REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, November 2, 2021, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

ANDREW DO
CHAIRMAN
First District

DOUG CHAFFEE
VICE CHAIRMAN
Fourth District

KATRINA FOLEY
SUPERVISOR
Second District

DONALD P. WAGNER
SUPERVISOR
Third District

LISA A. BARTLETT
SUPERVISOR
Fifth District

ATTENDANCE:Supervisors: Bartlett, Do, Foley and Wagner

EXCUSED:Supervisor Chaffee

PRESENT:	COUNTY EXECUTIVE OFFICER	Frank Kim
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Robin Stieler

INVOCATION:Supervisor Bartlett, Fifth District, gave the invocation

PLEDGE OF ALLEGIANCE:Supervisor Foley, Second District, led the assembly in the Pledge of Allegiance

I.PRESENTATIONS/INTRODUCTIONS

Chairman Do presented a resolution commending Richard Sanchez on his retirement as CalOptima Chief Executive Officer
DELETED

II.CONSENT CALENDAR (Items 1-8)

35241 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 2 AND 4 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; RECOMMENDED ACTIONS 4 AND 5 FOR AGENDA ITEM 6 WERE CONTINUED TO 12/7/21; 9:30 A.M.**

BOARD APPOINTMENTS

1. **Chairman Do -** Acting as the Orange County In-Home Supportive Services Public Authority - Orange County In-Home Supportive Services Advisory Committee - Reappoint Helen Martinez, Santa Ana, for term ending 11/1/25

2. **Supervisor Wagner -** Campaign Finance and Ethics Commission - Appoint William Halle, Costa Mesa, for term ending 11/1/24

35241 **APPROVED AS RECOMMENDED**
X

ELECTED DEPARTMENT HEADS

3. **Sheriff-Coroner -** Approve amendment 1 to Memorandum of Understanding (MOU) with Cities of Anaheim, Garden Grove and Irvine for School Mobile Assessment Resource Team, 1/1/22 - 6/30/22 ($354,261); and authorize Sheriff-Coroner or designee to execute future amendments under certain conditions - Districts 1, 3, 4 and 5

JOHN WAYNE AIRPORT

4. Authorize Director to allocate regulated Class A and Class E average daily departures, seat capacity, remain overnight positions and passenger capacity to scheduled commercial passenger, cargo and commuter air carriers under Phase 2 Commercial Airline Access Plan and Regulation for 2022 Plan Year (1/1/22 - 12/31/22); approve related actions; and make related findings - District 2

23451 **APPROVED AS RECOMMENDED**
X

OC COMMUNITY RESOURCES

5. Receive and file FY 2020-21 Developer Fee Deposit Balance Report; and make related findings - All Districts

OC PUBLIC WORKS

6. Approve Orange County Traffic Committee 7/15/21 report - Item A; adopt resolution naming existing private street as Murphy Lane; and make California Environmental Quality Act and other findings - District 3 (Continued from 10/5/21, Item 3)

35241 **APPROVED AS RECOMMENDED RA #4 AND #5 WERE CONTINUED TO 12/7/21, 9:30 A.M.**
X
RESO: 21-123

7. Approve agreement MA-080-20011828 with Irvine Ranch Water District for water system relocations, Silverado Canyon Road Over Ladd Creek Bridge Replacement Project; and consider adoption of Final Mitigated Negative Declaration No. IP 18-080 and other findings - District 3

GENERAL ADMINISTRATION

8. **County Executive Office -** Receive and file Quarterly Information Technology Projects Progress Report for Fourth Quarter FY 2020-21 - All Districts

END OF CONSENT CALENDAR

III.DISCUSSION ITEMS (Items 9-S22G)

CHILD SUPPORT SERVICES

9. Ratify Plan of Cooperation with Superior Court of California, County of Orange for coordination of respective efforts and delineation of responsibilities in relation to Child Support Enforcement program under Title IV-D of Social Security Act, 10/1/21 - 6/30/23, renewable for an additional two-year term; and authorize Director or designee to execute Plan of Cooperation and renew agreement under certain conditions - All Districts

53241 X **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

10. Approve master agreement MA-042-22010436 with various providers of CalFresh Healthy Living services, 11/15/21 - 9/30/23 ($2,326,002); approve selection of and agreements with America On Track, Community Action Partnership of Orange County and OneOC; and authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute agreements - Districts 1, 2, 3 and 4

