ORANGE COUNTY BOARD OF SUPERVISORS

Agenda Revisions and Supplementals

Note: This supplemental agenda is updated daily showing items that have been added, continued, deleted or modified. No new supplemental items will be added to the agenda following close of business on Friday.

March 24, 2020

CONSENT

3. Continued to 5/5/20, 9:30 a.m.

11. Continued to 4/28/20, 9:30 a.m.

12. Continued to 4/28/20, 9:30 a.m.

DISCUSSION

21. Continued to 4/28/20, 9:30 a.m.

40. Continued to 6/2/20, 9:30 a.m.

42. Continued to 4/28/20, 9:30 a.m.

44. Continued to 4/28/20, 9:30 a.m.

THE FOLLOWING AGENDA ITEMS HAVE HAD CHANGES TO THEIR RECOMMENDED ACTIONS SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Item: None

Supplemental Item(s)

S48A. Supervisor Wagner - Orange County Mental Health Board - Appoint Courtney Smith, Irvine, to complete term ending 11/19/20

S48B. County Executive Office - Approve appointment of Sergio Perez as Executive Director for Office of Independent Review, effective 5/4/20 (annual salary $230,000 with an estimated annual total compensation (including benefits) $360,000) - All Districts

S48C. Health Care Agency – COVID-19(Novel Coronavirus) Update

SCS2. County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
   Name of Case: Eric Baker v. County of Orange OCSC Case No. 30-2019-01043143

Revisions and Supplementals to March 24, 2020 Agenda - Page 1 of 2

Document last updated: 3/18/2020 4:31 PM
SCS3. County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Kent Coddington v. County of Orange; B. Erickson, G. Kennedy, and J. Lara Case No. 8:19-CV-1055-KES

SCS4. County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Elizabeth Ortiz v. County of Orange WCAB Case No. ADJ10143415

SCS5. County Counsel - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases: One Case

SCS6. County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: IntelliTime Systems Corp. v. County of Orange OCSC Case No. 30-2019-01080886-CU-BC-CJC
Continuation or Deletion Request

Date: March 18, 2020
To: Clerk of the Board of Supervisors
From: Sheriff-Coroner Department
Re: ASR Control #: 20-000148, Meeting Date 3/24/20, Agenda Item No. # 3
Subject: Trustees of the California State University Agreement for Cal State Fullerton

☑ Request to continue Agenda Item No. # 3 to the 5/5/20 Board Meeting.

Comments: CSUF commencement events have been postponed. The revised date is pending.

☐ Request deletion of Agenda Item No. # _____

Comments:
Continuation or Deletion Request

Date: 3-18-20
To: Clerk of the Board of Supervisors
From: An Tran, SSA Chief Deputy Director
Re: ASR Control #: 19-001241, Meeting Date 3/24/20 Agenda Item No. # 11
Subject: Approve Child Care Planning Council Needs Assessment and Priorities Report

☐ Request to continue Agenda Item No. # 11 to the 4/28/20 Board Meeting.

Comments:

☐ Request deletion of Agenda Item No. # _____

Comments:
Date: March 18, 2020
To: Clerk of the Board of Supervisors
From: Joel Golub, Chief Information Officer
Re: ASR Control #: 20-000201, Meeting Date 3/24/20  Agenda Item No. # 12
Subject: Second Quarter FY 2019-20 Information Technology Project Progress Report

☐ Request to continue Agenda Item No. # 12 to the 4/28/20 Board Meeting.

Comments:

☐ Request deletion of Agenda Item No. # _____

Comments:
Continuation or Deletion Request

Date: 3/18/2020
To: Clerk of the Board of Supervisors
From: Shari L. Freidenrich
Re: ASR Control #: 20-000108, Meeting Date 3/24/2020, Agenda Item No. # 21
Subject: Receive the Oral and Written 2019 Treasury Oversight Committee Annual Report

☐ Request to continue Agenda Item No. # 21 to the April 28, 2020 Board Meeting.

Comments:

☐ Request deletion of Agenda Item No. # ______

Comments:
Continuation or Deletion Request

Date: March 18, 2020
To: Clerk of the Board of Supervisors
From: Khalid Bazmi, Interim OC Public Works Director
Re: ASR Control #: 19-001412, Meeting Date 3/24/20   Agenda Item No. # 40
Subject: Approve Quitclaim of Local Facilities to City of Lake Forest

☑  Request to continue Agenda Item No. # 40 to the June 2, 2020 Board Meeting.

