REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, February 28, 2023,*9:30 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 Sarmiento, Second District invited Pastor Ivan Pitts from the Second Baptist Church in Santa Ana, who gave the invocation

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

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (Items 1-14)

41253 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 13 WHICH WAS DELETED; AND ITEM 11 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairman Wagner -** Orange County Behavioral Health Advisory Board - Appoint Susan Emerson, Buena Park, for term ending 3/9/25

Supervisor Foley:

2. Orange County Veteran's Advisory Council - Reappoint Alexis P. Federico, Dana Point, for term concurrent with 5th District Supervisor's term of office

3. Development Processing Review Committee - Appoint Diane Harkey, Dana Point, for term concurrent with 5th District Supervisor's term of office

4. Coto de Caza Planning Advisory Committee - Appoint Gary Amelio, Coto de Caza, for term concurrent with 5th District Supervisor's term of office

5. Orange County Human Relations Commission - Appoint Lauren Johnson-Norris, Irvine, for term concurrent with 5th District Supervisor's term of office

ELECTED DEPARTMENT HEADS

6. **Clerk-Recorder -** Approve Memorandum of Understandings (MOUs) between Owner Counties and State of California Employment Development Department and with California Department of Tax and Fee Administration for utilization of County's co-owned Statewide Electronic Courier Universal Recording Environment electronic recording system, 3/1/23 - 2/29/28; renewable for one additional year; and authorize Clerk-Recorder or designee to execute MOUs - All Districts

OC COMMUNITY RESOURCES

7. Accept funding award from Santiago Library System for patron internet service provider fees ($99,187) - All Districts

SOCIAL SERVICES AGENCY

8. Accept donations of $11,013 from The John C. Griswold Family Foundation and $15,000 from Schlinger Family Foundation-WK for Orangewood Children and Family Center - District 2

GENERAL ADMINISTRATION

Clerk of the Board:

9. Approve initial Conflict of Interest Code for Suncoast Preparatory Academy, a California Public Charter School - All Districts

10. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Santa Margarita Water District - Districts 3 and 5

11. Approve initial Conflict of Interest Code for El Toro Water District Financing Authority - Districts 3 and 5

41253 **APPROVED AS RECOMMENDED**

12. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Irvine Ranch Water District - Districts 2, 3 and 5

13. **Registrar of Voters -** Receive and file Certificate of Nominee to be appointed in lieu of election on 11/8/22 for qualified applicant for Santiago Geologic Hazard Abatement District Board of Directors - District 3

41253 **DELETED**

14. **Supervisor Chaffee -** Approve addition of 4th District Financial Literacy Program event to County Events Calendar; and make related findings per Government Code Section 26227

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 15-S41F)

ELECTED DEPARTMENT HEADS

15. **District Attorney -** Approve contract MA-026-23010896 with Katie Parsons for consulting services for data research team, 3/1/23 - 2/29/24 ($100,000); and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

13245 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

16. Approve amendment 4 to contract MA-060-19011528 with Praeses LLC for consultant services for inmate telephone system services, 4/23/23 - 4/22/24 ($275,000; cumulative total $1,375,000); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 2 and 3 (Continued from 2/7/23, Item #12)

23145 **APPROVED AS RECOMMENDED**

17. Ratify payment for Computer Deductions, Inc. for emergency purchase of hardware and software to upgrade Unisys Dorado server used to service Sheriff-Coroner's Jail Management System ($804,107) - All Districts

21453 **APPROVED AS RECOMMENDED**

18. Approve contract MA-060-23010522 with Lexipol, LLC for online annual policy manual development and training subscription, 3/15/23 - 3/14/26 ($175,743); renewable for two additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract - All Districts

14253 **APPROVED AS RECOMMENDED**
N

HEALTH CARE AGENCY

19. Approve amendment 2 to renew master agreement MA-042-20010235 with various providers and subsequent amendments to contracts with Council on Aging - Southern California, Inc. and Multi-Ethnic Collaborative of Community Agencies for early intervention services for older adults, 7/1/23 - 6/30/24 ($3,073,521; cumulative total $13,605,542); and authorize County Procurement Officer or Deputized designee to execute amendments - Districts 2 and 3

52143 **APPROVED AS RECOMMENDED**

20. Approve amendment 3 to renew contract MA-042-20010220 with Child Guidance Center, Inc.

for behavioral health services for Military Families, 7/1/23 - 6/30/24 ($1,000,000; cumulative total $5,039,550); and authorize County Procurement Officer or Deputized designee to execute amendment - District 2

