# A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

**Tuesday, September 12, 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.

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INVOCATION:Supervisor Chaffee, Fourth District

PLEDGE OF ALLEGIANCE:Vice Chairman Do, First District

**I.PRESENTATIONS/INTRODUCTIONS**

Chairman Wagner will be presenting a resolution proclaiming September 2023 as "Service Clubs Month"
Chairman Wagner will be presenting a resolution proclaiming September 22, 2023 as "California Native American Day"
Chairman Wagner is presenting a resolution proclaiming September 2023 as “Suicide Prevention Month”
Chairman Wagner is presenting a resolution proclaiming September 2023 as “Recovery Happens Month”
Supervisor Sarmiento will be presenting a resolution proclaiming September 4, 2023, as “Labor Day”

**II.CONSENT CALENDAR (Items 1-15)**

*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. **Chairman Wagner -** Orange County Emergency Medical Care Committee - Reappoint Dr. Theodore Heyming, Irvine, for term ending 6/30/25
   Revised Title to read:
   ~~**Chairman Wagner**~~ ***Supervisor Foley*** **-** Orange County Emergency Medical Care Committee - Reappoint Dr. Theodore Heyming, Irvine, for term ending 6/30/25

**Supervisor Sarmiento:**

2. Orange County Behavioral Health Advisory Board - Appoint Hector Bustos, Santa Ana, to complete term ending 3/9/26

3. Orange County Senior Citizens Advisory Council - Appoint Robyn Nelson, Irvine, for

term concurrent with 2nd District Supervisor's term of office

4. **Supervisor Foley -** Development Processing Review Committee - Appoint Evan Carey, Costa Mesa, for term concurrent with 5th District Supervisor's term of office

ELECTED DEPARTMENT HEADS

5. **Auditor-Controller -** Adopt resolution approving property tax rates for FY 2023-24 - All Districts

6. **Continued to 10/17/23, 9:30 a.m.**
**Sheriff-Coroner -** Approve agreement with Orange County Sheriff's Museum & Education Center for donation of items listed in Exhibit A and to loan items from Museum for display at Orange County Sheriff-Coroner Department Technology Center listed in Exhibit B; authorize Sheriff-Coroner or designee to execute agreement and amend Exhibit B without making material changes and make related findings - District 2

OC PUBLIC WORKS

7. Adopt resolution vacating excess ingress and egress easement, Lot 4, Tract No. 16457; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15305 and other related findings - District 5 (Continued from 8/22/23, Item 7)

8. Approve surety takeover agreement with Great American Insurance Company for Carbon Canyon Regional Park Restroom Replacement No. 3 Project - District 4

9. Approve Final Tract Map 19185; approve subdivision improvement agreement S23-052511 with RMV MR28, Mission Viejo, L.P. and Tri Pointe Homes Holdings, Inc.; accept dedication of easements for emergency access, public utility and public service vehicle ingress and egress purposes; and accept vehicular access rights to Williams Way - District 5

10. Approve Geographic Information System digital information sharing agreement MA-080-23011705 with Rancho Mission Viejo, LLC, five-year term; and authorize Director or designee to amend agreement under certain conditions - District 5

OC WASTE & RECYCLING

11. Approve contract MA-299-23011468 with Civil Environmental Survey Group Inc. dba CES for operation and maintenance services of various groundwater systems at Central Region Landfills, 10/1/23 - 9/30/26 ($900,000); renewable for one additional two-year term; authorize County Procurement Officer or Deputized designee to execute contract, carry over unused funds from year to year and make changes under certain conditions; and make California Environmental Quality Act exemption findings under CEQA Guidelines sections 15301, 15304, 15307 and 15308 - Districts 1 and 3

GENERAL ADMINISTRATION

**Clerk of the Board:**

12. Approve use of electronic signatures for Assessment Appeal applications submitted to

Clerk of the Board pursuant to California Revenue and Taxation Code, Section 1603(g)(1-3) - All Districts

13. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Orange County Employees Retirement System - All Districts

14. **County Executive Office -** Approve Amended and Restated County of Orange Dental Plan document, effective 1/1/24; and authorize Chief Human Resources Officer or designee to execute plan and make changes to document as required by law or regulatory authority - All Districts

15. **Chairman Wagner -** Approve allocation of $85,000 from Third District discretionary funds to Orange County Fire Authority (OCFA) to purchase wire cutters for OCFA firefighters; make related findings per 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

END OF CONSENT CALENDAR

## III.DISCUSSION ITEMS (Items 16-31)

*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:**

16. Approve amendment 1 to contract MA-060-23010019 with Fujitec America, Inc. for elevator maintenance and repair services, effective upon Board approval through 12/19/25 ($1,215,108; cumulative total $2,882,880); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 2 and 3

