REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 9, 2016, 9:00 A.M.

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

LISA A. BARTLETT
CHAIRWOMAN
Fifth District

MICHELLE STEEL
VICE CHAIR
Second District

ANDREW DO
SUPERVISOR
First District

TODD SPITZER
SUPERVISOR
Third District

SHAWN NELSON
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Frank Kim
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Jamie Ross, Deputy

INVOCATION: Supervisor Nelson, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE: Vice Chair Steel, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairwoman Bartlett presented a resolution commending Steve Geidt, Chief Executive Officer of Saddleback Memorial Medical Center for 35 years of service

II. CONSENT CALENDAR (Items 1-17)

31245 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 9 WHICH WAS CONTINUED TO 9/13/16, 9:30 A.M.; AND ITEMS 1, 5 AND 14 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairwoman Bartlett -** Orange County Audit Oversight Committee - Appoint Bob Brown,

LagunaNiguel, for term ending 12/31/19

53124 **APPROVED AS RECOMMENDED**

DEPARTMENT APPOINTMENTS

2. **OC Community Resources -** Acting as the Orange County Housing Authority - Housing and Community Development Commission - Reappoint Ron Garcia, Brea; Ma'Ayn Johnson, Fullerton; Helen Smith-Gardner, Mission Viejo and Phan Vu, Westminster, for terms ending 6/30/18 - All Districts

ELECTED DEPARTMENT HEADS

3. **Auditor-Controller -** Approve amendment 2 to agreement MA-003-14011540 with Aeris Enterprises, Inc., for development of CAPS+ Payroll and Payroll Accounting Management Data Warehouse, 8/13/16 - 8/13/17; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

Sheriff-Coroner:

4. Approve agreement with Saddleback Valley Community Church for donated space for motorcycle officer training, effective upon Board approval; and authorize Sheriff-Coroner or designee to execute agreement - District 5

5. Accept donation of $150,000 from Drug Use Is Life Abuse to fund Deputy Sheriff I position for one year in the Sheriff-Coroner's Community Programs/Drug Education Unit - All Districts

31245 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

6. Approve solicitation of bids for Taxicab Operating Agreement, release date 8/10/16; authorize Director or designee to extend bid release date up to 60 days; and make California Environmental Quality Act and other findings - District 2

7. Approve amendment 4 to agreement MA-280-13011438 with American Integrated Services, Inc., UnitedPumping Services Inc., and Stericycle Environmental Solutions, Inc., dba Double Barrel Environmental Services Inc., for on-call environmental cleanup services, term ending 3/26/17 ($40,000; new total $130,000; cumulative total $409,000); authorize Purchasing Agent or authorized Deputy to execute amendment; and make California Environmental Quality Act and other findings - District 2

OC PUBLIC WORKS

8. Approve agreement MA-080-16012303 with United Testing Corporation dba United Inspection & Testing for Central Utility Facility Infrastructure Upgrade Project, 8/9/16 - 8/8/18 ($194,479); and authorize Director or designee to execute agreement - District 1

9. **Acting as the Orange County Flood Control District -** Approve Utility License Template for utilityservice providers to use Orange County Flood Control District land; and authorize Director or designee to prepare, review and execute licenses under certain conditions - All Districts

31245 **CONTINUED TO 9/13/16, 9:30 A.M.**

PUBLIC PROTECTION

10. **Probation -** Approve Memorandum of Understanding with Pathways to Hope for dog training services, Youth Leadership Academy, 9/1/16 - 8/31/19; and authorize Chief Probation Officer or designee to renew MOU for two years, 9/1/19 - 8/31/21 - All Districts

SOCIAL SERVICES AGENCY

11. Approve non-financial Memorandum of Understanding (MOU) with City of Anaheim and AnaheimWorkforce Development Board for California Work Opportunity and Responsibility to Kids Welfare-to-Work participants, 9/1/16 - 6/30/19; and authorize Director or designee execute MOU and make non-financial amendments under certain conditions - Districts 3 and 4