21453 **APPROVED AS RECOMMENDED**

21. Approve amendment 4 to renew contract MA-042-20010644 with Western Youth Services for Behavioral Health Training services, 7/1/23 - 6/30/24 ($776,250; cumulative total $2,959,166); and authorize County Procurement Officer or Deputized designee to execute amendment - District 5

52143 **APPROVED AS RECOMMENDED**

22. Approve amendment 2 to renew contract MA-042-21011361 with bioMérieux, Inc. for Nuclisens Easymag and EMAG System, 3/16/23 - 3/15/26 ($225,000; cumulative total $300,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

15243 **APPROVED AS RECOMMENDED**

23. Approve amendment 10 to renew master agreement 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, 3/1/23 - 2/28/25 ($6,976,124; cumulative total $16,356,637); and authorize County Procurement Officer or Deputized designee to execute amendments - All Districts

51243 **APPROVED AS RECOMMENDED**

24. Approve amendment 2 to Memorandum of Understanding MA-042-21010886 with Orange County Superintendent of Schools aka Orange County Department of Education for Mental Health Student Services Act, 3/1/23 - 12/31/26 ($1,619,403; cumulative total $7,619,403); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

25143 **APPROVED AS RECOMMENDED**

25. Approve amendment 7 to renew contract MA-042-20010848 with National Council on Alcoholism and Drug Dependence - Orange County dba Partners4Wellness ($356,278; cumulative total $1,423,145); approve amendment 3 to renew contract MA-042-20010847 with The Laguna Playhouse ($199,500; cumulative total $848,204) and amendment 4 to renew contract MA-042-20010846 with NAMI Orange County ($145,093; cumulative total $517,652) for transitional age youth and young adult mental health services, 7/1/23 - 6/30/24; and authorize County Procurement Officer or Deputized designee to execute amendments - Districts 2, 3 and 5

25143 **APPROVED AS RECOMMENDED**

26. Approve amendment 2 to renew contract MA-042-20010254 with Working Wardrobes for a New Start for Veteran Behavioral Health Peer Support services, 7/1/23 - 6/30/24 ($500,000; cumulative total $2,500,000); and authorize County Procurement Officer or Deputized designee to execute amendment - District 3

31245 **APPROVED AS RECOMMENDED**

27. Approve contract MA-042-23010417 with iConnect Consulting for Public Health Laboratory Web Portal services, 4/1/23 - 3/31/26 ($660,000); renewable for one additional two-year term; 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

15243 **APPROVED AS RECOMMENDED**

28. Approve amendment 3 to renew contract MA-042-21010425 with Didi Hirsch Psychiatric Service for suicide prevention and support services, 7/1/23 - 6/30/25 ($6,440,000; cumulative total $12,995,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

41253 **APPROVED AS RECOMMENDED**

29. Approve amendment 5 to renew contract MA-042-20011549 with Goodwill Industries of Orange County for adult supported employment services, 7/1/23 - 6/30/25 ($3,041,076; cumulative total $7,154,862); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 2 and 3

21453 **APPROVED AS RECOMMENDED**

30. Approve amendment 6 to renew contract MA-042-20011015 with Western Youth Services for Crisis Intervention Training for Public Safety Personnel services, 7/1/23 - 6/30/24 ($570,836; cumulative total $2,108,336); renewable for one additional one-year term; and authorize County Procurement Officer or Deputized designee to execute amendment - District 5

51243 **APPROVED AS RECOMMENDED**

31. Appoint three members of Emergency Medical Care Committee to hear Chapman Global Medical Center's appeal of Orange County Emergency Medical Service's revocation of the hospital's designation as an emergency receiving center - All Districts

B.O. **CONTINUED TO 3/14/23, 9:30 A.M.**

OC COMMUNITY RESOURCES

32. Acting as Board of Supervisors, Orange County Housing Authority and Orange County Housing Authority acting as the Housing Successor Agency - Approve changes to policy and process for 2023 Supportive Housing Notice of Funding Availability; authorize Director or designee to issue 2023 Supportive Housing Notice of Funding Availability ($67,100,000); utilize 210 Housing Choice, Mainstream and/or Veterans Affairs Supportive Housing Project-Based Vouchers; return to the Board of Supervisors for specific funding commitments to individual projects; and make California Environmental Quality Act and other findings - All Districts