17. Approve purchase order PO-060-23011435 with Motorola Solutions, Inc. for purchase of Harbor Patrol Radio Console Upgrade ($454,109); and authorize County Procurement Officer or Deputized designee to execute purchase order - Districts 1 and 5 (4/5 vote)
Revised Title to read:
**Sheriff-Coroner** - Approve purchase order PO-060-23011435 with Motorola Solutions, Inc. for purchase of Harbor Patrol Radio Console Upgrade ($454,109); and authorize County Procurement Officer or Deputized designee to execute purchase order - Districts 1 and 5 *(~~4/5~~ 3 votes Board Majority)*

HEALTH CARE AGENCY

18. Approve retroactive grant application to California Department of Public Health, Maternal Child and Adolescent Health Division for Black Infant Health program; and authorize Director or

designee to execute application and related documents - All Districts

OC COMMUNITY RESOURCES

19. Approve amendment 1 to contract MA-012-23010702 with Sean Fulton for consulting services for OC Animal Care, 9/6/23 - 9/5/24 ($132,000; cumulative total $207,000); and authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute amendment - All Districts (Continued from 8/22/23, Item 21)
Revised Title to read:
**OC Community Resources -** Approve amendment 1 *2* to contract MA-012-23010702 with Sean Fulton for consulting services for OC Animal Care, ~~9/6/23 - 9/5/24~~ *effective upon Board approval through 11/5/24* ($207,000); 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

20. Approve amendment 1 to contract MA-012-23010011 with Age Well Senior Services, Inc. for Elderly Nutrition Program, case management, in-home care and transportation services, 10/1/23 - 9/30/24 ($585,812; cumulative total $1,171,624); amendment 1 to contract MA-012-23010013 with St. Jude Hospital, Inc. dba St. Jude Medical Center for Family Caregiver Support Program services, 10/1/23 - 9/30/24 ($233,479; cumulative total $466,958); and authorize County Procurement Officer or Deputized designee to execute amendments and future amendments under certain conditions - All Districts

OC PUBLIC WORKS

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

21. Approve aggregate contracts MA-080-23011241 with various contractors for mitigation maintenance services, three-year term (aggregate total $2,250,000); renewable for an additional two-year term; authorize County Procurement Officer or Deputized designee to execute contracts; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Sections 15301 and 15304 - All Districts (Continued from 8/22/23, Item 23)

22. Approve contracts with various firms for on-call architect-engineer green infrastructure services, three-year terms ($1,500,000 each; aggregate total $7,500,000); renewable for two additional years; and authorize Director or designee to execute contracts - All Districts

PUBLIC PROTECTION

23. **Probation -** Approve amendment 6 to contract MA-057-21010069 with Redwood Toxicology Laboratory, Inc. for Drugs and Alcohol Screening products and services, 10/1/23 - 9/30/24 ($3,000,000; cumulative total $8,152,669); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

SOCIAL SERVICES AGENCY

24. Approve amendment 2 to agreement WGM0719-A2 with Access California Services for

provision of Refugee Social Services, 10/1/23 - 9/30/25 ($1,950,000; cumulative total $3,428,738); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

GENERAL ADMINISTRATION

25. **County Counsel -** Receive County of Orange Third Draft Housing Element; provide feedback to staff as appropriate; approve County of Orange Third Draft Housing Element as submitted to California Department of Housing and Community Development on 7/31/23; and direct staff to communicate approval to Housing and Community Development - All Districts

**County Executive Office:**

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

27. Approve contract MA-017-23011281 with Volunteers of America of Los Angeles for Housing and Disability Advocacy Program services for families, 10/15/23 - 6/30/25 ($2,073,306); renewable for three additional one-year terms; and authorize County Procurement Officer or Deputized designee to execute contract and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

28. Approve grant applications/awards submitted in 9/12/23 grant report and other actions as recommended - All Districts
Revised Title to read:
**County Executive Office** - Approve grant applications/awards submitted *by County Executive Office, Health Care Agency, OC Public Works, Sheriff-Coroner and District Attorney and retroactive grant applications/awards submitted by OC Community Resources* in 9/12/23 grant report and other actions as recommended*; adopt resolution authorizing County Executive Office to submit a grant application to State of California Department of Housing and Community Development for Emergency Solutions Grant for families experiencing homelessness ($1,220,802) and authorize Director of Care Coordination or designee to execute agreement and any amendments or modifications under certain conditions; adopt resolution authorizing OC Public Works Director or designee to submit, execute and amend grant application to California Department of Water Resources for Drought Resilience Planning 2023, a Sub-Program of Small Community Relief Program ($125,000); adopt resolution authorizing OC Public Works Director or designee to submit, execute and amend application to Wildlife Conservation Board for Stream Flow Enhancement Program to fund development of Aliso Creek Watershed Habitat Connectivity Improvement Project ($3,573,000); and adopt resolution authorizing District Attorney or designee to execute grant award agreements and amendments with California Department of Insurance tor Automobile Insurance Fraud Program ($1,004,845); and making California Environmental Quality Act (CEQA) exemption findings pursuant to CEQA Guidelines Section 15061(b)(3) and other findings* - All Districts

