REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, February 25, 2020, 9:00 A.M.

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

MICHELLE STEEL
CHAIRWOMAN
Second District

ANDREW DO
VICE
CHAIRMAN
First District

DONALD P. WAGNER
SUPERVISOR
Third District

DOUG CHAFFEE
SUPERVISOR
Fourth 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: Vice Chairman Do, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Bartlett, Fifth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairwoman Steel and Treasurer-Tax Collector presented a resolution proclaiming March 3rd through March 9th as "National Consumer Protection Week"

Chairwoman Steel presented a resolution proclaiming March as "Bleeding Disorders Awareness Month"

Supervisor Chaffee presented a resolution proclaiming February as "Black History Month"

II. CONSENT CALENDAR (Items 1-4)

15342 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 4 WHICH WAS DELETED; AND ITEMS 2 AND 3 WHICH WERE PULLED FOR DISCUSSION**

AND SEPARATE VOTE

BOARD APPOINTMENTS

1. **Vice Chairman Do -** Orange County Parks Commission - Appoint Bert Ashland, Garden Grove, for term concurrent with 1st District Supervisor's term of office

GENERAL ADMINISTRATION

2. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Buena Park School District - Districts 2 and 4

41352 **APPROVED AS RECOMMENDED**

3. **County Counsel -** Receive and file 2019 Orange County Fraud Hotline Annual Activity Report - All Districts

15342 **APPROVED AS RECOMMENDED**

4. **County Executive Office -** Approve amendment 1 to master agreement with The Regents of the University of California at Irvine for data collection and evaluation services of County's Public Safety Realignment programs and services to limit definition of recidivism as established by Board of State and Community Corrections; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts (Continued from 12/17/19, Item 13)
DELETED

15342 **DELETED**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 5-S16D)

HEALTH CARE AGENCY

5. Approve amendment 5 to renew contract MA-042-16010992 with Illumina Inc. for laboratory supplies, 4/1/20 - 2/14/21 ($500,000; cumulative total $1,470,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

13452 **APPROVED AS RECOMMENDED**

6. Approve master agreement with various providers of Housing Navigation and Sustainability services, 2/26/20 - 12/31/20 ($5,500,000); approve selection of American Family Housing dba Orange County Housing Services Collaborative, LLC for Housing Navigation and Sustainability services, 2/26/20 - 12/31/20; and authorize Director or designee to execute individual agreements - All Districts

54132 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

7. Acting as the Board of Supervisors - Approve Option Agreement and Ground Lease Agreement with Washington Santa Ana Housing Partners, L.P. for development of The Crossroads at Washington, Santa Ana; authorize Chief Real Estate Officer or designee to execute Option

Agreement, Ground Lease and related documents and amendments; approve the Crossroads at Washington Joint Powers Agreement with the City of Santa Ana to facilitate tenants-in-common ownership; approve Memorandum of Agreement with City of Santa Ana for transfer of Regional Housing Needs Assessment shares and authorize OC Public Works Director or designee to execute agreement under certain conditions; adopt resolution making related findings; and make California Environmental Quality Act and other findings; Acting as the Board of Supervisors and the Housing Successor Agency - authorize OC Community Resources Director or designee to utilize HOME Investment Partnership Act funds and/or Orange County Housing Successor Agency funds for permanent loan financing and to execute subordination agreements, loan documents and other related documents; approve loan commitment to a limited partnership to be formed by The Related Companies of California, LLC and A Community of Friends as co-general partners ($2,280,701); approve subordination of permanent financing to an amortized first trust deed permanent loan ($3,204,000); and Acting as the Orange County Housing Authority - approve selection of The Crossroads at Washington for utilization of 43 project based Housing Choice Vouchers; and authorize Executive Director to execute related documents - District 1

15342 **APPROVED AS RECOMMENDED**
RESO: 20-008

8. **Acting as the Orange County Housing Authority -** Approve selection of Airport Inn Apartments for utilization of 57 Project-Based Housing Choice Vouchers, Buena Park; and authorize Executive Director of Orange County Housing Authority to execute documents related to the commitment of Housing and Urban Development Project-Based Housing Vouchers - District 4

45132 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

9. Receive bids and award job order contracts MA-080-20011003 to Danny Ryan Precision Contracting, Inc. dba Precision Contracting, Inc. for demolition services, MA-080-20011000 to Exbon Development, Inc. for roofing services, MA-080-20011002 to R.J. Noble Company, MA-080-20011004 and to All American Asphalt for slurry and paving services, 4/12/20 - 4/11/21 ($4,900,000 each); authorize Director or designee to execute contracts under certain conditions; authorize return of bid guarantees to all bidders upon execution of contracts; and make California Environmental Quality Act and other findings - All Districts

