REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, June 27, 2017, 9:30 A.M.

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

MICHELLE STEEL
CHAIRWOMAN
Second District

ANDREW DO
VICE CHAIR
First District

TODD SPITZER
SUPERVISOR
Third District

SHAWN NELSON
SUPERVISOR
Fourth District

LISA A. BARTLETT
SUPERVISOR
Fifth District

ATTENDANCE: All Present

EXCUSED: None

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

INVOCATION: Supervisor Do, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Bartlett, Fifth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. PUBLIC COMMENTS

Mark Richard Daniels - Oral Re: Homeless issues and additional funding needed for the homeless; media coverage and summer heat and deaths of the homeless on the riverbed; Nancy West's Alfresco Gardens Plan

Michael Klubnikin - Oral Re: Public Comments during budget hearings and abuse of the Brown Act; AttorneyGeneral complaint of County Counsel, Public Defender and District Attorney regarding tax fraud; social security fraud and Tanya Klubnikin

Steve Rocco - Oral Re: Fraud and lies; Language removed from Measure S; taking property and killing people; lies about the jail snitch scandal; placement of the Public Administrator in the District Attorney's

office

Mohammed Aly - Oral Re: Addressed individual Supervisor's directly regarding homeless encampments, Courtyard full and crowded, notice placed in the riverbed regarding the eviction of homeless and storage of property

Armando Olvera - Oral Re: Showers of Blessings ministry which provides showers, clothes and food to the homeless; homeless needs more showers, clothes and food to inspire them to get a job

Sarah Mary Wallace - Oral Re: Genocide of the homeless; mental and illness of the homeless; homeless are threaten by the police; need permanent supportive housing for the homeless

Ronald Hernandez - Oral Re: Riverbed resident; received 3 day notice to vacate the riverbed; homeless were displaced and need restrooms, showers, shelter and food

Michael Robbins - Oral Re: Homeless on Warner Avenue; homeless deaths; need more help for the homeless

Jeanine Robbins - Oral Re: Homeless living on the riverbed; inhumane actions of the Board; eviction of homeless and need of water, food and shelter for the homeless; Susan Price's report 'Assessment of Homeless in Orange County' and County resources for the homeless

Michael Arnot - Oral Re: Supports Item #52 (Mental Health Services Act Three-Year Program and Expenditure Plan); fund balance for Mental Health Services Act and oversight of funds not being allocated effectively

Reverend Dion Thomas - Oral Re: Offered prayer; mobile ministry that helps the homeless; works with Showers of Blessings to provide food, showers, clothes and love to the homeless

Bruce Creel - Oral Re: Homeless on the riverbed; would like to pair with Showers of Blessings to provide showers to the homeless; requested permit to operate vehicle on he riverbed to provide medical supplies to the homeless; thanks veterans and officers for their service

Daisy Ramirez - Oral Re: Investigation of the conditions of inmates at the Orange County jails

Esther Lim - Oral Re: Provided a copy of ACLU's report regarding their investigation of the conditions of inmates at Orange County jail; requested the Board create a permanent, independent oversight Board; resignation of Sheriff Sandra Hutchens

Lou Noble - Oral Re: Definition of insanity; criminalizing the homeless; transitional housing, shelter and compassion needed for the homeless; Nancy West's Alfresco Gardens needed in every city; separation of families

Damien Arrula - Oral Re: Supports S78E; read letter on behalf of Mayor Craig Green, Placentia regarding wrap around services and affordable housing for veterans

Ron Culler - Oral Re: Chair of the Veteran's Committee of Placentia; supports Agenda Item S78E (Mercy Housing amendment to ground lease amendment)

Fred Visconti - Oral Re: Veteran with 42 years of service; supports Agenda Item S78E (Mercy Housing amendment to ground lease amendment); helps veterans and their families

Ilya Tseglin - Oral Re: Nate Tseglin; Public Defender and judges; law enforcement and social workers, Orange County Regional Center, Public Guardian

Robert Tseglin - Oral Re: Nate Tseglin, kidnapped and placed in group home; conservatorship, psychotropic drugs, and concealed medical records; obstruction of justice; Public Defender

III. CONSENT CALENDAR (Items 1-31)

15342 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 5, 7, 16, 27 and 30 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Chairwoman Steel:

1. Orange County Audit Oversight Committee - Appoint Richard Murphy, Los Alamitos, for term ending 12/31/20

2. Orange County Historical Commission - Appoint Lee Ramos, Costa Mesa, for term concurrentwith 2nd District Supervisor's term of office

