REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, June 8, 2021,9:30 A.M.

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

ANDREW DO
CHAIRMAN
First District

DOUG CHAFFEE
VICE CHAIRMAN
Fourth District

KATRINA FOLEY
SUPERVISOR
Second District

DONALD P. WAGNER
SUPERVISOR
Third 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:Supervisor Wagner, Third District, gave the invocation

PLEDGE OF ALLEGIANCE:Vice Chairman Chaffee, Fourth District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (None)

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 1-S5H)

HEALTH CARE AGENCY

1. Approve amendment to agreement with California Department of Health Care Services to accept Whole Person Care Pilot program grant funding ($6,861,960; cumulative total

$61,469,437); approve amendment 5 to contract MA-042-20011404 with various providers of Housing Navigation and Sustainability services for Non-Behavioral Health Involved Clients, 5/26/21 - 12/31/21 ($3,107,520; cumulative total $6,107,520); approve grant agreement with Orange County Health Authority dba CalOptima for reimbursement of Housing Navigation and Supportive services, 6/1/21 - 12/31/21; authorize Director or designee to execute amendments and grant agreement; approve amendment 6 to contract MA-042-17011762 with Safety Net Connect, Inc. for Whole Person Care Platform, 1/1/22 - 6/30/22 ($1,028,950; cumulative total $4,982,600); authorize County Procurement Officer or authorized Deputy to execute amendment; and authorize Auditor-Controller to send funds via electronic funds transfer to California Department of Health Care Services ($30,734,719) - All Districts (Continued from 5/25/21, Item 35)

B.O. **CONTINUED TO 6/22/21, 9:30 A.M.**

2. Approve master agreement with various providers of COVID-19 Mobile Vaccination services, 5/25/21 - 4/30/22 ($20,000,000); authorize County Procurement Officer or authorized Deputy to execute individual agreements; and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions - All Districts (Continued from 5/25/21, Item S84G)

B.O. **CONTINUED TO 6/22/21, 9:30 A.M.**

OC WASTE & RECYCLING

3. Approve exclusive franchise agreements for Franchise Area 5 CA-2 and Franchise Area 8 for discarded materials management services for unincorporated franchise areas; select recommended proposers; and authorize Director or designee to execute agreements - All Districts (Continued from 5/25/21, Item S84A)

35241 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

4. Approve lease agreement with 4400 MacArthur Property Holdings, LLC for Public Defender office space at 4400 MacArthur Boulevard, Newport Beach, 7/1/21 - 6/30/31, renewable for two additional five-year terms; authorize Chief Real Estate Officer or designee to execute subsequent lease amendments under certain conditions; and make California Environmental Quality Act and other findings - District 2

23451 **APPROVED AS RECOMMENDED**

5. Approve selection of Wells Fargo Bank, National Association for financing of County's Teeter Plan; adopt resolution authorizing issuance of additional County of Orange Teeter Plan Obligations and authorizing execution and delivery of related agreements and documents; and making related findings - All Districts

53241 **APPROVED AS RECOMMENDED**
RESO: 21-059

S5A. **Chairman Do -** Approve nomination of Supervisor Andrew Do and Supervisor Lisa Bartlett to California Coastal Commission; and authorize Chairman to submit list of nominations to California Senate Rules Committee

15234 **APPROVED AS AMENDED TO NOMINATE ALL FIVE MEMBERS OF THE BOARD OF SUPERVISORS AND MAYOR BOB WHALEN, CITY OF LAGUNA BEACH TO**

THE CALIFORNIA COASTAL COMMISSION

Supervisor Foley:

S5B. Approve additions of Estancia Golf & The Goat Hill Lions Club Golf Classic, SOY Summer Fiesta 2021, 2nd District Independence Day Celebrations, Huntington Beach Surfers' Hall of Fame Induction, Newport Beach Wood Boat Festival, Movies in the Park - Cities in District 2, Costa Mesa Resource Event, July Veterans Event, Costa Mesa Pickleball Tournament, Summer Concert Series in District 2 Cities and Monthly Virtual Town Hall Meetings for 2nd District residents to County Events Calendar and make related findings per Government Code Section 26227

25341 **APPROVED AS RECOMMENDED**

S5C. Orange County Workforce Development Board - Appoint Kathy Boyd, Huntington Beach, to complete term ending 12/31/23

25341 **APPROVED AS RECOMMENDED**

S5D. Orange County Workforce Development Board - Appoint Mike Daniel, Huntington Beach, to complete term ending 12/31/23

25341 **APPROVED AS RECOMMENDED**

S5E. **Chairman Do -** Approve addition of Chamber of Commerce Events to County Master Events Calendar and make related findings per Government Code Section 26227

12345 **APPROVED AS RECOMMENDED**

S5F. **County Counsel -** Approve amendments to Rules 16, 22, and 47 of Board of Supervisors Rules of Procedure and to Boards, Commissions and Committees Bylaws template - All Districts

