REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, August 11, 2020,*9:30 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:Supervisor Chaffee, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE:Vice Chairman Do, First District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (Items 1-8)

15342 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1 AND 2 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Supervisor Chaffee:

1. Senior Citizens Advisory Council - Appoint Phillip Orland, Brea, to complete term ending 12/31/20

45132 **APPROVED AS RECOMMENDED**

2. Assessment Appeals Board No. 1 - Reappoint Ryan Bushore, Anaheim, for term ending 9/3/23

45132 **APPROVED AS RECOMMENDED**

3. **Vice Chairman Do -** Orange County Waste Management Commission - Reappoint Dr. Kimberly Ho, Westminster, to complete term ending 7/25/22 and Juan Villegas, Santa Ana, to complete term ending 3/21/22

DEPARTMENT APPOINTMENTS

4. **OC Community Resources -** Acting as the Orange County Housing Authority - Housing and Community Development Commission - Reappoint Wayne Carvalho, Fullerton; Cecilia Hupp, Brea; Helen Smith-Gardner, Mission Viejo and Carla Wilkerson, Dana Point, for terms ending 6/30/22 - All Districts

OC COMMUNITY RESOURCES

5. Approve amended Orange County Workforce Development Board Bylaws clarifying administrative and membership changes - All Districts

OC PUBLIC WORKS

6. Adopt resolution authorizing closure of Avenida La Pata Supplementary Road Fee Program and conclusion of participation in San Clemente Regional Circulation Financing and Phasing program; approve Closing Report and determine all related unused fee credits and fee credit agreements null and void; and direct Auditor-Controller to close related department balance sheet account - District 5
RESO: 20-108

GENERAL ADMINISTRATION

7. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for District Attorney - All Districts

8. **County Executive Office -** Approve Communications Site License agreement with STC ONE LLC for pre-existing wireless facility at Salt Creek Beach Park located at 33333 Pacific Coast Highway, Dana Point, ten-year term with two five-year extensions; authorize OC Parks Director or designee to perform all activities specified; authorize Chief Real Estate Officer or designee to execute necessary documents for its implementation and subsequent amendments for non-monetary and monetary changes under certain conditions; and make California Environmental Quality Act and other findings - District 5

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 9-S18C)

ELECTED DEPARTMENT HEADS

9. **Sheriff-Coroner -** Approve contract MA-060-20011952 with Rotorcraft Support, Inc. for

helicopter airframe component exchange, repairs, overhauls, parts and tools, 8/25/20 - 8/24/23 ($1,200,000); renewable for two additional years; and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

13452 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

10. Receive and file status report and approve continuance of local health emergency and local emergency related to Novel Coronavirus (COVID-19); and set review to determine need for continuing local emergency for 9/15/20, 9:30 a.m. and every 30 days thereafter until terminated. Updates will be provided by County Executive Office, Health Care Agency, and other County departments concerning efforts to address and mitigate the public health and other impacts caused by the Novel Coronavirus (COVID-19) emergency, and (2) provide direction to the County Executive Officer and other County Officers concerning ongoing County operations, allocation of County resources and personnel, maintenance of essential public services and facilities, temporary suspension and/or closure of nonessential public services and facilities, management of County property and finances, measures necessary to protect public health and safety, and expenditures necessary to meet the social needs of the population - All Districts (Continued from Special Meeting 3/2/20, Item 1; 3/24/20, Item 23; 4/14/20, Item 8; 5/5/20; Item 28; 6/2/20, Item 53; 6/23/20, Item 48; 7/14/20, Item 17)

51342 **RECEIVED AND FILED STATUS REPORT AND APPROVED CONTINUANCE OF LOCAL HEALTH EMERGENCY AND LOCAL EMERGENCY RELATED TO NOVEL CORONAVIRUS COVID-19, RECEIVED UPDATES FROM THE HEALTH CARE AGENCY CONCERNING EFFORTS TO ADDRESS AND MITIGATE THE PUBLIC HEALTH AND OTHER IMPACTS CAUSED BY THE NOVEL CORONAVIRUS (COVID-19) EMERGENCY**

JOHN WAYNE AIRPORT

11. Select one Full-Service Fixed-Base Operator for Northeast and one for Northwest parcels and one Limited-Service Fixed-Base Operator for Southwest parcel; and authorize Director or designee to negotiate lease terms and conditions for Board approval - District 2