Vice Chair Do:

3. Orange County Visitors Association - Appoint Joshua Mauras, Santa Ana, for term concurrentwith 1st District Supervisor's term of office

4. Assessment Appeals Board No. 4 - Reappoint John W. Briscoe, Fountain Valley, for term ending 9/6/20

DEPARTMENT APPOINTMENTS

5. **Health Care Agency -** Emergency Medical Care Committee - Appoint Nick George Anas, MD, Tustinfor term ending 6/30/18; Karen Sharp, RN, Capistrano Beach and Linda E. Voss, Orange for terms ending 6/30/19; reappoint Lindley B. Garcia, BSN, RN, Anaheim; James N. Karras, Orange and Wolfgang Knabe, Fullerton for terms ending 6/30/18 and reappoint Trez Guiterrez, MSN, RN, Anaheim for term ending 6/30/19 - All Districts

43152 **APPROVED RECOMMENDED ACTIONS #1, #2 AND #4; APPROVED RECOMMENDED ACTION #3 AS AMENDED TO NOT REAPPOINT LINDLEY B. GARCIA, BSN, RN AND FIRE CHIEF WOLFGANG KNABE; DIRECTED STAFF TO PROVIDE NOMINEES WHO ARE ORANGE COUNTY RESIDENTS AND TO PROVIDE COMPELLING REASON FOR THE APPOINTMENT OF A NOMINEE WHO IS NOT AN ORANGE COUNTY RESIDENT; AND ASKED THE ORANGE COUNTY BUSINESS COUNCIL AND THE ORANGE COUNTY FIRE CHIEFS ASSOCIATION TO ASSIST THE BOARD IN NOMINATING TWO COUNTY RESIDENTS TO FILL THE SLOTS.**

ELECTED DEPARTMENT HEADS

6. **Auditor-Controller -** Acting as the Board of Supervisors and Orange County Flood Control District -Adopt resolutions establishing appropriations limit, cost of living factor and population

factor for FY 2017-18 for County Funds and Flood Control District - All Districts
RESO: 17-067 - 17-068

7. **District Attorney -** Accept donation of $171,000 from Orange County Gang Reduction and Intervention Partnership to support gang reduction and intervention programs - All Districts

15342 N **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

8. Approve agreement 17112445 with the State of California for Peace Officer Standards andTraining (POST) Supervisory Course, 7/1/17 - 6/30/18; accept reimbursement for training cost ($41,580); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

9. Approve agreement 17112111 with State of California for Peace Officer Standards and Training (POST) Basic Narcotics Investigation course, 7/1/17 - 6/30/18; accept reimbursement for training costs ($43,200); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

10. Approve agreement MA-060-17011791 with Helistream, Inc. for flight instructor and advanced flight training services, 8/1/17 - 7/31/19 ($320,000); renewable for three additional one-year terms; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

11. Approve agreements with the State of California including SA-163-17YR with the State ofCalifornia's 32nd District Agricultural Association to provide law enforcement services for events held at the Orange County Fair and Event Center, 7/1/17 - 6/30/18 ($175,000); and authorize Sheriff-Coroner or designee to execute contractor certification clauses form CCC-307 - District 2

12. Approve agreements with the State of California including SA-162-17FT with the State ofCalifornia's 32nd District Agricultural Association to provide law enforcement services for the 2017 Orange County Fair held at the Orange County Fair and Event Center, 7/13/17 - 8/14/17 ($575,000); and authorize Sheriff-Coroner to execute contractor certification clauses form CCC-307 and amendments under certain conditions - District 2

13. Approve agreement with City of Santa Ana for law enforcement helicopter services, 7/1/17 -6/30/20 ($421,195.40 for FY 2017-18); authorize Sheriff-Coroner or designee to execute amendments under certain conditions; and make California Environmental Quality Act and other findings - District 1 (Continued from 6/6/17, Item 6)

14. Approve agreement 17112123 with State of California Commission on Peace Officer Standards and Training for coroner training courses, 7/1/17 - 6/30/18 ($168,371); accept reimbursement for training costs; and authorize Sheriff-Coroner or designee to execute agreement - All Districts

15. Approve amendment 1 to lease with City of Newport Beach for continuation of rent-free use ofradio communications shelter and tower; approve 2017 reimbursement agreement

for shared cost of construction of a replacement shared-use radio tower at Newport Beach City Utilities Yard ($180,000); and authorize Auditor-Controller to reimburse City of Newport Beach - District 2

