A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 8, 2023
9:00 A.M. Presentations
9:30 A.M. Regular Business

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

COUNTY EXECUTIVE OFFICER
Frank Kim

COUNTY COUNSEL
Leon J. Page

CLERK OF THE BOARD
Robin Stieler

This agenda contains a brief description of each item to be considered. Except as provided by law, no action shall be taken on any item not appearing in the agenda. To speak on an item, complete a Speaker Request Form(s) identifying the item(s) and deposit the completed form(s) in the box to the left of the podium. To speak on a matter not appearing in the agenda, but under the jurisdiction of the Board of Supervisors, you may do so during Public Comments at the end of the meeting. Speaker request forms must be deposited prior to the beginning of the consent calendar, the reading of the individual agenda items, the opening of the public hearing and/or the beginning of Public Comments. When addressing the Board, it is requested that you state your name and city of residence for the record. Members of the public desiring to speak should address all remarks and questions to the Board. Speakers may address the Board on up to three occasions, with three minutes allotted to the speaker per occasion. PowerPoint and video presentations must be requested in advance of the meeting through the Clerk.

Supporting documentation is available for review in the Clerk of the Board of Supervisors office: 400 W. Civic Center Drive, First Floor, Room 110, Santa Ana, 92701 8:00 am - 5:00 pm, Monday-Friday.
The Agenda is available online at: https://board.ocgov.com/meetings-agendas
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If you have special needs, such as ADA accommodation or need the services of a language interpreter,
the Clerk of the Board can assist you. To make such requests, please call the Board Services Division at least 72 hours prior to the meeting at 714-834-2206. Requests made less than 72 hours prior to the meeting will still receive every effort by Clerk of the Board to fulfill the request.

INVOCATION:Supervisor Sarmiento, Second District

PLEDGE OF ALLEGIANCE:Supervisor Chaffee, Fourth District

I.PRESENTATIONS/INTRODUCTIONS

Chairman Wagner will be presenting a resolution proclaiming August 2023 as "Eligibility Professionals Month"
Supervisor Sarmiento will be presenting a resolution proclaiming August 2023 as “American Muslim Appreciation and Awareness Month”

II.CONSENT CALENDAR (Items 1-10)

All matters are approved by one motion unless pulled by a Board Member for discussion or separate action.At this time, any member of the public may ask the Board to be heard on any item on the Consent Calendar.

BOARD APPOINTMENTS

1. **Vice Chairman Do -** Acting as Orange County Housing Authority - Housing and Community Development Commission - Reappoint An T. Nguyen, Fountain Valley, for term ending 6/30/25

2. **Supervisor Chaffee -** Orange County Historical Commission - Appoint James Daniel Bacon, Fullerton, for term concurrent with 4th District Supervisor's term of office

COMMENDATIONS/PROCLAMATIONS/REPORTS

3. **Chairman Wagner -** Adopt resolution designating September as Service Clubs Month

JOHN WAYNE AIRPORT

4. Authorize Director to allocate regulated Class A and Class E average daily departures, seat capacity, remain overnight positions and passenger capacity to scheduled commercial passenger, cargo and commuter air carriers under Phase 2 Commercial Airline Access Plan and Regulation for 2024 Plan Year (1/1/24 - 12/31/24); approve related actions; and make related findings -

District 5

OC COMMUNITY RESOURCES

5. Approve amendment 3 to contract MA-012-23010367 with Council on Aging - Southern California, Inc. for Medicare Improvements for Patients and Providers Act services, 9/1/23 - 8/31/24 ($215,901; cumulative total $431,802); and authorize County Procurement Officer or Deputized designee to execute amendment and future amendments under certain conditions - All Districts

OC PUBLIC WORKS

6. Approve amendment 5 to increase contract CT-299-20011092 with Fleming Alliance Architecture, Inc. for architect-engineering services for Frank R. Bowerman Landfill operations building tenant improvement services, 5/14/20 - 10/31/23 ($15,250; cumulative total $83,000); and authorize Director or designee to execute amendment - District 3

