REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, March 25, 2014, 9:30 A.M.

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

SHAWN NELSON
CHAIRMAN
Fourth District

PATRICIA BATES
VICE CHAIRMAN
Fifth District

JANET NGUYEN
SUPERVISOR
First District

JOHN M.W. MOORLACH
SUPERVISOR
Second District

TODD SPITZER
SUPERVISOR
Third District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Michael B. Giancola
	COUNTY COUNSEL	James Harman, Supervising Deputy
	CLERK OF THE BOARD	Susan Novak

INVOCATION: Supervisor Nguyen, First District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-18)

12354 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 14 WHICH WAS CONTINUED TO 4/1/14, 9:30 A.M.; ITEM 16 WHICH WAS DELETED; AND ITEM 17 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairman Nelson -** Senior Citizens Advisory Committee - Reappoint Yvonne Mitchell, Placentia, for term ending 12/31/15

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

2. Approve Memorandum of Agreement and related documents with County of San Diego and participating public entities for 2013 Operation Stonegarden Grant; accept 2013 grant award funds from California Emergency Management Agency ($120,000); and authorize Sheriff-Coroner to execute agreement and related documents - All Districts

3. Approve amendment 2 to agreement MA-060-12010047 with Premier Computing, Inc. for software upgrade of Commissary inventory system, 9/26/13 - 9/25/14 ($86,000; new total $111,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

4. Authorize Sheriff-Coroner to donate excess unused food from Orange County jail system to Orange County food banks; and make related findings - All Districts

HEALTH CARE AGENCY

5. Approve amendment 2 to lease agreement with FKC Founders Courts, LLC for office space for Children & Youth Services Program, Placentia, four year term; and make California Environmental Quality Act findings - District 4

6. Approve lease agreement with Town & Country Partners for office space for Centralized Assessment Team Program, Orange, ten year term; and make California Environmental Quality Act findings - District 3

JOHN WAYNE AIRPORT

7. Approve plans and specifications and set bid opening for 4/16/14, 2:00 p.m., for pavement maintenance and repairs project; authorize Director or designee to sign plans and specifications and extend bid opening if required up to 60 days; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

8. Accept $70,000 donation from Friends of the Library to offset costs to replace skylights, Dana Point Branch Library - District 5

OC PUBLIC WORKS

9. Receive and file County of Orange General Plan Progress Report and authorize Director or designee to submit report to California Department of Housing and Community Development and Governor's Office of Planning and Research; and make California Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

10. **Probation -** Approve agreement MA-057-14011405 with Prado Family Shooting Range for use of shooting range facilities, 4/8/14 - 4/7/17 ($90,000); renewable for two years, 4/8/17 - 4/7/19 ($60,000); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

11. Approve proposed amendments to the Conflict of Interest Code Designated Filers Exhibits for Social Services Agency - All Districts

12. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for South Coast Regional Occupational Program - District 5

13. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for La Habra City School District - District 4

14. Approve re-adoption of the State's Model Code by reference and modifications to Designated Filer Positions and Disclosure Categories Exhibits A & B for Silverado Modjeska Recreation and Parks District – District 3

12354 X **CONTINUED TO 4/1/14, 9:30 A.M.**

15. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for South Orange County Community College District - Districts 2, 3 & 5

16. **County Executive Office -** Approve master agreement MA-017-14011477 with HdL Companies for sales and use tax transaction audit services, 3/25/14 - 3/24/17; renewable for two additional years; repeal Resolution 09-034; and adopt resolution approving authorized employees and consultant to examine sales and use tax records pertaining to collections by State Board of Equalization - All Districts

12354 X **DELETED**

17. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for February 2014 - All Districts

23154 **APPROVED AS RECOMMENDED**

18. **Registrar of Voters -** Receive and file certification of election results for March 4, 2014 Special Bond Election, Irvine Ranch Water District, Improvement Districts 185 and 285 - District 3

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 19-35)

HEALTH CARE AGENCY

19. Consider policy options for Basic Life Support ambulance transport Request for Proposal; and direct staff to incorporate policy direction into RFP and return to the Board for final review - All Districts (Continued from 3/4/14, Item 15)

B.O. **DELETED**

20. Approve amendment 1 to agreement with Community Service Programs, Inc. for Children's Crisis Residential services, 7/1/12 - 6/30/15 ($4,276,066; new total $6,860,998); and authorize Director or designee to execute amendment - All Districts (Continued from 3/11/14, Item 11)

B.O. **CONTINUED TO 4/29/10, 9:30 A.M.**

21. Approve reorganization of Public Guardian as part of Behavioral Health Services, effective immediately; and direct HCA to make related budget adjustments with FY 2014-15 budget - All Districts

34125 **APPROVED AS RECOMMENDED**
N

22. Consider policy options for Basic Life Support Emergency Ambulance Transport Request for Proposals; and direct staff to incorporate Advanced Life Support policy direction and return to the Board on 4/1/14 for review of draft RFP - All Districts

24135 **MOTION TO APPROVE OPTION 2 FAILED TO CARRY**
NNN

35124 **APPROVED OPTION 1 TO INCLUDE THE COLLECTION OF THE ADVANCED LIFE**
NN **SUPPORT (ALS) RATE FOR OCFA PARAMEDIC FIELD ASSESSMENT AND AMBULANCE ESCORT IN THE BASIC LIFE SUPPORT (BLS) REQUEST FOR PROPOSAL. THE COLLECTION OF THE FEE WILL BE MANAGED BY THE BLS AMBULANCE PROVIDER FOR EACH EXCLUSIVE OPERATING AREA. BOTH BLS AND ALS CHARGES WILL APPEAR ON ONE CONSOLIDATED BILL.**