HEALTH CARE AGENCY

16. Approve amendment 1 to master agreement with various providers of medical transportation services,8/5/17 - 6/30/19 ($180,000; new total $720,000); authorize Director or designee to execute individual amendments - All Districts

15342 N **APPROVED AS RECOMMENDED; DIRECTED HEALTH CARE AGENCY TO ISSUE A REQUEST FOR PROPOSAL WITHIN 90 DAYS**

JOHN WAYNE AIRPORT

17. Adopt list of prequalified contractors; approve plans and specifications and set bid opening for 7/26/17,2:00 p.m., for Lower Roadway Fire Loop Valve Replacement; authorize Director to extend bid opening date up to 60 days if necessary; and make California Environmental Quality Act and other findings - District 2

OC COMMUNITY RESOURCES

18. Accept donation of $12,556 from OC Public Libraries Foundation to offset the cost of the 2017 Literary Orange event - District 2

19. Approve master agreement with various veterinarians for provision of veterinary services, 7/1/17 -6/30/18 ($550,000); and authorize Director or designee to execute agreements and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

OC PUBLIC WORKS

20. Approve Final Tract Map 17595; approve Subdivision Improvement agreement S1701-210 with PulteHome Company, LLC and accept bonds guaranteeing construction of improvements; and accept dedication of easement for emergency access, public utility and public service vehicle ingress and egress purposes - District 5

21. Receive bids and award contract MA-080-17011883 to R.J. Noble Company for Lambert Road Bikeway Project ($683,234.24); and authorize Director or designee to execute agreement - District 4

22. Approve Regional Water Quality Monitoring Task Force agreement with San Bernardino County Flood Control District, Riverside County Flood Control and Water Conservation District, Santa Ana Regional Water Quality Control Board, Santa Ana Watershed Project Authority, and California Regional Water Quality Control Board Santa Ana Region, effective upon approval through 6/30/27 (cumulative total $500,000); and make California Environmental Quality Act and other findings - All Districts

23. Approve Final Tract Map 17597; approve Subdivision Improvement agreement S1702-212 with PulteHome Company, LLC and accept bonds guaranteeing construction of improvements; and accept dedication of easement for emergency access, public utility and public service vehicle ingress and egress purposes - District 5

24. Adopt resolution informing Orange County Transportation Authority of County of Orange's conformance with Measure M2 Eligibility Guidelines - All Districts
RESO: 17-069

25. Certify completion of public streets, street lighting, sewer and water improvements and surveymonumentation; adopt resolution and authorize release of security, Tract Map 17058, Ryland Homes of California, Inc. - District 5
RESO: 17-070

26. **Acting as the Orange County Flood Control District -** Accept donation of trash and debris boom(valued at $11,378.40) from Disneyland Resort - Districts 1 and 4

OC WASTE & RECYCLING

27. Approve donation of Caterpillar 140HNA Motor Grader to Orange County Fire Authority; authorizeDirector or designee to execute related documents; and make related findings - All Districts (4/5 vote of the members present voting)
53142 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

Clerk of the Board:

28. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forCoastal Animal Services Authority - District 5

29. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forSouth Orange County Community College District - Districts 2, 3 and 5

30. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forDistrict Attorney - All Districts
35142 **APPROVED AS RECOMMENDED**

31. **County Executive Office -** Receive and file Quarterly Information Technology Project Progress DetailReport for Third Quarter FY 2016-17 - All Districts

END OF CONSENT CALENDAR

IV. DISCUSSION ITEMS (Items 32-S78E)

ELECTED DEPARTMENT HEADS

Auditor-Controller:

32. Acting as the Board of Supervisors and Orange County Housing Authority - Adopt resolutionauthorizing temporary transfer of cash between various funds - All Districts
52134 **APPROVED AS RECOMMENDED**
RESO: 17-071

33. Approve amendment 3 to agreement MA-003-16010046 with CGI Technologies and SolutionsInc., for CAPS+ Advantage Finance/Procurement and Human Resources/Payroll Software System upgrade ($30,625; cumulative total $5,885,948); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

51342 **APPROVED AS RECOMMENDED**

34. **District Attorney -** Approve agreement MA-026-17011912 with Larry Lamar Pool Jr. for caseinvestigation services, 7/1/17 - 6/30/18 ($125,000); renewable for two additional one-year terms; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

31245 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

35. Approve amendment 4 to agreement MA-060-13012159 with EnPointe Technologies Sales LLC for Cisco SMARTnet Maintenance Bundles, 7/1/17 - 6/30/18 ($88,503.66; cumulative total $782,341.23); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

