REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, September 27, 2022,*9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
400 W. Civic Center Drive
Santa Ana, California

DOUG CHAFFEE
CHAIRMAN
Fourth District

DONALD P. WAGNER
VICE CHAIRMAN
Third District

ANDREW DO
SUPERVISOR
First District

KATRINA FOLEY
SUPERVISOR
Second 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:Kathleen Kooiman, Chief Chaplain of the Orange County Sheriff Department, gave the invocation

PLEDGE OF ALLEGIANCE:Vice Chairman Wagner, Third District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS (None)

II.CONSENT CALENDAR (Items 1-20)

15234 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 4 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

Auditor-Controller:

1. Relieve OC Public Works Director of cash shortage and authorize Auditor-Controller to reimburse ($5,609) to OC Public Works per Government Code Section 29390 - All

Districts

2. Authorize Auditor-Controller to delete damaged, destroyed, dismantled, donated, missing, obsolete, stolen and/or surplused equipment form Clerk-Recorder and OC Public Works capital asset inventories - All Districts

3. Receive and file Annual Reports of Cash Difference Funds, Cash Shortages and Overage Funds for FY 2021-22 - All Districts

4. Receive and file Annual Report of Revolving Funds for FY 2021-22 - All Districts
13254 **APPROVED AS RECOMMENDED**

5. Receive and file Annual Report of Refunds for FY 2021-22 - All Districts

6. Receive and file Fund/Budget Control Semi-Annual Report for FY 2021-22 - All Districts

HEALTH CARE AGENCY

7. Approve Orange County Behavioral Health Advisory Board Bylaws and removal of one subcommittee - All Districts

OC COMMUNITY RESOURCES

8. Accept donation of $22,922 from the estate of Marcia Joan Stringer to defray cost of caring for animals rescued by OC Animal Care - All Districts

9. Approve Memorandum of Understanding (MOU) between Orange County Workforce Development Board, Orange County Board of Supervisors and Orange County American Job Centers of California partners to facilitate services for one-stop centers, term ending 6/30/25; and authorize Director or designee to make related amendments under certain conditions - All Districts

OC PUBLIC WORKS

10. Approve Final Tract Map 19149; approve Subdivision Improvement Agreement S22-050999 with Lennar Homes of California, LLC; accept bonds guaranteeing construction of improvements; accept dedication of easements for public street, public utility and emergency vehicle access purposes; and accept vehicular access rights to Williams Way and Sunrise Road - District 5

11. Adopt resolution certifying completion of streets, street lights, storm drain, sewer, water, recycled water and monumentation; accepting public road improvements and easements for public street and public utility purposes; authorizing release of bond securities for Final Tract Map 17596; and making related findings - District 5
RESO: 22-112

12. Adopt resolution certifying completion of streets, street lights, sewer, water, storm drain and monumentation; and authorizing release of bond securities for Final Tract Map 17605 - District 5
RESO: 22-113

13. Adopt resolution certifying completion of streets, street lights, sewer, water and monumentation; accepting vehicular access rights, public street and utility access rights; authorizing release of bond securities for Final Tract Map 19108; and making related findings - District 5
RESO: 22-114

14. Approve amendment 2 to extend Construction Agreement MA-080-17012088 with RMV Community Development, LLC, for construction services related to completion of Cow Camp Road Segment 2, Phase 2c-1 and distribution of remaining funds under certain conditions, 10/31/22 - 11/30/25 - District 5

15. Approve Final Tract Map 19150; approve Subdivision Improvement Agreement S22-050900 with Lennar Homes of California, LLC; accept dedication of easements for public street, public utility and emergency vehicle access purposes; and accept vehicular access rights to Williams Way and Sunrise Road - District 5

GENERAL ADMINISTRATION

Clerk of the Board:

16. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Anaheim Union High School District - Districts 2 and 4

17. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Magnolia School District - Districts 2 and 4

18. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Buena Park School District - District 4

19. **Internal Audit -** Receive and file Executive Summary of Internal Audit Reports for April - June 2022; receive and file Annual Report on Independence; and receive and file Key Performance Indicators results for FY 2021-22 - All Districts

20. **Chairman Chaffee -** Approve addition of JOYA Scholars' events to County Events Calendar; and make related findings per Government Code Section 26227

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 21-S44E)

