REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, November 28, 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:All Present

EXCUSED:None

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 Sarmiento, Second District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS

Chairman Wagner and Supervisor Foley presented a resolution proclaiming November 12 -18, 2023 as "National Nurse Practitioner Week"

Supervisor Chaffee presented a resolution congratulating Children and Families Commission, First 5 Orange County on their 25th Anniversary

II.CONSENT CALENDAR (Items 1-8)

54123 XX **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1 AND 3 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Chairman Wagner:

1. Orange County Behavioral Health Advisory Board - Appoint Linda M. Smith, Yorba Linda, to complete term ending 3/9/27

34125 XX **APPROVED AS RECOMMENDED**

2. Rescind Board action taken on 10/17/23, Item S28F appointing Dr. Voiza Arnold to complete term ending 12/4/24; and appoint Dr. Voiza Arnold in lieu of election to Placentia Library District Board of Trustees to complete term ending 12/2/26

OC COMMUNITY RESOURCES

3. Approve amendment 2 to contract MA-012-23010312 with Community Legal Aid SoCal for Legal Assistance Services Program, 1/1/24 - 9/30/24 ($262,675; cumulative total $537,675); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

45123 XX **APPROVED AS RECOMMENDED**

4. Approve shared use agreement and Grant of Nonexclusive Easements between BEACH2 HOUSING PARTNERS LP and JHC-BEACH3 LLC and subordination of loan with JHC-BEACH2 LLC for development of Tahiti Apartment Homes, Stanton ($2,400,000); and authorize Director or designee to execute related documents - District 4

OC PUBLIC WORKS

5. Approve Orange County Traffic Committee report dated 9/21/23 - Item A; adopt resolution establishing 30 mph speed limit on Modjeska Grade Road between Santiago Canyon Road to Modjeska Canyon Road; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines section 15301 - District 3
RESO: 23-140

6. Award contract MA-080-23011027 to West Coast Air Conditioning Company, Inc for pre-construction services for County Operations Center Chiller Plant Replacement Project, effective upon execution ($97,700); authorize Director or designee to execute contract; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines sections 15301 and 15302 - District 2

7. Adopt resolution affirming County's commitment to projects submitted in 2025 Federal Transportation Improvement Program - All Districts
RESO: 23-141

SOCIAL SERVICES AGENCY

8. Approve non-financial Memorandum of Understanding (MOU) MA-063-24010491 with California Department of Child Support Services to extend access to Child Support Enforcement System, 1/1/24 - 12/31/26; and authorize Director or designee to execute MOU and related documents as required - All Districts

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 9-S24F)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

9. Approve amendment 2 to contract MA-060-20010071 with Prado Family Shooting Range for use of outdoor range for firearms training, 1/28/24 - 1/27/25 ($58,300; cumulative total $154,900); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

34125
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APPROVED AS RECOMMENDED

10. Approve Change Orders No. 3 and No. 4 with Motorola Solutions, Inc. for Tustin Dispatch Center for return of Edge Router Pair ($24,994 Credit Change Order No. 3; $24,788, Change Order No. 4; cumulative total $4,342,859); and authorize Director of Technology Division or designee to execute change orders and future change orders under certain conditions - District 2

35124
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APPROVED AS RECOMMENDED

HEALTH CARE AGENCY

11. Approve amendment 13 to renew contract with Orange County Health Authority dba CalOptima Health for coordination and provision of Public Health Care services, effective 1/1/24 - 12/31/26; and authorize Director or designee to execute amendment - All Districts

54123
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APPROVED AS RECOMMENDED

12. Approve contract MA-042-23011036 with Orange County Association for Mental Health dba Mental Health Association of Orange County for multi-service center services for homeless adults with mental disorders, 1/1/24 - 12/31/24 ($2,462,342); renewable for two additional two-year terms; and authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - District 2