15342 **APPROVED AS RECOMMENDED**

36. Approve agreement with City of Laguna Niguel for law enforcement services, 7/1/17 - 6/30/18($13,314,207); authorize Sheriff-Coroner to execute amendments and to extend agreement under certain conditions, 7/1/18 - 8/31/18 - District 5

52134 **APPROVED AS RECOMMENDED**
N

37. Approve agreement with City of Aliso Viejo for law enforcement services, 7/1/17 - 6/30/18($8,358,834); authorize Sheriff-Coroner to execute amendments and to extend agreement under certain conditions, 7/1/18 - 8/31/18 - District 5

52134 **APPROVED AS RECOMMENDED**
N

38. Approve agreement with City of Dana Point for law enforcement services, 7/1/17 - 6/30/18($12,072,713); authorize Sheriff-Coroner to execute amendments and to extend agreement under certain conditions, 7/1/18 - 8/31/18 - District 5

52134 **APPROVED AS RECOMMENDED**
N

39. Approve agreement with City of Laguna Hills for law enforcement services, 7/1/17 - 6/30/18($7,985,817); authorize Sheriff-Coroner to execute amendments and to extend agreement under certain conditions, 7/1/18 - 8/31/18 - District 5

52134 **APPROVED AS RECOMMENDED**
N

40. Approve agreement with City of Laguna Woods for law enforcement services, 7/1/17 - 6/30/18($2,603,724); authorize Sheriff-Coroner to execute amendments and to extend agreement under certain conditions, 7/1/18 - 8/31/18 - District 5

52134 **APPROVED AS RECOMMENDED**
N

41. Approve agreement with City of Lake Forest for law enforcement services, 7/1/17 - 6/30/18($16,134,298); authorize Sheriff-Coroner to execute amendments and extend agreement under certain conditions, 7/1/18 - 8/31/18 - District 5

52134 N **APPROVED AS RECOMMENDED**

42. Approve agreement with City of Mission Viejo for law enforcement services, 7/1/17 - 6/30/18($19,041,819); authorize Sheriff-Coroner to execute amendments and to extend agreement under certain conditions, 7/1/18 - 8/31/18 - Districts 3 and 5

52134 N **APPROVED AS RECOMMENDED, CONTINGENT UPON THE CITY OF MISSION VIEJO'S APPROVAL OF CONTRACT AT THE JUNE 27, 2017 CITY COUNCIL MEETING**

43. Approve amendment 4 to five-year agreement with Orange County Transportation Authority(OCTA) for law enforcement services, 7/1/17 - 6/30/18; approve FY 2017-18 charges to OCTA for law enforcement ($7,122,592; cumulative total $20,453,529) and special and supplemental services ($415,501) - All Districts

54132 **APPROVED AS RECOMMENDED**

44. Approve agreement with City of Rancho Santa Margarita for law enforcement services, 7/1/17 - 6/30/18 ($8,964,670); authorize Sheriff-Coroner to execute amendments and to extend agreement under certain conditions, 7/1/18 - 8/31/18 - District 5

52134 N **APPROVED AS RECOMMENDED**

45. Approve agreement with City of San Clemente for law enforcement services, 7/1/17 - 6/30/18($14,373,619); authorize Sheriff-Coroner to execute amendments and to extend agreement under certain conditions, 7/1/18 - 8/31/18 - District 5

52134 N **APPROVED AS RECOMMENDED**

46. Approve amendment 2 to five-year agreement with City of San Juan Capistrano for lawenforcement services, 7/1/17 - 6/30/18 ($9,729,656; new total $27,276,731 for FY 2017-18) - District 5

52134 **APPROVED AS RECOMMENDED**

47. Approve amendment 4 to five-year agreement with City of Stanton for law enforcement services, 7/1/17 - 6/30/18 ($10,235,106; cumulative total $44,889,092); and authorize Sheriff-Coroner to execute operations agreement and amendments under certain conditions - District 2

23145 **APPROVED AS RECOMMENDED**

48. Approve amendment 4 to five-year agreement with City of Villa Park for law enforcement services, 7/1/17 - 6/30/18; approve FY 2017-18 charges to City of Villa Park for law enforcement ($1,438,034; cumulative total $6,530,630) and special and supplemental services ($161,000) - District 3

23145 **APPROVED AS RECOMMENDED**

49. Approve amendment 9 to five-year agreement with City of Yorba Linda for law enforcementservices, 7/1/17 - 6/30/18; approve FY 2017-18 charges to City of Yorba Linda for law enforcement ($10,441,364; cumulative total $49,061,385); and authorize