12. **Acting as the Board of Supervisors and OC In-Home Supportive Services Public Authority -** Approve Employment Agreement with Luz Napoles Loreto as Executive Director of Orange County In-Home Supportive Services Public Authority, 8/9/16 - 8/8/20 (annual base salary $106,392 ($51.15 x 2080 hours) with a total compensation (including benefits) $142,000); and authorize Director or designee to execute Employment Agreement and approve discretionary salary/equity increases in accordance with the Administrative Manager Salary Schedule - All Districts (Continued from 7/26/16, Item 15)

GENERAL ADMINISTRATION

Clerk of the Board:

13. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for theBuena Park School District - Districts 2 and 4

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

53124 **APPROVED AS RECOMMENDED**

15. Approve re-adoption of the State's Model Code by reference and modifications to Designated Filer Positions and Disclosure Categories Exhibits A & B for Rossmoor/Los Alamitos Area Sewer District – District 2

16. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forIrvine Ranch Water District - Districts 2, 3 and 5

17. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forProbation - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-S31C)

ELECTED DEPARTMENT HEADS

18. **District Attorney -** Approve agreement MA-026-17010077 with Larson O'Brien LLP for professional legal services, 8/10/16 - 7/9/18 ($150,000 per year; total $300,000); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

12345 **APPROVED AS RECOMMENDED**
N

19. **Sheriff-Coroner -** Approve amendment 2 to agreement MA-060-14011890 with Vector Aerospace USA, Inc. dba Vector Aerospace Helicopter Services USA for overhaul and repair of helicopter components and engines, 9/30/16 - 9/29/17 ($950,000; cumulative total $2,850,000); renewable for two additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

31245 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

20. Approve amendment 4 to Hangar Operation Lease and Fixed Base Operation Lease with Signature Combs, Inc., 8/9/16 - 12/31/18; and approve amendment 6 to Fixed Base Operation Lease with Newport FBO Two, LLC dba Atlantic Aviation, 8/9/16 - 12/31/18 - District 2 (4/5 vote of the members present)

B.O. **DELETED**

21. Approve amendment 2 to agreement with AMEC Foster Wheeler Environmental & Infrastructure, Inc. for environmental services, 9/10/16 - 9/9/17 ($800,000; cumulative total $3,680,000) - District 2

25134 **APPROVED AS RECOMMENDED**

22. Select Ninyo & Moore Geotechnical and Environmental Sciences Consultants, Kleinfelder Inc., and Group Delta Consultants, Inc. as primary firms for on-call geotechnical engineering, materials testing, construction observation and inspection services; authorize negotiation of agreements for Board approval; and make California Environmental Quality Act and other findings - District 2

24135 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

23. Approve amendment 4 to renew agreement MA-012-14011932 with HAPPY Software, Inc., for HousingPro Software maintenance and support services, 9/1/16 - 8/31/17 ($145,441; cumulative total $369,039) with option to renew for up to two additional one-year periods; authorize Purchasing Agent or authorized Deputy to execute amendment; and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

41235 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

24. Approve agreement MA-080-16012204 with S. Groner Associates, Inc. for Storm Water Education andOutreach Campaign services, 8/9/16 - 8/8/19 ($1,500,000) with option to renew for two additional years; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

54123 **APPROVED AS AMENDED TO MODIFY TERM TO ONE YEAR, 8/9/16 - 8/8/17,**

N **WITH OPTION TO RENEW FOR INDIVIDUAL ONE-YEAR TERMS AND DIRECTED STAFF TO CONDUCT AN RFP NEXT YEAR**

25. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve revised Design and Construction Procurement Policy Manual amending key procurement policies; and authorize Director or designee to execute - All Districts (Continued from 7/26/16, Item 30)

52134 NN **APPROVED AS RECOMMENDED; AT HALFWAY POINT OF FIVE-YEAR CONTRACT (2.5 YEARS) RETURN TO BOARD WITH UTILIZATION REPORT SHOWING VENDOR PERFORMANCE**

