REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, May 9, 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:Supervisors: Chaffee, Foley, Sarmiento and Wagner

EXCUSED:Supervisor Do

PRESENT:	COUNTY EXECUTIVE OFFICER	Michelle Aguirre, Chief Financial Officer
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Robin Stieler

INVOCATION:Supervisor Chaffee, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE:Supervisor Foley, Fifth District, led the assembly in the Pledge of Allegiance and Keira Wilkes from Newport Harbor High School sang the national anthem

I.PRESENTATIONS/INTRODUCTIONS

Chairman Wagner presented a resolution proclaiming May 2023 as "Water Safety and Drowning Prevention Month"

Chairman Wagner presented a resolution proclaiming May 2023 as "Foster Care Month"

Chairman Wagner presented a resolution proclaiming May 2023 as "Mental Health Awareness Month"

II.CONSENT CALENDAR (Items 1-4)

42153 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 2 WHICH WAS DELETED**

ELECTED DEPARTMENT HEADS

1. **Sheriff-Coroner -** Approve agreement 23112123 with State of California Commission on Peace Officer Standards and Training (POST) for coroner training courses, 7/1/23 - 6/30/24 ($174,873); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

OC COMMUNITY RESOURCES

2. Adopt resolution amending Orange County Human Relations Commission Bylaws clarifying member appointments by the City Selection Committee, remove references to communications standing committee and clarifying Commission Chairperson's authority to issue public statements on hate crimes and hate incidents - All Districts (Continued from 4/25/23, Item 5)

42153 X **DELETED**

SOCIAL SERVICES AGENCY

3. Approve non-financial Memorandum of Understanding (MOU) 22-6066 with California Department of Social Services to allow transfer of administration of Restaurant Meals Program to a state-administered program, effective 7/1/23; and authorize Director or designee to execute MOU - All Districts

GENERAL ADMINISTRATION

4. **County Executive Office -** Acting as the Board of Supervisors and Orange County Flood Control District - Approve Cadillac Trail License Agreement MA-080-23011057 with City of Costa Mesa and addendum to November 22, 1983 Park License MA-080-23011092 with Southern California Edison Company to allow installation and maintenance of an electrical conduit for lighting at Santa Ana River bike trail; approve easement deed template and authorize Director of OC Public Works or designee to utilize easement template when conveying property rights and interests to Orange County Transportation Authority and/or California Department of Transportation; and authorize Chief Real Estate Officer or designee to extend mutual indemnification under certain conditions and make related findings - Districts 1, 3 and 5

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 5-S38F)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

5. Approve amendment 3 to contract MA-060-20011744 with SF Mobile-Vision, Inc., dba COBAN Technologies, Inc/Safe Fleet Law Enforcement for digital in-car police video systems and software maintenance of SF3 Mobile-Vision parts, 6/24/23 - 6/23/24 ($61,320; cumulative total $245,280); renewable for one additional one-year term; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

54123 **APPROVED AS RECOMMENDED**
X

6. Approve contract MA-060-23010626 with Wescraft, Inc. for mattress purchases and re-cover services, 6/29/23 - 6/28/28 ($3,434,800); and authorize County Procurement Officer or Deputized designee to execute contract - Districts 2 and 3 (Continued from 4/25/23, Item 12)

23145 **APPROVED AS RECOMMENDED**
X

7. **Treasurer-Tax Collector -** Receive and file oral and written Treasury Oversight Committee 2022 Annual Report - All Districts (Continued from 4/11/23, Item 15)

53124 **RECIEVED AND FILED**
X

HEALTH CARE AGENCY

8. Approve master agreement and contracts MA-042-23010691 with AB Staffing Solutions LLC, Marquee Staffing, Orbit Health and Star Nursing Inc. for correctional health registry staffing services, 5/9/23 - 4/10/26 (aggregate total $29,994,931); 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 contracts - Districts 1, 3 and 5

53124 **APPROVED AS RECOMMENDED**
X

9. Approve selection of and contract MA-042-23011108 with SDXRAY Inc. for direct digital radiology services for Correctional Health Services programs, 7/1/23 - 6/30/26 ($6,321,360); and authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - Districts 2 and 3