35241 X **APPROVED AS RECOMMENDED**

11. Adopt resolution authorizing State Department of Housing and Community Development for federal allocation of Emergency Rental Assistance Round 2 Program ($82,503,568); and authorizing Director or designee to execute related documents and amendments - All Districts

21345 X **APPROVED AS RECOMMENDED**

RESO: 21-124

12. Approve contracts MA-042-22010163 with Institute for Healthcare Improvement for population health and equity partnership services ($1,761,531); MA-042-22010253 with Multi-Ethnic Collaborative of Community Agencies for partner outreach, engagement and grants administrative support services ($15,300,000); MA-042-22010255 with Advance OC for OC Health Equity Map Community Engagement and Platform Enhancement services ($600,000); MA-042-22010256 with Public Health Institute for workforce development and health equity technical assistance services ($200,000); and MA-042-22010330 with Celery Design Collaborative, LLC. for OC Health Equity Coalition Media and Communication Campaign services ($200,000), 11/2/21 - 9/30/23; and authorize County Procurement Officer or authorized Deputy to exercise cost contingency increase not to exceed 10% under certain conditions and execute contracts - All Districts

B.O. **CONTINUED TO 11/16/21, 9:30 A.M.**

13. Select and appoint one candidate to serve on CalOptima Board of Directors in seat designated for current or former hospital administrator for term ending 8/3/24 - All Districts (Continued from 10/19/21, Item 11)

B.O. **CONTINUED TO 11/16/21, 9:30 A.M.**

OC PUBLIC WORKS

14. Approve amendment 1 to contracts with various firms for on-call architectural services, 11/19/21 - 11/18/22 ($600,000 each; new total $4,200,000; cumulative total $14,700,000); approve amendment 2 to contracts MA-080-20010336 with IDS Group, Inc. and MA-080-20010339 with SVA Architects, Inc. for on-call architectural services, 11/19/21 - 11/18/22 ($600,000 each; new total $1,200,000; cumulative total $4,400,000); and authorize Director or designee to execute amendments - All Districts

53241 X **APPROVED AS RECOMMENDED**

15. Approve job order contracts with various firms for general contracting services, 12/12/21 - 12/11/22 ($5,000,000 each); authorize Director or designee to execute contracts; authorize return of bid guarantees to all bidders upon execution of contracts; and make California Environmental Quality Act and other findings - All Districts

35241 X **APPROVED AS RECOMMENDED**

16. Approve job order contracts MA-080-22010314 with Pub Construction, Inc., and MA-080-22010315 with Harry H. Joh Construction Inc. for painting services, 12/12/21 - 12/11/22 ($500,000 each) approve job order contracts MA-080-22010292 with Omega Construction Services, Inc., and MA-080-22010293 with MIK-Prime JV, LLC for plumbing services, 12/12/21 - 12/11/22 ($750,000 each) approve job order contract MA-080-22010302 with Elevators Etc. for elevator services, 12/12/21 - 12/11/22 ($500,000);authorize Director or designee to execute contracts; authorize return of bid guarantees to all bidders upon execution of contracts; and make California Environmental Quality Act and other findings - All Districts

53241 X **APPROVED AS RECOMMENDED**

17. Approve contract MA-200-22010266 with Sukut Construction, LLC for design phase construction manager at-risk services ($50,000); approve contract MA-299-22010267 with Sukut Construction, LLC for construction phase services for Prima Fee Booth relocation and entrance improvements project, Prima Deshecha Landfill, 350 day term ($17,000,000); and authorize Director or designee to execute contracts and amend design phase contract under certain conditions - District 5

53241 X **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

18. Consider first reading of "An Ordinance of the County of Orange, California, Amending Title 4 of the Codified Ordinances of the County of Orange by Amending Division 3, Article 2 and Adding Article 4, Regarding Organic Waste Disposal Reduction"; set second reading and adoption for 11/16/21, 9:30 a.m.; and make California Environmental Quality Act and other findings - All Districts

23451 X **APPROVED AS RECOMMENDED**

19. Approve contract MA-299-22010454 with United Rentals (North America), Inc. for light duty support equipment maintenance and repair services, 12/1/21 - 11/30/24 ($1,800,000); renewable for an additional two-year term; authorize County Procurement Officer or authorized

