A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, April 21, 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
Michael B. Giancola	Nicholas S. Chrisos	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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INVOCATION: Supervisor Steel, Second District

PLEDGE OF ALLEGIANCE: Supervisor Nelson, Fourth District

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

Chairman Spitzer will be presenting a resolution commending Mary Fitzgerald on her retirement

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

II. CONSENT CALENDAR (Items 1-19)

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

Supervisor Nelson:

1. Animal Care Community Outreach Committee - Reappoint Charice King, Santa Ana, for termending 3/31/16

2. Orange County Waste Management Commission - Reappoint Chad P. Wanke, Placentia, forterm ending 11/14/16

Supervisor Steel:

3. Orange County Waste Management Commission - Appoint Tina M. Nieto, Rossmoor, tocomplete term ending 1/31/17

4. Oversight Board of the Successor Agency to the City Redevelopment Agency, Cypress - Appoint George T. O'Hara

5. Orange County Human Relations Commission - Reappoint Timothy Kowal, Huntington Beach,for term ending 4/20/16

6. Development Processing Review Committee - Reappoint Jay Bullock, Seal Beach, for termconcurrent with Supervisors term of office

DEPARTMENT APPOINTMENTS

7. **Probation -** Orange County Juvenile Justice Coordinating Council - Appoint Todd D. Elgin, Garden Grove, for term concurrent with position - All Districts

ELECTED DEPARTMENT HEADS

8. **District Attorney -** Approve amendment 3 to lease agreement DA-06-007 with Equitable Properties Management Group, Inc. for rental space and rate reduction, extending term to 2/28/25; and make California Environmental Quality Act and other findings - District 1

HEALTH CARE AGENCY

9. Approve master agreement with various providers of Preparedness and Response Program for 7/1/15 -6/30/20; and authorize Director or designee to execute individual agreements - All Districts

10. Approve master agreement with various providers of Point of Dispensing Site Equipment services, 7/1/15- 6/30/20; and authorize Director or designee to execute individual agreements - All Districts

JOHN WAYNE AIRPORT

11. Approve plans and specifications and set bid opening for 5/27/15, 2:00 p.m., for pavement maintenanceand repairs project; authorize Director or designee to extend bid opening date up to 60 days if necessary; and make California Environmental Quality Act and other findings - District 2

OC DANA POINT HARBOR

12. Receive bids and award contract to Architectural Design & Signs, Inc. for Median and Parkway SignProject ($284,753) - District 5

OC COMMUNITY RESOURCES

13. Adopt resolution approving OC Animal Care, OC Community Services and OC Public LibrariesMarketing Plans to pursue sponsorships with non-profit organizations, private sector organizations and businesses in support of programs and events, one-year term effective date of execution; authorize Director or designee to return to the Board with proposed agreements; and make related findings - All Districts (Continued from 3/24/15, Item 21; 4/14/15, Item 8)

14. Approve cooperative agreement with City of Newport Beach, the Johns Living Trust, the Manly FamilyTrust and Mesa Irrevocable Trust for Mesa Drive Drainage Improvements Project, effective upon Board approval ($50,000); and make California Environmental Quality Act and other findings - District 2

SOCIAL SERVICES AGENCY

15. Approve non-financial Memorandum of Understanding CDB0915 with Orangewood Children'sFoundation for Orangewood Children's Mentoring Program, effective 7/1/15; and authorize Director or designee to execute non-financial MOU - All Districts. Continued to 5/5/15, 9:30 A.M.

GENERAL ADMINISTRATION

County Executive Office:

16. Approve amendment 1 to option agreement with Ganahl Lumber Company, effective 4/30/15;and make California Environmental Quality Act findings - All Districts

17. Approve amendments for three software maintenance/subscription service contracts that support the County's mainframe system, 6/1/2015 - 5/31/16; MA-017-14011713 to agreement 90-186 with Pitney Bowes Software, Inc., ($26,931), MA-017-14011979 to agreement USI001 with UNICOM Systems, Inc., ($36,171), and MA-017-14011981 to agreement Y1000000441 with UNICOM Systems, Inc., ($45,636); each renewable for two additional one year terms (aggregate total $362,738) and authorize Purchasing Agent or authorized Deputy to execute amendments - All Districts

18. Approve amendment 5 to agreement MA-017-10013070 with Precision Discovery, LLC forInformation Technology Forensics and eDiscovery services, 6/1/15 - 11/30/15; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

19. **Internal Audit -** Receive and file Monthly Internal Audit Activity Status Report for March 2015 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 20-42)

