# A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

**Tuesday, September 12, 2017**
**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

**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

COUNTY EXECUTIVE OFFICER
Frank Kim

COUNTY COUNSEL
Leon J. Page

CLERK OF THE BOARD
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) and deposit the completed form in the box to the left of the podium. Prior to the Consent and Discussion Calendars, and during the Public Comments portion of the meeting, a member of the public may address the Board on any (or multiple) items on the agenda (excluding public hearings) or on any issue that is within the subject matter jurisdiction of the Board. This is the only opportunity for public input except for scheduled public hearing items. Speaker request forms must be deposited prior to the end of the public comments portion of the meeting, or, in the event of a public hearing, prior to the start of the public hearing. When addressing the Board, it is requested that you state your name and city of residence for the record. Members of the public desiring to speak should address the Board as a whole through the Chair. Comments to individual Supervisors or staff are not permitted. Speakers are allotted to speak no more than three (3) minutes during public comments and three (3) minutes during a public hearing. 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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In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the Clerk of the Board's Office 72 hours prior to the meeting at (714) 834-2206

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INVOCATION: Supervisor Spitzer, Third District

PLEDGE OF ALLEGIANCE: Vice Chair Do, First District

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

Chairwoman Steel will be presenting a resolution proclaiming September as "Prostate Cancer Awareness Month"
Chairwoman Steel will be presenting a resolution proclaiming September as "Hunger Action Month"

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

## II. PUBLIC COMMENTS

*At this time, members of the public may address the Board of Supervisors on any (or multiple) items on the agenda (excluding public hearings) or on any issue that is within the subject matter jurisdiction of the Board. Comments shall be limited to three minutes per person unless different time limits are set by the Chairman subject to the approval of the Board.*

## III. CONSENT CALENDAR (Items 1-17)

*All matters are approved by one motion unless pulled by a Board Member for discussion or separate action.*

BOARD APPOINTMENTS

1. **Supervisor Bartlett** - Emergency Medical Care Committee - Reappoint Michael Steven Ritter, MD,FAAEM, FACEP, Mission Viejo, for term ending 6/30/19

2. **Supervisor Spitzer** - Campaign Finance and Ethics Commission - Appoint the Honorable Judge TamNomoto-Schumann, Irvine, to the Campaign Finance and Ethics Commission (Term of office to be determined)

**Vice Chair Do:**

3. John Wayne Airport Arts Commission - Reappoint John Acosta, Anaheim, for term concurrentwith 1st District Supervisor's term of office

4. Assessment Appeals Board No. 5 - Reappoint Scott Weimer, Garden Grove, for term

ending9/6/20

5. Senior Citizens Advisory Council - Appoint Dr. Denise Habjan, DDS, Irvine, to complete termending 12/31/18

ELECTED DEPARTMENT HEADS

6. **Auditor-Controller -** Adopt resolution and attachment 1 to resolution approving property tax rates for FY 2017-18 - All Districts

7. **Sheriff-Coroner -** Accept grant award from State Office of Traffic Safety Selective Traffic EnforcementProgram, 10/1/17 - 9/30/18 ($521,308); and authorize Sheriff-Coroner to execute grant award agreement - All Districts

CHILD SUPPORT SERVICES

8. Approve Plan of Cooperation agreement with California Department of Child Support Services foradministration of Title IV-D Program services, 10/1/17 - 9/30/18; and authorize Director or designee to execute agreement - All Districts

OC COMMUNITY RESOURCES

9. Approve Memorandum of Understanding with City of Huntington Beach for installation and maintenance of marina trash skimmers in Huntington Harbour; authorize a one-time payment of up to $12,186.25 to City of Huntington Beach, as a portion of 25% match required for the Orange County Transportation Authority grant award; authorize OC Parks Director or designee to make non-material amendments under certain conditions; and make California Environmental Quality Act and other findings - District 2

10. Approve funding agreement with Newport Bay Naturalists and Friends for wayfinding and interpretivesignage project, Upper Newport Bay Nature Preserve, one-year term ($60,000); and make California Environmental Quality Act and other findings - District 2

11. Approve agreement 17-28-0057-EEDS with Orange County Asian and Pacific Islander CommunityAlliance, Inc. for employment and training services, 9/12/17 - 6/30/18 ($216,000); and authorize Director or designee to execute agreement and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

OC PUBLIC WORKS

12. Approve plans and specifications and set bid opening for 1/10/18, 2:00 p.m., for Zone 1-Phase D MassExcavation and Liner Project, Prima Deshecha Landfill - District 5

13. Approve plans and specifications and set bid opening for 10/11/17, 2:00 p.m., for signage production and installation services; and make California Environmental Quality Act and other findings - All Districts

GENERAL ADMINISTRATION

**Clerk of the Board:**

14. DELETED--Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forJohn Wayne Airport - All Districts

15. Approve initial Conflict of Interest Code and Designated Filer Exhibits for Campaign Financeand Ethics Commission - All Districts