Comments:

☐  Request deletion of Agenda Item No. # _____

Comments:
Continuation or Deletion Request

Date: 3-18-20
To: Clerk of the Board of Supervisors
From: An Tran, SSA Chief Deputy Director
Re: ASR Control #: 19-001226, Meeting Date 3/24/20  Agenda Item No. # 42
Subject: Renewal of Agreement for Early Childhood Education

☑ Request to continue Agenda Item No. # 42 to the 4/28/20 Board Meeting.

Comments:

☐ Request deletion of Agenda Item No. # _____

Comments:
Continuation or Deletion Request

Date: March 18, 2020
To: Clerk of the Board of Supervisors
From: Thomas A. Miller, Chief Real Estate Officer
Re: ASR Control #: 20-000054, Meeting Date 3/24/2020 Agenda Item No. # 44

Subject: Continuance of Cafe Lease Assignment at 301 The City Drive

☑ Request to continue Agenda Item No. # 44 to the 4/28/2020 Board Meeting.

Comments:

☐ Request deletion of Agenda Item No. # _____

Comments:
March 9, 2020

TO: Clerk of the Board

FROM: Supervisor Donald P. Wagner

SUBJECT: Appointment to Mental Health Board

Please add the following item of business as a Supplemental for the March 24, 2020 Board meeting agenda. The title of the item should read:

Supervisor Donald P Wagner – Orange County Mental Health Board – Appoint Ms. Courtney Smith, Irvine, to complete a three-year term expiring November 19, 2020.
APPLICATION FOR COUNTY OF ORANGE BOARD, COMMISSION OR COMMITTEE

Return to:
Clerk of the Board of Supervisors
333 West Santa Ana Blvd., Suite 465
Santa Ana, California 92701
Website: www.ocgov.com/gov/cob/

Instructions: Please complete each section below. Be sure to enter the title of the Board, Commission or Committee for which you desire consideration. For information or assistance, please contact the Clerk of the Board of Supervisor’s Office at (714) 834-2206. Please print in ink or type.

NAME OF BOARD, COMMISSION, OR COMMITTEE TO WHICH YOU ARE APPLYING FOR MEMBERSHIP (SEE LIST AT HTTP://WWW.OCGOV.COM/GOV/COB/BCC/CONTACT):
Orange County Mental Health Board

SUPERVISORIAL DISTRICT IN WHICH YOU RESIDE: □ First □ Second □ Third □ Fourth □ Fifth

APPLICANT NAME AND RESIDENCE ADDRESS:
Courtney Alexandra Smith
First Name Middle Name Last Name

Irvine CA
Street Address City State Zip Code

Home Phone Number Cell Phone Number

Email Address

CURRENT EMPLOYER: N/A (Student)

OCCUPATION/JOB TITLE: N/A

BUSINESS ADDRESS: N/A

BUSINESS PHONE NUMBER: N/A

EMPLOYMENT HISTORY: Please attach a resume to this application and provide any information that would be helpful in evaluating your application.

ARE YOU A CITIZEN OF THE UNITED STATES: □ YES □ NO

IF NO, NAME OF COUNTRY OF CITIZENSHIP: ___________________________________________

ARE YOU A REGISTERED VOTER? □ YES □ NO

IF YES, NAME COUNTY YOU ARE REGISTERED IN: Orange County

Revised Date 02/07/19
LIST ALL CURRENT PROFESSIONAL OR COMMUNITY ORGANIZATIONS AND SOCIETIES OF WHICH YOU ARE A MEMBER.

ORGANIZATION/SOCIETY                                FROM (MO./YR.)    TO (MO./YR.)
Crisis Text Line - Crisis Counselor                  01/2020           present
American Cancer Society - Road to Recovery Driver    02/2020           present
St. Joseph Hospital Volunteer                        02/2020           present

WITHIN THE LAST FIVE YEARS, HAVE YOU BEEN AFFILIATED WITH ANY BUSINESS OR NONPROFIT AGENCY(IES)? □ YES □ NO

DO YOU OWN REAL OR PERSONAL PROPERTY OR HAVE FINANCIAL HOLDING WHICH MIGHT PRESENT A POTENTIAL CONFLICT OF INTEREST? □ YES □ NO