15342 **APPROVED AS RECOMMENDED**

10. Approve amendment 1 to contract MA-080-16011848 with Kitchell CEM, Inc. for construction management services, Juvenile Hall Multipurpose Rehabilitation Center, term ending 5/23/22 ($436,848; new total $1,260,498); and authorize Director or designee to execute amendment - District 3

31452 **APPROVED AS RECOMMENDED**

11. Approve amendment 2 to contract MA-080-16010397 with Lionakis for architect-engineer support services, Juvenile Hall Multipurpose Rehabilitation Center, term ending 9/21/21 ($115,035; new total $1,780,875); and authorize Director or designee to execute amendment - District 3

31452 **APPROVED AS RECOMMENDED**

12. Consider second reading and adoption of "An Ordinance of the Board of Supervisors of the County of Orange Granting to Torrance Pipeline Company LLC a Franchise for the

Transportation and Distribution of Refined Petroleum Products in the County of Orange for Ten (10) Years" - District 4 (Continued from 2/11/20, Item 24)

45132 **APPROVED AS RECOMMENDED**
ORD: 20-002

13. Approve contract MA-080-20010556 with Scheidt & Bachmann USA, Inc. for parking access and revenue control system equipment, maintenance and repair services, 1/28/20 - 1/27/23 ($2,523,905); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute contract - Districts 1 and 3 (Continued from 1/28/20, Item 23; 2/11/20, Item 18)

12345 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

13452 **APPROVED AS RECOMMENDED**

15. Approve grant applications/awards submitted by Health Care Agency, Social Services Agency, OC Community Resources and Sheriff-Coroner and retroactive grant applications/awards submitted by OC Community Resources in 2/25/20 grant report and other actions as recommended - All Districts

13452 **APPROVED AS RECOMMENDED**

16. **Office of Campaign Finance and Ethics Commission -** Receive and file Campaign Finance and Ethics Commission's Annual Report for 2019 - All Districts

51342 **APPROVED AS RECOMMENDED; DIRECTED COUNTY EXECUTIVE OFFICE TO LOOK INTO A PROGRAM THAT WILL ALLOW THE OFFICE OF CAMPAIGN FINANCE AND ETHICS COMMISSION TO CHARGE OUTSIDE AGENCIES WHO WOULD LIKE TO UTILIZE THEIR SERVICES TO ALLOW FOR COST RECOVERY OF THE DEPARTMENT, AS LONG AS THE DEPARTMENT CONTINUES TO MEET THE NEEDS OF THE BOARD AND HAS THE EXCESS CAPACITY; AND RETURN TO THE BOARD WITH A PROPOSAL.**

Chairwoman Steel:

S16A. Assessment Appeals Board No. 1 - Reappoint Thomas C. Edwards, Newport Beach, for term ending 9/5/21

21345 **APPROVED AS RECOMMENDED**

S16B. Direct County Executive Officer and Chief Human Resources Officer to propose revisions to existing policy, expanding preference criteria for eligible veterans and their dependents during hiring process and return to the Board with an amended policy within 90 days_

21345 **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

S16C. **District Attorney -** Approve appointment of Dennis Conway as Extra Help Working

Retiree Supervising Deputy District Attorney to provide legal services related to the People v. DeAngelo case (aka "the Golden State Killer") pursuant to Section 7522.56 (f) of the Public Employee's Pension Reform Act 2013 - All Districts

15342 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S16D. **County Executive Office -** Approve amendment 1 to Outreach agreement CCC-18-20024 with California Complete Count - Census 2020, 3/1/20 - 12/31/20 ($471,216; cumulative total $2,026,735; authorize acceptance of additional funding from California Complete Count - Census 2020 office pursuant to amendment; and authorize County Executive Officer or designee to execute amendment and Opt-in Letter - All Districts

15342 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Items 17-18)

OC PUBLIC WORKS

17. Public Hearing to consider adopting resolution approving General Plan Amendment T19-01 Transportation Element; and make California Environmental Quality Act and other findings - District 3

B.O. **CLOSED PUBLIC HEARING**

31452 **APPROVED AS RECOMMENDED**
RESO: 20-009

18. Public Hearing to consider adopting resolution approving General Plan Amendment T19-02 Transportation Element; and make California Environmental Quality Act and other findings - District 2

B.O. **CLOSED PUBLIC HEARING**

21345 **APPROVED AS RECOMMENDED**
RESO: 20-010

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

GENERAL ADMINISTRATION

County Executive Office:

CS-1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Concessions space within Terminals A, B and C at John Wayne Airport
under existing Primary Food and Beverage Lease
County Negotiator: Thomas A. Miller, Chief Real Estate Officer
Negotiating Party: Host International, Inc.
Under Negotiation: Terms and Value of Lease
(Continued from 2/11/20, Item CS-2)