25134 NN **SELECTED CLAY LACY AVIATION, INC. FOR FULL-SERVICE FIXED-BASE OPERATOR FOR THE NORTHWEST PARCEL**

23145 N **SELECTED ACI JET, DBA AVIATION CONSULTANTS, INC. FOR FULL-SERVICE FIXED BASE OPERATOR FOR THE NORTHEAST PARCEL**

25134 **SELECTED JAY'S AIRCRAFT MAINTENANCE, INC. FOR LIMITED-SERVICE FIXED BASE OPERATOR FOR THE NORTHWEST PARCEL**

21345 **APPROVED RECOMMENDED ACTION #2**

12. Approve contract MA-280-20012074 with Master Landscape & Maintenance, Inc. for landscape maintenance services, 9/11/20 - 9/10/23 ($1,716,018); renewable for two additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute contract and exercise cost contingency increase not to exceed 10% under certain conditions; and make California Environmental Quality Act and other findings - District 2

21345 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

13. Approve amendment 2 to agreement MA-299-19010701 with Anaheim Ducks Hockey Club, LLC for strategic marketing and outreach services, extending term to 2/28/21; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

35142 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

14. Acting as the Orange County Flood Control District - Adopt resolution making findings required to use Orange County Flood Control District property; approve Communications Site License agreement with New Cingular Wireless PCS, LLC for wireless installation on Orange County Flood Control District property in Prado Dam Basin, 2385 Auto Center Drive, Corona; ten-year term with two five-year extensions; authorize OC Public Works Director or designee to perform related activities and execute related documents and amendments under certain conditions; and make California Environmental Quality Act and other findings - All Districts

35124 **APPROVED AS RECOMMENDED**
RESO: 20-109

15. Approve proposed response to FY 2019-20 Grand Jury Report "What's Happening with the Historic Tustin Hangars?" - District 3

32145 **APPROVED AS RECOMMENDED**

16. Approve purchase and sale agreement with 401 Capitol City Tower Corp. for purchase of office building at 401 Civic Center Drive, Santa Ana ($515,000); authorize Chief Real Estate Officer or designee to execute agreement and related documents and perform related actions under certain conditions; authorize funds ($200,000) for due diligence and other related costs; direct Auditor-Controller to make related payments upon notification from Chief Real Estate Officer or designee; and make California Environmental Quality Act and other findings - District 1

12345 **APPROVED AS RECOMMENDED**

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

32145 **APPROVED AS RECOMMENDED**

18. Approve grant applications/awards submitted by Health Care Agency, John Wayne Airport, District Attorney, Sheriff-Coroner and OC Community Resources in 8/11/20 grant report and other actions as recommended; adopt resolution authorizing District Attorney or designee to execute grant award agreement and amendments with California Department of Insurance for Life and Annuity Consumer Protection Program, 7/1/20 - 6/30/21 ($60,000); and making California Environmental Quality Act and other findings; adopt resolution approving standard agreement MI-2021-22 with California Department of Aging for Older Americans Act Programs, 10/1/20 - 8/31/21 ($158,693); and authorizing OC Community Resources Director or designee to execute agreement, amendments and related documents - All Districts

15342 **APPROVED AS RECOMMENDED**
RESO: 20-110 - 20-111

S18A. **Supervisor Chaffee -** Orange County Veterans Advisory Council - Appoint Stephanie Wade, Anaheim, to complete term ending 12/31/21
42135 **APPROVED AS RECOMMENDED**

S18B. **Chairwoman Steel -** Adopt resolution recognizing August 24th as Kobe Bryant Day
21345 **APPROVED AS RECOMMENDED**
RESO: 20-112

S18C. **Vice Chairman Do and Supervisor Chaffee -** Direct Health Care Agency Director to facilitate allowing public and private school officials, students and staff who have symptoms or have been exposed to COVID-19 the use of County run drive thru testing sites and provide information including instructions to individuals while they are waiting for test results, so that it may be included in school reopening plan and waiver application to demonstrate compliance with California Department of Public Health guidance for schools
14352 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (None)

V.CLOSED SESSION (Items CS-1-SCS2)

GENERAL ADMINISTRATION

County Executive Office:

