A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 1, 2015
9:00 A.M. Presentations
9:30 A.M. Regular Business

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

TODD SPITZER
CHAIRMAN
Third District

LISA A. BARTLETT
VICE CHAIRMAN
Fifth District

ANDREW DO
SUPERVISOR
First District

MICHELLE STEEL
SUPERVISOR
Second District

SHAWN NELSON
SUPERVISOR
Fourth District

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

This agenda contains a brief description of each item to be considered. Except as provided by law, no action shall be taken on any item not appearing in the agenda. To speak on an item, complete a Speaker Request Form(s) identifying the item(s) and deposit it in the box to the left of the podium. To speak on a matter not appearing in the agenda, but under the jurisdiction of the Board of Supervisors, you may do so during Public Comments at the end of the meeting. Speaker request forms must be deposited prior to the beginning of the consent calendar, the reading of the individual agenda items and/or the beginning of Public Comments. When addressing the Board, it is requested that you state your name for the record. Address the Board as a whole through the Chair. Comments to individual Supervisors or staff are not permitted. Speakers are limited to three (3) minutes per item with nine (9) minutes cumulative for the entire meeting. Power Point and video presentations must be requested in advance of the meeting through the Clerk.

Supporting documentation is available for review in the Clerk of the Board of Supervisors office in the Hall of Administration, 333 W. Santa Ana Blvd., Room 465, Santa Ana, 92701 8:00 am - 5:00 pm, Monday-Friday.
The Agenda is available online at: http://ocgov.com/gov/bos/agenda
Meetings are broadcast live at http://bos.ocgov.com/video/video.html

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In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the Clerk of the Board's Office 72 hours prior to the meeting at (714) 834-2206

INVOCATION: Vice Chair Bartlett, Fifth District

PLEDGE OF ALLEGIANCE: Supervisor Do, First District

I. PRESENTATIONS/INTRODUCTIONS (9:00 A.M.)

Chairman Spitzer will be presenting a resolution commending Tammy Osborn of OC Animal Care for the California Veterinary Medical Association's Award for Meritorious Service

(Regular Business of the Board of Supervisors will commence at 9:30 A.M. or after)

II. CONSENT CALENDAR (Items 1-17)

All matters are approved by one motion unless pulled by a Board Member for discussion or separate action. At this time, any member of the public may ask the Board to be heard on any item on the Consent Calendar.

BOARD APPOINTMENTS

1. **Supervisor Steel -** Assessment Appeals Board No. 1 - Reappoint Thomas C. Edwards, Newport Beach, for term ending 9/2/18

Chairman Spitzer:

2. Assessment Appeals Board No. 3 - Reappoint Habib Malik, Irvine, for term ending 9/2/18

3. Emergency Medical Care Committee - Reappoint Nick Anas, M.D., Tustin, for term ending6/30/17

ELECTED DEPARTMENT HEADS

4. **Auditor-Controller -** Adopt resolution approving property tax rates, deliquency/roll change/refund factors and reserve of disputed values for FY 2015-16 - All Districts

5. **District Attorney -** Approve renewal of agreement MA-026-14012242 with Microsoft Corporation for software premier support services, 9/2/15 - 9/1/16 ($87,555; cumulative total $175,110); and authorize Purchasing Agent or authorized Deputy to execute agreement and exercise contingency cost increase not to exceed 10% - All Districts (Continued from 8/25/15, Item 11)

Sheriff-Coroner:

6. Approve amendment 4 to agreement MA-060-13010460 with Intoximeters Incorporated for Alco-Sensor Instruments parts and accessories, 10/22/15 - 10/21/16 ($77,000; cumulative total $255,950); renewable for one year; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

7. Receive bids and award contract to So Cal Custom, Inc. for replacement of one walk-in freezer, Theo Lacy Facility ($263,800) - District 3

8. Approve amendment 4 to agreement MA-060-12010047 with Premier Computing, Inc. for software maintenance, 9/26/15 - 9/25/16 ($25,000; cumulative total $209,786); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

9. Approve Assignment, Novation and Consent agreement with All Towing Services, LLC dba American All Star Towing assigning to Pacific Towing, Inc., 6/1/15 - 5/31/16; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts (Continued from 8/4/15, Item 6; 8/25/15, Item 12) Continued to 9/22/15, 9:30 a.m.

