REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, May 6, 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	Nicholas S. Chrisos
	CLERK OF THE BOARD	Susan Novak

INVOCATION: Supervisor Moorlach, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-17)

13254 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 17 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

1. **Assessor Department -** Approve amendment 2 to agreement MA-002-12011738 with American Mail

Centers, Inc., for development, print and mail out of weekly, monthly and annual notices to taxpayers, 5/18/14 - 5/17/15 ($115,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

Sheriff-Coroner:

2. Approve amendment 2 to agreement N1000009934 with Community Service Programs, Inc. for domestic violence victim services, 5/12/14 - 11/12/14 ($30,000; new total $90,000 through 5/13/14 - 11/12/14); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

3. Approve amendment 3 to renew agreement MA-060-14011487 with Jam Fire Protection Inc. dba Jam Corporation assigning to Cintas Corporation No. 2 dba Cintas Fire Protection for fire protection and system maintenance, Emergency Operations Center, Loma Ridge 5/12/14 - 5/11/15 ($6,960); and authorize Purchasing Agent or authorized Deputy to execute amendment - District 3

4. Ratify approval of purchase order PO-060-14011975 with U.S. Armor for purchase of tactical vests and steel plates ($5,953); and authorize Purchasing Agent or authorized Deputy to approve payment - All Districts

5. Receive bids and award contract to Environmental Assessment and Remediation Inc. dba EAR Engineering, Construction & Support Services for remediation of underground fuel tank contamination, James A. Musick Facility ($179,850) - Districts 3 & 5

6. **Treasurer-Tax Collector -** Authorize the escheatment and transfer of $13,850 from OC Public Works Fund 115, $15,000 from OC Public Works Fund 306, and $26,724 from Sheriff Fund 348 to the County General Fund; and authorize the transfer of $13,000 from the County General Fund to the Treasurer-Tax Collector Publication and Legal Notice Account - All Districts (4/5 vote of the members present)

HEALTH CARE AGENCY

7. Approve agreements with Straight Talk Clinic, Inc. for Substance Use Disorder Residential Treatment services ($174,490), HIV Substance Use Disorder Residential Treatment services ($252,264) and HIV Transitional Housing services ($203,685), 7/1/14 - 6/30/15; and authorize Director or designee to execute agreements and to exercise contingency cost increase of 10% under certain conditions - All Districts

8. Approve purchase orders PO-042-14011709 with Beckman Coulter Inc. ($52,353) and PO-042-14011853 with Life Technologies Corporation ($162,215) for purchase of laboratory equipment; and authorize Purchasing Agent or authorized Deputy to execute purchase orders - All Districts

9. Approve agreement with Comprehensive Care Solutions, L.L.C. for care coordination services for Medical Safety Net Program, 7/1/14 - 6/30/15 ($674,292); and authorize Director or designee to

execute agreement - All Districts

JOHN WAYNE AIRPORT

10. Approve agreement MA-280-12011951 with Maintenance Connection, Inc. for computerized maintenance management system, 6/1/14 - 5/31/15 ($6,989); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 2

11. Approve agreement MA-280-14011253 with Innovative Electronic Design Support Services, LLC (IED) for maintenance, updates, and support services of IED Public Announcement system, 6/1/14 - 5/31/19 ($211,385); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 2

12. Select AE Consulting, Inc. as primary and RBF Consulting, Inc. as alternate firms for architect-engineer services for Paularino Gate Improvements project; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

13. Approve amendment 2 to agreement MA-012-12011805 with Graffiti Protective Coatings, Inc. for graffiti removal services along regional trails and bikeways and in community parks maintained by OC Parks, 6/1/14 - 5/31/15 ($140,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

14. Approve amendment 2 to lease agreement GA 1213-115-2 with City of Santa Ana for CalWORKS services, extending term for an additional three years; and make California Environmental Quality Act findings - District 1

15. Approve non-financial memorandum of understanding (MOU) WGV0713 with State of California Department of Rehabilitation to provide CalWORKs Welfare-To-Work participants vocational rehabilitation services, 7/1/14 - 6/30/17; and authorize Director or designee to execute MOU - All Districts

GENERAL ADMINISTRATION

16. **County Executive Office** - Receive and file Quarterly Information Technology Project Status Detail, Executive Summary and Risk Assessment Reports for January - March 2014 - All Districts

17. **Human Resource Services** - Approve agreement with National University for reduced tuition for employees; and authorize Human Resource Services to execute agreement - All Districts (Continued from 4/1/14, Item 15; 4/29/14, Item 39)
NO ACTION TAKEN