7. Approve amendment 1 to cooperative agreement MA-080-20010224 with City of Placentia for funding and construction of the Carbon Canyon Channel Bikeway Project, OC Loop Segment D ($215,682); and authorize Director or designee to execute minor amendments under certain conditions - Districts 3 and 4

8. Approve and adopt OC On the Move Active Transportation Plan; and authorize Director or designee to make modifications under certain conditions - All Districts

OC WASTE & RECYCLING

9. Approve contracts MA-299-23011430 with Adam's Falconry Service, LLC, Airstrike Bird Control, Inc. and Avian Entertainment, LLC for bird abatement services at active landfills, 9/20/23 - 9/19/26 ($945,000); renewable for two additional years; and authorize County Procurement Officer or Deputized designee to make changes under certain conditions and execute contracts - Districts 3, 4 and 5

GENERAL ADMINISTRATION

10. **Registrar of Voters -** Receive and file Certificate of Nominee to be appointed in lieu of election on 11/8/22; appoint Marc Schwering as Director of Santiago Geologic Hazard Abatement District Board of Directors for four-year term, ending at noon on 12/4/26 - District 3

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 11-29)

At this time, members of the public may ask the Board to be heard on the following items as those items are called.

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

11. Approve amendment 2 to contract MA-060-22010470 with NicheVision Forensics, LLC for DNA Analysis Software System and Database Likelihood Ratio software updates, 1/1/24 - 12/31/24 ($46,160; cumulative total $212,411); and authorize County Procurement Officer or Deputized designee to execute contract - District 2

12. Approve amendment 1 to contract MA-060-21011432 with Axon Enterprise Inc for body worn cameras, Taser 10, unmanned ariel vehicles, interview room cameras, Fleet 3 in car video, related equipment, warranties and software, 7/27/2021 - 7/31/33 ($41,281,135); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

13. Ratify first amendment to agreement with City of Laguna Hills for law enforcement services, 7/1/23 - 6/30/24 ($10,281,109); and authorize Sheriff-Coroner to execute amendment - District 5

14. Approve contract MA-060-23011224 with CRH California Water, Inc. dba Culligan of Santa Ana for water softener system maintenance at central jails, Theo Lacy Facility and James A. Musick Facility, effective upon Board approval for 3 years ($1,292,400); renewable for two additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract - Districts 2 and 3

15. **Treasurer-Tax Collector -** Approve amendment 9 to contract MA-074-13010137 with Wells Fargo Merchant Services, L.L.C and Wells Fargo Bank, N.A. for electronic payment acceptance and processing services for non-convenience fee credit and debit cards and eCheck transactions, 8/14/23 - 8/13/24 ($2,400,000; cumulative total $23,400,000); approve amendment 10 to agreement MA-074-13010138 with Wells Fargo Bank, N.A. for internet payment gateway services, 8/14/23 - 8/13/24 ($10,000; cumulative total $130,000); and authorize County Procurement Officer or Deputized designee to execute amendments - All Districts

HEALTH CARE AGENCY

16. Approve amendment 11 to master contract MA-042-20011019 with various providers and subsequent amendments to contracts with Laguna Beach Community Clinic, Inc., AIDS Services Foundation Orange County dba Radiant Health Centers and Shanti Orange County for HIV care services, 8/8/23 - 2/29/24 ($126,218; new total $3,614,280; aggregate cumulative total $16,482,855); and authorize County Procurement Officer or Deputized designee to execute amendments - All Districts

17. Approve master agreement MA-042-20011926 with various licensed clinical providers of professional services, 9/29/23 - 10/3/24 ($5,635,056); authorize Auditor-Controller to apply rates as approved in existing master agreement; authorize County Procurement Officer or Deputized designee to execute individual agreements; and authorize Director or designee to execute subordinate agreements - All Districts