23145 **APPROVED AS RECOMMENDED**
X

10. Approve amendment 8 to renew contract MA-042-20011290 with Orange County Superintendent of Schools aka Orange County Department of Education for K-12 Mental Health Educational services, 7/1/23 - 6/30/25 ($1,089,490; cumulative total $2,640,097); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

45123 **APPROVED AS RECOMMENDED**
X

11. Approve contract MA-042-23011036 with Orange County Association for Mental Health dba Mental Health Association of Orange County for multi-service center services for homeless adults with mental disorders, 7/1/23 - 6/30/26 ($15,166,437); renewable for one additional two-year term; and authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed $505,548 under certain conditions and execute contract - District 2 (Continued from 4/25/23, Item 22)

B.O. **CONTINUED TO 5/23/23, 9:30 A.M.**

12. Approve selection of contract MA-042-23010877 with The Priority Center, Ending the Generational Cycle of Trauma, Inc. for Adult In-Home Crisis Stabilization services, 7/1/23 -

6/30/26 ($7,232,701); 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

42153 X **APPROVED AS RECOMMENDED**

13. Approve amendment 1 to contract MA-042-22011583 with Children's Hospital of Orange County dba CHOC Children's for children and transitional age youth full-service partnership/wraparound services for co-occurring disorders, 7/1/23 - 6/30/25 ($6,437,926; cumulative total $20,489,032); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

52143 X **APPROVED AS RECOMMENDED**

14. Approve selection of and contract MA-042-23011109 with Correctional Managed Care, Medical Corporation for physician services for Correctional Health Services programs, 7/1/23 - 6/30/26 ($9,454,257); 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 - Districts 2 and 3

23145 X **APPROVED AS RECOMMENDED**

15. Approve selection of and contract MA-042-23010846 with The Regents of the University of California, on behalf of UC Irvine School of Medicine, Department of Psychiatry for physician services, 7/1/23 - 6/30/26 ($1,815,000); renewable for two additional years; and authorize County Procurement Officer or Deputized designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute contract - District 2

23145 X **APPROVED AS RECOMMENDED**

16. Approve amendment 1 to contract MA-042-22011582 with ARxIUM, Inc. for automated medication dispensing machines and maintenance services, 5/9/23 - 6/29/23 ($13,750) and 6/30/23 - 6/30/26 ($241,745; cumulative total $521,495); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 2 and 3

23145 X **APPROVED AS RECOMMENDED**

17. Approve master agreement and contracts MA-042-23011088 with Action Alliance Foundation, Clean Path Recovery LLC, Grandma's House of Hope, Roque Center, Inc., The Stephouse Recovery, Inc., The Teen Project, Inc. and The Villa Center, Inc. for recovery residence services, 7/1/23 - 6/30/26 ($6,300,000); 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 individual contracts - All Districts (Continued from 4/25/23, Item 17)

42153 X **APPROVED AS RECOMMENDED**

18. Approve selection of and contracts MA-042-23011145 with Colette's Children Home, Inc. ($2,145,021), MA-042-23010864 with Friendship Shelter, Inc. ($1,304,895) and MA-042-23011144 with Grandma's House of Hope ($5,410,038) for Homeless Bridge Housing services, 7/1/23 - 6/30/26; 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 contracts - All Districts (Continued from 4/25/23, Item 18)

52143 **APPROVED AS RECOMMENDED**
X

OC COMMUNITY RESOURCES

19. Approve cooperative agreement with Orange County Fire Authority for hand crew services and equipment, 7/1/23 - 6/30/24 ($200,000); renewable for four additional one-year terms; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Sections 15301 and 15304 - All Districts

45123 **APPROVED AS RECOMMENDED**
X

OC PUBLIC WORKS

20. Award contract MA-080-23011170 to West Coast Air Conditioning Company, Inc. for construction phase services for Central Utility Facility - Steam Line Replacement Project - Leg 1, 312-day term (County of Orange contingency $343,825; Guaranteed Maximum Price $4,483,322); and authorize Director or designee to execute contract - District 2