Deputy to execute contract; and make California Environmental Quality Act and other findings - All Districts

35241 **APPROVED AS RECOMMENDED**
X

20. Approve contract MA-299-22010403 with Quinn Company for heavy equipment maintenance and repair services, 12/1/21 - 11/30/24 ($28,200,000); renewable for an additional two-year term; authorize County Procurement Officer or authorized Deputy to execute contract; and make California Environmental Quality Act and other findings - All Districts

35241 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

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

53241 **APPROVED AS RECOMMENDED**
X

22. Approve grant applications/awards submitted by Health Care Agency, OC Community Resources and Social Services Agency in 11/2/21 grant report and other actions as recommended; approve cooperative agreement with City of Anaheim for Housing Opportunities for Persons with AIDS Program, 7/1/21 - 6/30/22 ($894,322); adopt resolution approving standard agreement FA-2122-22 with California Department of Aging for financial alignment program, 11/2/21 - 10/31/22 ($38,900); and authorizing OC Community Resources Director or designee to execute agreement, amendments and related documents under certain conditions; adopt resolutions authorizing Social Services Agency Director or designee to apply, accept, execute amendments and deliver any related documents for Transitional Housing Program ($208,000) and Housing Navigators Program ($221,210) from California Department of Housing and Community Development - All Districts

35241 **APPROVED AS RECOMMENDED**
X

RESO: 21-125 - 21-127

S22A. **Vice Chairman Chaffee -** Approve addition of Orange County Farm Bureau and Fullerton Women's Club events to County Events Calendar and make related findings per Government Code Section 26227

12345 **APPROVED AS RECOMMENDED**
X

Supervisor Foley:

S22B. Approve addition of Greater Los Angeles Chapter Association of the United States Army's 79th Theater Support Command Holiday Event Toy Drive at Los Alamitos Joint Forces Training Base to the County Events Calendar and make related findings per Government Code Section 26227

12345 **APPROVED AS RECOMMENDED**
X

S22C. Orange County Senior Citizens Advisory Council - Appoint Joan Nichols, Newport Beach, to complete term ending 12/31/21 and Charlene Ashendorf, Costa Mesa, to complete term ending 12/31/22

21345 **APPROVED AS RECOMMENDED**
X

S22D. **Chairman Do -** Approve addition of Annual Zocalo Fiesta Scholarship Fundraiser at Delhi Center/Santa Ana event to County Events Calendar and make related findings per Government Code Section 26227

12345 **APPROVED AS RECOMMENDED**
X

S22E. **Supervisor Bartlett -** Approve addition of meetings with Mayors, Council Members, City Managers and Orange County officials to County Events Calendar and make related findings per Government Code Section 26227

12345 **APPROVED AS RECOMMENDED**
X

ELECTED DEPARTMENT HEADS

S22F. **District Attorney -** Approve contract MA-026-22010524 with Doculynx Operations LLC for document scanning services - Phase II, 11/2/21 - 5/6/22 ($1,399,417); and authorize County Procurement Officer or authorized Deputy to execute contract - All Districts

53241 **APPROVED AS RECOMMENDED**
X

S22G. **Sheriff-Coroner -** Approve retroactive amendment 7 to contract MA-060-15010542 with Global Tel*Link Corporation for new phone rates and fees for incarcerated individuals and reduced revenue through annual site administrative payment, effective 10/7/21 ($720,000); extend contract for inmate telephone services, 11/25/21 - 5/24/22 ($1,437,412 revenue; cumulative total $20,043,412); and authorize County Procurement Officer or authorized Deputy to execute contract - Districts 1, 3 and 5

53241 **APPROVED AS RECOMMENDED**
X

IV.PUBLIC HEARINGS (Items 23-S23A)

GENERAL ADMINISTRATION

County Executive Office:

23. Public Hearing to consider input on proposed 2021 Redistricting Maps; and direct staff to make modifications to maps as needed - All Districts

B.O. **CLOSED PUBLIC HEARING**

13245 **RECEIVED PUBLIC COMMENT ON PROPOSED 2021 COUNTY OF**
X **ORANGE REDISTRICTING MAP PROPOSALS AND SELECTED PROPOSALS 2, 4 AND 5 FOR FURTHER CONSIDERATION. DIRECTED STAFF TO MAKE TECHNICAL CORRECTIONS AS NEEDED TO REDUCE CITY SPLITS AND TO REOPEN BOARD MEMBER ACCESS TO MAPPING**

SOFTWARE (ERSI) TO ALLOW BOARD MEMBERS TO PREPARE MAP AMENDMENTS THROUGH THURSDAY, NOVEMBER 4, 2021 AT NOON.

