REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, September 13, 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:Supervisor Do, First District, gave the invocation

PLEDGE OF ALLEGIANCE:Supervisor Foley, Second District, led the assembly in the Pledge of Allegiance and Bella Wilson of Santa Ana High School sang the National Anthem

I.PRESENTATIONS/INTRODUCTIONS

Vice Chairman Wagner presented a resolution recognizing September 2022 as "Hunger Action Month"

Chairman Chaffee presented a resolution proclaiming September 2022 as "Prostate Cancer Awareness Month"

Chairman Chaffee presented a resolution proclaiming September 4-10, 2022 as "National Suicide Prevention Week"

Chairman Chaffee presented a resolution proclaiming September 2022 as "National Recovery Awareness Month"

Supervisor Do presented a resolution congratulating Nancy Clark for over 40 years of work advising Court and governments to implement alternative sentencing programs

Chairman Chaffee presented a resolution recognizing Project Manager, Scott Dessort for his hard work toward the CAS and CAN buildings

Supervisor Bartlett presented a resolution recognizing Lucy Dunn upon her retirement and years of outstanding service as President and CEO of the Orange County Business Council (OCBC)

Supervisor Foley presented a resolution proclaiming September 15, 2022 through October 15, 2022 as "Hispanic Heritage Month"

II.CONSENT CALENDAR (Items 1-10)

13254 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 9 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairman Chaffee -** Orange County Child Care and Development Planning Council - Reappoint Laura Vidal, Capistrano Beach, Scarlett vonThenen, Lake Forest, Nadhira Hathotuwegama, Orange and Misael Hernandez, Orange, for terms ending 8/5/24; appoint Hailey Ayala, Fullerton, Maria Michea, Placentia, Sarah Shawesh, Brea and Deanna Parga, La Habra, to complete terms ending 8/5/24; appoint Fritzi Gragg, Trabuco Canyon, Amanda Selogie, Huntington Beach, Teresa "Traci" Stubbler, Irvine and Ajah White, Mission Viejo, to complete terms ending 8/5/23 - All Districts

ELECTED DEPARTMENT HEADS

2. **Auditor-Controller -** Adopt resolution approving property tax rates for FY 2022-23 - All Districts
RESO: 22-109

OC COMMUNITY RESOURCES

3. Approve contract MA-012-23010033 with Dayle McIntosh Center for the Disabled to administer Dignity at Home Fall Prevention Program, 10/1/22 - 6/30/23 ($451,197); renewable for three additional one-year terms; authorize County Procurement Officer or Deputized designee to execute contract and amendments under certain conditions - All Districts

OC PUBLIC WORKS

4. Approve Final Tract Map 19151; approve Subdivision Improvement Agreement S22-051001 with TH Rancho Mission Viejo MR45, LLC and accept bonds guaranteeing construction; accept dedication of easements for public street, public utility and emergency vehicle access purposes; and accept vehicular access rights to Autumn Way, Bunkhouse Drive and Leonard Drive - District 5

5. Approve Final Tract Map 19152; approve Subdivision Improvement Agreement S22-062402 with Tri Pointe Homes Holdings, Inc. and RMV PA3 Development, LLC; accept bonds

guaranteeing construction; accept dedication of easements for public streets, public utility, emergency access, and public service vehicle ingress and egress purposes; and accept vehicular access rights to Leonard Drive, Roots Way, Bunkhouse Drive and Crested Lark Road - District 5

6. Approve and accept Grant of Storm Drain Easement (Storm Drain - South of Cow Camp Road) from RMV PA3 Development, LLC and DMB San Juan Investment North, LLC; and authorize Director or designee to execute future amendments under certain conditions - District 5

OC WASTE & RECYCLING

7. Approve amendment 1 to Amended and Restated Communications Site License PM123-18A&R with Los Angeles SMSA Limited Partnership dba Verizon Wireless, Coyote Canyon Landfill; authorize Director or designee to execute amendment and future amendments under certain conditions - District 5

GENERAL ADMINISTRATION

Clerk of the Board:

8. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Assessor - All Districts

9. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for District Attorney - All Districts

23154 **APPROVED AS RECOMMENDED**

10. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Centralia School District - District 4

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 11-S32F)

ELECTED DEPARTMENT HEADS

11. **District Attorney -** Approve the appointment of Arnell Rivera as Extra Help Working Retiree Senior Computer Forensic Examiner to conduct digital forensic examinations at Orange County Regional Computer Forensics Laboratory pursuant to Section 7522.56(f) of the Public Employees' Pension Reform Act of 2013 - All Districts