23145 **APPROVED AS RECOMMENDED**
X

21. Approve amendment 4 to renew contract MA-080-20010727 with Nalco Company LLC for water treatment chemicals and related services, 5/19/23 - 5/18/24 ($379,000; cumulative total $1,516,000); renewable for one additional one-year term; and authorize County Procurement Officer or Deputized designee to execute amendment - District 2

24153 **APPROVED AS RECOMMENDED**
X

PUBLIC PROTECTION

22. **Probation -** Approve amendment 2 to contract MA-057-19011302 with GEO Reentry Services LLC for Day Reporting Center Services, 6/1/23 - 5/31/24 ($2,254,100; cumulative total $11,270,500); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 1 and 2

23145 **APPROVED AS RECOMMENDED**
X

SOCIAL SERVICES AGENCY

23. Approve contract MA-063-23011030 with Community Health Initiative of Orange County for Outreach and Enrollment Services, 7/1/23 - 6/30/26 ($1,800,000); 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 (Continued from 4/11/23, Item 22)

35124 **APPROVED AS RECOMMENDED**
X

24. Approve Memorandum of Understanding with Orange County Superintendent of Schools

for educational support for foster youth, 7/1/23 - 6/30/26 ($2,018,853); and renewable for two additional one-year terms - All Districts

53124 X **APPROVED AS RECOMMENDED**

25. Approve amendment 1 to contract CJP2321 with Children's Home Society of California for Emergency Child Care Bridge Program for foster children, 7/1/23 - 6/30/25 ($1,024,000; cumulative total $7,699,564); 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 amendment - Districts 1, 2, 4 and 5

42153 X **APPROVED AS RECOMMENDED**

26. Approve contracts MA-063-23011162 with New Alternatives, Inc., MA-063-23011163 with Olive Crest, MA-063-23011164 with South Coast Children's Society, Inc., dba South Coast Community Services for Wraparound Orange County Direct Services, 7/1/23 - 6/30/26 ($10,650,000 each); approve contract MA-063-23011165 with Family Support Network for Wraparound Orange County Direct Services, 7/1/23 - 6/30/26 ($525,000); 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 contracts - All Districts

35124 X **APPROVED AS RECOMMENDED**

27. Approve contracts MA-063-23010983 with The Priority Center, Ending the Generational Cycle of Trauma, Inc. for basic needs and placement preparation services ($2,250,000); MA-063-23010984 with Children's Bureau of Southern California for in-home coaching services ($1,950,000); MA-063-23010985 with New Alternatives, Inc. and MA-063-23010986 with Olive Crest for monitored and supervised visitation with transportation services ($2,250,000 each); 7/1/23 - 6/30/26 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 contracts - All Districts

45123 X **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

35124 X **APPROVED AS RECOMMENDED WITH SUPERVISOR SARMIENTO ABSTAINING ON RECOMMENDED ACTION 1**

29. Acting as the Legislative Body of Community Facilities District No. 2023-1 (Rienda Phase 2B) - Adopt resolution certifying election results, authorizing filing of validation action and making related findings; consider first reading of "Ordinance of the Board of Supervisors of Orange County, California Acting in its Capacity as the Legislative Body of Community Facilities District No. 2023-1 of the County of Orange (Rienda Phase 2B) Authorizing the Levy of Special Taxes"; and set second reading and adoption for 5/23/23, 9:30 a.m. - District 5

52143 X

APPROVED AS RECOMMENDED

RESO: 23-057

30. Approve Amended Irrevocable Offers of Dedication for Cristianitos, Prima Deshecha Regional Riding and Hiking Trail Easement from Talega Associates, LLC, Talega Business Park Maintenance Corporation, and Talega Maintenance Corporation; approve Staging Area Easement Deed from Talega Associates, LLC for staging purposes; approve Assignment of Trail Easement Deed from Talega Associates, LLC for trail purposes; approve Trail Easement Deed from City of San Clemente for trail purposes; adopt resolution to reject excess trail portions associated with final trail alignment with approval and acceptance of Prima Deshecha Regional Riding and Hiking Trail; and make California Environmental Quality Act (CEQA) exemption findings under CEQA Guidelines Section 15305 and 15316 - District 5