HAVE YOU BEEN CONVICTED OF A FELONY OR MISDEMEANOR CRIME SINCE YOUR 18TH BIRTHDAY? YOU ARE NOT REQUIRED TO DISCLOSE ANY OF THE FOLLOWING: ARRESTS OR DETentions THAT DID NOT RESULT IN A CONVICTION; CONVICTIONS THAT HAVE BEEN JUDICiALLY DISMISSED, EXPUNGED OR ORDERED SEALED; INFORMATION CONCERNING REFERRAL TO AND PARTICIPATION IN ANY PRETRIAL OR POSTTRIAL DIVERSION PROGRAM; AND CERTAIN DRUG RELATED CONVICTIONS THAT ARE OLDER THAN TWO YEARS, AS LISTED IN CALIFORNIA LABOR CODE § 432.8 (INCLUDING VIOLATIONS OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 11357(B) AND (C), 11360(C) 11364, 11365 AND 11550 – AS THEY RELATE TO MARIJUANA)?

□ YES □ NO

IF YES, PLEASE EXPLAIN AND ATTACH ADDITIONAL SHEETS, IF NECESSARY.

__________________________________________________________
__________________________________________________________

PLEASE BRIEFLY EXPLAIN WHY YOU WISH TO SERVE ON THIS BOARD, COMMITTEE, OR COMMISSION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.

Please see attached.

__________________________________________________________

DATE: 2-20-2020                  APPLICANTS SIGNATURE: [signature]

CLERK OF THE BOARD OF SUPERVISORS USE ONLY—DO NOT WRITE BELOW THIS LINE

Date Received: _____________________ Received by: _____________________
Date referred: _____________________ Deputy Clerk of the Board of Supervisors
To:  □ BOS District 1      □ BOS District 2      □ BOS District 3      □ BOS District 4      □ BOS District 5
     □ All BOS          □ BCC Contact Person Name _____________________
Courtney A. Smith, M.S.

My interest in serving on the board is fueled by my experience with family members who dealt with mental illness. My younger brother suffered from depression and anxiety that affected every facet of his life. Interested in engineering and computer science, he enrolled in community college. However, his unwavering depression made it difficult for him to attend classes. Throughout his struggle, I directly observed how his limited access to mental health care had deleterious effects on his well-being. Unfortunately, he succumbed to his battle with depression and anxiety six years ago, passing away from suicide. Because of this, it is my passion to advocate for others suffering from mental illness, decreasing the stigma surrounding mental health and making sure that appropriate mental health services are readily accessible.

Education

2020 – present: Santiago Community College – Certified Nursing Assistant program

2014 – 2017: M.S. in Chemistry, University of South Florida (Advisor: Dr. X. Mike Shi)

2010 – 2014: B.A. with Honors – Chemistry, University of South Florida

Employment History

Jul 2018 – Jan 2019
Outpatient Scribe: Neighborhood Healthcare – Escondido, CA

- Used electronic-medical software to document patients’ histories, input physical examination findings, order labs, enter diagnoses, and update charts during patient-provider appointments.

Jun 2017 – Jul 2018
Graduate Researcher: The Scripps Research Institute – Dr. Phil Baran – La Jolla, CA

- Synthesized diketone ligands, nickel-diketone catalysts, and tertiary carboxylic acids
- Performed independent research to develop a new nickel-catalyzed coupling reaction using redox active esters to form quaternary all-carbon centers

March 2016 – May 2017
Graduate Researcher: University of South Florida - Dr. X. Michael Shi – Tampa, FL

- Synthesized gold-triazole catalysts and homo-propargylic alcohols via Suzuki coupling
- Performed independent research to develop new gold-catalyzed reactions involving enamine and enol addition to alkynes
Graduate Researcher: University of South Florida - Dr. X. Peter Zhang – Tampa, FL

- Isolated unstable cobalt intermediates via silica gel column chromatography and characterized the intermediates via 1H-NMR, 13C-NMR, and HRMS
- Performed independent research to characterize intermediates present in a Co(II)-based radical reaction, and developed a new reaction using Co(II) catalysts and α-oxime diazo compounds

Jan 2012 – May 2014
Undergraduate Researcher: University of South Florida - Dr. Bill Baker – Tampa, FL

- Maintained analytical and preparative HPLCs by preparing degassed solvent, filling solvent bottles, cleaning the lines, and repairing leaks
- Developed a training protocol and trained customers to use the analytical and preparative HPLCs
- Performed independent research aimed at extracting and characterizing myricanol, a therapeutic compound for Alzheimer treatment, from Bayberry root