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-44)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

18. Receive and file status report and approve termination of proclamation of Emergency Declaration resulting with March 28, 2014 La Habra Earthquake, originally approved on 4/8/14 - All Districts (Continued from 4/8/14, Item S36D)
45123 **APPROVED AS RECOMMENDED**

19. Approve amendment 3 to agreement MA-060-11012185 with SimplexGrinell LP for preventative maintenance and repair of the fire protection system, Theo Lacy Facility, extending term to 5/31/14 and renewing agreement, 6/1/14 - 5/31/15 ($268,800); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 3
35124 **APPROVED AS RECOMMENDED**

20. Ratify and approve amendment 1 to lease agreement GA-060-422-2200-1 with Debra L. Burden for storage operations at 1045 Fuller Street, Santa Ana, 4/1/06 - 3/31/19 ($6,775 per month); authorize Sheriff-Coroner or designee to extend agreement under certain conditions; and make California Environmental Quality Act findings - District 1
13254 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

21. Approve agreement with Horizon Cross Cultural Community Center for Peer Mentoring services for Adults and Older Adults, 7/1/14 - 6/30/15 ($1,124,888); and authorize Director or designee to execute agreement and to exercise contingency cost increase of 10% under certain conditions - All Districts
B.O. **CONTINUED TO 5/20/14, 9:30 A.M.**

22. Approve agreements for Central City Community Health Center, Inc. ($200,000) and Vietnamese Community of Orange County, Inc., dba Southland Health Center ($997,000) for Integrated Community services, 7/1/14 - 6/30/15; and authorize Director or designee to execute agreements - All Districts
13254 **APPROVED AS RECOMMENDED**

23. Approve agreement with Telecare Corporation for Adult Mental Health Crisis Residential services, 7/1/14 - 6/30/15 ($1,741,168); and authorize Director or designee to execute agreement - All Districts
25134 **APPROVED AS RECOMMENDED**

24. Approve master agreements with various providers of Adult Mental Health Intensive Residential services ($1,046,271) and Adult Mental Health Psychiatric Skilled Nursing Facility services ($28,206,351), 7/1/14 - 6/30/17; and authorize Director or designee to execute individual agreements and to exercise contingency cost increase of 10% under certain conditions - All Districts
24135 **APPROVED AS RECOMMENDED**

25. Approve agreements with The Gary Center ($600,000) and Mariposa Women and Family Center, Inc. ($388,534) for Substance Use Disorder Outpatient services, 7/1/14 - 6/30/16; and authorize Director or designee to execute agreements and to exercise contingency cost increase of 10% under certain conditions - All Districts

25134 **APPROVED AS RECOMMENDED**

26. Approve agreement with Community Service Programs, Inc. for Collaborative Courts Full Service Partnership/Wraparound services, 7/1/14 - 6/30/15 ($2,538,641); and authorize Director or designee to execute agreements and to exercise contingency cost increase of 10% under certain conditions - All Districts

32154 **APPROVED AS RECOMMENDED**

27. Approve master agreements MA-042-14011165 with NetChemistry, Inc. ($350,000) and MA-042-14011166 with Trojan Healthcare Management dba eCEDA Technologies ($525,504) for maintenance and support services for Electronic Eligibility System and Patient Tracking System, 7/1/14 - 6/30/15; renewable for two additional one-year periods; approve second year renewal, 7/1/15 - 6/30/16; and authorize Purchasing Agent or authorized Deputy to execute master agreements and renewals - All Districts

23154 **APPROVED AS RECOMMENDED**

28. Approve master agreement with various providers of Adult Residential Recovery services for Special Populations, 7/1/14 - 6/30/16 ($928,474); and authorize Director or designee to execute individual agreements and to exercise contingency cost increase of 10% under certain conditions - All Districts

52134 **APPROVED AS RECOMMENDED**

29. Approve amendment 1 to agreement with MedImpact Healthcare Solutions, Inc. for Pharmacy Benefits Management services, 1/1/14 - 6/30/17 ($3,050,000; new total $30,630,000); and authorize Director or designee to execute amendment - All Districts

35124 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

30. Approve agreement MA-280-14011294 with Accuvant for Information Systems Security Outsourcing, 7/1/14 - 6/30/19 ($1,675,014); authorize Purchasing Agent or authorized Deputy to execute agreement and exercise cost contingency increase not to exceed $34,000 or 10%, whichever is less; and make California Environmental Quality Act findings - District 2

