REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, February 9, 2016, 9:30 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	Robin Stieler

INVOCATION: Supervisor Nelson, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Spitzer, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Orange County Board of Education President Robert Hammond presented certificates of appreciation to the Board of Supervisors for proclaiming School Choice Week; Supervisor Spitzer presented a copy of the December 15, 2015 resolution proclaiming January 24-30, 2016 as "School Choice Week" to President Hammond

Supervisor Steel presented a resolution proclaiming February 6, 2016 as "Ronald Reagan Day"

Chairwoman Bartlett presented a resolution to Clerk Recorder Hugh Nguyen for being named among The Orange County Register's 100 Most Influential People in Orange County

Chairwoman Bartlett presented a resolution to OC Community Services Director Karen Roper for being

named among The Orange County Register's 100 Most Influential People in Orange County

Chairwoman Bartlett presented a resolution commending OC Environmental Resources Deputy Director Mary Anne Skorpanich on her retirement

Chairwoman Bartlett presented a resolution to Bob Hope USO Executive Director Bob Kurkjan for 75th Anniversary Celebration of Bob Hope USO

II. CONSENT CALENDAR (Items 1-13)

12345 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 10 AND 11 WHICH WERE CONTINUED TO 2/23/16, 9:30 A.M.; AND ITEMS 5, 6 AND 9 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE, SUPERVISOR DO RECORDED A NO VOTE ON ITEM 13**

BOARD APPOINTMENTS

1. **Supervisor Do -** Community Action Partnership of Orange County - Reappoint Alberta Christy, Santa Ana, for term concurrent with 1st District Supervisor's term of office

2. **Chairwoman Bartlett -** Law Library Board of Trustees - Reappoint David Hesseltine, Santa Ana, and Linda Kawaguchi, Orange, for terms ending 12/31/16

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

3. Receive bids and award contract to California Trane, Inc. for replacement of chiller no. 2, Theo Lacy Facility ($377,686) - District 3

4. Approve Memorandum of Understanding with Los Angeles County Sheriff's Department for Metrolink Commuter Rail System law enforcement coordination services; and authorize Sheriff-Coroner or designee to execute MOU - All Districts

5. Approve agreement with Orange County Health Authority (Cal-Optima) for supplemental law enforcement services, 2/9/16 - 6/30/17; and authorize Sheriff-Coroner or designee to execute future agreements under certain conditions - District 3

41235 **APPROVED AS RECOMMENDED**

6. Approve amendment 3 to renew agreement with Touch Pay Holdings LLC for jail kiosk services, 3/20/16 - 3/19/17; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

41235 **CONTINUED TO 2/23/16, 9:30 A.M.**

HEALTH CARE AGENCY

7. Approve amendment 2 to agreement MA-042-15011433 with CareFusion 203, Inc. dba Pulmonetic Systems for ventilator maintenance services, 4/1/16 - 3/31/17 ($229,801; cumulative total $651,103); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

8. Approve cooperative agreement D15-033 with Foothill/Eastern Transportation Corridor Agency and agreement MA-080-16011316 with State Department of Transportation for future construction of Oso Parkway Bridge over State Route 241; authorize Director or designee to execute future amendments to cooperative agreement and Freeway Agreement under certain conditions; and make California Environmental Quality Act and other findings - Districts 3 and 5

PUBLIC PROTECTION

9. **Probation -** Receive and file update of Orange County Public Safety Realignment and Postrelease Community Supervision 2015 Implementation Plan - All Districts
NO MOTION

GENERAL ADMINISTRATION

Clerk of the Board:

10. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Santa Ana Unified School District - Districts 1 & 3
12345 **CONTINUED TO 2/23/16, 9:30 A.M.**

11. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for La Habra City School District - District 4
12345 **CONTINUED TO 2/23/16, 9:30 A.M.**

12. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Coastline Regional Occupational Program - District 2

13. **Vice Chair Steel -** Adopt resolution reaffirming support of the construction and operation of proposed Huntington Beach Seawater Desalination Facility and urging California Coastal Commission to approve project's Coastal Development Permit
12345 **APPROVED AS RECOMMENDED**
N

RESO: 16-011

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 14-S27A)

ELECTED DEPARTMENT HEADS

14. **Treasurer-Tax Collector -** Receive the oral and written Treasury Oversight Committee 2015 Annual Report - All Districts
52134 **RECEIVED AND FILED**

HEALTH CARE AGENCY

15. Approve Memorandum of Understanding with Children and Families Commission of Orange County for Fiscal Leveraging and Related Support services, effective 3/1/16 - All Districts
41235 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

16. Approve amendment 2 to renew agreement MA-012-14011427 with So Cal Land Maintenance, Inc. for landscape maintenance services at Craig Regional Park, 5/1/16 - 4/30/17 ($347,948, cumulative total $1,043,844); and authorize Purchasing Agent or authorized Deputy to execute amendment - District 4
41235 **APPROVED AS RECOMMENDED**

17. Approve amendment 2 to renew agreement MA-012-14011241 with Aqua Technex, LLC for lake management and lake water quality maintenance services, 3/11/16 - 3/10/17 ($50,000; new total $600,000; cumulative total $1,700,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts
14235 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