ELECTED DEPARTMENT HEADS

20. **District Attorney -** Receive and file oral report on utilization of science and technology to enhance public safety in Orange County - All Districts

HEALTH CARE AGENCY

21. Approve agreement with Pacific Clinics for Recovery Education Institute services, 7/1/15 - 6/30/16($776,711); and authorize Director or designee to execute agreement - All Districts

22. Approve master agreement with various providers of Point of Dispensing Site services, 7/1/15 - 6/30/18($750,000); and authorize Director or designee to execute individual agreements - All Districts

23. Approve agreement with Hospital Association of Southern California for California Children's ServicesEligibility Technician services, 7/1/15 - 6/30/18; and authorize Director or designee to execute agreement - All Districts

JOHN WAYNE AIRPORT

24. Approve amendment 4 to agreement MA-280-10012781 with Pacific Coast Elevator Corp. dba AmtechElevator Services (Amtech) for elevator and escalator maintenance services, 6/7/15 - 5/31/16 ($492,699.04, cumulative total $2,448,705.12); and authorize Purchasing Agent or authorized Deputy to execute amendment - District 2

25. Approve Change Order No. G136 to agreement with Gensler for Terminal C and Improvements toTerminals A & B Project ($1,000,000 reduction; new total $35,958,879); authorize Director or designee to execute Change Order; and consider application of prior Final Environmental Impact Report No. 582, Addendum 582-1 and Final Supplemental EIR 582 and other findings - District 2

OC COMMUNITY RESOURCES

26. Approve model cost reimbursement agreement for employment and economic development services withproviders selected from the approved providers list, 4/21/15 - 6/30/19 ($20,000,000); authorize Director or designee to select from approved providers list based on certain criteria; and authorize Director or designee to execute non-substantial, immaterial no-cost amendments including line item budget transfers, scope, contract term, and cost contingency not to exceed 10% under certain conditions - All Districts

OC PUBLIC WORKS

27. Consider second reading and adoption of "An Ordinance of the County of Orange California, Repealingthe Sand, Gravel and Mineral Extraction Code; and Adopting Revised Provisions of the Sand, Gravel and Mineral Extraction Code" - All Districts (Continued from Closed Public Hearing 4/14/15, Item 39)

28. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreementMA-080-15011396 with Miranda Logistics Enterprise LLC for rental haul trucks with operators, 4/21/15 - 1/31/16 ($900,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act and other findings - All Districts

OC WASTE & RECYCLING

29. Select Simplus Management Corporation as primary and Tetra Tech BAS, Inc. as alternate firms forconstruction management, quality assurance/quality control and archaeological/paleontological support services at Central Region Landfills; authorize Director or designee to negotiate agreement for Board approval; and make California Environmental Quality Act and other findings - All Districts

30. Approve agreement PM 125-15-01 with University of California, Irvine for installation of 250 kW Ener-Core Power Generating Unit, Santiago Canyon Landfill, 4/21/15 - 5/31/19; and consider application of Final Mitigated Negative Declaration No. 191 and Addendum No. 191-1 and other findings - District 3. Revised Title to read: OC Waste & Recycling - Approve agreement PM 125-15-01 with University of California, Irvine for installation of 250 kW Ener-Core Power Generating Unit, Santiago Canyon Landfill, 4/21/15 - 5/31/19; and authorize Director or designee to execute agreement; and consider application of Final Mitigated Negative Declaration No. 191 and Addendum No. 191-1 and other findings - District 3

PUBLIC PROTECTION

31. **Probation -** Approve Orange County Comprehensive Multi-Agency Juvenile Justice Plan and application for continued funding for FY 2015-16 under the Juvenile Justice Crime Prevention Act; and authorize Chief Probation Officer or designee to submit application to Board of State and Community Corrections - All Districts

SOCIAL SERVICES AGENCY

32. Approve agreement WGV0515 with Arbor E & T, LLC, dba ResCare Workforce Services for job services and employment support services, 7/1/15 - 6/30/16 ($11,786,712); and authorize Director or designee to exercise contingency cost increase not to exceed 10% of first year agreement amount for entire term of agreement - All Districts. Continued to 5/5/15, 9:30 A.M.