25143
NNN

MOTION TO OPPOSE RECOMMENDED ACTIONS FAILED TO CARRY

14253
NN

APPROVED AS AMENDED TO RENEW CONTRACT WITH A CONDITION TO RELOCATE SERVICES TO A NEW LOCATION WITHIN 12 MONTHS. IF SERVICES ARE NOT RELOCATED WITHIN 12 MONTHS, CONTRACT WILL BE TERMINATED

13. Approve contract MA-042-24010451 with Cority Software, Inc. for Employee Health Software Solution System, 1/1/24 - 12/31/26 ($378,743); renewable for two additional one-year terms; and authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - All

Districts
54123 **APPROVED AS RECOMMENDED**
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OC COMMUNITY RESOURCES

14. Approve contract MA-012-23011527 with Parking Concepts, Inc. for OC Parks Parking Management services, 1/1/24 - 12/31/26 ($14,175,000); renewable for one additional two-year term; authorize County Procurement Officer or Deputized designee to execute contract; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - All Districts
54123 **APPROVED AS RECOMMENDED**
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OC PUBLIC WORKS

15. Approve amendment 2 to contract MA-080-21011313 with De Novo Planning Group for General Plan Update - Consultant Services, term ending 5/25/26 (cumulative total $1,303,450); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts
54123 **APPROVED AS RECOMMENDED**
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16. Approve retroactive contract MA-080-23011124 with Kitchell-CEM, Inc. for payment of construction management services for Juvenile Hall Multipurpose Rehabilitation Center Project, 11/1/21 - 12/31/22 ($395,125); adopt resolution amending Resolution No. 21-131 evidencing updated appropriation for Cash/In-Kind Match and identifying source of Match for architectural, California Environmental Quality Act, construction management and State agency fees; and authorize Director or designee to execute contract - District 2
35124 **APPROVED AS RECOMMENDED**
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RESO: 23-142

17. Approve Orange County Traffic Committee Report of 9/21/23 - Item B to amend Orange County Ordinance 6-4-204; consider first reading of "An Ordinance of the County of Orange, California Amending Ordinance Number 3768 Which Adopted Orange County Ordinance 6-4-204, Membership"; set second reading and adoption for 12/5/23, 9:30 a.m.; and adopt resolution approving amendment to Traffic Committee By-laws updating Traffic Committee membership - All Districts
53124 **APPROVED ITEM AS AMENDED, AMENDING RESOLUTION TO ADD TWO**
XX **RESIDENT REPRESENTATIVES FROM THIRD AND FIFTH DISTRICTS TO THE MEMBERSHIP OF THE ORANGE COUNTY TRAFFIC COMMITTEE**
RESO: 23-143

Acting as the Board of Supervisors and Orange County Flood Control District:

18. Approve amendment 1 to renew contract MA-080-21010645 with Myers & Sons Hi-Way Safety, Inc. for construction site flagger services, 12/11/23 - 12/10/24 ($300,000; cumulative total $1,800,000); renewable for one additional one-year term; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

54123 **APPROVED AS RECOMMENDED**
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19. Approve amendment 1 to aggregate contract MA-080-21010437 with Downstream Services, Inc., 1/8/24 - 1/7/25, and Nor-Cal Pipeline Services, 1/5/24 - 1/4/25, for storm drain, sewer pipe inspection and maintenance services ($2,000,000; cumulative aggregate total $5,000,000); renewable for one additional one-year term; and authorize County Procurement Officer or Deputized designee to execute amendments - All Districts

54123 **APPROVED AS RECOMMENDED**
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SOCIAL SERVICES AGENCY

20. Accept Grant Award for Complex Care Capacity Building, term ending 6/30/26 ($1,035,000); and authorize Director or designee to accept grant award and execute related documents under certain conditions - All Districts

45123 **APPROVED AS RECOMMENDED**
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GENERAL ADMINISTRATION

County Executive Office:

21. 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 (Continued from 10/31/23, Item 23; 11/7/23, Item S12C)