OC WASTE & RECYCLING

26. Approve amendment 3 to agreement MA-299-14010260 with Adam's Falconry Service, Airstrike BirdControl, Inc. and Avian Entertainment for bird abatement services, 9/20/16 - 9/19/17 ($380,000; cumulative total $1,520,000); renewable for one additional year; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

12345 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

27. Approve amendment 2 to lease agreement with Anaheim La Palma Partners, LP for office space at 3320 E. La Palma Avenue, Anaheim for Social Services Agency; extending term 15 years, 9/1/16 - 8/31/31; and authorize Chief Real Estate Officer to execute subsequent lease amendments that make non-monetary and/or monetary changes under certain conditions - District 3

31245 **APPROVED AS RECOMMENDED**

28. Approve recommended positions on introduced or amended legislation and consider otherlegislative subject matters - All Districts

12345 **APPROVED AS RECOMMENDED**

29. Approve retroactive grant applications/awards submitted by Health Care Agency and OCCommunity Resources in 8/9/16 grant report and other actions as recommended -All Districts

24135 **APPROVED AS RECOMMENDED**

30. Acting as the Board of Supervisors and Legislative Body of Community Facilities Districts 86-2(Rancho Santa Margarita), 87-1 (Dimension Business Park), 87-2 (Portola Hills), 87-3 (Mission Viejo), 87-6 (Baker Ranch), 87-7 (Los Alisos), 87-9 (Santa Teresita), 88-1 (Aliso Viejo), and 88-2 (Lomas Laguna) - Consider second readings and adoption of "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 86-2 (Rancho Santa Margarita) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Authorization Relating to Community Facilities District No. 86-2 and to the Notices of Special Tax Liens Relating to Improvement Area No. 1 and Improvement Area No. 2"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-2 (Portola Hills) of the County of Orange and the Levy of

Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-2"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-3 (Mission Viejo) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-3"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-6 (Baker Ranch) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-6"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-7 (Los Alisos) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-7"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 87-9 (Santa Teresita) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 87-9"; "An Ordinance of the Board of Supervisors of the County of Orange, California, Dissolving Community Facilities District No. 88-1 (Aliso Viejo) of the County of Orange and the Levy of Special Taxes and Ordering the Recordation of an Addendum to the Notice of Special Tax Lien Relating to Community Facilities District No. 88-1" - District 5 (Continued from 7/26/16, Item 41)

54123 **APPROVED AS RECOMMENDED**
ORD: 16-009 - 16-015

31. **Human Resource Services -** Approve revisions to existing classification specifications, adopt newclassification specifications, update or establish pay grades and set recruiting steps for psychologist, physician, environmental health specialist, hazardous materials specialist and nurse classifications assigned to the Health Care Agency; and approve and adopt Side Letter Agreements with Orange County Employees Association, effective 8/19/16 - All Districts

2134 **APPROVED AS RECOMMENDED**

Supervisor Spitzer:

S31A. Adopt County policy prohibiting double-dipping on taxpayer-funded car allowances by members of the Board of Supervisors by adding Section 15 to Article XXIV of Part 4 of the 2003 County of Orange Personnel and Salary Resolution and by adding Chapter IX to the Board of Supervisors Rules of Procedure
NO ACTION TAKEN

S31B. Adopt County policy prohibiting double-dipping by staff of the members of the Board ofSupervisors by adding Subpart D to Section 2 of Article XXIV of Part 4 of the 2003 County of Orange Personnel and Salary Resolution and by adding Rule 50 to the Board of Supervisors Rules of Procedure
NO ACTION TAKEN

S31C. **Vice Chair Steel -** Adopt resolution approving consolidation of the advisory election called by Mesa Water District with the November 8, 2016 General Election in both its jurisdiction, outside of its jurisdiction and within service areas of Costa Mesa Sanitary District regarding a ballot proposal that affects the residents of both districts, pursuant with Election Code Section