Jun 2009 – Sep 2010
Cashier: The Fresh Market – Tampa, FL

- Operated a front-end register scanning goods for purchase and processing customer transactions
- Counted the daily till and organized receipts from front-end cashiers
- Organized and cleaned the front-end cashier area and assisted other departments with cleaning and food preparation

Aug 2009 – Dec 2009
Tutor – Williamstown Middle School

- Assisted elementary and middle-school students with homework

May 2008 – Aug 2009
Researcher: Moffitt Cancer Center – Mark Alexandrow – Tampa, FL

- Cultured cells in a sterile environment, lysed cells and extracted proteins for western blot analysis
- Organized protein expression data from 1000+ tissue samples via Excel
- Performed independent research studying the expression of cell-cycle proteins in cancer cells

May 2007 – May 2008
Researcher: Moffitt Cancer Center - Analytical Microscopy Core – Tampa, FL

- Operated confocal microscopes to image cells for customers
- Cultured cells in a sterile environment, stained cells with antibodies for microscopy visualization
- Performed independent research studying the effects of nicotine on cancer cell proliferation and signaling pathways
March 16, 2020

To: Clerk of the Board of Supervisors

From: Frank Kim, County Executive Officer

Subject: Exception to Rule 21

The County Executive Office is requesting a Supplemental Agenda Staff Report for the March 24, 2020, Board Hearing.

Agency: County Executive Office
Subject: Appointment of Executive Director of the Office of Independent Review
Districts: All Districts

Reason for supplemental: The County Executive Office is requesting that this item be added to the March 24, 2020, Board agenda as a Supplemental Item in order to make an appointment of the new Executive Director to the Office of Independent Review as soon as possible. This Agenda Staff Report and attachments were finalized after the filing deadline to the Clerk of the Board.

Concur: ________________________________
Michelle Steel, Chairwoman of the Board of Supervisors

cc: Board of Supervisors
County Executive Office
County Counsel
SUPPLEMENTAL AGENDA ITEM
AGENDA STAFF REPORT

MEETING DATE: 3/24/20
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: County Executive Office
DEPARTMENT HEAD REVIEW: Daniel K. Baker (714) 834-7207
DEPARTMENT CONTACT PERSON(S): Thomas R. Hatch (714) 834-2836

SUBJECT: Appointment of Executive Director of the Office of Independent Review

CEO Concur

Current Year Cost: See Financial Impact Section
Annual Cost: See Financial Impact Section

Staffing Impact: No
# of Positions: N/A
Current Fiscal Year Revenue: N/A
Funding Source: General Fund: 100%

Prior Board Action: N/A

RECOMMENDED ACTION(S)

1. Consider and approve appointment of Sergio Perez as the Executive Director for the Office of Independent Review, at an annual salary of $230,000 and an estimated annual total compensation of $360,000 including benefits, effective May 4, 2020.

2. Approve and execute the employment Agreement for the Executive Director.

SUMMARY:

Appointing Sergio Perez as the Executive Director for the Office of Independent Review at an annual salary of $230,000, with an estimated annual total compensation of $360,000, including benefits, will provide objective independent oversight and review and will foster and enhance efficiency of
County operations and programs that include the OC Sheriff’s Department, Office of the District Attorney, Office of the Public Defender, Probation Department and the Social Services Agency.

BACKGROUND INFORMATION:

The Office of Independent Review reports directly to the Board of Supervisors (Board) and acts as an independent reviewer of multiple County departments. These departments include the OC Sheriff’s Department, Office of the District Attorney, Office of the Public Defender, Probation Department and the Social Services Agency. Appointed by and serving at the discretion of the Board, the Office of Independent Review (OIR) Executive Director will review, monitor, assist and oversee departments in advising the Board in the investigation of selected internal and citizen complaints and administrative investigations.

The County conducted a full recruitment for the position of Executive Director for OIR with the assistance of executive search firm Bob Murray and Associates. Of the 21 applications received, nine were reviewed by the Board’s subcommittee, which included Vice Chair Do and then-Chairwoman Bartlett, and four candidates were selected for an interview. The interview panel included the Board subcommittee and County Executive Officer (CEO) Frank Kim. The panel selected two candidates for an additional interview with the entire Board. Upon completion of closed session interviews of the finalists, the Board provided direction to CEO Frank Kim to make an offer to Mr. Perez in the hopes of reaching an agreement. Mr. Perez has reviewed the draft employment agreement and all its terms and, if the Board approves the agreement, Mr. Perez will become the next Executive Director of OIR.