15243 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

33. Award contract MA-299-23010806 to Sukut Construction, LLC for Olinda Alpha Landfill Gas Header Upgrade Phase 1 Project, 112-day term ($2,496,540); and authorize Director or designee to execute contract - District 4

41253 **APPROVED AS RECOMMENDED**

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

34. Approve amendment 1 to renew contract MA-080-21011126 with The Alpha & Omega Group Security Services Inc for unarmed security guard services to include Orange County Flood Control District as a party and change service location, 4/1/23 - 3/31/24 ($670,000; cumulative total $1,870,000); renewable for one additional one-year term; authorize County Procurement Officer or Deputized designee to execute amendment;

and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines section 15378 - Districts 1 and 2

12453 **APPROVED AS RECOMMENDED**

35. Approve contracts with various firms for on-call flood control services, three-year terms ($2,500,000 each; aggregate total $20,000,000); renewable for two additional years; authorize Director or designee to execute contracts; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines section 15378 - All Districts

45123 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

36. Approve contract MA-299-22011684 with Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Field Services for landfill gas services at Central Region Landfills, 4/10/23 - 4/9/26 ($16,500,00); renewable for one additional two-year term ($11,000,000); authorize County Procurement Officer or Deputized designee to execute contract and make changes under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines sections 15301, 15304 and 15308 - Districts 1, 3 and 5

15243 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

37. Approve Memorandum of Understanding (MOU) with California Department of Social Services to allow continued access to The Work Number services, effective 3/1/23; and authorize Director or designee to execute MOU and related documents under certain conditions - All Districts

41253 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

54123 **APPROVED AS RECOMMENDED**

39. Approve amendment 3 to contract MA-017-19011484 with International City Management Association Retirement Corporation dba MissionSquare Retirement for administration of Health Reimbursement Arrangement Program, 4/1/23 - 3/31/25; and authorize Chief Human Resource Officer or designee to execute amendment and perform necessary functions as Plan Administrator - All Districts

12453 **APPROVED AS RECOMMENDED**

40. Approve grant applications/awards submitted by Health Care Agency, OC Public Works and Public Defender in 2/28/23 grant report and other actions as recommended - All Districts

25143 **APPROVED AS RECOMMENDED**

41. Adopt resolution of intention to establish Community Facilities District No. 2023-1 to authorize levy of a special tax to pay the costs of acquiring or constructing certain

facilities and expenses of the district and to pay debt service on bonded indebtedness; and adopt resolution of intention to incur bonded indebtedness within proposed Community Facilities District No. 2023-1 ($95,000,000); setting Public Hearing for 4/11/23, 9:30 a.m.; and making related findings - District 5

51243 **APPROVED AS RECOMMENDED**
RESO: 23-013 - 23-014

Chairman Wagner:

S41A. Orange Park Acres Advisory Committee - Reappoint Cynthia Reina and Nancy Flathers, and appoint David Clemson, Orange, for terms ending 12/31/25

34125 **APPROVED AS RECOMMENDED**

S41B. Establish Orange County Hall of Fame Ad Hoc Committee

31245 **APPROVED AS RECOMMENDED**

S41C. **County Executive Office -** Acting as the Board of Supervisors and Orange County Flood Control District - Approve amendment 5 to Option Agreement with Majestic Realty Co. for additional time to finalize negotiations with United States Army Corps of Engineers for Section 408 Permit approval, extending term to 2/28/24; authorize Chief Real Estate Officer or designee to execute amendment and with minor modifications under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15378 - All Districts

14253 **APPROVED AS RECOMMENDED**

S41D. **Clerk of the Board -** Approve revised 2023 Chairman's Appointments to CalOptima

24153 **APPROVED AS RECOMMENDED**

S41E. **Chairman Wagner and Supervisor Foley -** Adopt resolution to "Support Armenian Human Rights and End the Blockade of the Lachin Corridor"; and direct CEO Legislative Affairs to send a five-signature letter to Co-Chairs of Congressional Caucus on Armenian Issues, Orange County House of Representatives Members and California's US Senators

53124 **APPROVED AS RECOMMENDED**
RESO: 23-015

ELECTED DEPARTMENT HEADS

S41F. **Sheriff-Coroner -** Approve contract MA-060-23010736 with Secure Guard Security Services Inc. for unarmed security guard services, one-year term ($192,700); and authorize County Procurement Officer or Deputized designee to execute contract - District 2