10. Approve agreement MA-060-15012169 with Siemens Industry Inc. for preventive maintenance and repairs to Theo Lacy and Coroner facility energy management system hardware and software, two year term ($146,128); renewable for one additional two year period and one additional one year period; and authorize Purchasing Agent or authorized Deputy to execute agreement - Districts 1 & 3 (Continued from 8/25/15, Item 13)
Sheriff-Coroner - Approve agreement MA-060-15012169 MA-060-15012270 with Siemens Industry Inc. for preventive maintenance and repairs to Theo Lacy and Coroner facility energy management system hardware and software, two year term ($146,128); renewable for one additional two year period and one additional one year period; and authorize Purchasing Agent or authorized Deputy to execute agreement - Districts 1 & 3 (Continued from 8/25/15, Item 13)

11. **Treasurer-Tax Collector -** Rescind Board action taken on Board date 6/2/15, Item 10 approving letter amendment dated 4/28/15 to master agreement MA-074-13012237 with Standard & Poor's Capital IQ for credit research services, 7/16/15 - 7/15/16 ($31,525) - All Districts

HEALTH CARE AGENCY

12. Approve amendment 2 to agreement MA-042-15010515 with KJMB Solutions, Inc. for software maintenance, support and training services for Employee Health Data System, 10/21/15 - 10/20/18 ($25,000; cumulative total $57,500); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC COMMUNITY RESOURCES

13. Approve license agreement with Friends of the University Park Public Library, Inc. to continue operating bookstore and holding fundraisers to benefit University Park Library, effective for a period of five years upon execution; and make California Environmental Quality Act and other findings - District 3

14. Approve easement deed and agreement with City of Aliso Viejo for construction, operation, maintenance and repair of City's Dairy Fork Wetland Project; delegate OC Parks Director or designee authority to fulfill terms of easement deed and agreement under certain conditions; and make California Environmental Quality Act and other findings - District 5

OC PUBLIC WORKS

15. Accept and execute easements with Rancho Mission Viejo Master Maintenance Corporation for sidewalk, with RMV Community Development, LLC for storm drain, access, and basin access; and with DMB San Juan Investment North, LLC for storm drain, to provide better access to County maintained storm drain outlet; and consider application of prior Final EIR No. 589 and Addenda 1.0 & 1.1 and other findings - District 5

Acting as the Orange County Flood Control District:

16. Approve agreement D15-012 with Orange County Transportation Authority (OCTA) for funding of Airport Storm Channel access road improvements; authorize Director or designee to carry out terms of agreement; and make California Environmental Quality Act and other findings - District 2

17. Receive bids and award contract MA-080-16010110 to John S. Meek Company for Talbert Valley Channels Debris and Litter Collection Systems project ($541,715) - District 2

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-31)

DEPARTMENT APPOINTMENTS

18. **Health Care Agency -** Select and appoint one candidate to the Cal Optima Board of Directors County Resident/Non-Consumer position for term ending 4/30/16 - All Districts

ELECTED DEPARTMENT HEADS

19. **Sheriff-Coroner -** Ratify and approve retroactive agreement 15112123 with State of California for coroner training courses for Commission on Peace Officer Standards and Training, 7/1/15 - 6/30/16; accept reimbursement for training costs ($131,418.80); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

JOHN WAYNE AIRPORT

20. Approve amendment 2 to agreements with Jeff Oviedo and Associates dba JOA Group ($476,741; new total $2,183,381) and Butier Engineering, Inc. ($479,700; new total $2,481,824); approve amendment 1 to agreement with Faithful + Gould ($144,482; new total $894,482) for project management services; and make California Environmental Quality Act and other findings - District 2 (Continued from 8/25/15, Item 49)