53124 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

12. 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

B.O. **CONTINUED TO 9/27/22, 9:30 A.M.**

13. Approve amendment 3 to contract MA-060-20010402 with Teleosoft Inc. to add CountySuite Cloud Hosting services, ($95,438; new total $272,242; cumulative total $1,781,994) 3/10/22 - 3/09/23; and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

35124 **APPROVED AS RECOMMENDED**

14. 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

B.O. **CONTINUED TO 9/27/22, 9:30 A.M.**

HEALTH CARE AGENCY

15. Approve contracts MA-042-22011036 with Volunteers of America of Los Angeles for Regional Care Coordination Services in North Service Planning Area ($3,579,692) and MA-042-22011558 with People Assisting the Homeless (PATH) for Regional Care Coordination Services in Central and South Service Planning Areas ($7,561,203), 10/15/22 - 6/30/24; 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

12354 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

16. Approve amendment 3 to Specialty Concession Lease with Bambuza OC Ventures, LLC dba Coffee Bean & Tea Leaf to modify leased premises locations and permitted use; modify minimum annual guarantee for coffee locations; and authorize Percentage Rent for Sambazon Acai Bowl Kiosk - District 5 (4/5 vote)

52134 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

17. Approve Amended and Restated Memorandum of Understanding (MOU) with Orange County Health Care Agency for transfer of $30,000,000 in Mental Health Services Act funding for development of affordable and permanent supportive housing; authorize Directors or designees to execute MOU and increase 2020 Supportive Housing Notice of Funding Availability and return to the Board for funding commitments to individual projects; and make related budget adjustments - All Districts (R.A. #3 4/5 vote)

25134 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

18. Approve increase to Master Development Budget Guarantee Maximum Price of the Development Agreement with Capital Facilities Development Corporation and Griffin Structures, Inc. for the demolition of former Hall of Administration and construction of a surface parking lot ($16,132,495; revised cumulative total $26,594,325); direct Auditor-Controller to make related payments; authorize Chair of the Board of Directors of Capital Facilities Development Corporation or designee to execute related documents; and adopt

plans and specifications as modified by the amendment to Development Agreement - District 2 (Continued from 8/23/22, Item 25)

25134 **APPROVED AS RECOMMENDED**

19. Approve contract MA-080-22010367 with Action Research for Stormwater Education and Behavior Change Support services, 11/9/22 - 11/8/25 ($1,500,000); renewable for one additional two-year term; authorize County Procurement Officer or Deputized designee to execute contract; and make California Environmental Quality Act and other findings - All Districts

15234 **APPROVED AS RECOMMENDED**

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

20. Approve Memorandum of Agreement with U.S. Army Corps of Engineers, Los Angeles District to expedite evaluation of priority project applications, term ending 9/30/29 ($914,270) - All Districts

13254 **APPROVED AS RECOMMENDED**

21. Approve amendment 1 to contracts MA-080-20011853 with Disney's Happiest Home, LLC and Addison-Miller Inc. for rental haul trucks with operator, 9/13/22 - 8/31/23 ($900,000; cumulative aggregate total $9,900,000); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

51234 **APPROVED AS RECOMMENDED**

22. Approve payment to Ocean Blue Environmental Services, Inc. for Emergency Environmental Cleanup services, ($827,492) - District 1

12354 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

23. Approve amendment 3 to renew contract MA-299-19010027 with Civil Environmental Survey Group, Inc. dba CES Group for operation and maintenance services of the leachate groundwater extraction systems and all various liquid conveyance systems, Central Region Landfills, 10/1/22 - 9/30/23 ($300,000; cumulative total $1,350,000); and authorize County Procurement Officer or Deputized designee to execute amendment - Districts 1 and 3

31254 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Probation:

24. Approve amendment 4 to contract MA-057-21010069 with Redwood Toxicology Laboratory, Inc. for drug and alcohol screening products and services, 10/1/22 - 9/30/23 ($2,500,000; cumulative total $5,152,669); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

13254 **APPROVED AS RECOMMENDED**

25. Approve retroactive Memorandum of Understanding (MOU) between County of Orange, Orange County Probation Department and Superior Court of California, Orange County for Pretrial Release Program, 7/1/22 - 6/30/23; and authorize County

Executive Officer and Chief Probation Officer or designees to execute MOU - All Districts

13254 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

26. Approve 2022 Personnel and Salary Resolution; delegate authority to Chief Human Resources Officer to administratively update as needed; approve removal of conflict of interest, employment of relatives, drug and alcohol, and workplace violence sections from Personnel and Salary Resolution and designate them as County policies to be maintained and updated by County Executive Officer - All Districts (Continued from 7/26/22, Item 18; 8/23/22, Item 29)