B.O. **DELETED**

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

53124 **APPROVED AS RECOMMENDED**
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23. Approve contract MA-017-24010544 with Townsend Public Affairs, Inc. for Federal Legislative Advocacy services, 1/1/24 - 12/31/26 ($720,000); renewable for two additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

35124 **APPROVED AS RECOMMENDED**
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24. Approve grant applications/awards submitted by Public Defender, Health Care Agency, District Attorney, Sheriff-Coroner and OC Community Resources, and retroactive grant applications/awards submitted by Health Care Agency in 11/28/23 grant report and other actions as recommended; adopt resolution authorizing Public Defender or designee to submit and execute application and related documents with Office of the State Public Defender for Racial Justice for All; adopt resolution authorizing Chief of Mental Health and Recovery Services to execute application,

standard agreement and related documents with California Department of Health Care Services through its contractor Advocates for Human Potential, Inc. for Behavioral Health Continuum Infrastructure Program to construct Be Well Irvine Campus ($10,165,670); adopt resolution authorizing District Attorney or designee to execute grant award agreements and amendments with California Governor's Office of Emergency Services for Pandemic Unemployment Assistance and Unemployment Insurance Anti-Fraud Grant program, 7/1/23 - 3/31/25 ($164,492); and making California Environmental Quality Act (CEQA) exemption findings pursuant to CEQA Guidelines Section 15061(b)(3) and other findings; adopt resolution authorizing Sheriff-Coroner or designee to execute, submit application and grant assurances to California Office of Emergency Services for FY 2023 Emergency Management Performance Grant ($750,854); adopt resolution authorizing Sheriff-Coroner or designee to execute application, grant assurances and related documents to California Office of Emergency Services FY 2023 Homeland Security Grant Program ($3,091,413) and approving related actions under certain conditions; adopt resolution approving standard agreement DC-2223-22, Amendment 1 with California Department of Aging for Digital Connections program, effective 2/1/23 - 9/30/24; and authorizing OCCR Director or designee to execute amendment and related documents - All Districts

53124 XX **APPROVED AS RECOMMENDED**

RESO: 23-144 - 23-149

Supervisor Foley:

S24A. Orange County Waste Management Commission - Appoint Kelly Golden, Costa Mesa, for term concurrent with 5th District Supervisor's term of office

53124 XX **APPROVED AS RECOMMENDED**

S24B. Assessment Appeals Board No. 4 - Appoint David Goldwasser, Costa Mesa, for term ending 9/1/24

53124 XX **APPROVED AS RECOMMENDED**

S24C. **Chairman Wagner and Vice Chairman Do -** Establish Orange County Hall of Fame; approve Orange County Hall of Fame Inaugural List of 10 Inductees and Guidelines; approve addition of Orange County Hall of Fame Induction and Plaque Unveiling Ceremony event to Master Events Calendar; and make related findings per Government Code Section 26227

31245 X **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

S24D. **Sheriff-Coroner -** Approve amendment 2 to contract MA-060-21010542 with Computer Deductions, Inc. for extended maintenance and support of the Dorado Mainframe hardware and software operating system, 12/1/23 - 11/30/24 ($641,961; cumulative total $3,654,140); renewable for one additional one-year term; approve assignment of payment to Unisys Corporation for maintenance and support services of Dorado Mainframe hardware and software; and authorize County Procurement Officer or Deputized designee to execute amendment and payment - All Districts

54123 **APPROVED AS RECOMMENDED**

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GENERAL ADMINISTRATION

Supervisor Chaffee:

S24E. Orange County Workforce Development Board - Appoint Andrew Fahmy, Brea, for term concurrent with 4th District Supervisor's term of office
43125 **APPROVED AS RECOMMENDED**
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S24F. Orange County Workforce Development Board - Appoint George Boutros, Buena Park, for term concurrent with 4th District Supervisor's term of office
43125 **APPROVED AS RECOMMENDED**
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IV.PUBLIC HEARINGS (Item 25)