OC COMMUNITY RESOURCES

21. Approve cooperative extension agreement with The Regents of the University of California on behalf of its UC Cooperative Extension, Orange County to assist OC Parks with water usage, landscape and invasive tree pest management practices, one-year term commencing upon execution of agreement ($320,000 per year); renewable for four additional one-year periods; and make California Environmental Quality Act and other findings - All Districts

22. Approve agreement MA-012-16010217 with West Coast Arborist, Inc. for tree maintenance services,9/1/15 - 8/31/16 ($750,000); renewable for four one-year periods; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act and other findings - All Districts

OC PUBLIC WORKS

23. Select ECORP Consulting, Inc. as primary and LSA Associates, Inc. as alternate firms for on-call archaeological, paleontological and biological services, South Region Landfills; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act and other findings - Districts 2, 3 & 5

24. Select Tetra Tech BAS, Inc. and Geosyntec Consultants as primary and Geo-Logic Associates, Inc. as alternate firms for on-call multi-discipline engineering support services for Central Region Landfills; authorize negotiation of agreements for Board approval; and make California Environmental Quality Act and other findings - Districts 2 & 3

25. Approve amendment 1 to on-call agreement MA-299-13010709 with Geosyntec Consultants, Inc. and Advanced Earth Sciences, Inc. for environmental multi-discipline engineering support services, extending term one additional year with no additional funds, 12/11/15 - 12/10/16, with option to extend one additional year; and make California Environmental Quality Act and other findings - All Districts

GENERAL ADMINISTRATION

County Executive Office:

26. Approve proposed response to FY 2014-15 Grand Jury Report "AB109-Realignment: Are the Public and Probation Officers at Greater Risk?" - All Districts

27. Approve proposed response to FY 2014-15 Grand Jury Report "AB109 Offenders: Are Current Probation Strategies Effective?" - All Districts

28. Approve proposed response to FY 2014-15 Grand Jury Report "Annual Inquiry on Jails and Juvenile Detention Facilities." - All Districts

29. Approve proposed responses to FY 2014-15 Grand Jury Reports "The Orange County Animal Shelter: The Facility, the Function, the Future" and "If Animals Could Talk About the Orange County Animal Shelter." - All Districts

30. Approve recommended positions on introduced or amended legislation and consider other legislative subjects matters; and adopt resolution affirming County's Commitment to developing and supporting strategies to prevent, reduce, and serve the victims of commercial sexual exploitation of children and work to eliminate sex trafficking in California (RA 1 continued from 8/25/15, Item 73)- All Districts. Revised Title to read: County Executive Office - Approve recommended positions on introduced or amended legislation and consider other legislative subjects matters and approve and submit draft comment letter on Federal Aviation Administration's Draft Environmental Assessment for Southern California Metroplex Project; and adopt resolution affirming County's Commitment to developing and supporting strategies to prevent, reduce, and serve the victims of commercial sexual exploitation of children and work to eliminate sex trafficking in California (RA 1 continued from 8/25/15, Item 73)- All Districts

31. Approve grant applications/awards submitted in 9/1/15 grant report and other actions as recommended - All Districts. Revised Title to read: County Executive Office - Approve grant applications/awards submitted by OCCR/OC Parks in 9/1/15 grant report and other actions as recommended - All Districts

S31A. County Counsel - Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Section 2-1-15 of the Codified Ordinances of the County of Orange Pertaining to Removal of Supervisorial District Residency Requirements on the Orange County Airport Commission" - District 1.