54123 X

APPROVED AS RECOMMENDED

RESO: 23-058

31. Approve grant applications/awards submitted by Sheriff-Coroner, Health Care Agency and OC Community Resources in 5/9/23 grant report and other actions as recommended; adopt resolutions approving standard agreements DC-2223-22 for Digital Connections program, 2/1/23 - 12/31/23 ($675,978) and AP-2324-22 for Older Americans Act and Older Californians Act programs, 7/1/23 - 6/30/24 ($17,976,921) with California Department of Aging; and authorizing OCCR Director or designee to execute agreements and related documents - All Districts

52143 X

APPROVED AS RECOMMENDED

RESO: 23-059 - 23-060

32. Approve amendment 2 to contract MA-017-20010049 with Empower Annuity Insurance Company of America for retirement plan administrative and investment services, 7/1/23 - 6/30/24; and authorize Chief Human Resources Officer or designee to administer plans, negotiate and execute underlying agreements necessary for proper functions, to make changes under certain conditions and execute amendment - All Districts

42153 X

APPROVED AS RECOMMENDED

33. Approve amendment 2 to renew contract MA-017-22011915 with Institute for Urban Initiatives for continuum of care program technical assistance and consulting services, 7/1/23 - 6/30/26 ($75,000; cumulative total $375,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

42153 X

APPROVED AS RECOMMENDED

34. Approve amendment 2 to contract MA-017-20010010 with Health and Human Resource Center dba Aetna Resources for Living for Employee Assistance Program, 7/1/23 - 12/31/24; and authorize Chief Human Resources Officer or designee to execute amendment - All Districts

24153 X

APPROVED AS RECOMMENDED

35. Approve amendment 6 to contract MA-017-21011119 with OptumRx, Inc. for pharmacy benefit management and claims administration to include price edge for non-covered drugs addendum, effective 6/1/23; and authorize Chief Human Resources Officer or designee to execute amendment - All Districts

42153 **APPROVED AS RECOMMENDED**
X

36. Approve Administrative Service agreements MA-017-23011288 with Humana Insurance Company, MA-017-23011289 with Kaiser Foundation Health Plan, Inc. and MA-017-23011290 with SCAN Health Plan for Medicare-eligible retiree health plans for employees, 1/1/24 - 12/31/26; renewable for two additional one-year terms; and authorize Chief Human Resources Officer or designee to execute agreements - All Districts

23145 **APPROVED AS RECOMMENDED**
X

37. Approve Administrative Service agreements with Cigna Healthcare of California, Inc. and Kaiser Foundation Health Plan, Inc. for health maintenance organization health plans for employees and non-Medicare retirees, 1/1/24 - 12/31/26; renewable for two additional one-year terms; and authorize Chief Human Resources Officer or designee to execute agreements - All Districts

45123 **APPROVED AS RECOMMENDED**
X

38. **Supervisor Foley -** Approve continuation of local emergency for 2022-2023 winter storms; and set review to determine need for continuing local emergency for 6/27/23, 9:30 a.m. and every 60 days thereafter until terminated - All Districts (Continued from 3/14/23, Item S38L)

54123 **APPROVED AS RECOMMENDED**
X

S38A. **Vice Chairman Do -** Orange County Senior Citizens Advisory Council - Appoint Mariann J. Klinger, Seal Beach, for term concurrent with 1st District Supervisor's term of office

34125 **APPROVED AS RECOMMENDED**
X

S38B. **County Executive Office -** Acting as the Orange County In-Home Supportive Services Public Authority - Approve and adopt 2022-2024 Memorandum of Understanding (MOU) with United Domestic Workers of America/AFSCME Local 3930 for In-Home Supportive Services provider unit, 7/1/22 - 12/31/24; and authorize County Executive Officer or designee to execute MOU - All Districts

24153 **APPROVED AS RECOMMENDED**
X

S38C. **Chairman Wagner -** Children and Families Commission of Orange County, also known as First 5 Orange County - Approve selection of one individual to the Education Category (annual alternating category); one individual to the Health Category and one individual to the Education Category, for terms ending 3/31/25 - All Districts