24135 **APPROVED AS RECOMMENDED**

31. Approve amendment 1 to agreement with IDS Group, Inc. for seismic retrofit design services for Terminals A & B ($384,012; new total $3,629,637); and find that Final Environmental Impact Report 582, and Addendum 582-1, as revised by Final Supplemental EIR 582, as certified on October 19, 2004, fully analyzed and disclosed the proposed project's environmental effects, and the proposed project would not have any environmental effects beyond those analyzed and disclosed in these environmental documents - District 2

24135 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

32. Approve amendment 5 to agreement MA-012-10012969 with People for Irvine Community Health dba 2-1-1 Orange County (formerly known as OC Partnership) for technical assistance to Continuum of Care Homeless Assistance Programs, 6/1/14 - 5/31/15 ($389,772); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

23154 **APPROVED AS RECOMMENDED**

33. Approve amendment 3 to agreement MA-012-12012135 with Exclusive Network Enterprises for Information Technology Temporary Help services, 6/1/14 - 5/31/15 ($265,000; new total $990,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

25134 **APPROVED AS RECOMMENDED**

34. Select an option to balance OC Animal Care service levels with available financial resources; and direct staff to return to Board with analysis options regarding future governance models for the regional animal care system currently operated by the County of Orange through OC Animal Care, including a legal analysis, cost assessment, appraisal of service level implications, and potential implementation timeframes as applicable - All Districts

15234 **MOTION TO SELECT OPTION 2 FAILED TO CARRY**
NNN

42135 **SELECTED OPTION 3 AND DIRECTED STAFF TO COME BACK TO THE BOARD WITH**
N A **A LONG-TERM VISION ADDRESSING FEES, A NEW ANIMAL SHELTER AND RELATIONSHIP WITH PARTNER CITIES**

OC PUBLIC WORKS

Acting as the Orange County Flood Control District:

35. Authorize Director or designee to negotiate amendment 3 to agreement D06-055 with GRiver Golf, LLC and amendment 3 to agreement D06-056 with GRiver Golf F&B Operators, LLC for extension of existing golf operations contract and food and beverage facility lease, 8/22/14 - 8/21/18; and return to the Board for approval - All Districts

34125 **APPROVED AS RECOMMENDED**

36. Approve amendment 2 to agreement D09-122 with MWH Americas, Inc. for construction management services for the Santa Ana River Interceptor Line Project ($1,381,819; new total $10,853,193); and find that Final Environmental Impact Report 583, previously certified by the Board of Supervisors on October 6, 2009 and Addendum IP 10-334 satisfy the requirements of the California Environmental Quality Act for the proposed project, which is a necessarily included element contemplated as part of the whole of the action - District 3 (Continued from 4/8/14, Item 34; 4/29/14, Item 56)

32154 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

37. Approve agreements with various providers of Families and Communities Together Program, 7/1/14 - 6/30/15 ($220,000 each); approve agreements with various providers of Families and Communities Together Program and Differential Response services, 7/1/14 - 6/30/15 ($333,540 each); approve agreement FFZ1014 with Orangewood Children's Foundation for administrative and professional support services for Families and Communities Together Program, 7/1/14- 6/30/15 ($480,205); and authorize Director or designee to extend terms for up to twelve additional months - All Districts

52134 **APPROVED AS RECOMMENDED**

38. Approve agreement CMS0214 with Orangewood Children's Foundation for emancipation and independent living services, 7/1/14 - 6/30/17 ($1,196,622); and authorize Director or designee to extend term for up to twelve additional months - All Districts

31254 **APPROVED AS RECOMMENDED**

39. Approve agreement WGV0513 with Arbor E & T, LLC, a subsidiary of ResCare Inc., for job and employment support services, 7/1/14 - 6/30/15 ($11,786,712); and authorize Director or designee to extend term of agreement up to twelve additional months, under same terms and conditions and exercise a cost contingency increase not to exceed 10% - All Districts

31254 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

40. Approve agreement CT-017-14010692 with IBM Corporation for IBM mainframe software licenses and maintenance, 6/1/14 - 5/31/15 ($812,638.08); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

54123 **APPROVED AS RECOMMENDED**

41. Approve proposed response to FY 2012-13 Grand Jury Report “Registrar of Voters Earns High Marks for 2012 Election” - All Districts

23154 **APPROVED AS RECOMMENDED**

42. Approve FY 2013-14 Third Quarter Budget Report; approve related budget adjustments, reserve changes and amend master position control; direct Auditor-Controller to close Funds 112, 130, and 482 and transfer residual balances and to reimburse AB109 costs claimed as incurred by Sheriff-Coroner and Health Care Agency from unspent AB109 allocations - All Districts (R.A. 1 4/5 vote of members present and voting)