Mr. Perez is currently serving as the Special Assistant and Constitutional Policing Advisor for the Los Angeles County Inspector General’s Office. A graduate of Yale Law School, Mr. Perez currently assists in the oversight of the Los Angeles County Sheriff and Probation departments. Throughout his career, Mr. Perez has provided oversight for multiple agencies. As the Deputy Attorney General for the California Department of Justice, Mr. Perez assisted with the review of the Sacramento police department policies, practices and investigations relating to use of force and was one of two lead drafters of a public report assisting practices and high-profile officer-involved shootings.

Mr. Perez holds a Bachelor of Arts in History from the University of California, Berkeley. He has also earned his Juris Doctor from Yale Law School and is a licensed attorney with the State of California.

FINANCIAL IMPACT:

A suggested salary of $230,000 has been negotiated. Including the cost of benefits, the total annual cost to the County is anticipated to be approximately $360,000. Salary and benefit appropriations are included in OIR’s FY 2019-20 Budget for Budget Control 051 and will be included in the budgeting process for future years.

STAFFING IMPACT:

N/A

ATTACHMENT(S):
EDUCATION:

Yale Law School (New Haven, CT)
Juris Doctor, May 2010
Student Director, Legal Services for Immigrant Communities Clinic, 2009-2010
Co-Chair, Latino Law Students Association, 2008-2009
Coker Fellow, Assistant Instructor (Contracts – Prof. Robert Gordon), Fall 2009

Admitted to Practice in California (2010)

University of California, Berkeley (Berkeley, CA)
B.A. in History and Political Science, May 2007
Phi Beta Kappa, Magna Cum Laude (High Distinction)

EXPERIENCE:

Special Assistant and Constitutional Policing Advisor, November 2018 to Present
Office of the Inspector General, Los Angeles County
- Lead reviews of Los Angeles County juvenile justice system, and serve as primary author of resulting public reports, including report that led to the elimination of pepper spray in the County’s juvenile halls and camps.
- Serve as an advisor to the Inspector General and executive staff on oversight, accountability, investigations, and related issues.
- Present matters to the Board of Supervisors arising from the work of the Inspector General.
- Develop and help implement internal policies guiding investigations, confidentiality requirements, and human resource issues.

Deputy Attorney General, June 2018 to November 2018
Office of the Attorney General, Civil Rights Enforcement Section, Cal. Dept. of Justice
- Led team executing reform agreement between the San Francisco Police Department and Cal. DOJ relating to improving use of force, bias, community policing, and accountability practices.
- Assisted in collaborative review of Sacramento Police Department policies, practices, and investigations relating to use of force. One of two lead drafters of public report assessing practices and high-profile officer involved shootings.
- Investigated potential violations of federal and state civil rights statutes, with an emphasis on working with county and city law enforcement agencies to ensure lawful policing practices.

Director of Enforcement, August 2014 to June 2018
Los Angeles City Ethics Commission, Enforcement Division
- Led staff of attorneys and investigators enforcing the Governmental Ethics, Municipal Lobbying, and Campaign Finance ordinances. Pursued landmark investigation of money laundering by member of the Los Angeles School Board, resulting in an unprecedented resignation and criminal plea.
- Served as first-chair litigator in all contested hearings and negotiations of enforcement settlements.
- Provided general legal counsel to the Executive and Deputy Executive Directors of the Ethics Commission.
- Worked with community groups, City agencies, non-profits, and for-profit corporations to ensure compliance and support of good government laws.
- Responsible for presenting all Enforcement matters, including proposed settlements and
policy issues, to members of the Los Angeles City Ethics Commission and administrative law judges.
• Assisted in developing proposed policies, regulations, City laws, and Charter modifications.
• Lead the development of litigation and investigation strategies, including legal research on novel issues related to relevant federal, state, and City ethics laws.

Counsel, December 2013 to August 2014
Consumer Financial Protection Bureau, Office of Fair Lending & Equal Opportunity
• Worked with the Office of Fair Lending to investigate allegations of discriminatory practices by large national bank and non-bank corporations engaged in automobile-related lending.
• Developed regulations affecting the financial practices of corporations in the transportation industry, including those engaged in automobile sales and lending to facilitate sales.
• Created processes and policies for a new federal agency, including Bureau-wide guidance and regulations.
• Led the development of litigation and investigation strategies related to the Equal Credit Opportunity Act.