32145 **SELECTED AND APPOINTED JACKIE FILBECK TO EDUCATION CATEGORY**
X **(ANNUAL ALTERNATING CATEGORY); SOLEDAD RIVERA TO HEALTH CATEGORY; AND ANGELA ROWE TO EDUCATION CATEGORY**

S38D. **Supervisor Foley -** Orange County Audit Oversight Committee - Appoint Yvonne Rowden, Costa Mesa, for term concurrent with 5th District Supervisor's term of office

52143 **APPROVED AS RECOMMENDED**

X

Supervisor Sarmiento:

S38E. Approve use of $194,000 from second District's discretionary American Rescue Plan Act (ARPA) funding allocation to support an ongoing effort to identify murderer(s) of Victoria Barrios through non-profit Justice for Victoria Barrios, K-12 school and school district capital improvement projects and programs, institutions addressing food insecurity and homelessness, senior center programs and equipment, support Dolores Huerta Foundation and fellowship program to support formerly incarcerated individuals; make related findings per Government Code Section 26227; and direct County Executive Officer or designee to negotiate and enter into agreements as necessary

23145 **APPROVED AS RECOMMENDED**

X

S38F. Approve additions of May Day Reception and Youth Leadership Summit to County Events Calendar; and make related findings per Government Code Section 26227

23145 **APPROVED AS RECOMMENDED**

X

IV.PUBLIC HEARINGS (Items 39-41)

ELECTED DEPARTMENT HEADS

39. **Sheriff-Coroner -** Public Hearing to consider adopting resolution approving Orange County Uniform Parking Penalty Schedule of 2023, effective 30 days after Board approval for unincorporated areas and County-owned facilities; and rescinding Resolution 10-197 - All Districts

B.O. **CLOSED PUBLIC HEARING**

42153 **APPROVED AS RECOMMENDED**

X

RESO: 23-061

OC COMMUNITY RESOURCES

40. Public Hearing to consider and approve FY 2023-24 Annual Action Plan; approve Federal allocation of U.S. Department of Housing and Urban Development new, reprogrammed and program income Community Development Block Grant, HOME Investment Partnership Act, Emergency Solutions Grant funds and state and local funds ($5,623,946); approve providers and projects for public services, housing rehabilitation and public facilities and improvement activities; authorize Director or designee to execute and submit all related documents, make non-material changes, exercise cost contingency increase not to exceed 10% and make line item budget adjustments under certain conditions; designate Director of Housing and Community Development or designee to act as certifying officer and execute all documents related to administration, management and implementation; Acting as the Board of Supervisors and

Orange County Housing Authority - Authorize Director or designee to utilize up to $100,000 in federal HOME Investment Partnerships program funds and/or Operating Reserve funds in FY 2023-24 to fund tenant-based rental assistance activities and return to the Board to approve future annual allocations - All Districts

B.O. **CLOSED PUBLIC HEARING**

45123 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

41. **County Executive Office -** Public Hearing to consider adopting resolution approving Official OC Brand Merchandising and Marketing Plan to pursue merchandising partnerships and sponsorships with nonprofit organizations, private sector organizations and businesses in support of programs and events administered by County; and make related findings per Government Code Section 26227; authorize Chief Real Estate Officer or designee to carry out programs and activities, execute agreements and related documents consistent to the plan; direct Chief Real Estate Officer or designee to return to the Board with any proposed agreements; approve Trademark License agreement with 10th Hole Associates, Inc. for sale of County branded merchandise at Salt Creek Beach; authorize Chief Real Estate Officer or designee to execute agreement and amendments under certain conditions; approve amendment 3 to agreement MA-017-22011209 with Kurtis Schureman dba Caveman Crayon for graphic design services ($500,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

B.O. **CLOSED PUBLIC HEARING**

54123 **APPROVED AS AMENDED TO INCLUDE BRANDING AND MERCHANDISING**
X **FOR THE ORANGE COUNTY HALL OF FAME**
RESO: 23-062

V.CLOSED SESSION (Items CS-1-SCS7)

GENERAL ADMINISTRATION

CS-1. **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), Association of County Law Enforcement Managers (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Orange County Managers Association (OCMA), Teamsters, and workers represented by United Domestic Workers of America (UDWA) and other non-represented employees
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:Latoya Reinhold et. al v. County of Orange, USDC Case No. 8:20-cv-02369