54231 **CONTINUED TO 7/27/21, 9:30 A.M.**

S5G. **County Executive Office -** Approve amendment 4 to lease with Mile Square Golf Course for relinquishment to County of 93.262 acres of leasehold area; and make California Environmental Quality Act and other findings - District 1

15234 **APPROVED AS RECOMMENDED**

S5H. **Supervisor Foley -** Approve addition of senior award and graduation events, Lions Club events and arts related events in various 2nd District cities and Costa Mesa High School Cheer to County Events Calendar and make related findings per Government Code Section 26227

25341 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (Item 6)

GENERAL ADMINISTRATION

6. **County Executive Office -** Hold Public Hearing to consider adoption of FY 2021-22 Recommended Budget - All Districts

A. Opening Remarks
B. Executive Summary
C. Public Comments
D. Board Comments
E. Program I Public Protection
F. Program II Community Services

G. Program III Infrastructure & Environmental Resources
H. Program IV General Government
I. Program V Capital Improvements
J. Program VI Debt Service
K. Program VII Insurance, Reserves & Miscellaneous
L. Executive Recap
M. Closing Remarks
(all or part of which may be considered on 6/9/21)
Set June 22, 2021, 9:30 a.m. for final budget adoption

B.O. **CLOSED PUBLIC HEARING**

14235 **CONTINUED TO 6/22/21, 9:30 A.M. FOR FINAL ADOPTION OF THE 2021-2022 BUDGET**

V.CLOSED SESSION (Items CS-1-SCS3)

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator:Tom Hatch
Employee Organization:Association of Orange County Deputy Sheriffs (AOCDS)
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:County of Orange v. Mile Square Golf Course OCSC Case No.: 30-2021-01201287-CL-UC-CJC

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, AUTHORIZED COUNTY COUNSEL TO DIRECT OUTSIDE COUNSEL FITZGERALD, YAP, KREDITOR LLP TO FILE A STIPULATED JUDGMENT, AS NECESSARY, IN ACCORDANCE WITH THE TERMS OF THE FOURTH AMENDMENT TO LEASE, WITH MILE SQUARE GOLF.**

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Mitchell Sigal v. County of Orange WCAB Case Number:ADJ11335125

B.O. **HELD, COUNTY COUNSEL READ:THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF MITCHELL SIGAL V. COUNTY OF ORANGE. THE SETTLEMENT REMAINS SUBJECT TO THE FINAL APPROVAL OF OTHERS. WHEN THE AGREEMENT IS FINALIZED, COPIES WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

VI.PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Name not provided - Oral re: Public speakers waiting outside in the heat to speak, illegal to silence the freedom of speech

Name not provided - Oral re: Public waiting outside in the heat to provide comments, should not be subjected to sit outside until the afternoon to provide comments

Name not provided - Oral re: Protecting the rights of the public, ignoring the Brown Act and limiting liberties by monetizing the OC digital passport, recall campaign of the Board Members

Name not provided - Oral re: Opposes vaccine passports, leaders teach with facts and logic not panic and fear

Name not provided - Oral re: Defending first amendment rights and constitutional rights which have been violated

Name not provided - Oral re: Cancelled debate on vaccine passports and the ability to speak

Name not provided - Oral re: Opposes vaccine passports

Amy P. - Oral re: Restore State of California and local community and giving power back to the people, government entities have failed to represent electors in the County, requested Board pass an ordinance to explain AB262

TK - Oral re: Plan and allocation of funding for the homeless

Name not provided - Oral re: Thirty (30) seconds is not enough time to provide comments, discretionary funding to support the homeless

Pam R. - Oral re: Concerned with lack of due process, requested the Board find ways to listen to the public

Elana - Oral re: Public needs more than thirty (30) seconds to speak

Name not provided - Oral re: Complaint for Brown Act violations

Marianne Smith - Oral re: First amendment rights, violating the ability of the public to speak

Tamara - Oral re: Brown Act violations and the ability for the public to speak

Christina - Oral re: Listening to public comments, recall of the Board of Supervisors

Name not provided - Oral re: Recall of the Board of Supervisors

Name not provided - Oral re: Opposes COVID-19 vaccine

Name not provided - Oral re: People repeat the same message so they can be heard

Name not provided - Oral re: Public comments and first amendment rights

Name not provided - Oral re: New individuals attending meetings to oppose the Board

Name not provided - Oral re: Will recall the Board of Supervisors if concerns are not listened by Board member, will not co-parent with government

Name not provided - Oral re: Time limits for speakers

Name not provided - Oral re: Opposes the Board

Name not provided - Oral re: Board is usurping God's job, in God we trust not the government