**County Executive Office:**

16. Receive and file charitable organizations actual income/expenses for 2016 and planned activitiesfor 2017; and find that the Charitable Organization Activities Plan 2017, per Government Code Section 26227 will serve public purpose and is deemed to be necessary to meet the social needs of the population of the County and staff may solicit donations of funds and services for such events - All Districts

17. Approve Interim Use Lease agreement with R&S Soil Products, Inc. for 31 acres at formerMarine Corps Air Station El Toro, Irvine; five year term, ($276,000 annually) subject to 90-day termination clause; authorize Chief Real Estate Officer or designee to execute lease and all related documents; and make California Environmental Quality Act and other findings - District 3

END OF CONSENT CALENDAR

## IV. DISCUSSION ITEMS (Items 18-35)

ELECTED DEPARTMENT HEADS

**Sheriff-Coroner:**

18. Approve amendment 3 to agreement MA-060-16010497 with PVP Communications Inc. formotorcycle helmet communications equipment, 11/16/17 - 11/15/18 ($136,500; cumulative total $277,000); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

19. Approve agreement MA-060-18010198 with Sidepath, Inc. to purchase EMC enterprise storage equipment including servers, storage, related peripherals and services, term ending 3/31/20 ($7,500,000); renewable for three additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute agreement under certain conditions - All Districts

HEALTH CARE AGENCY

20. Approve master agreement with various licensed clinical providers of professional services, 9/29/17 -9/28/18 ($3,571,766); and authorize Director or designee to execute individual agreements - All Districts

21. Approve amendment 2 to agreement MA-042-16010084 with ImageTrend, Inc. for software maintenance and data base hosting services, 11/1/17 - 10/31/18 ($165,017; cumulative total $495,051); and authorize County Procurement Officer or authorized Deputy to execute

amendment - All Districts

OC COMMUNITY RESOURCES

22. Consider first reading of "An Ordinance of the County of Orange, California Amending Sections 4-1-23and 4-1-95 of the Codified Ordinances of the County of Orange to Amend the Definitions Applicable to Potentially Aggressive Dogs in the County and Make Various Other Amendments to Facilitate the Implementation of Safety Restrictions on Such Dogs"; and set second reading and adoption for 9/26/17, 9:30 a.m. - All Districts (Continued first reading from 8/22/17, Item 39)

23. Consider second reading and adoption of "An Ordinance of the County of Orange, California AmendingSections 4-1-3, 4-1-48, and 4-1-59 of the Codified Ordinances of the County to Amend the Definitions Applicable to Barking Dog Complaints to Include Animal Nuisance and Make Various Other Amendments to the Barking Dog Complaint and Citation Process and Criminal Citation Process Pertaining to Barking Dogs" - All Districts (Continued from 8/22/17, Item 36)

24. Approve selection of providers and agreements 17-28-0021DV with Human Options, Inc. ($473,345), 17-28-0023DV with Interval House ($719,786), 17-28-0022DV with Laura's House ($515,244) and 17-28-0024DV with Women's Transitional Living Center, Inc. ($625,967) for Domestic Violence Shelter-Based Program services, 10/1/17 - 6/30/20; renewable for two additional one-year terms; and authorize Director or designee to execute agreements and exercise cost contingency increase not to exceed 10% under certain conditions - All Districts 1, 2, 3 and 4

25. Approve selection of agreements 17-28-0002-DRPA with Orange County Human Relations Council,($825,000), 17-28-0001-DRPA with Community Service Programs, Inc. ($550,000), 17-28-0008-DRPA with Chapman University ($275,000) for dispute resolution services, 10/1/17 - 6/30/20; renewable for two additional one-year terms; and authorize Director or designee to execute agreements and exercise cost contingency increase not to exceed 10% under certain conditions - Districts 1, 2, 3 and 4

26. Approve renewal of operator agreement 17-23-0036-PS with The Midnight Mission for homeless shelter and coordination services at 400 W. Santa Ana Blvd, Santa Ana, 10/1/17 - 9/30/18 ($1,650,000); option to renew for an additional year; authorize Director or designee to execute agreement and additional non-substantive documents and immaterial contract modifications under certain conditions; and make California Environmental Quality Act and other findings - District 1

OC PUBLIC WORKS

27. Approve agreement MA-080-18010124 with Action Research for Stormwater Education and OutreachCampaign services, 11/9/17 - 11/8/18 ($500,000) renewable for four additional one-year terms; authorize County Procurement Officer or authorized Deputy to execute agreement and renewals for second and third years; and make California Environmental Quality Act and other findings - All Districts

GENERAL ADMINISTRATION

28. **County Counsel** - Select Stradling Yocca Carlson & Rauth, P.C. as primary and Fox

Rothschild, LLP as secondary to provide legal services on as needed basis for bankruptcy advisory and litigation services; and authorize County Counsel or designee to execute agreements - All Districts