B.O. **COUNTY COUNSEL READ: ON A VOTE OF 4-0, WITH SUPERVISOR DO ABSENT, THE BOARD ACCEPTED AND APPROVED A PROPOSED $7.5 MILLION SETTLEMENT IN THE MATTER OF LATOTYA REINHOLD ET AL V. COUNTY OF ORANGE.THIS LITIGATION CONCERNED THE DEATH OF KURT REINHOLD, A HOMELESS MAN, WHO WAS SHOT AND KILLED BY A DEPUTY SHERIFF IN SAN CLEMENTE AFTER MR. REINHOLD PLACED HIS HAND ON, AND ATTEMPTED TO REMOVE, ANOTHER DEPUTY SHERIFF'S GUN FROM ITS HOLSTER AS THE TWO DEPUTY SHERIFFS WRESTLED WITH MR. REINHOLD ON THE GROUND.WHEN FINALIZED, COPIES OF THE EXECUTED SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Orange County Flood Control District v. HRB Properties, LLC, San Bernardino Superior Court Case No. CIVDS1406175

B.O. **COUNTY COUNSEL READ: ON A VOTE OF 4-0, WITH SUPERVISOR DO ABSENT, THE BOARD ACCEPTED AND APPROVED A PROPOSED $16,000,000 SETTLEMENT IN CONNECTION WITH THE ACQUISITION OF REAL PROPERTY IN SAN BERNARDINO COUNTY THAT IS NECESSARY FOR THE U.S. ARMY CORPS OF ENGINEERS SANTA ANA MAINSTEM PROJECT, A PROJECT THAT WILL PROVIDE FLOOD CONTROL PROTECTION TO ORANGE COUNTY RESIDENTS.THE BOARD AUTHORIZES AND DIRECTS COUNTY COUNSEL AND OUTSIDE COUNSEL TO FILE AND EXECUTE ALL NECESSARY DOCUMENTS, INCLUDING A STIPULATION FOR JUDGMENT AND A PROPOSED FINAL ORDER IN CONDEMNATION, TO EFFECTUATE THE SETTLEMENT FOR THE SUBJECT PROPERTY INTERESTS.THE BOARD ALSO AUTHORIZES AND DIRECTS THE AUDITOR-CONTROLLER TO ENCUMBER AND TRANSFER FUNDS IN THE AMOUNT OF $9,146,000 FROM THE FUND 404 RESERVE ACCOUNT TO EFFECTUATE THIS SETTLEMENT.THE BOARD ALSO AUTHORIZES COUNTY COUNSEL AND THE AUDITOR CONTROLLER TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THESE DIRECTIVES.WHEN FINALIZED, COPIES OF THE EXECUTED SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.**

SCS4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases:One Case

B.O. **COUNTY COUNSEL READ: ON A VOTE OF 4-0, WITH SUPERVISOR DO ABSENT, THE BOARD ACCEPTED AND APPROVED THE PROPOSED RESOLUTION OF A CONTRACT DISPUTE WITH AGE WELL SENIOR SERVICES, INC., AND COMMUNITY SENIORSERV, INC., DBA MEALS ON WHEELS ORANGE COUNTY IN CONNECTION WITH THE COUNTY'S SUCCESSFUL IMPLEMENTATION OF THE GREAT PLATES DELIVERED PROGRAM.WHEN FINALIZED, COPIES OF THE EXECUTED SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH**

THE OFFICE OF COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.