CS-1. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator:Tom Hatch
Employee Organizations:Orange County Employees Association (OCEA), Orange County Managers Association (OCMA), Association of County Law Enforcement Management (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Teamsters Local 952 (Teamsters), Orange County Attorneys Association (OCAA), Association of Orange County Deputy Sheriffs (AOCDS), 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. **DELETED**

SCS2. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title:Public Guardian
HELD, COUNTY COUNSEL READ:BY A VOTE OF 4-1, WITH CHAIRWOMAN STEEL AND SUPERVISORS DO, CHAFFEE AND BARTLETT VOTING YES AND SUPERVISOR WAGNER VOTING NO, THE BOARD APPOINTED JENNY QIAN TO THE OFFICE OF PUBLIC GUARDIAN.

VI.PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:
Name not provided - Oral re: City of Anaheim Police Department and police brutality during peaceful protests by vehicular assault; defund police

Name not provided - Oral re:Increases in Sheriff funding while cutting funding to Health Care Agency and Social Services Agency; Deputy compensation increases; unfunded pension liabilities; communities of color are underfunded

Name not provided - Oral re: August 11th Law Enforcement Appreciation Day; Black Lives Matter movement; officers endanger black and brown lives every day; Santa Ana and Anaheim police deadly force incidents; funding cuts to community services while doubling funding for Sheriff and raises for deputies

Name not provided - Oral re: Cop appreciation day and support for blue lives of Smurfs; should support health care heroes or houseless person help-out day; support Black Lives Matter movement instead of corrupt police gang culture

Ilya Tseglin - Oral re: Special interests taking up the public's time and reducing the time for public to speak; lack of justice and corrupted courts

Robert Tseglin - Oral re: Nate Tseglin probate case; kidnapped by police and placed in unlicensed group home; allegations of abuse, concealed medical records

Ahmed Abdalia - Oral re: Difference of ideologies; San Francisco police do not respond to mental health calls and instead send social workers or send homeless outreach to answer homeless calls; need more homeless advocates, not more police; social workers and mental health care

Brianna C. - Oral re: Increase in positive COVID-19 cases among children within the first two weeks of schools reopening is evidence that prevention needs to come before testing; severity of cases in children with pre-existing health conditions; higher chances of asymptomatic transmission and transmission to high-risk families

Lorie S. - Oral re: Militarization of police and equipment has increased firepower beyond what is necessary to protect communities and dangerously escalates situations that need not result in violence; police see themselves at war with the communities; need more collaborative style of policing

Name not provided - Oral re: Does not believe Board Members listen to the people; police appreciation is unnecessary; police using bombs and bullets on people holding cardboard signs and bullhorns

Kevin W. - Oral re: Police appreciation day is not needed, all first responders and emergency responders matter; disrespectful to honor cops given the current climate; what's happening in Portland will happen within two weeks in California

Lyndsey Lafebvre - Oral re: Medicare for all legislation and equitable health justice

Julian Gutierrez - Oral re: Psych-ward converted to COVID-19 unit reduced number of patients; passing anti-mask policies and opening schools; spending monies on police helicopter when they already receive more than 56% of the budget instead of helping those who actually need it

Kim Sorgente - Oral re: Real pandemic is child sex trafficking; police are criminals; country needs leaders who protect house and home

Brigitte - Oral re: Board out of touch with the people; Grand Jury report on hangar in Tustin; El Toro Marine Base used to pad pension of crony; quitclaim base property to cities

Bryan Kaye - Oral re: Raising funds to feed law enforcement agencies; denying basic human services and decency to public speakers

Name not provided - Oral re: Feels like she is being ignored but will continue to come to meetings to speak; Black Lives Matter

Felicity Figueroa - Oral re:Requested date be set for Truth Act Forum and transparency on how law enforcement transfers individuals to ICE custody in the middle of pandemic; public has a right to know if there has been illegal collusion between the two entities

David Duran - Oral re: Malicious neglect continues and demands the entire Board of Supervisors immediately resign so someone more qualified can replace the Board; Courtyard shelter across from new $400 million County headquarters building while homeless deaths double throughout Orange County; moving funds from Health Care Agency to cover Sheriff overruns

Pat Davis - Oral re: Asked how Law Enforcement Appreciation Day is being celebrated; staged photo ops while refusing to acknowledge Black Lives Matter; housing first works; names of homeless who have died

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
None

ADJOURNED:2:54 P.M.

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