31254 **APPROVED AS RECOMMENDED**

27. Approve contract MA-017-23010189 with Dell Marketing L.P. for Microsoft Unified Support services, 10/20/22 - 10/19/25 ($831,462); 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

13254 **APPROVED AS RECOMMENDED**

28. Approve retroactive Memoranda of Understanding (MOU) with the City of Dana Point for Permanent Local Housing Allocation Program funding, 7/1/20 - 6/30/27 ($509,418); and authorize Director of Care Coordination or designee to execute MOU - District 5

51234 **APPROVED AS RECOMMENDED**

29. Approve grant applications/awards submitted by Sheriff-Coroner, Health Care Agency and OC Community Resources, and retroactive grant applications/awards submitted by Health Care Agency, OC Community Resources and Social Services Agency, and ratify grant application/award submitted by Sheriff-Coroner in 9/13/22 grant report and other actions as recommended; adopt resolution authorizing Sheriff-Coroner or designee to accept $60,000 grant funding and execute related documents from California Department of Parks and Recreation, Division of Boating and Waterways for abandoned watercraft abatement; adopt resolution approving standard agreement MI-2223-22 with California Department of Aging for Older Americans Act Programs, 9/1/22 - 8/31/23 ($219,432); and authorizing OCCR Director or designee to execute agreement and related documents; and approve cooperative agreement with City of Anaheim for Housing Opportunities for Persons with AIDS Program, 7/1/22 - 6/30/23 ($921,152); and authorize HCA Director or designee to execute future amendments under certain conditions - All Districts

12354 **APPROVED AS RECOMMENDED**
RESO: 22-110 - 22-111

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

51234 **APPROVED AS RECOMMENDED**

31. Approve amendment 6 to contract MA-017-22011904 with Orange County's United Way dba Orange County United Way for emergency housing voucher supportive

services, extending term to 12/31/23 (decrease $1,916,918; cumulative total $2,915,646); and authorize County Procurement Officer or Deputized designee to execute amendment - All Districts

51234 **APPROVED AS RECOMMENDED**

32. Approve contracts MA-017-23010137 with Covenant House California ($600,000), MA-017-23010174 with Family Assistance Ministries ($400,000), MA-017-23010152 with Friendship Shelter, Inc. ($350,000), MA-017-23010179 with Fullerton Interfaith Emergency Service dba Pathways of Hope ($450,000), MA-017-23010181 with The Illumination Foundation ($450,000), MA-017-23010159 with Interval House ($250,000), MA-017-23010185 with Mercy House Living Centers ($300,000) and MA-017-23010187 with Mercy House Living Centers ($500,000) for Emergency Shelter operations and services, 10/15/22 - 6/30/24; and authorize County Procurement Officer or Deputized designee to execute contracts - All Districts

12354 **APPROVED AS RECOMMENDED**

S32A. **Chairman Chaffee -** Approve addition of Fullerton Fox Theatre Project to County Events Calendar and any County money authorized by the Board be paid to Fullerton Historic Theatre Foundation; and make related findings per Government Code Section 26227

43125 **APPROVED AS RECOMMENDED**

S32B. **Vice Chairman Wagner -** Approve addition of Hewes Middle School Color Run to County Events Calendar; and make related findings per Government Code Section 26227

32154 **APPROVED AS RECOMMENDED**

S32C. **County Executive Office -** Upon signature into law of Assembly Bill 1595, direct County Executive Officer or designee to formally request California Department of Veterans Affairs in consultation with Department of General Services, to conduct acquisition study in order to assess feasibility and costs of construction of Southern California Veterans Cemetery at Gypsum Canyon location in Anaheim Hills; and direct Auditor-Controller to make related payments under certain conditions - District 3

32154 **APPROVED AS RECOMMENDED**

S32D. **Supervisor Foley and Supervisor Bartlett -** Approve use of $50,000 from Fifth District allocation of discretionary funding for Laguna College of Art and Design (LCAD) for rebranding proposals of John Wayne Airport Logo; make related findings per Government Code Section 26227; and direct County Executive Officer or designee to negotiate and enter into agreements as necessary

52134 **APPROVED AS RECOMMENDED**
N

S32E. **Chairman Chaffee -** Approve addition of OC Public Safety and Re-entry conference to County Events Calendar; and make related findings per Government Code Section 26227