OC COMMUNITY RESOURCES

25. Public Hearing to consider adopting FY 2024-25 Funding Allocation Policy and Process for Housing and Community Development activities - All Districts
B.O. **CLOSED PUBLIC HEARING**

43125 **APPROVED AS RECOMMENDED**
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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, Chief Human Resources Officer
Employee Organizations:Association of Orange County Deputy Sheriffs (AOCDS), Association of County Law Enforcement Managers (ACLEM), Teamsters, and other non-represented employees
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:John Doe (No. 0136) v. County of Orange, et al., Orange County Superior Court Case No. 30-2022-01286908
B.O. **HELD, NO REPORTABLE ACTION**

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Tomasa Noriega v. Orange County Sheriff's Department, Orange County

Superior Court Case No. 30-2022-01249901

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

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:William Buck Johns and Elizabeth Colleen Johns, as co-trustees of the Johns Living Trust dated August 13, 2007, et al. v. County of Orange, Orange County Superior Court Case No. 30-2022-01281155

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

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Steve Rocco - Oral Re: Communist Russia and the fall of the Berlin Wall; Putin and Ukraine at war and both want to be a nation; the south confederacy did not accept Lincoln and they did not get nationhood; no democracy, denial of rights, freedom and dictatorship

Ilya Tseglin - Oral Re: Demand the Board resign based on facts and documents that include corruption of County and Courts, activities towards the public and not returning his son to his family; betraying public allows the Board to have power and money; stopping speaker's time and turning off the microphone when speaking; Larry Landauer should not steal public money, torture people and make them suffer

Bryan Kaye - Oral Re: Public sacrifices and gives their time to the Board; Santa Ana City Councilmember Jonathan Ryan Hernandez asked the Anaheim Police to show respect for immediate relative; Brandon Lopez was executed by a team of police officers; Board does not take action and allows fellow family members to be killed

Francis Marquez - Oral Re: City Council Member for the City of Cypress, political science professor; served as a Legislative Director for former Congressman Alan Lowenthal and candidate for Orange County Supervisor District 1; article in LAist regarding Supervisor Do who helped direct millions to his daughter’s center without disclosing family connection; failure of Supervisor Do to reveal a family relationship on a vote of funding to a non-profit that his daughter manages;conflict of interest rules are built on principles of ethics to reinforce public trust of officials; residents of Orange County deserve better

Kate - Oral Re: Orange County Board of Supervisors failure to serve and spending billions of dollars on programs that have never been audited for quantitative results such as MLB Angels contract; Tustin Hangar fire and cleanup of asbestos and chemicals and surrounding area with toxic groundwater; development of BeWell facility in Irvine could be subject to the same toxic condition

Michelle - Oral Re: Read letter sent to the Board regarding program under the management of Mind OC which is under scrutiny for failure to provide contracted services, lack of credentialed staff, noncompliance and potential fraudulent billing including Telecare; failure to protect election integrity and tax dollars ($1.9 billion) wasted on mental health care programs that are ineffective

Florita - Oral Re: Continued reading of letter sent to the Board; November 2022 election contained 32,000 ineligible ballots; Registrar of Voters is mailing out more ballots then registered voters every election cycle; calls from the public to fire Bob Page for failure to clean up the voter rolls and lack of concern to be stewards of the republic and to represent the people is unacceptable

Woodarek - Oral Re: Emancipation proclamation declared after Lincoln's death; Board passed a resolution that racism is a public health crisis in Orange County; Fullerton Police Department are corrupt, kill people and lack leadership; Police Association is pocketing elected leaders

Stanley Snegg - Oral Re: Computers consist of hardware and software and anyone can tell a computer what to do; whoever is in control of the voting software is in control of our votes; return to paper ballots

Carolyn - Oral Re: Public Records Act request for a count of the number of election complaints and concerns

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:2:54 P.M.

BOARD COMMENTS:
None

KEY

Left Margin Notes

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

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