SCS5. **County Executive Office -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Nicholas Wray v. County of Orange, WCAB Case: ADJ16135184

B.O. **COUNTY COUNSEL READ: ON A VOTE OF 4-0, WITH SUPERVISOR DO ABSENT, THE BOARD ACCEPTED AND APPROVED A PROPOSED $200,000 SETTLEMENT IN THE MATTER OF NICHOLAS WRAY V. COUNTY OF ORANGE.IN THIS WORKERS' COMPENSATION CASE, THE APPLICANT, A RETIRED DEPUTY SHERIFF, CLAIMED CUMULATIVE TRAUMA TO HIS HEART AND CIRCULATORY SYSTEM AFTER 27 YEARS OF SERVICE.THE SETTLEMENT AGREEMENT REMAINS SUBJECT TO THE APPROVAL OF OTHERS.WHEN THE AGREEMENT IS FINALIZED, COPIES OF THE AGREEMENT CAN BE OBTAINED FROM CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

County Counsel:

SCS6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Talega Maintenance Corporation v. Standard Pacific Corporation, Talega Associates, LLC, and the County of Orange, Orange County Superior Court Case No. 30-2012-00601360-CU-CD-CXC

B.O. **COUNTY COUNSEL READ: ON A VOTE OF 4-0, WITH SUPERVISOR DO ABSENT, THE BOARD ACCEPTED AND APPROVED THE PROPOSED SETTLEMENT IN THE MATTER OF TALEGA MAINTENANCE CORPORATION V. STANDARD PACIFIC CORPORATION, TALEGA ASSOCIATES, LLC, AND THE COUNTY OF ORANGE.THE LITIGATION AND SETTLEMENT CONCERN THE COUNTY'S ACCEPTANCE OF NEW RIDING AND HIKING TRAILS IN THE COUNTY TRAIL SYSTEM, AND IS CONTINGENT ON THE BOARD'S APPROVAL OF ITEM 30 ON TODAY'S AGENDA.WHEN FINALIZED, COPIES OF THE EXECUTED SETTLEMENT AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.COUNTY COUNSEL LEON J. PAGE RECUSED HIMSELF AND DID NOT PARTICIPATE IN THE BOARD'S DELIBERATIONS ON THIS ITEM, AND LEFT THE CLOSED SESSION ROOM, AS HE IS A MEMBER OF THE TALEGA MAINTENANCE CORPORATION HOMEOWNERS ASSOCIATION AND OWNS A HOME NEAR THE TRAILS AT ISSUE IN THIS LITIGATION.**

SCS7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case:Clarisse Magtoto v. County of Orange, Orange County Superior Court Case No. 30-2022-01241335, Amy Tallakson v. County of Orange, Orange County Superior Court Case No. 30-2022-01241346, Shabnum Azizi v. County of Orange, Orange County Superior Court Case No. 30-2022-01232544, Rebecca Garcia v. County of Orange, Orange County Superior Court Case No. 30-2022-01241348, Mallory Miller v. County of Orange, Orange County Superior Court Case No. 30-2022-01252436, Barbara Nicholson v. County of Orange, Orange County Superior Court Case No. 30-2022-01252445, Bethel Cope-Vega v. County of Orange, Orange County Superior Court Case No. 30-2022-01252452, Mohammad Abuershaid v. County of Orange, Orange County Superior Court Case No. 30-2022-01243989, and Tracy Miller v.

County of Orange et al., Orange County Superior Court Case No. 30-2022-01262015

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

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Steve Rocco - Oral re: No statute of limitations on murder; former Supervisor John Moorlach's ties to Chapman University; elected to the Orange Unified School District and introduced to two hatchet men who work for Chapman; Villa Park Councilman Robert Fauteux provided file with information regarding Daniel Ortega; was censured by the Board for comments provided at the meeting; Californians Aware filed lawsuit which was dismissed by Judge Clay Smith and Californians Aware was fined $80,000; Fauteux wrote article regarding Californians Aware v. Orange Unified School District

Michael Mavrovouniotis - Oral re: OC Animal Shelter appointment system not working and COVID restrictions still in place at shelter; allow public to view dogs in kennels and reinstate group play for large dogs; published 2023 statistics show increase in unnecessary animal deaths

Ginger Osborne - Oral re: Thanked Supervisor Foley for hosting sustainability conference and initiating discussion regarding a Climate Action Plan for Orange County and thanked the Board for applying for climate pollution reduction grant to support County's climate planning and implementation; Climate Action Plan will show how County can reduce greenhouse emissions

Breene Murphy - Oral re: Vice President of Carbon Collective Investing; thanked Supervisor Foley for hosting sustainability summit; increased investing into the solutions for climate; Climate Action Plan will provide business opportunities like solar, wind, hydro and also building retrofits and water efficiency