960

24135 **APPROVED AS RECOMMENDED**
RESO: 16-076

IV. PUBLIC HEARINGS (Items 32-33)

OC PUBLIC WORKS

32. Public Hearing to consider adopting resolution approving FY 2015-16 Weed Abatement Cost Report andspecial assessments on identified properties - All Districts

B.O. **CLOSED PUBLIC HEARING**

12345 **APPROVED AS RECOMMENDED**
RESO: 16-077

GENERAL ADMINISTRATION

33. **County Executive Office -** Public Hearing pursuant to Section 147 (f) of the Internal Revenue Code of 1986 to consider adopting resolutions approving proposed issuance of multifamily revenue bonds by Golden State Finance Authority for affordable housing at Courtyard Apartments in an aggregate principal amount not to exceed ($18,100,000) and Seasons Senior Apartments in an aggregated principal amount not to exceed ($21,000,000) - Districts 4 and 5

B.O. **CLOSED PUBLIC HEARING**

54123 **APPROVED AS RECOMMENDED**
RESO: 16-078 - 16-079

V. CLOSED SESSION (Items CS-1-SCS6)

ELECTED DEPARTMENT HEADS

CS-1. **Sheriff-Coroner -** CONFERENCE WITH SHERIFF-CORONER - THREAT TO PUBLIC SERVICES OR FACILITIES - Pursuant to Government Code Section 54957(a):
Title of Officer: Sandra Hutchens, Orange County Sheriff-Coroner

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

GENERAL ADMINISTRATION

CS-2. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Brenda Diederichs
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), International Brotherhood of Teamsters, Local 952, 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**

County Counsel:

SCS3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(2):
Number of Cases: One Case
B.O. **HELD, NO REPORTABLE ACTION**

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section54956.9(d)(1):
Name of Case: County of Orange v. Tata Consultancy Services Ltd., et al., United States District Court Case No. SACV13-683 JST (JCx)
B.O. **HELD, NO REPORTABLE ACTION**

SCS5. CONFERENCE WITH LEGAL COUNSEL - EXTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Gavin Kirk, et al. v. County of Orange, et al., Orange County Superior Court Case No. 30-2010-00423097; Reese Schultz, et al. v. Varco International, et al., Orange County Superior Court Case No. 30-2013-00629446
B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED PROPOSED SETTLEMENTS IN THE CASES OF GAVIN KIRK, ET AL. V. COUNTY OF ORANGE, ET AL., AND REESE SCHULTZ, ET AL. V. VARCO INTERNATIONAL, 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**

SCS6. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant toGovernment Code Section 54956.8:
Property Location: John Wayne Airport
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: Signature Combs, Inc.
Newport FBO Two, LLC dba Atlantic Aviation
Under Negotiation: Terms and Value of Future Lease
B.O. **HELD, NO REPORTABLE ACTION**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Frank Woodard - Oral Re: Attorney representing mentally ill, and issues facing those with mental illness

Michael Klubnikin - Oral Re: Transparency, Public Administrator/Public Guardian, Tseglins

Lucy Call - Oral Re: Parking regulations in her neighborhood and need for enforcement, street sweeping

Ilya Tseglin - Oral Re: Regional Center Director, Nate Tseglin

Robert Tseglin - Oral Re: Nate Tseglin, Regional Center, Public Defender, Police

Lou Noble - Oral Re: Homeless advocate in Anaheim, future shelter in Anaheim, need for safe zones for

homeless in Civic Center

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
None

ADJOURNED: 2:20 P.M.
51234 **Adjourned in memory of Honorable Jacob H. Jager**

*** KEY ***

Left Margin Notes

1. = Supervisor Do
2. = Supervisor Steel
3. = Supervisor Spitzer
4. = Supervisor Nelson
5. = Supervisor Bartlett

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)

_____
Chairwoman, Orange County Board of Supervisors

_____
Orange County Clerk of the Board