Sheriff-Coroner to execute amendments under certain conditions - District 3
23145 **APPROVED AS RECOMMENDED**

50. Receive and file status report and approve continuance of local emergency related to Theo LacyFacility, H Barracks West for unrepairable drain and plumbing system issues; and set review to determine need for continuing local emergency for 7/11/17, 9:30 a.m. and every regularly scheduled meeting thereafter until terminated - District 3 (4/5 vote of the members present) (Continued from 5/23/17, Item S72B; 6/6/17, Item 31; 6/13/17, Item 2)
31245 **APPROVED AS RECOMMENDED**

51. **Treasurer-Tax Collector -** Approve amendment 5 to renew agreement MA-074-12012200 with Official Payments Corporation for electronic payment processing services for property tax bills and other invoices, 8/1/17 - 7/31/18 ($90,000; cumulative total $620,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts
15234 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

52. Approve Three-Year Plan for Mental Health Services Act, Proposition 63 programs and services, 7/1/17 - 6/30/20 ($548,862,051); and authorize Director or designee to execute Three-Year Plan - All Districts (Continued from 6/6/17, Item 32)
41352 **APPROVED AS RECOMMENDED**

53. Approve standard agreement 17-94020 with California Department of Health Care Services for claiming reimbursement for allowable County-Based Medi-Cal Administrative Activities, 7/1/17 - 6/30/20 ($6,500,000 per year); authorize Director or designee to execute agreement, Contractor's Release form upon submission of final invoice, State's CCC-307 Certification form, Certification Regarding Lobbying and California Civil Rights Laws Certification - All Districts
42135 **APPROVED AS RECOMMENDED**

54. Approve agreement 30-17EVRGRN with California Department of Health Care Services for Medi-CalTargeted Case Management Evergreen Provider Participation, effective 7/1/17; authorize Director or designee to execute agreement and related documents - All Districts
45132 **APPROVED AS RECOMMENDED**

55. Approve master agreement MA-042-17011762 with Safety Net Connect, Inc. for Whole Person CarePlatform, 7/1/17 - 12/31/20 ($2,421,250); authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts
54132 **APPROVED AS RECOMMENDED**

56. Approve proposed draft agreement with Orange County Health Authority dba CalOptima ($809,200) and agreement with 2-1-1 Orange County ($526,600) for administrative services for Whole Person Care Pilot program, 7/1/17 - 12/31/20; authorize Director or designee to execute final draft agreement upon approval by County Counsel and execute agreement - All Districts
14352 **APPROVED AS RECOMMENDED**

57. Approve master agreement with various providers of recuperative care services for Whole Person CarePilot Program, 7/1/17 - 12/31/20 ($4,098,000); authorize Director or designee to execute individual agreements and to exercise cost contingency increase not to exceed 10%

under conditions - All Districts

15342 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

58. Approve amendments to 1985 Settlement Agreement and to Phase 2 Commercial Airline Access Plan and Regulation to modify definition of commuter air carrier as Class E aircraft regularly configured with not more than seventy-six seats; and consider application of Final Environmental Impact Report No. 617 and other findings - District 2

B.O. **CONTINUED TO 7/11/17, 9:30 A.M.**

OC COMMUNITY RESOURCES

59. Approve agreement 17-22-0002 with People for Irvine Community Health dba 2-1-1 Orange County for 2-1-1 Information and Referral Call Center, 7/1/17 - 6/30/18 ($200,000); authorize Director or designee to execute agreement, and exercise cost contingency increase or decrease not to exceed 10%, make line item budget transfers and corresponding changes to units of service within existing scope of work under certain conditions - All Districts (Continued from 5/23/17, Item 53)

51342 **APPROVED AS RECOMMENDED**

60. Approve amendment 4 to agreement with Trustees of the California State University for continuedmanagement of the County's Archaeological/Paleontological collection by California State University, Fullerton, 7/1/17 - 6/30/18 ($300,000; revised total $3,105,527); and make California Environmental Quality Act and other findings - District 1

14352 **APPROVED AS RECOMMENDED**

61. Approve renewal of Workforce Services Contract with Orange County Asian and Pacific IslanderCommunity Alliance, Inc. for One-Stop system services for employment services to CalWorks Welfare-To-Work participants through employment preparation, work experience and vocational training programs, 7/1/17 - 6/30/18 ($561,812; new total $2,864,381); authorize Director or designee to execute contract and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

