL CIVIL RIGHTS STATUTE, 42 USC SECTION 1983.THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS.WHEN THE SETTLEMENT AGREEMENT IS FINALIZED, COPIES OF THE FINALIZED AGREEMENT CAN BE OBTAINED THROUGH 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:Orange County Board of Education, Jade Ausmus v. Orange County Committee on School District Organization; Orange County Registrar of Voters, and Does 1-10 OCSC Case No.:30-2022-01242499-CU-WM-CJC

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

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Brigitte - Oral re: Supervisors mislead constituents regarding vaccination; vaccine is a messenger system, is not good for your body, will have negative effects on the body in the future and is for population control; government will encourage people to report their neighbors if not vaccinated; people won't be able to buy, sell, go to nail salon, etc. without proof of vaccination

Bryan Kaye - Oral re: Social media invitation from Supervisor Do to attend Tet Festival where admission and parking was free and Sheriff Deputies followed him around festival; District Attorney's booth provided sanitizer; take opportunity to change things for the better

Barbara Smentkowski - Oral re: Remove masks from children in schools; Freedom of Information Act means the people can investigate government; masks are killing children and have not stopped surges

Jane Lee - Oral re: Children experiencing fear, racism, discrimination and segregation in schools for masks; teachers yelling at kids; lack of trust in government due to mandates; mandates are anti-American; government not representing best interest of children; end all federal mandates

Felicity Figueroa - Comments read by County Counsel: Food conditions in jail; hot meals still not being served in jails; Sheriff receives cut of profits from inmates forced to purchase overpriced food items from jail commissary

Jackie Cordova - Comments read by County Counsel: Representative for the Stop the Musick Coalition; food conditions in Orange County jails; Resolution #22-01-01 from the Democratic Party of Orange County calls for County and Sheriff to stop feeding incarcerated rotting food and to reinstate full hot meals with fresh ingredients; requests the Board agendize discussion of food conditions in jails;oppose reopening and expansion of Musick jail in Irvine

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:1:11 P.M.
34125 **Adjourned in memory of Mel Mermelstein**

24135 **Adjourned in memory of Dave Gardner and Mary Ann Stephens**

BOARD COMMENTS:

Chairman Chaffee - Oral re: Cheered on the Los Angeles Rams for the Super Bowl

Supervisor Do - Recognized and presented County service pin to Chris Wangsaporn, Chief of Staff of District 1 for his 5 years of service to the County of Orange; thanked Frank Kim and OC Parks staff for great work on the Tet Festival and thanked Chairman Chaffee for attending the event and welcoming the community

KEY

Left Margin Notes

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

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