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

CS-2. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title: Director of the Office of Independent Review

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

CS-3. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Tom Hatch
Employee Organizations: Orange County Attorneys Association (OCAA), and other non-represented employees
RE: Terms and conditions of employment

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

County Counsel:

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Thong Phan v. County of Orange WCAB Case No.: ADJ9805370

B.O. **COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE MATTER OF THONG PHAN V. COUNTY OF ORANGE. THE SETTLEMENT AGREEMENT REQUIRES THE FINAL APPROVAL OF OTHERS. WHEN THE SETTLEMENT AGREEMENT IS FINALIZED, COPIES OF THE FINAL AGREEMENT WILL BE MADE AVAILABLE IN THE OFFICE OF 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: Brandy Tornquist; Kaydence Shuman v. County of Orange Superior Court Case No.: 30-2018-01032458

B.O. **COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE APPROVED A PROPOSED SETTLEMENT IN THE MATTER OF BRANDY TORNQUIST; KAYDENCE SHUMAN V. COUNTY OF ORANGE. THE SETTLEMENT AGREEMENT REQUIRES THE FINAL APPROVAL OF OTHERS. WHEN THE SETTLEMENT AGREEMENT IS FINALIZED, COPIES OF THE AGREEMENT WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT.**

SCS6. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(d)(4):
Name of Cases: One Case (2/3 vote of members present)

B.O. **COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY DIRECTED THE OFFICE OF COUNTY COUNSEL TO FILE AN AMICUS BRIEF WITH THE UNITED STATES DISTRICT COURT.**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Steven Sheffield - Oral re: Requested eBikes be allowed on County bikeways and trails

Ilya Tseglin - Oral re: Has been attending Board meetings for nine (9) years requesting mercy for his son Nate; false accusations by Larry Landauer of the Orange County Regional Center; California Department of Developmental Services, judges, Public Defender, police, protective services, rules of law and the constitution

Robert Tseglin - Oral re: Nate Tseglin Probate case; Nate placed in group homes and petition filed to remove conservatorship; fraud hotline and violation of laws.

Brigitte - Oral re: Board jurisdiction of the Public Defender's Office in relation to the Nate Tseglin case; Board Rules of Procedure amendment on 11/8/16 removing the public from participating in Board meetings; criminal cover-up of Internal Audit, Office of Independent Review and Office of Performance Audit; Ethics Commission and fraud hotline out of the jurisdiction of the Board

Jetta Baptiste - Oral re: Moved from the Bahamas to California in September 2011 and became homeless in 2012; founded a non-profit "Achor Valley Association (AVA) Inc." and requested vacant homes be used for the homeless

Bryan Kaye - Oral re: District Attorney Todd Spitzer; hate crimes; student loans of attorneys at the Office of the District Attorney and Public Defender; Hat poem

Christine Nielsen - Oral re: Politics and Barbara Streisand; Steven Miller drawing, crank calls and harassment; substitute teacher in Los Angeles County; Judge Hubbard and court paperwork; Department of Motor Vehicle license plates

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Wagner - Oral re: Concerns with respect to the efforts of State and Federal Government sending California Coronavirus patients to Fairview Developmental Center; supports the City of Costa Mesa and surrounding cities fight to block the agencies from using Fairview Developmental Center as an isolation ward; invited everyone to the OC Zoo at Irvine Regional Park on Saturday, February 29, 2020 where admission will be free and for a chance to meet a former Stanley Cup champion

Vice Chairman Do - Oral re: Coronavirus (COVID-19); hearing on Friday, February 21, 2020 was continued to Monday, March 2, 2020; County filed an amicus brief with the court to eliminate the Fairview Developmental Center as a possible isolation ward site without receiving public or health department input; acknowledged Health Care Agency Director Richard Sanchez and County Health Officer Dr. Nichole Quick, MD for non-stop work performed to protect the County from Coronavirus; stated the County should have protocols in place should the Coronavirus come to Orange County

Chairwoman Steel - Oral re: Thanked Vice Chairman Do, Health Care Agency Director Richard Sanchez and County Health Officer Dr. Nichole Quick, MD for their efforts regarding Coronavirus; County blindsided by the State volunteering Fairview Developmental Center as an isolation ward; requested the County join the lawsuit to eliminate the Fairview Developmental Center as a possible isolation ward site

ADJOURNED: 3:23 P.M.

52134 **Adjourned in memory of Dave Loesh**

32145 **Adjourned in memory of Ronald Hoesterey**

*** KEY ***

Left Margin Notes

1. = Supervisor Do
2. = Supervisor Steel
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)

_____

Chair, Orange County Board of Supervisors

_____

Orange County Clerk of the Board