51342 **APPROVED AS RECOMMENDED**

62. Approve subordination agreement of County's existing regulatory agreement to a new senior mortgage up to $19,000,000 and partnership transfer from Heritage Partners Limited Partnership and Jamboree Housing Corporation as Managing General Partner to Heritage Villas Housing Partners, LP, JHC-Heritage Villas, LLC as Managing General Partner and Jamboree Housing as Manager, for improvements to and continued operation of Heritage Villas 143 unit senior affordable housing development, City of Mission Viejo; authorize Director or designee to execute subordination agreement and related documents under certain conditions; and make California Environmental Quality Act and other findings - District 5

51342 **APPROVED AS RECOMMENDED**

63. **Acting as the Board of Supervisors and Orange County Housing Authority** - Approve agreementMA-012-17011730 with People for Irvine Community Health dba 2-1-1 Orange County to provide technical assistance services for Homeless Assistance Program, 7/1/17 - 6/30/18 ($602,852); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts (Continued from 5/23/17, Item 56)

14352 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

64. Receive bids and award contract MA-080-17011696 to R.J. Noble Company for Asphalt OverlayResurfacing of Foothill Boulevard and Hewes Street Arterial Pavement Management Grant Project 2016-17 ($884,375.51); and authorize Director or designee to execute agreement - District 3

31452 **APPROVED AS RECOMMENDED**

65. Receive bids and award contract MA-080-17011723 to Pavement Coatings Company for Slurry Seal of Crown Valley Parkway and Oso Parkway Grant Arterial Pavement Management Grant Project 2016-17 ($1,279,279); authorize Director or designee to execute agreement; and authorize OC Public Works to deem All American Asphalt non-responsive - District 5

51342 **APPROVED AS RECOMMENDED**

66. Approve agreement MA-080-17011887 with BNBuilders, Inc. for Construction Manager At-Risk forMile Square Regional Park Multi-Purpose Facility, commencing 6/27/17 ($72,790); approve expenditure of funds to fund a negotiated agreement with BNBuilders, Inc. for construction phase services, commencing date of execution ($4,300,00); authorize Director or designee to execute agreements; and consider adoption of Mitigated Negative Declaration No. 1P 15-264 and other findings - District 1

13452 **APPROVED AS RECOMMENDED**

67. Approve agreements MA-17011290 with Lenax Construction Services, Inc. and MA-080-17011291 with APSI Construction Management for on-call design support services and cost estimating, three-year term ($1,500,000 each; aggregate total $3,000,000); renewable for two additional years; and authorize Director or designee to execute agreements; and make California Environmental Quality Act and other findings - All Districts

41352 **APPROVED AS RECOMMENDED**

68. Approve FY 2017-18 OC Civic Center Parking / Maintenance Fund 828 Budget ($11,039,742); authorize Auditor-Controller to make related payments and transfer funds from Parking Facilities Fund 137 to Fund 828 not to exceed $1,179,404; and make California Environmental Quality Act and other findings - District 1

15342 **APPROVED AS RECOMMENDED**

69. Approve agreement MA-080-17011297 with Jacobs Engineering Group, Inc., MA-080-17011298 with Henrikson Owen & Associates, Inc., MA-080-17011299 with IDS Group, Inc., MA-080-17011301 with IMEG Corp dba TTG Engineers, and MA-080-17011300 with PBS Engineers, Inc. for on-call design support services - mechanical plumbing engineering, three-year term ($1,500,000 each; aggregate total $7,500,000) with option to renew for two additional years; authorize Director or designee to execute agreements; and make California Environmental Quality Act and other findings - All Districts

15342 **APPROVED AS RECOMMENDED**

70. Approve agreement MA-080-17011292 with Jacobs Engineering Group, Inc., MA-080-17011293 with Henrikson Owen & Associates, Inc., MA-080-17011294 with IMEG Corp dba TTG Engineers, MA-080-17011295 with IDS Group, Inc., and MA-080-17011296 with PBS Engineers, Inc. for on-call design support services - electrical engineering, three-year term ($1,500,000 each; aggregate total $7,500,000) with option to renew for two additional years; authorize Director or designee to execute agreements; and make California Environmental