JOHN WAYNE AIRPORT

23. Receive bids and award contract to Glidepath, Inc. for Terminals A & B Baggage Handling System Enhancements project ($11,112,200); and make California Environmental Quality Act findings - District 2

23154 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

24. Approve agreement CPO13-013 with Owen Group, Inc. for on-call architectural services ($400,000); and agreement CPO13-014 with CivilSource, Inc. for on-call project management and contract administration services ($400,000), three-year terms commencing date of execution; and make California Environmental Quality Act findings - All Districts

24135 **APPROVED AS RECOMMENDED**

25. Approve amendment 4 to agreement with Orange County Human Relations Council for operational support of Orange County Human Relations Commission, 7/1/14 - 6/30/15 ($252,000); and authorize Director or designee to execute amendment - All Districts

B.O. **DELETED**

OC PUBLIC WORKS

26. Receive bids and award contract to Roy Allan Slurry Seal, Inc. for slurry seal of various streets in Orange County ($1,044,717.70); approve agreement D13-110 with City of Tustin for Phase 1 ($31,038) and Phase 2 ($266,653) street rehabilitation project; and adopt resolution declaring City project area to be a County highway - District 3 (4/5 vote of membership)
35124 **APPROVED AS RECOMMENDED**
RESO: 14-023

27. Receive bids and award Job Order Contract to Thomasville Construction, Inc. for heating, ventilation and air-conditioning contracting services ($2,000,000); and make California Environmental Quality Act findings - All Districts
35124 **APPROVED AS RECOMMENDED**

28. Receive bids and award Job Order Contract to National Demolition Contractors for demolition services ($750,000); and make California Environmental Quality Act findings - All Districts
23154 **APPROVED AS RECOMMENDED**

29. Receive bids and award Job Order Contract to Minako America Construction dba Minco Construction for electrical contracting services ($1,000,000); and make California Environmental Quality Act findings - All Districts
23154 **APPROVED AS RECOMMENDED**

30. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve renewal of agreement MA-080-11012543 with Barry's Security Services, Inc. for unarmed security guard services, 7/1/14 - 6/30/15 ($321,000) - All Districts
54123 **APPROVED AS RECOMMENDED**
N

SOCIAL SERVICES AGENCY

31. Approve amendment 1 to agreements with various providers of child abuse prevention and intervention counseling and parent education services, FY 2013-14 and FY 2014-15 ($180,000; new total $800,000 per year) - All Districts
13254 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

32. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
24135 **CONTINUED TO 4/8/14, 9:30 A.M.**

33. Approve grant applications/awards submitted by OC Community Resources/OC Parks in 3/25/14 grant report and other actions as recommended; authorize Director or designee to accept grant award - All Districts
25134 **APPROVED AS RECOMMENDED**

Human Resource Services:

34. Approve agreement with International Union of Operating Engineers (IUOE) for Craft and Plant Engineer bargaining unit requiring employees hired on or after 1/1/13 to pay Reverse Pick-up for incremental cost of 2.7% @55 retirement formula provided to certain County employees, effective upon adoption - All Districts

35124 **APPROVED AS RECOMMENDED**

35. Approve 2014 - 2015 Memoranda of Understanding with Orange County Employees Association and amendment to County Personnel and Salary Resolution - All Districts

14235 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-CS-4)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Henry Gould v. County of Orange, Workers' Compensation Appeal Board Case No. ADJ2104214

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF HENRY GOULD V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Joseph Brennan v. County of Orange, Workers' Compensation Appeal Board Case No. ADJ3776759

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF JOSEPH BRENNAN V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases: Reliance Insurance Company in Liquidation, Case No. 1 REL 2001 in the Commonwealth Court of Pennsylvania;
County of Orange v. Great Lakes Reinsurance (UK) PLC, United States District Court Case No. 12-cv-01615;
County of Orange v. Insurance Company of the State of Pennsylvania et al., Arbitration Case No. 73-195-Y-000297-12

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED**

PROPOSED SETTLEMENTS IN THE CASES OF RELIANCE INSURANCE COMPANY IN LIQUIDATION; COUNTY OF ORANGE V. GREAT LAKES REINSURANCE (UK) PLC; AND COUNTY OF ORANGE V. INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA ET AL. THE PROPOSED SETTLEMENTS REMAIN SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENTS BECOME FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

CS-4. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Steve Danley
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

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

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Ilya Tseglin, Robert Tseglin - Oral Re: Nate Tseglin, conservatorship

Michael Klubnikin - Oral Re: Tseglins, Corruption

Darrell Nolta - Oral Re: Concealed weapon permits, paramedic services

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Supervisor Nguyen - Oral Re: 3rd Annual Central County Job Fair, impacts of drought on OC

Vice Chair Bates - Oral Re: 7th Annual Senior Summit

Supervisor Moorlach - Oral Re: Vanguard University of Southern California Men's Basketball

ADJOURNED: 11:42 A.M.

54123 **Adjourned in memory of Jack Foley**

24135 **Adjourned in memory of Gloria Stell Enderle**

54123 **Adjourned in memory of James Nix**

24135 **Adjourned in memory of Sean Severson**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Spitzer
4. = Supervisor Nelson
5. = Supervisor Bates

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)

Chair, Orange County Board of Supervisors

Orange County Clerk of the Board