JOHN WAYNE AIRPORT

18. Approve lease with The Transportation Security Administration for security services support offices, 10/1/23 - 9/30/33; authorize Director or designee to extend lease for two additional five-year terms; and make California Environmental Quality Act (CEQA) exemption findings under

CEQA Guidelines Section 15301 - District 5

19. Approve amendment 2 to WirelessPublic Internet Access and Distributed Antenna System Agreement with Concourse Communications Group, LLC ($41,877); approve amendment 3 to Advertising Concession Lease with Lamar Airport Advertising Co. ($1,063,772); approve amendment 5 to Specialty Concession Lease with Hojeij Branded Foods, LLC ($65,905); approve amendment 6 to News and Gift and Specialty Retail Concession Lease with John Wayne NG-AC JV ($873,362); approve amendment 7 to News and Gift and Specialty Retail Concession Lease with Paradies-OC, LLC ($313,425); for concession rent relief pursuant to Coronavirus Response and Relief Supplemental Appropriations Act and American Rescue Plan Act grants administered by the Federal Aviation Administration - District 5

OC COMMUNITY RESOURCES

20. Approve amendment 3 to contract MA-012-18012188 with Tapia Landscaping for landscape maintenance at regional trails, bikeways and various trailside pocket parks on County-owned land, 9/1/23 - 2/28/24 ($847,500; cumulative total $3,107,500); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

OC PUBLIC WORKS

21. Retroactively approve contract PO-080-23011263 with AssetWorks Inc. for fleet relatedtechnology and software solutions, 7/1/22 - 12/30/22 ($49,514); and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

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

22. Approve contracts with various firms for on-call land surveying services, three-year terms ($1,750,000 each; aggregate total $10,500,000); renewable for two additional years; and authorize Director or designee to execute contracts - All Districts

23. Approve contracts MA-080-23010821 with AirDev, Inc. and Efficient BPM LLC for maintenance management integration services, three-year term ($1,050,000); renewable for an additional two-year term; and authorize County Procurement Officer or Deputized designee to execute contracts - All Districts

GENERAL ADMINISTRATION

24. **County Counsel -** Approve amendment 2 to Professional Legal Services Agreement with One LLP for intellectual property law special advisory and litigation services in area; and authorize County Counsel to execute amendment - All Districts (2/3 vote of the membership)

County Executive Office:

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

26. Approve grant applications/awards submitted in 8/8/23 grant report and other actions as recommended - All Districts
County Executive Office - Approve grant applications/awards submitted *by District Attorney, OC Waste & Recycling, Health Care Agency, County Executive Office and OC Community Resources, and ratify grant applications/awards submitted by District Attorney and Social Services Agency* in 8/8/23 grant report and other actions as recommended*; adopt resolution authorizing District Attorney to execute standard agreement S23-005 and District Attorney or designee to execute amendments with California Victim Compensation Board for Victim Compensation Program, 7/1/23 - 6/30/26; and making California Environmental Quality Act (CEQA) exemption findings pursuant to CEQA Guidelines Section 15061(b)(3) and other findings; adopt resolution authorizing OC Waste & Recycling to submit application to State Department of Resources Recycling and Recovery (CalRecycle) for Household Hazardous Waste Grant Program (HD41); adopt resolutions naming Katella Housing Partners LP as new owner of Stanton Inn and Suites and Beach2 Housing Partners LP as new owner of Tahiti Motel, acknowledging and accepting that this new owner is joining standard agreements; authorizing OC Community Resources Director or designee to execute agreements and subsequent amendments under certain conditions and any related documents to Homekey Program funding and as California State Department of Housing and Community Development may deem appropriate* - All Districts

27. Approve proposed response to FY 2022-23 Grand Jury Report "Historic Rain Yet Drought Remains" - All Districts

28. Approve proposed response to FY 2022-23 Grand Jury Report "Gimme Shelter and a Pound of Advice. " - All Districts

29. Approve proposed response to FY 2022-23 Grand Jury Report "The ABC's of Educating Children Experiencing Homelessness in Orange County." - All Districts