23145 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (None)

V.CLOSED SESSION

GENERAL ADMINISTRATION

SCS1. **County Executive Office -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Colette Farnes

Employee Organizations: Association of Orange County Deputy Sheriffs (AOCDS), Orange County Employees Association (OCEA), Orange County Attorneys Association (OCAA), International Union of Operating Engineers (IUOE), United Domestic Workers of America (UDWA) and other non-represented employees
Re: Terms and Conditions of Employment

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

SCS2. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Orange County Flood Control District v. Vargas, Riverside Superior Court Case No. RIC2003107; Vargas v. Orange County Flood Control District Case Number: CVRI2205294

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD UNANIMOUSLY APPROVED A PROPOSED $5.2 MILLION SETTLEMENT TO SETTLE AND RESOLVE EXISTING DOMAIN LITIGATION AND THE PROPERTY OWNER'S INVERSE CONDEMNATION ACTION CONCERNING A FLOWAGE EASEMENT IN 6.84 ACRES OF PRIVATE PROPERTY IN THE CITY OF EASTVALE IN RIVERSIDE COUNTY.AS PART OF THE APPROVAL, THE BOARD AUTHORIZED AND DIRECTED COUNTY COUNSEL AND OUTSIDE COUNSEL TO FILE AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE SETTLEMENT FOR THE PROPERTY ACQUISITION.THE BOARD ALSO AUTHORIZES AND DIRECTS THE AUDITOR-CONTROLLER TO ENCUMBER AND TRANSFER FUNDS IN THE AMOUNT OF $5.2 MILLION FROM THE FUND 404 RESERVE ACCOUNT.**

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Jack Bradley - Oral re: Reporter for The Epoch Times and volunteer for Shen Yun; culture almost destroyed by China's cultural revolution in the 1960's; Shen Yun was banned by communist regime in China; Shen Yun is playing at the Segerstrom Center for the Arts February 28through March 5 and in the greater Los Angeles County area in March

Steve Rocco - Oral re: Ran in 28 elections; election fraud; costs $15,000 to publish a candidate biography in the voter information guide; Supervisor Do and Todd Spitzer are on the democratic party committee to destroy candidates so they are not elected

Brigitte - Oral re: District Attorney turns a blind eye to the Klubnikin case

Kevin Peirce - Oral re: Member of Rossmoor Homeowners Association and the Rossmoor Community Services District Traffic Committee; requested outreach to the Rossmoor community regarding the housing element

Carol Churchill - Oral re: Served on the City Council, Planning Commission and the Redevelopment Agency in a small city in Los Angeles County; volunteer for the 'Protect Our Community Now' to analyze the effect of the housing element updates for Orange County, Los Alamitos, Seal Beach and unincorporated area of Rossmoor; asked if the Board is looking at cumulative effects of all Regional Housing Needs Allocation housing units in Orange County and impacts to population growth, public services, safety and community services

Bryan Kaye - Oral re: Good friend passed away last week; lessons learned from friend included freedom and to lead with a smile

Belen - Oral re: People should speak out against tyranny to family, friends and anyone in Orange County; God is the judge, sees everything people do and everyone answers to God

Name not provided - Oral re: Speaking for our god Ya; things done during pandemic were horrifying and caused pain to many people including jobs and deaths and Board will be held responsible; election integrity and election observers were harassed

Name not provided - Oral re: Signed affidavits regarding the Voters Choice Act and response from the Registrar of Voters; requested Board speak with Registrar of Voters to schedule meeting to review the Voters Choice Act so people can vote

Name not provided - Oral re: Fraudulent election system in Orange County, duplicate voters and more votes than voters; Hart voting machines caused fraudulent election, are connected to the internet and can be manipulated; adopt a honest and clean election system

Name not provided - Oral re: Election fraud

Name not provided - Oral re: Bioweapon vaccines; crypto currency will become the one world currency and provide one world government, money system and religious system; events were foretold in book of Revelations

Linda Churchill - Oral re: California Voters Choice Act should be revisited and be effective before the 2024 election

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:1:35 P.M.
53124 **Adjourned in memory of OC Sheriff Deputy Brian Haney and Rocky Ciarelli**

23145 **Adjourned in memory of John Acosta**

BOARD COMMENTS:

Chairman Wagner - Oral re: The Governor's Declaration of Emergency ends today and by prior action of the Board, the County's emergency declaration also officially ends today

KEY

Left Margin Notes

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

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