33. Approve agreement CKV1415 with Professional Tutors of America, Inc. for individual academic tutoringservices for children receiving child welfare services in grades K-12 and non-minor dependent youth under a Juvenile Court placement order, 7/1/15 - 6/30/18 ($120,000; aggregate total $360,000) - All Districts

34. Approve agreement WRR0215 with MAXIMUS Human Services, Inc. subsidiary of MAXIMUS, Inc. forcase management services, 7/1/15 - 6/30/16 ($6,312,661); authorize Director or designee to exercise contingency cost increase not to exceed 10% of first year agreement amount under certain conditions for entire term of agreement - All Districts

35. Approve amendment 5 to MA-063-14011159 to renew as MA-063-15011284 with Quakleen Co. Inc., forjanitorial and day porter services, Orangewood Children and Family Center, 6/1/15 - 5/31/15 ($207,540; cumulative total $1,037,700); and authorize Purchasing Agent or authorized Deputy to execute amendment - District 3

GENERAL ADMINISTRATION

County Executive Office:

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

37. Approve in concept financing of Central Utility Facility upgrade; select Fieldman Rolapp &Associates as financial advisor, Stradling Yocca Carlson & Rauth as bond and disclosure counsel and Wells Fargo Securities as underwriter; approve agreements 017-15001FA with Fieldman Rolapp & Associates ($45,000) and 017-15001BC with Stradling Yocca Carlson & Rauth ($65,000) for services relating to proposed Central Utility Facility upgrade financing, effective upon Board approval term ending 4/30/16, with option to extend for two additional years; and authorize CEO/Public Finance Manager to execute agreements - All Districts. Continued to 5/5/15, 9:30 A.M

38. Approve in concept financing of 800MHz Countywide Coordinated Communications Systemupgrade; select KNN Public Finance as financial advisor and Citigroup Global Markets, Inc. as underwriter; approve agreement 017-15002FA with KNN Public Finance for services relating to proposed 800MHz Countywide Coordinated Communications System upgrade financing, ($55,000, plus expenses), effective upon Board approval term ending 4/30/16 with option to extend for two additional years; and authorize CEO/Public Finance Manager to execute agreement - All Districts

39. Acting as the Legislative Body of Community Facilities District No. 2015-1 (Village of Esencia)- Adopt resolution certifying election results for levy of special tax, bond indebtedness and issuance of bonds and authorizing filing of validation action ($110,000,000); and consider first reading of "An Ordinance of the Board of Supervisors of Orange County, California Acting in its Capacity as the Legislative Body of Community Facilities District No. 2015-1 of the County of Orange (Village of Esencia) Authorizing the Levy of Special Taxes"; and set second reading and adoption for 5/5/15, 9:30 a.m. - District 5

40. Approve licensing agreements with IBM for purchase of IBM System z9 software monthlylicense charge and international program license software subscription and support for DB2 and Omegamon Tools, 6/1/15 - 5/31/16 ($781,445.76); and authorize Purchasing Agent or authorized Deputy to execute agreements - All Districts

41. Approve grant applications/awards submitted in 4/21/15 grant report and other actions onrecommended - All Districts. Revised Title to read: County Executive Office – Approve grant applications/awards submitted by OC Community Resources in 4/21/15 grant report and other actions as recommended – All Districts

42. **Vice Chair Bartlett and Supervisor Nelson -** Adopt resolution to repudiate the sentence imposed bySuperior Court Judge M. Marc Kelly in People v. Kevin Nieto-Rojano, Orange County Superior Court case No. 14CF1874, to formally rebuke, censure, and demand the resignation of Judge Kelly from the Orange County Superior Court, and to make related findings (Continued from 4/14/15, Item S37A)

IV. PUBLIC HEARINGS (None Scheduled)

V. CLOSED SESSION (Item CS-1)

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

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Beador Construction Company, Inc. v. County of Orange, Orange County Superior Court Case No. 30-2014-00720190-CU-BC-CJC

SCS2. **Human Resources 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

SCS3 **Human Resources Officer** - PUBLIC EMPLOYEE DISCIPLINE, DISMISSAL, RELEASE – Pursuant to Government Code Section 54957(b): Title: Performance Audit Director

SCS4. **PUBLIC EMPLOYEE APPOINTMENT** – Pursuant to Government Code Section 54957(b): Title: County Executive Officer

SCS5. **Human Resources Officer** - PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Pursuant to Government Code Section: 54957(b): Title: County Executive Officer

SCS6. **Human Resources Officer** – PUBLIC EMPLOYEE APPOINTMENT – Pursuant to Government Code Section 54957(b): Title: Interim Performance Audit Director

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:

April 28, 2015	**No Scheduled Meeting**
May 5, 2015	**Regular Meeting**
May 12, 2015	**Regular Meeting**

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