29. **Continued to 9/26/23, 9:30 a.m.**
Approve lease agreement with Spectrum Property Owner, LLC for office space for Health Care Agency at 23046 Avenida de la Carlota, Laguna Hills, 130 month-term; renewable for two additional five-year terms; authorize Chief Real Estate Officer or

designee to execute subsequent amendments under certain conditions; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15301 - District 5

30. Approve proposed response to FY 2022-23 Grand Jury Report "Human Sex Trafficking in OC." - All Districts

31. Approve proposed response to FY 2022-23 Grand Jury Report "Russian Roulette: Fentanyl in Orange County." - All Districts

S31A. **Supervisor Sarmiento** - Approve addition of Voter Education and Information Events to County Events Calendar; and make related findings per Government Code Section 26227

S31B. **Supervisor Foley** - Orange County Senior Citizens Advisory Council - Appoint Joan Nichols, Newport Beach, for term concurrent with 5th District Supervisor's term of office

S31C. **County Executive Office** - Approve and adopt 2023-2026 Memorandum of Understanding (MOU) with International Union of Operating Engineers, 6/30/23 - 6/25/26; and authorize County Executive Officer or designee to execute MOU - All Districts

S31D. **Sheriff-Coroner** - Approve retroactive amendment 1 to contract MA-060-23010736 with Secure Guard Security Services Inc. for unarmed security guard services, 2/28/23 - 2/27/24 ($399,453; cumulative total $592,153); and authorize County Procurement Officer or Deputized designee to execute amendment - District 2

S31E. **Chairman Wagner** - Approve allocation of $10,000 from Third District discretionary funds to Heroes Hall Veterans Foundation; make related findings per Government Code Section 26227; and authorize County Executive Officer or designee to negotiate and enter into agreement with Heroes Hall Veterans Foundation

S31F. **Supervisor Foley** - Animal Care Community Outreach Committee - Appoint Libby Cowan, Costa Mesa, for term ending 4/29/27

S31G. **Supervisor Foley** - Community Action Partnership of Orange County - Reappoint Irene Basdakis, Aliso Viejo, for term concurrent with 5th District Supervisor's term of office

## IV.PUBLIC HEARINGS (Items 32-33)

HEALTH CARE AGENCY

32. Public Hearing to consider adopting resolution approving updated Emergency Medical Services fee schedule, effective 7/1/24; superseding and rescinding Resolution 17-025; and make California Environmental Quality Act (CEQA) exemption findings under Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273 and other findings - All Districts
(Continued from 5/23/23, Item 60)
CONTINUED TO 9/26/23, 9:30 A.M.

GENERAL ADMINISTRATION

**(11:00 A.M. TIME CERTAIN FOR ITEM 33)**

33. **11:00 A.M. TIME CERTAIN FOR ITEM 33**
**County Counsel -** Public Hearing to consider appeal of Planning Commission approval of Ranch Hills Planned Development Planning Application PA180034 filed by Foothill Communities Association on 5/24/23; adopt Final EIR No. 635 and other findings; receive public testimony as appropriate; deny appeal; approve Ranch Hills Project Planning Application PA180034 subject to Findings and Conditions of approval contained in OC Planning Report to Planning Commission dated 5/10/23; and allow Subdivision Committee's approval of related VTTM 18119 to stand - District 3

**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

SCS2. **County Counsel** - 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

SCS3. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - INITIATION OF LITIGATION - Pursuant to Government Code Section

54956.9(d)(4):
Number of Cases: One Case

SCS4. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: *Ronald Reed v. County of Orange*, WCAB Case: ADJ13081892

SCS5. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: *Javier Godinez v. County of Orange*, WCAB Case: ADJ16752913

SCS6. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: *Sean Howell v. County of Orange*, WCAB Case: Unassigned

**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.*

**VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS.**

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:

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|---|---|
| **September 19, 2023** | **No Meeting Scheduled** |
| **September 26, 2023** | **Regular Meeting** |
| **October 3, 2023** | **No Meeting Scheduled** |