42135 **APPROVED AS RECOMMENDED**

S32F. **Supervisor Do -** Approve use of $6.9 million from First District allocation of discretionary funding for programs that support non-profit organizations that support veterans and aid residents experiencing or at risk of homelessness; provide monies to local governments, including school districts, and/or non-profits to support mental and physical healthcare initiatives, infrastructure projects, workforce and economic development, education, public safety, meal gap and arts-related programs; make related findings per Government Code

Section 26227; and direct County Executive Officer or designee to negotiate and enter into agreements as necessary

13254 **APPROVED AS RECOMMENDED**

IV.PUBLIC HEARINGS (None)

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. **DELETED**

SCS2. 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**

SCS3. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases:One Case

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

ELECTED DEPARTMENT HEADS

SCS4. **Sheriff-Coroner -** CONFERENCE WITH SHERIFF-CORONER - THREAT TO PUBLIC SERVICES OR FACILITIES - Pursuant to Government Code Section 54957(a):
Title of Officer:Don Barnes, Orange County Sheriff-Coroner

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

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Cara Harshman - Oral re:Death of Bradley Rofer and request for pedestrian and bicycle safety improvements at the intersection of Oso Parkway and Coto de Caza Drive

Bernadette Martinez - Oral re: Support and advocate for suicide prevention, mental health, civil rights and Marsy's Law rights; filed complaint with Garden Grove Police Department regarding excess fees imposed for towed vehicle

Brigitte - Oral re: Rachel Platten's 'Fight Song' lyrics; Attorney General Kamala Harris ordered investigation regarding charge of fraud against the County to steal the Klubnikin estate; Board buried criminal cover-up of criminal enterprise run through the probate court

Cameron Mangels - Oral re: Sponsorship of NAMI Orange County walk raises mental health awareness; join walk or sponsor at namiwalks.org/orangecounty

Steve Rocco - Oral re: Best friend and worst enemy (Administrator from Albertson's Corporation); appealed two criminal cases filed by Albertson's and the judge falsified evidence; family and best friend murdered; OC Register articles are lies

Joann K - Oral re: Victim in crisis; was microchipped by St. Joseph's and doctors installed bio-mech device which is a conspiracy for murder; has been denied medical treatment for 16 years; WIFI was hacked, accused surgeon of sexual battery and is being monitored 24/7

Joette - Oral re: Election fraud; does not consent to use of machines or ballot boxes in elections; stealing of 2020 election and stuffing ballots in drop boxes; asked how there were more votes than voters in 2022 Primary Election, 2020 Recall Election, 2020 General Election and 2018 Mid-Term Election

Laura M - Oral re: Elected officials and wealthy people are actively worshipping satan; vaccines were developed using fetal cells; stop work on and actively dismantle the infrastructure of the vax mandates, vax passports, digital tracking, communist style surveillance, secure and restore election integrity with in-person ballots hand marked ballots; disregard AB2098 if it becomes law and uphold the constitution

Kim Sorgente - Oral re: Requested clarification from Supervisor Foley regarding statements that he attacked her son and follows her around; protests outside Supervisor Foley's home due to her support of a $100 fine for not wearing masks during pandemic

Kate H - Oral re: Election results should be available the same day as the election; asked why heart monitor machines are connected to the internet

COUNTY EXECUTIVE OFFICER COMMENTS:

Frank Kim - Oral re: Thanked the Board for their patience as staff works through the technical issues of the new Board room

ADJOURNED:2:45 P.M.

54123 **Adjourned in memory of Barbara 'Bobbi' Cutler**

34125 **Adjourned in memory of Mike Milligan**

41235 **Adjourned in memory of Brigman Owens and Marvin Owens**

BOARD COMMENTS:

Supervisor Bartlett - Oral re: After the tragic accident of Bradley Rofer in Coto de Caza, OC Public Works, OC Sheriff and California Highway Patrol are working together to improve safety; there will be a HOA meeting tomorrow and will be in attendance to listen to the concerns of the residents

Supervisor Do - Oral re: Hosted OC Moon Festival at Mile Square Park on Saturday, September 10 and thanked OC Parks for their hard work in organizing and running the event; hosting the Sunset Car Show and Concert on Saturday, September 17 from 4:00 p.m. - 10:00 p.m. at Mile Square Park

Supervisor Foley - Oral re: Hosted an animal adoption event at the OC Animal Shelter where over 150 animals found forever homes; thanked OC Community Resources and OC Animal Care for their hard work; still a need to find homes for big dogs and kittens

KEY

Left Margin Notes

1. = Supervisor Do
2. = Supervisor Foley
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)

Chairman, Orange County Board of Supervisors

Orange County Clerk of the Board