IV. PUBLIC HEARINGS (Item 32)

OC PUBLIC WORKS

32. Public hearing to consider reading and adoption of "An Ordinance of the County of Orange, California Adding Section 6-1-136 and 7-9-146.13 and Amending Sections 7-9-20, 7-9-24, 7-9-44, 7-9-55.3, 7-9-55.4, 7-9-58.3, 7-9-58.4, 7-9-59.4, 7-9-65.3, 7-9-65.4, 7-9-66.3,7 -9-66.4, 7-9-67.3, 7-9-67.4, 7-9-68.3, 7-9-68.4, 7-9-74.3, 7-9-74.4, 7-9-75.3, 7-9-75.4, 7-9-76.3, 7-9-76.4, 7-9-77.3, 7-9-77.4, 7-9-78.3, 7-9-78.4, 7-9-79.3, 7-9-79.4, 7-9-80.3, 7-9-80.4, 7-9-84.2, 7-9-84.3, 7-9-85.2, 7-9-85.3, 7-9-87.2, 7-9-87.3, 7-9-88.2, 7-9-88.3, 7-9-89.2, 7-9-89.3, 7-9-90.2, 7-9-90.3, 7-9-95.2, 7-9-95.3, 7-9-98.3 and 7-9-98.4 of the Codified Ordinances of the County of Orange Related to Performance and Development Standards for Wireless Communications Facilities"; and consider adoption of Negative Declaration No. IP 14-332 and other findings - All Districts (Continued from 6/16/15, Item 40; 7/14/15, Item 38; 7/21/15, Item 31). Continued to 10/20/15, 9:30 a.m.

V. CLOSED SESSION (Items CS-1-CS-9)

The Board will break for lunch at approximately 12:00 PM and may consider closed session matters during that break. The Board will then resume to handle any remaining business if necessary.

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: County of Orange v. First National Insurance Company of America, Horizons Construction Company, etc., et al., LASC Case No. BC472901

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Under Seal v. Under Seal, Sacramento County Superior Court Case No. 34-2012-00127517

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: In re Arbitration between County of Orange v. Atos Governmental IT Outsourcing Services, LLC

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Madalene Lamar v. County of Orange Workers' Program, Workers' Compensation Appeals Board Case Nos. ADJ1601193 and ADJ2043066.

CS-5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Barbara Matillo v. County of Orange Workers' Program, Workers' Compensation Appeals Board Case No. ADJ6598454

CS-6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Stephen Weigand v. County of Orange Workers' Program, Workers' Compensation Appeals Board Case Nos. ADJ8877203 and ADJ8878581

CS-7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: County of Orange v. ACE Silverado, LLC, et al., Orange County Superior Court Case No. 30-2014-00747498

CS-8. **County Executive Office** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Former South Court Justice Center
Approximately 22 acres at the intersection of Alicia Parkway and Crown Valley Parkway, Laguna Niguel, CA
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: Agora & City of Laguna Niguel
Under Negotiation: Terms Development and Value of Future Lease

CS-9. **Human Resource Services** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Robert O'Brien
Employee Organizations: Association of County Law Enforcement Management (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Association of Orange County Deputy Sheriffs (AOCDS), Alliance of Orange County Workers (AOCW), In-Home Supportive Services Provider Unit (IHSS) represented by United Domestic Workers of America (UDWA), International Union of Operating Engineers (IUOE), Orange County Attorneys Association (OCAA), Orange County Employees Association (OCEA), Orange County Managers Association (OCMA) and other non-represented employees
RE: Terms and Conditions of Employment

SCS10. **County Counsel** - ANTICIPATED LITIGATION - Pursuant to Government Codes Section 54956.9(d)(2): Number of Cases: One Case.
County Counsel – CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Codes Section 54956.9(d)(2): Number of Cases: One Case

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

At this time, members of the public may address the Board of Supervisors regarding any off-agenda items within the subject matter jurisdiction of the Board of Supervisors provided that NO action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three minutes per person and twenty minutes for all comments, unless different time limits are set by the Chairman subject to the approval of the Board.

COUNTY EXECUTIVE OFFICER COMMENTS:

BOARD COMMENTS:

At this time, members of the Board of Supervisors may comment on agenda or non-agenda matters and ask questions of or give directions to staff; provided that NO action may be taken on off-agenda items unless authorized by law.

ADJOURNED:

NEXT MEETINGS:

September 8, 2015	**No Scheduled Meeting**
September 15, 2015	**No Scheduled Meeting**
September 22, 2015	**Regular Meeting**