Trial Attorney, September 2010 to December 2013
U.S. Department of Justice, Civil Rights Division, Special Litigation Section
• Engaged in high-profile, complex civil litigation and investigation of unconstitutional and discriminatory misconduct by law enforcement agencies as a trial attorney, including the United States’ lawsuit against Sheriff Joseph Arpaio and the investigation of the Puerto Rico Police Department, one of the largest police forces in the United States.
• Conducted several depositions and authored and argued several pre-trial motions in federal court.
• Managed the receipt and review of voluminous document productions, interviewing potential fact witnesses, and worked with subject-matter experts, including statisticians.
• Conducted legislative and policy analyses related to proposed civil rights and immigration laws.
• Authored several complaints, settlement agreements, and consent decrees.

OTHER: Native/Fluent Spanish speaker and avid photographer.
COUNTY OF ORANGE
EMPLOYMENT AGREEMENT
FOR
EXECUTIVE DIRECTOR
OF THE
OFFICE OF INDEPENDENT REVIEW

This Employment Agreement for the Executive Director of the Office of Independent Review ("AGREEMENT") is made by and between the County of Orange ("COUNTY") and Sergio Perez (hereinafter "PEREZ").

IT IS MUTUALLY AGREED:

1. APPOINTMENT

The COUNTY hereby agrees to employ PEREZ as the Executive Director of the Office of Independent Review ("EXECUTIVE DIRECTOR") and PEREZ hereby agrees to accept this appointment to the position of EXECUTIVE DIRECTOR on the terms and conditions specified herein.

2. TERM

Subject to PEREZ receiving an at least "satisfactory" performance review from the COUNTY Board of Supervisors ("BOARD") at the end of the first year, as set forth in Section 5, below, this AGREEMENT shall be for a two-year term commencing on May 4, 2020, and ending on May 3, 2022 (hereinafter "EXPIRATION DATE").

3. DUTIES, RESPONSIBILITIES, AND AUTHORITY

Under the direction of the BOARD, PEREZ, as EXECUTIVE DIRECTOR, shall be responsible for the performance of the Office of Independent Review's ("OIR") duties identified in Section 1-2-226 of the Codified Ordinances of the County of Orange. These duties include, but are not limited to, the following: reviewing specific incidents that involve the Orange County Sheriff-Coroner Department, Probation Department, Office of the District Attorney, Office of the Public Defender and the Social Services Agency (hereinafter "relevant County Department(s)"); serving as an independent resource and counsel for the BOARD to ensure accountability in the performance and operations of relevant County Departments; providing the BOARD with periodic status reports on all investigations, significant matters, and projects within the purview of the OIR; furnishing legal advice to the BOARD and relevant County Departments concerning matters within the OIR's responsibilities; and, reviewing with County Counsel, County Risk Management, and relevant County Departments incidents or allegations implicating significant liability risks to the COUNTY.

4. COMPLIANCE WITH THE LAW

PEREZ shall, during the term of this AGREEMENT, comply with all laws and regulations, and all Ordinances of the County of Orange, including Sections 1-2-225 and 1-2-226 of the Codified Ordinances of the County of Orange. By signing this AGREEMENT, PEREZ acknowledges that, as EXECUTIVE DIRECTOR, he shall be a "designated employee" required to file a Statement of
5. **PERFORMANCE EVALUATION**

The BOARD shall evaluate the performance of PEREZ both formally and informally on an ongoing basis. PEREZ shall receive a formal evaluation from the BOARD based on his performance as EXECUTIVE DIRECTOR by the end of the first year of the term of this AGREEMENT, May 3, 2021, 2021. If at the end of the first year of this AGREEMENT, the BOARD determines that PEREZ' performance is at least "satisfactory," this AGREEMENT shall remain in full force and effect until the EXPIRATION DATE in 2022. However, if the BOARD does not affirmatively determine that PEREZ' performance is at least "satisfactory," this AGREEMENT shall terminate at the end of the first year without further action of the BOARD, entitling PEREZ to the lump sum severance payment described in Section 7, below.