**County Executive Office:**

29. Acting as the Board of Directors of South Orange County Public Financing Authority - Approve in concept proposed refunding of South Orange County Public Financing Authority Special Tax Revenue Bonds 2005 Series A; approve selection of and agreements with Fieldman, Rolapp & Associates, Inc. as municipal advisor ($61,000) and with Stradling Yocca Carlson & Rauth as bond and disclosure counsel ($65,000), effective upon execution for two years, renewable for one additional one-year term; and select Stifel Nicolaus & Company as underwriter; and authorize Public Finance Director to execute agreements; Acting as the Legislative Body of Assessment District No. 01-1 Newport Coast Phase IV - Approve in concept proposed refunding of Assessment District No. 01-1 Newport Coast Phase IV Limited Obligation Improvement Bonds, Fixed Rate Series 2003 B; Assessment District No. 01-1 Limited Obligation Improvement Bonds, Group One; Assessment District No. 01-1 Limited Obligation Improvement Bonds, Group Two; and Assessment District No. 01-1 Limited Obligation Improvement Bonds, Group Three; approve selection of and agreements with Fieldman, Rolapp & Associates, Inc. as municipal advisor ($61,000) and with Norton Rose Fulbright US LLP as bond and disclosure counsel ($75,000), effective upon execution for two years, renewable for one additional one-year term; and select Piper Jaffray & Company as underwriter; and authorize Public Finance Director to execute agreements - Districts 2 and 5 (Continued from 8/22/17, Item 50 originally continued to 10/17/17)

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

31. Authorize formal negotiations with Association of Orange County Deputy Sheriffs for Workers' Compensation Carve-Out for use of Independent Medical Examiners - All Districts

32. Approve amendment 2 to agreement MA-017-15010253 with Platinum Advisors, LLC forSacramento Legislative Advocacy services, 10/1/17 - 9/30/18 ($276,000; cumulative total $1,104,000); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts (Continued from 8/22/17, Item 49)

33. Approve grant applications/awards submitted in 9/12/17 grants report and other actions asrecommended - All Districts
Revised Title to read:
**County Executive Office** - Approve grant applications/awards submitted *by District Attorney and Sheriff-Coroner* in 9/12/17 grant report and other actions as recommended; *adopt resolutions authorizing District Attorney or designee to submit and execute grant agreements with California Department of Insurance for Disability and Healthcare Insurance Fraud Program ($1,135,000), Disability and Healthcare Supplemental Program ($146,490) and Life and Annuity Consumer Protection Program ($152,475), 7/1/17 – 6/30/18; and make California Environmental Quality Act and other findings – All Districts*

34. Approve proposed response to FY 2016-17 Grand Jury Report "Orange County's

Digital Data: Is it Protected from Cyber Attack" - All Districts

35. **Human Resource Services -** Approve and adopt Side Letter agreements with Orange County Employees Association for terms and conditions for select classifications - All Districts

S35A. **County Executive Office - Acting as the Board of Supervisors and Orange County Flood Control District –** Adopt resolution requesting Orange County Sheriff's Department to dedicate additional resources to the Channels, even those within incorporated cities, convene local law enforcement agencies to develop a comprehensive county-wide public safety response plan to criminal activities and public concerns in the Channels, and making related findings – Districts 1, 2, 3, and 4

S35B. **County Executive Office -** Approve proposed response to FY 2016-17 Grand Jury Report "Another Hostile Work Environment? Orange County District Attorney Bureau of Investigation." – All Districts

## V. PUBLIC HEARINGS (Items 36-38)

ELECTED DEPARTMENT HEADS

36. **Sheriff-Coroner -** Public Hearing to consider adopting resolution approving increase in fee for response to third and subsequent false alarms within a calendar year or intentionally set false alarms in unincorporated areas from $85 to $96, effective 10/1/17; and make California Environmental Quality Act and other findings - All Districts

HEALTH CARE AGENCY

37. Continued to 9/26/17, 9:30 a.m.
Public Hearing to consider adopting resolution approving Driving Under the Influence Program Feeupdate, $77 effective upon Board approval and $80 effective 7/1/18; superseding and rescinding Resolution 12-159; authorizing HCA to make an annual fee adjustment effective July 1 of each year, starting in 2019, that increases fee by an amount not to exceed the annual percentage change in the Consumer Price Index; direct HCA to return to the Board if any fee study indicates that actual costs have reduced to level below revenue generated; and making California Environmental Quality Act and other findings - All Districts (Continued from 8/8/17, Item 27; 8/22/17, Item 56)

OC PUBLIC WORKS

38. Public Hearing to consider adopting resolution approving Vesting Tentative Tract Map 17341 for the Cielo Vista Project; and consider application of Final Environmental Impact Report No. 615 and other findings - District 3

## VI. 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. **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

## VII. CEO, BOARD COMMENTS & ADJOURNMENT

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:

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|---|---|
| **September 19, 2017** | **No Scheduled Meeting** |
| **September 26, 2017** | **Regular Meeting** |
| **October 3, 2017** | **No Scheduled Meeting** |