Vinianne Kelly - Oral re: Create a Climate Action Plan for Orange County; prepare for climate change through efforts at home like solar panels, electric vehicle and home garden for food

Kai Lin - Oral re: Product developer for renewable energy and battery storage; importance of sustainability and need for Climate Action Plan to make the County more resilient

Name not provided - Oral re: Asking County to develop and implement a Climate Action Plan; fires are due to the climate crisis and floods in Pakistan

Name not provided - Oral re: Dr. Chau's resignation and article regarding lack of transparency for awarding multiple million dollar no-bid contracts; Supervisor Do under investigation by the California State Auditor's office for the hiring and pay practices that he presided over at CalOptima; Judge Cheri Pham sent bill to elderly man for the care of his autistic son

Esther - Oral re: Refugee and immigrant camps in El Paso, Texas; 'Cause Unknown' written by Ed Dowd; statistics related to COVID deaths

Margo - Oral re: OC Animal Shelter needs to be open; Board negligent by not looking at the facts and figures; what can taxpayers do to persuade the Board to open the shelter; was a OC Vote supervisor in 2022 and trained to identify fraud; voter fraud did not exist in the election

Don Newton - Oral re: Vehicles on Oso Parkway; traffic enforcement daily on Oso Parkway was effective, but has since been discontinued and now it has become the wild west due to unsafe drivers; Officer said Oso Parkway was too dangerous to patrol

Eileen McDermott - Oral re: Election Fraud; 60% people believe there was voter fraud; documentary '2000 Mules' shows how fraud can occur; drop box surveillance videos show fraudulent illegal votes to drop boxes and evidence that it changed the outcome of the elections

Paul Hyek - Oral re: Problems with foreign agents buying judges; elderly and handicapped people have no rights; need to send illegal Mexicans home; milk supply is dwindling in California; bed bugs and food quality in shelters_

Bryan Kaye - Oral re: No one was working the Cinco de Mayo booth in Anaheim for District Attorney; Supervisor Sarmiento quoting Martin Luther King; arrested and labeled mentally ill by Supervisor Foley

Karen - Oral re: Orange County Animal Shelter need to let the public view all the animals in the shelter and restart play groups for large dogs

Ayn Craciun - Oral re: Energy efficient utility allowances and affordable housing policy that is set by the Orange County Housing Authority; developers are incentivized to use fossil fuel using appliances; utility allowance schedule should provide for greener alternatives; impacts to affordable housing costs in Orange County

Kyler Chin - Oral re: Requested to amend utility allowance schedule to support electrification to combat climate change; adopt energy efficient utility allowance and a Climate Action Plan

Maria Luebbers - Oral re: Asked to create a climate action plan to take advantage of incentives provided by the inflation reduction act; need to create affordable housing and energy needs of affordable housing; adopt clean energy efficient utility allowance

Jake Comer - Oral re: Change OC Housing Authority's utility allowance schedule to support electrification policies in Orange County cities and protect affordable housing; return to pre-industrial levels by 2050; decarbonizing buildings

Lexi Hernandez - Oral re: Climate Action Campaign for environmental justice; install all electric appliances in affordable housing construction; adjust utility allowance schedule to provide energy efficiency

COUNTY EXECUTIVE OFFICER COMMENTS:
None

ADJOURNED:3:11 P.M.
53124 **Adjourned in memory of Jean Watt and Dr. Richard Mehren**
X

BOARD COMMENTS:

Supervisor Foley - Oral re: Climate resiliency planning and Climate Action Plan for Orange County; Orange County applied for the Climate Pollution Reduction Grant released by the Environmental Protection Agency; encouraged residents to pick up compost from OC Waste and Recycling; adjusting utility allowance for existing and new builds without penalizing less energy efficient units

Supervisor Chaffee - Oral re: Concerned with lowering utility allowance and increase of costs to tenants; conflict with lower utility allowances that help landlords but penalizes tenants

Supervisor Sarmiento - Oral re: City of Santa Ana adopted a Climate Resiliency Plan and included environmental justice terms and provisions to address issues affecting communities

***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