6. **COMPENSATION, BENEFITS, AND ANNUAL LEAVE**

For services rendered to the COUNTY as EXECUTIVE DIRECTOR, PEREZ shall be compensated on a salary basis in the annual amount of two hundred and thirty thousand dollars ($230,000). PEREZ shall receive salary payments in the same manner, and at the same times, as other COUNTY Executive Management (Group II) employees generally. As the position of EXECUTIVE DIRECTOR is an overtime-exempt executive position, PEREZ shall not be entitled to overtime pay under either the Fair Labor Standards Act or California law.

Upon the commencement of employment, the COUNTY will grant PEREZ one hundred twenty (120) hours of vacation time balances, and PEREZ will accrue .0962 hours of vacation for each hour worked (approximately five (5) weeks annually). Upon appointment as EXECUTIVE DIRECTOR, PEREZ will accrue .0462 hours of sick leave with pay for each hour of pay (approximately twelve (12) days annually). PEREZ shall be entitled to a payoff for all accrued, unused Vacation time (but not sick leave with pay), at the time of separation of employment, in accordance with the requirements of California law.

PEREZ shall receive the same benefits generally provided to other Executive Management (Group II) employees, except as otherwise provided herein or in other acts of the BOARD. PEREZ shall be a member of the Orange County Employees Retirement System, and shall be required to contribute toward pension benefits under the same terms as other COUNTY Executive Management (Group II) employees.

**RESIGNATION/TERMINATION**

PEREZ shall serve as EXECUTIVE DIRECTOR at the sole pleasure of the BOARD. This AGREEMENT may be terminated "at will" by either PEREZ or the BOARD at any time, and without notice. Upon termination of this AGREEMENT, PEREZ' authority as the EXECUTIVE DIRECTOR shall immediately terminate and revert to the BOARD.

PEREZ is advised and, with his signature below, hereby acknowledges and agrees that he shall have none of the due process rights of a regular, full-time COUNTY employee. As a condition of his appointment, PEREZ knowingly, willingly, and voluntarily gives up, waives, and disclaims any and all rights he may have, express or implied, to any notice and/or hearing either before or after
termination of this AGREEMENT, and to any continued employment with the COUNTY after termination of this AGREEMENT.

In the event the BOARD terminates this AGREEMENT, PEREZ shall receive from the COUNTY a lump sum severance payment, equal to the sum of 90 calendar days of salary, payable as wages, less any applicable taxes and deductions, and the COUNTY'S share of the costs of PEREZ'S health insurance premiums.

This AGREEMENT shall terminate automatically, without further action of the BOARD, and PEREZ shall not be entitled to this or any other severance package from the COUNTY, if: (1) PEREZ voluntarily resigns his employment; or, (2) the BOARD terminates this AGREEMENT for "good cause" under the legal standard set forth in Cotran v. Rollins Hudig Hall International, Inc., 17 Cal. 4th 93 (1998).

7. **MERGER**

This AGREEMENT is intended as the final expression of the agreement between the COUNTY and PEREZ. No representations, inducements, promises and/or agreements, oral or written, have been made by any party or any person acting on behalf of any party, which are not embodied herein. No other agreement, statement, or promise beyond the terms and conditions expressly stated in this AGREEMENT are binding.

8. **MODIFICATION**

This AGREEMENT may be modified by mutual agreement between the COUNTY and PEREZ. However, no waiver or modification of this AGREEMENT shall be valid unless in writing and duly executed by the parties hereto.

9. **ACKNOWLEDGEMENT AND CONSENT**

By signing below, PEREZ and Michelle Steel, Chairwoman of the BOARD, acting on behalf of the COUNTY, acknowledge that they each have read and fully understand the terms and conditions of this AGREEMENT, and that they consent and agree to each and every term and condition contained herein.

\[Signature\]  
03/12/2020  
Date

FOR THE COUNTY OF ORANGE:

\[Signature\]

Chairwoman Michelle Steel  
Supervisor, 2nd District  
Orange County Board of Supervisors  
County of Orange

Date
Signed and certified that a copy of this document has been delivered to the Chairman of the Board per G.C. Sec. 25103, Reso 79-1535

Attest:

Robin Stieler
Clerk of the Board of Supervisors
Orange County, California

Approved as to form:
Office of the County Counsel
Orange County, California

By: [Signature]

Leon J. Page
County Counsel
MEMORANDUM

To: Robin Stieler, Clerk of the Board

From: Chairwoman Michelle Steel and Vice Chairman Andrew Do

Date: March 13, 2020

Re: Special Measures to Address the Coronavirus

Please announce and make preparations for a special meeting of the Orange County Board of Supervisors on Tuesday, March 17, 2020, and on every Tuesday thereafter when there is not a regularly scheduled meeting of the Board of Supervisors, in order for the Board to stay informed and have the opportunity to take action in response to the Novel Coronavirus (COVID-19) until the local emergency is ended.