ELECTED DEPARTMENT HEADS

21. **Auditor-Controller -** Approve amendment 4 to contract MA-003-18010262 with ARK Technologies for technical services and support for Property Tax System project, term ending 1/31/24 ($1,016,929; cumulative total $3,586,959); consent to ARK Technologies' utilization of subcontractor Xavier Grogran; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

51234 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

22. Approve retroactive amendment 5 to contract MA-060-18010732 with Idemia Identity & Security USA LLC for Livescan/biometric capture stations, equipment, accessories, supplies, software and maintenance, 8/22/22 - 8/21/23 ($275,000; cumulative total $2,213,240); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts
13254 **APPROVED AS RECOMMENDED**

23. Approve amendment 3 to contract MA-060-19010180 with Computer Deductions Inc. for Unisys mainframe computer and Sheriff-Coroner Department Data Center operations, 11/1/22 - 10/31/23 ($1,115,832; cumulative total $5,375,496); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts
31254 **APPROVED AS RECOMMENDED**

24. Approve amendment 1 to contract CT-060-22010016 with Waterfowler Gear, Inc., dba Evans Gun World for use of shooting range facilities, 10/1/22 - 9/30/23 ($135,000; cumulative total $270,000); and authorize County Procurement Officer or Deputized designee to execute amendment - District 2
23154 **APPROVED AS RECOMMENDED**

25. Approve Emergency Management Council and Operational Area Executive Board Bylaws - All Districts
53124 **APPROVED AS RECOMMENDED**

26. Approve amendment 6 to contract MA-060-19010294 with All City Management Services, Inc. for crossing guard services, 11/1/22 - 10/31/23 ($937,834; cumulative total $4,431,117); 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 9/13/22, Item 12)
13254 **APPROVED AS RECOMMENDED**

27. Approve agreement with Orange County Fire Authority for security services; three-year term, renewable for two additional one-year terms; and approve FY 2022-23 charges ($1,004,112) - District 3 (Continued from 9/13/22, Item 14)
B.O. **CONTINUED TO 10/4/22, 9:30 A.M.**

HEALTH CARE AGENCY

28. Approve amendment 1 to renew contract MA-042-17012118 with Konica Minolta Business Solutions U.S.A., Inc. and amendment to Municipal Lease Agreement No. 9152 with Insight Investments, LLC for lease of digital copiers, 11/1/22 - 10/31/23 ($700,000; new total $3,400,000); and authorize County Procurement Officer or Deputized designee to execute amendments - All Districts
51234 **APPROVED AS RECOMMENDED**

29. Approve extension of Sublocade Agreement MA-042-21010912 with ASD Specialty Healthcare, LLC for sublocade injection medication, 11/2/22 - 11/1/25 ($7,000,000; cumulative total $9,250,000); and authorize County Procurement Officer or Deputized designee to extend

agreement - All Districts

12354 **APPROVED AS RECOMMENDED**

30. Approve agreement 22-10270 with California Department of Public Health for Supplemental Nutrition Education for Women, Infants and Children grant award, 10/1/22 - 9/30/25 ($14,542,419); and authorize Director or designee to execute agreement, related documents and amendments under certain conditions - All Districts

25134 **APPROVED AS RECOMMENDED**

31. Approve contract MA-042-23010280 with Oceanside Harbor Holdings, LLC for adult mental health skilled nursing facility with Special Treatment Program services, 10/1/22 - 6/30/24 ($3,378,139); renewable for two additional one-year terms; authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - District 4

43125 **APPROVED AS RECOMMENDED**

32. Approve master services agreement MA-042-23010291 with Mind OC for mental health and recovery services, 10/1/22 - 6/30/25 ($63,832,280); and authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute agreement - District 2

25134 **APPROVED AS AMENDED TO REVISE EXHIBIT A, PARAGRAPH II. BUDGET, SUBPARAGRAPH E, OF THE CONTRACT IN ITS ENTIRETY TO READ: "E. FOR ALL FUNDS ALLOCATED TO THE FACILITY RESERVES AND THE FACILITY OPERATIONS CONTINGENCY BUDGETED LINE ITEMS IN PARAGRAPH II.A. OF THIS EXHIBIT A, CONTRACTOR MUST OBTAIN PRIOR REVIEW AND WRITTEN APPROVAL BY THE COUNTY CHIEF EXECUTIVE ("CEO") OR CHIEF FINANCIAL OFFICER ("CFO"), OR THEIR DESIGNEE, OF ANY PROPOSED USE OF SUCH FUNDS. CONTRACTOR'S FAILURE TO OBTAIN SUCH PRIOR REVIEW AND WRITTEN APPROVAL FOR USE OF FUNDS ALLOCATED TO THE FACILITY RESERVES AND/OR THE FACILITY OPERATIONS CONTINGENCY BUDGETED LINE ITEMS MAY RESULT IN DISALLOWANCE OF THE COSTS FOR SUCH USE."**