51234 **APPROVED AS RECOMMENDED**

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

24135 **RECEIVED AND FILED**

44. Approve grant applications/awards submitted by OC Community Resources, and John Wayne

Airport in 5/6/14 grant report and other actions as recommended; authorize OCCR Director or designee to receive renewal Shelter Plus Care grant funds ($8,464,876) and execute 2013 Continuum of Care Shelter Plus Care grant agreements and any memorandum of understanding or other related documents associated with renewal of grants; and authorize Airport Director to accept and execute grant agreement - All Districts

52134 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Items 45-46)

OC COMMUNITY RESOURCES

45. **Acting as the Board of Supervisors and Orange County Housing Authority -** Public Hearing to consider approving FY 2014-15 Annual Action Plan and Federal allocation of U.S. Department of Housing and Urban Development new, reprogrammed and program income Community Development Block Grant funds, HOME Investment Partnership Act (HOME) funds, Emergency Solutions Grant funds and local Operating Reserve Housing funds ($5,296,939); select providers and projects for Public Facilities and Improvements (PF&I) activities and form amendments for Housing Rehabilitation and Public Service activities; approve funding allocations; approve standardized agreement for PF&I activities; approve license to use State Military Facility agreement with California National Guard for Santa Ana and Fullerton Armory facilities for Armory Emergency Shelter Program, FY 2014-15 ($145,200); and authorize Director or designee to execute agreements and related documents, extensions and make changes under certain conditions - All Districts

CLOSED PUBLIC HEARING

31254 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

46. **County Counsel -** Acting as the Orange County Flood Control District - Public Hearing to consider adopting Resolution of Necessity acquiring by eminent domain real property for the Santa Ana River/Prado Dam Project located at 16500 Chino Corona Road, Chino; authorize County Counsel or outside litigation counsel to take steps to initiate and facilitate the condemnation action; and direct and authorize Auditor-Controller to make related payments ($6,854,000); and find that Final Environmental Impact Report 583, previously certified on November 28, 1989 reflects the independent judgement of Orange County Flood Control District and Final Supplemental Environmental Impact Statement 583 previously certified on December 19, 2001 reflects the independent judgement of the Orange County Planning Commission and satisfies the requirements of the California Environmental Quality Act for the proposed condemnation action and make other related findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

23154 **APPROVED AS RECOMMENDED**
N

RESO: 14-030

V. CLOSED SESSION (Items CS-1-SCS4)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

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

Human Resource Services:

CS-2. 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, THE CLERK READ: THE BOARD BY A VOTE OF 4 TO 1, SUPERVISORS NELSON, BATES, NGUYEN AND MOORLACH VOTING IN FAVOR, SUPERVISOR SPITZER VOTING AGAINST, AUTHORIZED THE FILING OF A STATEMENT OF EXCEPTIONS TO THE ADMINISTRATIVE LAW JUDGE'S PROPOSED DECISION IN THE MATTER OF THE ORANGE COUNTY ATTORNEYS ASSOCIATION V. COUNTY OF ORANGE TO THE FULL PUBLIC EMPLOYEES RELATIONS BOARD.**

B.O. **THE BOARD BY A UNANIMOUS VOTE, AUTHORIZED THE WAIVER OF SECTION 9 OF THE COUNTY CODE OF ETHICS TO ALLOW MARK MCDORMAN TO NEGOTIATE ON BEHALF OF THE ORANGE COUNTY MANAGERS ASSOCIATION IN ONGOING NEGOTIATIONS BETWEEN OCMA AND THE COUNTY.**

CS-3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:
Title: County Counsel

B.O. **CONTINUED TO 5/13/14, 9:30 A.M.**

SCS4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:
Title: Director of Performance Audit

B.O. **CONTINUED TO 5/13/14, 9:30 A.M.**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

E.T. Snell - Oral Re: Consolidation of courts, foster care, free speech, mental illness

Paul Simonds - Oral Re: Introduced himself as new So Cal Gas Public Affairs Manager

Michael Klubnikin - Oral Re: Criminal coverup re: property sale

Mr. US Citizen - Oral Re: Tseglin Family

Ilya Tseglin - Handout

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
None

ADJOURNED: 2:36 P.M.

*** KEY ***

Left Margin Notes

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

ORD. = Ordinance
RESO. = Resolution

A. = Abstained
X. = Excused
N. = No
BO = Board Order

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