Please also ensure there is a special item on the agenda of every Regular Meeting of the Board of Supervisors until the local emergency is ended.

cc: Board of Supervisors
Frank Kim, County Executive Officer
MEMORANDUM

March 10, 2020

TO: Robin Stieler, Clerk of the Board of Supervisors
FROM: Leon J. Page, County Counsel
SUBJECT: Request for Supplemental Closed Session

I am requesting a supplemental closed session on Tuesday, March 24, 2020, to discuss with the Board the status of existing litigation, pursuant to Government Code section 54956.9(d)(1).

Accordingly, please prepare the Agenda Item to read:

"CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION Pursuant to Government Code Section 54956.9(d)(1). Name of Case: Eric Baker v. County of Orange OCSC Case No. 30-2019-01043143

RECOMMENDED ACTION: Conduct Closed Session."

Thank you.

LJP:vl

cc: Members of the Board of Supervisors
Frank Kim, CEO
MEMORANDUM

March 12, 2020

TO:           Robin Stieler, Clerk of the Board of Supervisors
FROM:         Leon J. Page, County Counsel
SUBJECT:      Request for Supplemental Closed Session

I am requesting a supplemental closed session on Tuesday, March 24, 2020, to discuss with the Board the status of existing litigation, pursuant to Government Code section 54956.9(d)(1).

Accordingly, please prepare the Agenda Item to read:

"CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION Pursuant to Government Code Section 54956.9(d)(1).
Name of Case: Kent Coddington v. County of Orange; B. Erickson, G. Kennedy, and J. Lara
Case No. 8:19-CV-1055-KES"

RECOMMENDED ACTION: Conduct Closed Session."

Thank you.

LJP:jb

cc: Members of the Board of Supervisors
    Frank Kim, CEO
MEMORANDUM

March 12, 2020

TO: Robin Stieler, Clerk of the Board of Supervisors
FROM: Leon J. Page, County Counsel
SUBJECT: Request for Supplemental Closed Session

I am requesting a supplemental closed session on Tuesday, March 24, 2020, to discuss with the Board the status of existing litigation, pursuant to Government Code section 54956.9(d)(1).

Accordingly, please prepare the Agenda Item to read:

“CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION Pursuant to Government Code Section 54956.9(d)(1).
Name of Case: Elizabeth Ortiz v. County of Orange
WCAB Case No. ADJ10143415

RECOMMENDED ACTION: Conduct Closed Session.”

Thank you.

LJP:jb

cc: Members of the Board of Supervisors
Frank Kim, CEO
MEMORANDUM

March 13, 2020

TO: Robin Stiel, Clerk of the Board of Supervisors

FROM: Leon J. Page, County Counsel

SUBJECT: Request for Supplemental Closed Session

I am requesting a supplemental closed session to be held on Tuesday, March 24, 2020, for the Board to consider the initiation of litigation pursuant to Government Code section 54956.9(d)(4).

Accordingly, please prepare the Agenda Item to read:

“CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – INITIATION OF LITIGATION pursuant to Government Code section 54956.9(d)(4).
Number of Cases: One Case.

RECOMMENDED ACTION: Conduct Closed Session.”

Thank you.

LJP:jb

cc: Members of the Board of Supervisors
    Frank Kim, CEO
MEMORANDUM

March 17, 2020

TO: Robin Stieler, Clerk of the Board of Supervisors

FROM: Leon J. Page, County Counsel

SUBJECT: Request for Supplemental Closed Session

I am requesting a supplemental closed session on Tuesday, March 24, 2020, to discuss with the Board the status of existing litigation, pursuant to Government Code section 54956.9(d)(1).

Accordingly, please prepare the Agenda Item to read:

"CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION Pursuant to Government Code Section 54956.9(d)(1). Name of Case: IntelliTime Systems Corp. v. County of Orange OCSC Case No. 30-2019-01080886-CU-BC-CJC"

RECOMMENDED ACTION: Conduct Closed Session.

Thank you.

Leon Page

SES:LJP:jb

cc: Members of the Board of Supervisors
Frank Kim, CEO