S29A. **Supervisor Sarmiento** - Orange County Planning Commission - Appoint Maria Ceja, Anaheim, for term concurrent with 2nd District Supervisor's term of office

S29B. **Supervisor Sarmiento** - Orange County Historical Commission - Appoint Philip Chinn, Santa Ana, for term concurrent with 2nd District Supervisor's term of office

S29C. **Chairman Wagner** - Approve allocation of $1.7 million from Third District discretionary funds from FY 2023-24 for Orange County Sheriff Department to continue fighting against fentanyl in our community; make related findings per Government Code Section 26227 and 53069.5; authorize County Procurement Officer or Deputized designee to execute agreements or amendments as necessary; and direct Auditor-Controller to make related payments

S29D. **Supervisor Sarmiento** - Adopt resolution recognizing August as "Chicano Heritage Month"

S29E. **Supervisor Foley** - Development Processing Review Committee - Reappoint Jeffrey Okamoto, Rancho Santa Margarita, for term concurrent with 5th District Supervisor's term of office

S29F. **Chairman Wagner** - Community Action Partnership of Orange County - Appoint John Park, Irvine, for term concurrent with 3rd District Supervisor's term of office

S29G. **County Executive Office** - Approve and adopt 2023-2026 Memorandum of Understanding (MOU) with Orange County Attorneys Association, 6/30/23 - 6/25/26; and authorize County Executive Officer or designee to execute MOU - All Districts

S29H. **County Executive Office** - Approve and adopt side letter agreement with International Union of Operating Engineers – Local 501 for dental insurance benefits to employees in Craft and Plant Engineer Unit; and authorize Chief Human Resources Officer or designee to execute agreement - All Districts

S29I. **County Executive Office - Acting as the Orange County Flood Control District** – Public Hearing to consider adopting Resolution of Necessity acquiring by eminent domain real property for Santa Ana River Mainstem/Prado Dam Project located in Riverside and San Bernardino Counties; authorizing County Counsel and/or outside eminent domain counsel to take steps to initiate and facilitate the condemnation action; directing and authorizing Auditor-Controller to make related payments; and considering application of Final Environmental Impact Statement and Final Supplemental Environmental Impact Statement/Environmental Impact Report 583, Addendum No. 1 (IP 21-0211) and other findings - All Districts (2/3 vote of membership)

S29J. **Chairman Wagner** - Approve allocation of $15,000 from Third District discretionary funds to Children's Education Foundation of Orange County; make related findings for Government Code Section 26227; authorize County Executive Officer or designee to negotiate and enter into agreement as necessary; and direct Auditor-Controller to make related payments

IV.PUBLIC HEARINGS (None Scheduled)

V.CLOSED SESSION (Item CS-1)

The Board will break for lunch at approximately 12:00 PM and may consider closed session matters during that break.The Board will then resume to handle any remaining business if necessary.

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), Orange County Attorneys Association (OCAA), International Union of Operating Engineers (IUOE), Association of County Law Enforcement Managers (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Orange County Managers Association (OCMA), Teamsters, and other non-represented employees
RE:Terms and Conditions of Employment

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

At this time, members of the public may address the Board of Supervisors regarding any off-agenda items within the subject matter jurisdiction of the Board of Supervisors provided that NO action may be taken on off-agenda items unless authorized by law.Comments shall be limited to three minutes per person, unless different time limits are set by the Chair subject to the approval of the Board.

COUNTY EXECUTIVE OFFICER COMMENTS:

ADJOURNED:

BOARD COMMENTS:

At this time, members of the Board of Supervisors may comment on agenda or non-agenda matters.

NEXT MEETINGS:
August 15, 2023No Scheduled Meeting
August 22, 2023Regular Meeting
August 29, 2023No Scheduled Meeting