S23A. Acting as the Orange County Flood Control District - Public Hearing to consider adopting Resolution of Necessity acquiring by eminent domain real property for Rossmoor Pump Station and Basin Modification project located in Los Angeles County; authorizing County Counsel and/or outside eminent domain counsel to take steps to initiate and facilitate the condemnation action; directing and authorizing Auditor-Controller to make related payments; and considering application of Final Negative Declaration No. IP 97-128 and other findings - All Districts (2/3 vote of membership)

B.O. **CLOSED PUBLIC HEARING**

53241 X **APPROVED AS RECOMMENDED**

RESO: 21-128

V.CLOSED SESSION (Items CS-1-SCS3)

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** 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. **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: City of Santa Ana v. County of Orange, United States District Court Case No. 8:20-cv-00069-DOC-DFM

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

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Hermosillo v. County of Orange Case Number:8:20-cv-01387

B.O. **HELD, COUNTY COUNSEL READ: CHAIRMAN DO, AND SUPERVISORS FOLEY, WAGNER, AND BARTLETT VOTING AYE, AND SUPERVISOR CHAFFEE ABSENT, THE BOARD APPROVED A PROPOSED $650,000 GLOBAL SETTLEMENT IN THE MATTER OF OLGA HERMOSILLO V. COUNTY OF ORANGE, A WRONGFUL DEATH/USE OF FORCE CASE INVOLVING THE ORANGE COUNTY SHERIFF'S DEPARTMENT. THE AGREEMENT REMAINS SUBJECT TO THE APPROVAL OF OTHERS.WHEN THE SETTLEMENT IS FINALIZED, COPIES OF THE AGREEMENT WILL BE MADE AVAILABLE THROUGH THE OFFICE OF CEO-RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

VI.PUBLIC, CEO, ADJOURNMENT & BOARD COMMENTS

PUBLIC COMMENTS:

Name not provided - Oral re: Opposes Agenda Item 12 contract term and dollar amount; time of redistricting public hearings; created resolution for the Board to adopt for code of ethics; elected and appointed officials must comply with the spirit of laws affecting operations of government

Brigitte - Oral re: Essential workers refusing vaccination or losing their jobs; patents developed prior to the pandemic do not prevent COVID infection; vaccines are forced conservatorship of immunity systems

Bryan Kaye - Oral re: Letter filed with Clerk requesting meeting with the BOS members; veterans mistreated by Supervisors

Name not provided - Oral re: Concerns with what is happening in California and neighboring counties; Board's reconsideration of Othena vaccine passport; vaccine passports are unconstitutional

Ilya Tseglin - Oral re: Board Members have no interest to meet and discuss his personal situation; court case removed conservatorship from his family for extortion of public funding for personal profiteering; judge sanctioned his wife for asking court not to murder her son

Felicity Figueroa - Comments read by County Counsel: Board should spend American Rescue Plan Act (ARPA) funding on services that directly affect and improve the well-being of the community; should not be spent on the Orange County Sheriff Department and Musick Jail

Daisy Ramirez, Chelsea Boyle, Sarah Kahn - Comments read by County Counsel: Opposes construction of Musick Jail; money spent for the facility should be spent on resources that center and divert people from crisis such as housing, healthcare and jobs

COUNTY EXECUTIVE OFFICER COMMENTS:

ADJOURNED:2:51 P.M.

51234 **Adjourned in memory of Sheldon Pines and Dr. Marilyn Ditty**
X

21345 **Adjourned in memory of Oscar Santoyo**
X

BOARD COMMENTS:

Chairman Do - Oral re: Established County Procurement Manual Ad Hoc Committee consisting of Chairman Do and Vice Chairman Chaffee to review and provide feedback to the County Procurement Manual

Supervisor Foley - Oral re: Provided an overview of District 2 activities and updates

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