Quality Act and other findings - All Districts
12345 **APPROVED AS RECOMMENDED**

71. **Acting as the Board of Supervisors and Orange County Flood Control District -** Adopt resolution approving grant agreement MA-080-17010919 with Department of Water Resources to accept grant funds for San Juan Creek Channel (L01) Levee Protection Project, phases 4 and 5, term ending 6/30/20 (not to exceed $5,000,000); authorize Director or designee to execute agreement and any amendments thereto to sign requests for disbursements, prepare necessary data, conduct investigations, and other such actions as necessary and appropriate to fulfill terms of funding agreement - District 5
54132 **APPROVED AS RECOMMENDED**
RESO: 17-072

PUBLIC PROTECTION

72. **Probation -** Approve renewal of agreement MA-057-14011897 with Orange County Department ofEducation for drug, alcohol and mental health services, 7/1/17 - 6/30/18 ($532,337) and 7/1/18 - 6/30/19 ($542,826); authorize Chief Probation Officer or designee to exercise cost contingency increase not to exceed 10% under certain conditions and to execute agreement - Districts 3 and 5
35142 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

73. Authorize payment to continue utilizing sole source agreement with International BusinessMachines Corporation under same terms and conditions for mainframe software and support, 7/1/17 - 6/30/18 ($548,433.27; cumulative total $3,221,417.50) - All Districts
52134 **APPROVED AS RECOMMENDED**

74. Approve recommended positions on introduced or amended legislation and consider otherlegislative subject matters - All Districts
15342 **APPROVED AS RECOMMENDED**

75. Approve grant applications/awards submitted by Health Care Agency, Probation and OCCommunity Resources in 6/27/17 grant report and other actions as recommended; adopt resolution authorizing Health Care Agency Director or designee to accept grant award, execute grant agreement and amendments with Board of State and Community Corrections for Proposition 47; and adopt resolution authorizing OC Community Resources Director or designee to accept Emergency Solutions Grant for Santa Ana/Anaheim/Orange County Continuum of Care and execute standard agreement, any subsequent amendments and related documents to the program - All Districts
51342 **APPROVED AS RECOMMENDED**
RESO: 17-073 - 17-074

76. Approve agreement MA-017-17011728 with various law firms as Liability Defense Panel forLiability Defense Litigation services, 8/1/17 - 7/31/22; authorize Purchasing Agent or authorized Deputy to execute individual agreements - All Districts
15342 **APPROVED AS RECOMMENDED**

77. Approve amendment 1 to subordinate agreement MA-017-17011533 with Tevora BusinessSolutions, Inc. for Cyber Security Assessment and Audit services, (23,300; new cumulative total $120,580); authorize Purchasing Agent or authorized Deputy to execute amendment; approve subordinate agreements with Tevora Business Solutions, Inc. for Health Care Agency, 6/27/17 - 6/26/18 ($200,000), Probation Department, 6/27/17 - 6/26/18 ($114,340) and Sheriff-Coroner, 6/27/17 - 4/10/18 ($149,620) for Cyber Security Assessment and Audit services; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

52134 **APPROVED AS RECOMMENDED**

78. Adopt FY 2017-18 Final Budget resolution; establish District Attorney Special Appropriations($170,000) and Vehicle Theft Task Force Special ($20,000) funds; establish Sheriff Special Appropriations fund for Regional Narcotics Suppression Program ($250,000), Regional Narcotics Suppression Program-Dept. of Justice ($170,000), Regional Narcotics Suppression Program-Dept. of Treasury ($30,000), and Regional Narcotics Suppression Program-Other ($100,000) funds; approve various FY 2017-18 Internal Services Fund billing rates; approve FY 2017-18 employee and employer retirement contribution rates, effective 7/7/17; direct Human Resources Services to amend Master Position Control; adopt resolutions authorizing various temporary transfers of funds; approve FY 2017-18 County Event Calendar; adopt resolution for County of Orange Sponsorship Program Marketing Plan to be renewed annually to pursue sponsorships with non-profit organizations, private sector organizations and business in support of County events; authorize receipt of Senate Bill - 1 (SB 1), Road Repair & Accountability Act of 2017 revenue for eligible projects included in road fund; direct OC Public Works to return to the Board if additional appropriations are required; and make related findings - All Districts

BY A UNANIMOUS VOTE, THE BOARD APPROVED RECOMMENDED ACTIONS #1 - 12, #14 AND #15; AND APPROVED AMENDED RECOMMENDED ACTION #13 TO ADD "SUBJECT TO THE CONDITION THAT EVENT BUDGET FUNDS SHALL NOT BE USED FOR EVENTS PROPOSED OR ORGANIZED BY A BOARD OFFICE IN ANOTHER SUPERVISORIAL DISTRICT WITHOUT THE PRIOR WRITTEN CONSENT OF THE SUPERVISOR WHO REPRESENTS THE DISTRICT." BY A VOTE OF 4 TO 0, SUPERVISORS DO, BARTLETT, NELSON AND STEEL VOTING IN FAVOR AND SUPERVISOR SPITZER VOTING NO, APPROVED RECOMMENDED ACTIONS #16 AND #17.