Name not provided - Oral re: Vietnam veteran, Board taking freedom away

Name not provided - Oral re: Board decisions will have unseen consequences, opposes COVID-19 vaccination

Name not provided - Oral re: Opposes digital vaccine verification

Name not provided - Oral re: Freedom of speech and reduction of time to provide comments

Name not provided - Oral re: Reduction of time for public comments

Name not provided - Oral re: PCR test is bogus

Victoria - Oral re: Manipulation of the public

Morton Smith - Oral re: Supervisor Foley interview regarding protest at her home, masking license plates, recall of the Board of Supervisors

Rachel - Oral re: End health emergency and digital passport initiative, denounce vaccine discrimination by Orange County businesses

Sandi - Oral re: Constituents have the right to be heard, remove vaccination passport and mobile vaccine services, businesses open without discrimination, violation of oath of office

Name not provided - Oral re: Prohibit businesses from discrimination against those individuals who have not received vaccination

Fred Clark - Oral re: Public has a right to be heard by the public servants whom they represent

Emma Clark - Oral re: Public speakers speaking on the same topics numerous times

Alan Hostetter - Oral re: Limiting public speech during Board meetings

Gaby - Oral re: Opposes Agenda Item S5F, violation of first amendment rights and Brown Act, reducing time for public comments

Ruby - Oral re: Opposes Agenda Item S5F, violation of first amendment rights and constitution

Cynthia - Oral re: Opposes vaccine passports and mandated COVID-19 vaccinations

Name not provided - Oral re: Public speakers waiting outside to address the Board

Name not provided - Oral re: Supervisor Wagner has been served with Notice of Intention to recall

Name not provided - Oral re: Violation of the constitution, opposes vaccine passport and vaccines for children

Alcyone Komoto - Oral re:Honor oath of office and represent the people of Orange County

Jennifer - Oral re: Oppose Agenda Item S5F, oppose vaccine passport, violation of the Brown Act

Name not provided - Oral re: Agenda Item S5F is in violation of the constitution, California constitution and California Government Code 37100

Kristy Von Waldbury - Oral re: Terminate the local health emergency, pass resolution denouncing requirement of contract for the vaccine verification program, violating first amendment rights, constitution and the Brown Act

Name not provided - Oral re: Constitutional rights

Name not provided - Oral re: Stop mask and vaccine mandates

Name not provided - Oral re: Opposes Agenda Item S5F, definition of constituent

Name not provided - Oral re: Silencing voices and amendment to the Board's rules of procedures, violation of the Brown Act, Supervisor Wagner and Notice of Intention to recall

Name not provided - Oral re: Opposes vaccine passport

Bryan Kaye - Oral re: Mentally ill people, endorsement of Sheriff and Police Officers in Orange County

Name not provided - Oral re: Opposes Agenda Item S5F

Name not provided - Oral re: Cancel Othena contract

Name not provided - Oral re: Limiting freedom of speech, violation of the United States Constitution, California Constitution and the Brown Act, cancel the Othena contract, fire Dr. Clayton Chau

Mrs. G - Oral re: Silencing the people, opposes COVID-19 vaccine

Peggy Hall - Oral re: Recall of the Board of Supervisors

Name not provided - Oral re: Eugenics of Hitler

Name not provided - Oral re: Read scripture

Juan Frustro - Oral re: Opposes Agenda Item S5F, listen to the people

Tax Payer 273 - Oral re: Climate of violence, attacked by individual with brass knuckles

Name not provided - Oral re: Accomplices in the murder of Aiden Leos, perpetuating violence through silence

Name not provided - Oral re: Sister with multiple sclerosis stood outside in the heat to speak at the last Board meeting

Name not provided - Oral re: Tweet regarding individuals who took part in the insurrection at the Capitol are the same individuals who deny COVID and oppose masks

Kelly Bourne - Comments read by County Counsel: Concerns with the continuous underfunding of community-based care for Orange County residents specifically housing and mental health

David Duran - Comments read by County Counsel: Documentation of the wrongdoings of the Board of Supervisors

Felicity Figueroa - Comments read by County Counsel: Article in the Guardian highlighting the awareness training program used by the OC Sheriff's Department

Pat Davis - Comments read by County Counsel: Names of persons that died without fixed abode in May 2021 as identified by the Sheriff-Coroner

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Bartlett - Oral re:Commended County of Orange Departments who received Achievement Awards from National Association of Counties (NAcO) including Clerk-Recorder, Health Care Agency, John Wayne Airport, OC Community Services, OC Public Libraries, OC Parks, OC Waste & Recycling and Registrar of Voters

Supervisor Foley - Oral re: District 2 Board Member updates will be provided in District newsletter, Job Fair will be held on June 23, 2021, attending COVID-19 Memorial on June 11, 2021 at the Lakes

ADJOURNED:3:41 P.M.
21345 **Adjourned in memory of Jean Wegener**

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