OC COMMUNITY RESOURCES

33. Approve selection of providers for Older Americans Act (OAA) programs and services funded with American Rescue Plan Act allocated funds from California Department of Aging; approve contract MA-012-23010011 with Age Well Senior Services, Inc. for the Elderly Nutrition Program, transportation, case management and in-home care services ($585,812); approve contract MA-012-23010012 with Community SeniorServ, Inc. dba Meals on Wheels Orange County for adult day care, Elderly Nutrition Program, transportation, case management and in-home care services ($1,884,670); and MA-012-23010013 with St. Jude Hospital, Inc. dba St. Jude Medical Center for Family Caregiver Support Program ($233,479), 10/1/22 - 9/30/23; renewable for one additional year; and authorize County Procurement Officer or Deputized designee to execute contracts and future amendments under certain conditions - All Districts

13254 **APPROVED AS RECOMMENDED**

34. Acting as the Board of Commissioners to the Orange County Housing Authority - Authorize payments directly to Housing Choice Voucher landlords and/or tenants utilizing previously appropriated American Rescue Plan Act Coronavirus State and Local Fiscal Recovery (ARPA) funds ($6,000,000); Acting as the Board of Supervisors - Authorize OC Community Resources

to utilize ARPA Funds to increase 2020 Supportive Housing Notice of Funding Availability ($21,000,000); and return to the Board to approve funding commitments to individual projects - All Districts

25134 **APPROVED AS RECOMMENDED**

35. Authorize Director or designee to utilize funds to increase loan financing to Mercy Housing California 107, L.P. for development of Villa St. Joseph, Orange; approve increased loan commitment ($1,400,000; new total $2,420,600); approve subordination at permanent financing ($1,400,000) to amortized first trust deed loan ($5,641,722); authorize subordination of additional senior debt under certain conditions; and authorize Director or designee to execute agreements and related documents under certain conditions - District 2

25134 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

36. Award contract CT-012-23010067 to K.C. Restoration Co., Inc. for Arden Modjeska Stone House restoration, 200-day term ($1,000,768); authorize Director or designee to execute contract; and make California Environmental Quality Act and other findings - District 3

31254 **APPROVED AS RECOMMENDED**

37. Approve amendment 1 to renew contracts with various firms for on-call architect-engineer structural services, 11/19/22 -11/18/24 ($500,000 each; aggregate total $2,500,000); and authorize Director or designee to execute amendment - All Districts

31254 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

38. Adopt resolution rescinding Resolution No. 82-1691 and dissolving Orange County Children's Partnership - All Districts

41235 **APPROVED AS RECOMMENDED**
RESO: 22-115

GENERAL ADMINISTRATION

County Executive Office:

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

34125 **APPROVED AS RECOMMENDED**

40. Approve grant applications/awards submitted by Health Care Agency, County Executive Office, District Attorney and OC Community Resources, retroactive grant application/award submitted by Health Care Agency, and ratify grant applications/awards submitted by District Attorney and Sheriff-Coroner in 9/27/22 grant report and other actions as recommended; adopt resolutions authorizing District Attorney or designee to execute grant award agreements and amendments with California Department of Insurance (CDI) for Automobile Insurance Fraud Program ($994,080), Life and Annuity Consumer Protection Program ($86,250), Disability and Healthcare Insurance Fraud Program ($1,106,805) and Workers' Compensation Insurance Fraud Program ($7,018,728), 7/1/22 - 6/30/23; and making California Environmental Quality Act and other findings; adopt resolution authorizing District

Attorney or designee to execute grant agreement and amendments with California Office of Traffic Safety for Alcohol and Drug Impaired Driver Vertical Prosecution Program ($1,329,655) and California Traffic Safety Resource Prosecutor Training Network ($1,523,624), FFY 2022-23; and making California Environmental Quality Act and other findings - All Districts