RESO: 17-075 - 17-080

S78A. **Supervisor Nelson -** Campaign Finance and Ethics Commission - Appoint Peter Agarwal, Anaheim, to the Campaign Finance and Ethics Commission (Term of office to be determined)

41352 **APPROVED AS RECOMMENDED; DIRECTED TO RETURN TO THE BOARD WITH DIRECTION REGARDING THE SETTING OF TERMS FOR APPOINTEES TO THE CAMPAIGN FINANCE AND ETHICS COMMISSION.**

Supervisor Spitzer:

S78B. Authorize and direct Auditor-Controller to allow claims for payment submitted by or on behalf of attorney Blithe Leece upon ratification by the Board of an agreement with attorney Blithe Leece for litigation services on behalf of the Orange County District Attorney and Deputy District Attorney Sandra Nassar; waive attorney-client privilege

concerning, and direct County Counsel to release memorandum to Auditor-Controller concerning said payment
NO ACTION TAKEN

S78C. In accordance with the recommendation of the Orange County Grand Jury, review and consider termination of Orange County District Attorney Independent monitor agreement with Stephen Larson of Larson O'Brien LLP effective immediately, approve payment of any outstanding invoices, reject payment for all mileage claims, and request credit for any mileage claims that were previously paid in violation of contract
NO ACTION TAKEN

S78D. **Chairwoman Steel -** Orange County Emergency Medical Care Committee - Reappoint Dr. Jinha Park,Buena Park, for term ending 6/30/19
21345 **APPROVED AS RECOMMENDED**

S78E. **County Executive Office -** Acting as the Board of Supervisors and Orange County Flood Control District - Approve amended Ground lease with Mercy Housing California for Orange County Flood Control District owned property, Placentia, for payment to require either a ($3,000,000) payment as of the effective date of lease, or payments over the term of lease equating to the net present value at 3% discount rate; authorize Chief Real Estate Officer or designee to execute amended lease; Acting as the Board of Supervisors and Orange County Housing Authority acting as Housing Successor Agency - Approve subordination of previously approved ($2,754,000) permanent loan to first trust deed loan of ($2,230,000); and authorize OC Community Resources Director or designee to subordinate to additional senior debt up to 100% of cumulative loan-to-value based on as-built appraised market value, if necessary, based on any future changes in project financing - District 4
45132 **APPROVED AS RECOMMENDED**

V. PUBLIC HEARINGS (None)

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

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: City of Newport Beach, California v. Federal Aviation Administration (County of Orange, Intervenor), Case No. 17-1008, United States Court of Appeals for the District of Columbia Circuit; and County of Orange, California v. Federal Aviation Administration, Case No. 17-1009, United States Court of Appeals for the District of Columbia Circuit
B.O. **HELD, NO REPORTABLE ACTION**

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 (IHSS), 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 - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Protect Our Homes and Hills, et al. v. County of Orange, et al., Orange County Superior Court Case No. 30-2017-00925277-CU-TT-CXC; and North County BRS Project, LLC v. County of Orange, et al., Orange County Superior Court Case No. 30-2017-00925230

B.O. **HELD, COUNTY COUNSEL READ: BY A VOTE OF 4-1, SUPERVISORS DO, STEEL, NELSON AND BARTLETT VOTING IN FAVOR, SUPERVISOR SPITZER VOTING AGAINST, THE BOARD AUTHORIZED AND DIRECTED COUNTY COUNSEL TO DEFEND THE BOARD'S MAY 9, 2017 APPROVAL OF THE ESPERANZA HILLS PROJECT.**

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Dave Waggoner v. County of Orange, Workers' Compensation Appeals Case No. ADJ8801160

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF DAVE WAGGONER 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.**

VII. CEO, BOARD COMMENTS & ADJOURNMENT

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Chairwoman Steel - Oral Re: Attended the City of Fountain Valley's 60th Anniversary Parade and Los Alamitos Music and Movie Event and thanked several OC Parks staff for their outstanding work at both events.

ADJOURNED: 2:25 P.M.

*** KEY ***

Left Margin Notes

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

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

5. = Supervisor Bartlett

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