25134 **APPROVED AS RECOMMENDED**
RESO: 22-116 - 22-120

41. Approve in concept issuance of short-term Taxable Pension Obligation Bonds for early payment of County's FY 2023-24 employer pension obligation; and select Fieldman, Rolapp & Associates, Inc. as municipal advisor and Orrick Herrington & Sutcliffe, LLP as bond counsel - All Districts

41235 **APPROVED AS RECOMMENDED**

42. Approve amendment 8 to renew contract MA-017-22011890 with The Illumination Foundation for temporary isolation shelter services, 10/1/22 - 6/30/23 ($2,586,654; cumulative total $9,896,066); and authorize County Procurement Officer or Deputized designee to execute amendment - District 4

24135 **APPROVED AS RECOMMENDED; DIRECTED STAFF TO ADDRESS CONCERNS WITH VENDOR PROVIDING TEMPORARY ISOLATION SERVICES AND TO RETURN TO THE BOARD IN 6 MONTHS WITH A NEW PLAN**

43. Approve FY 2021-22 Year-End Budget Report; approve related budget adjustments and reserve changes; and receive and file FY 2021-22 Charitable Organization Summary Report - All Districts (R.A. 1, 3 and 4 requires 4/5 vote of members present)

13254 **APPROVED AS RECOMMENDED**

44. Approve FY 2022-23 September Budget Update report; approve related budget adjustments; amend master position control; approve addition of events to FY 2022-23 County Event Calendar and make related findings per Government Code Section 26227; approve revised title descriptions and classification specifications and adjust pay grades for Building Inspector series, Engineer series, Code Enforcement Officer, Construction Inspector series, Environmental Health Specialist series, Environmental Health Technician series, Group Counselor series and Press Operator series, effective 10/7/22 - All Districts (RAs 1 and 2 require 4/5 vote of the members present)

15234 **APPROVED AS RECOMMENDED**

S44A. **Chairman Chaffee -** Approve addition of Black Chamber of Commerce to County Events Calendar; and make related findings per Government Code Section 26227

42135 **APPROVED AS RECOMMENDED**

S44B. **Supervisor Foley -** Approve addition of Lions International Club, Rotary Club and Halecrest Park Swim and Tennis Club events to County Events Calendar; and make related findings per Government Code Section 26227

25134 **APPROVED AS RECOMMENDED**

S44C. **Chairman Chaffee and Supervisor Bartlett -** Approve addition of County-wide Annual Holiday Open House hosted by Orange County Board of Supervisors to County Events Calendar; and make related findings per Government Code Section 26227

54123 **APPROVED AS RECOMMENDED**

Supervisor Bartlett:

S44D. Approve use of $4,950,000 and reallocate $3,030,000 from 5/24/22 item S96E for a total of $7,980,000 from Fifth District's discretionary ARPA funding allocation for hospitals and healthcare programs, K-12 school districts, higher education institutions, programs and institutions addressing food insecurity and homelessness, non-profits addressing domestic violence, non-profits supporting marine mammal rescue/rehabilitation, County department program and projects, non-profit organizations and programs supporting veterans, entities, programs and events supporting public safety and emergency services, and unfunded Fifth District projects; make related findings per Government Code Section 26227; and direct County Executive Officer or designee to negotiate and enter into agreements as necessary

54123 **APPROVED AS RECOMMENDED**

S44E. Approve addition of annual Extraordinary Lives Foundation Gala and other mental health & wellness events to County Events Calendar; and make related findings per Government Code Section 26227

B.O. **DELETED**

IV.PUBLIC HEARINGS (Item 45)

OC PUBLIC WORKS

45. Public Hearing to consider adopting resolution approving General Plan Amendment LU 22-01 Land Use Element; consider reading and adoption of "An Ordinance of the County of Orange, California, Amending Sections 7-9-25.2, 7-9-33.1, 7-9-33.2, 7-9-34.1, 7-9-34.2, 7-9-40.5 7-9-44, 7-9-61.2, 7-9-66, 7-9-70.9, 7-9-114.10, and 7-9-134.3 of the Codified Ordinances of the County of Orange" for Zoning Code Amendment CA 22-01 Housing Opportunities Overlay District and Technical Revisions; and consider adoption of Final Negative Declaration No. IP 22-0133 and other findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

15234 **APPROVED AS RECOMMENDED**
RESO: 22-121
ORD: 22-003

V.CLOSED SESSION (Items CS-1-SCS4)

GENERAL ADMINISTRATION

County Executive Office:

CS-1. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator:Colette Farnes
Employee Organization:United Domestic Workers of America (UDWA), and other non-represented employees
RE:Terms and Conditions of Employment

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

CS-2. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title:Director of Office of Independent Review
B.O. **HELD, NO REPORTABLE ACTION**

CS-3. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator:Colette Farnes
Employee Organization:Association of Orange County Deputy Sheriffs (AOCDS)
RE:Terms and Conditions of Employment
B.O. **DELETED**

SCS4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location:1725 West 17th Street, Santa Ana, CA
County Negotiator:Thomas A. Miller, Chief Real Estate Officer
Negotiating Party:17th Street Partners, LLC
Under Negotiation:Terms and Value of Future Lease
B.O. **HELD, NO REPORTABLE ACTION**

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Cheryl Fink - Oral re: Cancel Neal Kelley's consulting contract due to conflict of interest of his position as Chairman on the committee for safe and secure election

Freedom - Oral re: Asked how many supervisors lived in Santa Ana; if medical and mental health services are being provided to homeless it is not evident on the street; mid-term election and addressing voter fraud; special consideration for homeless with COVID-19 at hotels

Carolyn - Oral re: Loss of faith in the election system; machines are not certified and vulnerable to hackers and manipulation and are connected to the internet which makes them vulnerable to fraud

Joette - Oral re: Does not consent to use of machines or ballot boxes in elections, should return to single day voting on paper ballots in person, certification of election where there are more votes than voters

Ann - Oral re: Watch "True the Vote" or "The Pit" about fraudulent elections and "The Moment of Truth" by Mike Lindell that exposes how machines are hackable; COVID was a plan-demic and emergency use authorization has ended; cannot determine what is in the COVID vaccines because emergency use authorization does not require disclosure of what is contained in the vaccine; no jobs for refugees; shelters and services should only be provided to US citizens

Brigitte - Oral re: Submitted document regarding coverup of Klubnikin case proving County Counsel illegally removed a deed from a trust and covered it up to sell property; court actions should be overturned

Bryant Rumbaugh - Oral re: Cannot solve problems without discovering root cause; increase in mental health cases; build a society where people are not isolated and alienated; solutions are needed because Country has become destabilized

Todd Martin - Oral re: Thanked supervisors for their service to the County; believes elections are no longer trustworthy; Board needs to take election process seriously and restore faith in elections; core of democracy is the right to vote; without it we are left with minority rule; selfishness is at the heart of cheaters

Kate - Oral re: US Constitution gives one person one vote; voter fraud in Orange County; requested no machines, no ballot boxes, and one day of voting with same day results; require voter ID, outlaw ballot harvesting and clean up voter rolls; end state of emergency

Susan - Oral re: Lost faith in elections; three experts showed how machines were hackable; machines are vulnerable to manipulation; requested no drop boxes and ensure chain of custody is maintained; watch documentary 2000 mules; eliminate ballot harvesting

Tony Chargualaf - Oral re: Difficulty using housing vouchers; AB143 and SB1152; housing case managers provide vouchers that do not accept subsidized housing vouchers; need vouchers that accept low income vouchers

Carolyn - Oral re: Everyone should agree that election integrity is critical to maintaining our democracy; neither red nor blue trust our outcomes; follow the example of European democracies with one day voting and results the same day

Dawn - Oral re: Board approved Agenda item from 9/25/20, #25 adopting Resolution 20-143 retroactively approving the federalization of Orange County elections without the consent of the people and provided Registrar of Voters authority to modify a contract without further action of the Board; Board abdicated their responsibility; constitutional violations; e-voting machines not tested to standards

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:2:27 P.M.

Supervisor Foley - Adjourned in memory of Retired Lieutenant Jerry Hildeman and Adam Gandara

Supervisor Do - Adjourned in memory of Joanne Johnson

BOARD COMMENTS:

Vice Chairman Wagner - Oral re: AB1595 for veterans cemetery has been signed by Governor and thanked Nick Berardino, Bobby McDonald, Bill Cook and Bill Sandlin for their tireless efforts; use of the Hall of Administration for tactical S.W.A.T rescues and training purposes

Chairman Chaffee - Oral re: All 34 cities passed resolutions in support of the veterans cemetery

KEY

Left Margin Notes

1. = Supervisor Do
2. = Supervisor Foley

A.=Abstained
X.=Excused

3. = Supervisor Wagner
4. = Supervisor Chaffee
5. = Supervisor Bartlett

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