18. Approve agreements MA-080-16011109 with AECOM Technical Services, Inc., MA-080-16011110 with Chambers Group, Inc. and MA-080-16011111 with PCR Services Corporation for on-call regulatory permitting services, 2/9/16 - 2/8/21 ($1,500,000 each); and authorize Director or designee to execute agreements - All Districts
14235 **APPROVED AS RECOMMENDED**

19. Approve agreement MA-299-16010422 with Simplus Management Corporation for construction management, quality assurance/quality control and support services for North Region Landfills, 2/9/16 - 2/8/21 ($3,000,000); authorize Director or designee to execute agreement; and make California Environmental Quality Act and other findings - District 4
41235 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Counsel:

20. Consider first reading of "An Ordinance of the County of Orange, California Amending Sections 4-11-11, 4-11-12, and 4-11-14 of the Codified Ordinances of the County of Orange Regarding the Orange County Health Authority"; relating to the composition of the Cal-Optima Board of Directors and set second reading and adoption for 2/23/16, 9:30 a.m. - All Districts (Continued from 1/26/16, Item 42)

51234 **APPROVED ORDINANCE AS AMENDED TO DELETE THE WORDS 'EXCEPT AS PROVIDED IN SECTION 4-11-11 (C)(1),' FROM SEC 4-11-11.**

21. Approve amended Board of Supervisors Rules of Procedure adding Rule 38, effective immediately (Continued from 1/26/16, Item S47A)

52134 **CONTINUED TO 2/23/16, 9:30 A.M.**

County Executive Office:

22. Adopt resolution of intention to establish Community Facilities District No. 2016-1 (Village of Esencia) to authorize the levy of special tax to pay the costs of acquiring or constructing certain facilities and expenses of the District and to pay debt service on bonded indebtedness and adopt resolution of intention to incur bonded indebtedness ($115,000,000); and make related findings - District 5

54123 **APPROVED AS RECOMMENDED**
RESO: 16-012 - 16-013

23. Approve agreement MA-017-16011056 with York Risk Services Group, Inc. for Third Party Administrator and Managed Care services for County's Workers' Compensation program, 7/1/16 - 6/30/21 ($18,750,105); renewable for three additional years; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

41235 **APPROVED AS RECOMMENDED**

24. Approve revised 2016 Board of Supervisors meeting schedule and amendment to Board of Supervisors Rules of Procedure - All Districts

25134 N **APPROVED AS AMENDED TO AMEND SECOND SENTENCE IN RULE 21 OF THE BOARD OF SUPERVISORS RULES OF PROCEDURES TO READ "SUPPLEMENTAL AGENDA ITEMS SHALL BE KEPT TO A MINIMUM. WITH THE EXCEPTION OF ITEMS SUBMITTED BY BOARD MEMBERS PRIOR TO NOON THE WEDNESDAY PRECEDING A BOARD MEETING, CLOSED SESSIONS REQUESTED BY THE COUNTY COUNSEL OR ADMINISTRATIVE ERRORS/ACTIONS PLACED BY THE CLERK, ANY SUPPLEMENTAL ITEM MUST BE CONCURRED BY THE CEO, APPROVED IN WRITING BY THE CHAIR AND RECEIVED BY THE CLERK NO LATER THAN 4:00 P.M., THE THURSDAY BEFORE THE BOARD MEETING AT WHICH IT WILL BE CONSIDERED."**

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

52134 **APPROVED AS RECOMMENDED**

26. Approve grant applications/awards submitted in 2/9/16 grant report and other actions as recommended - All Districts

B.O. **DELETED**

27. Repeal Resolution 95-271; adopt resolution re-establishing Orange County Audit Oversight Committee with revisions to stagger term of a newly created public member; and direct the Audit Oversight Committee to prepare a Charter and Bylaws for Board approval - All Districts

35124 **APPROVED AS AMENDED TO AMEND THE CURRENT MEMBERSHIP OF THE AUDIT OVERSIGHT COMMITTEE AS FOLLOWS: DISTRICT 1**

APPOINTEE TO 'NEWLY CREATED' WITH TERM ENDING DATE 12/31/17, DISTRICT 3 APPOINTEE TO 'DAVID CARLSON' WITH TERM ENDING DATE 12/31/18, DISTRICT 4 APPOINTEE TO 'TERM EXPIRED' WITH TERM ENDING DATE 12/31/19 AND DISTRICT 5 APPOINTEE TO 'TERM EXPIRED' WITH TERM ENDING DATE 12/31/19.
RESO: 16-014

S27A. **Supervisor Do -** Adopt resolution to support community groups by amending the OC Development Services Fee Schedule; waive applicable fees for the TET Parade planned for February 13, 2016 in Midway City; and make related findings

51234 **APPROVED TO WAIVE APPLICABLE FEES PURSUANT TO THE OC DEVELOPMENT SERVICES FEE SCHEDULE FOR THE TET PARADE PLANNED FOR FEBRUARY 13, 2016 IN PORTION OF UNINCORPORATED MIDWAY CITY.**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-SCS7)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Los Angeles Engineering, Inc., etc. v. County of Orange, et al., Orange County Superior Court Case No. 30-2014-00729572-CU-BC-CJC

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

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: LeRoy Guillory, et al. v. Orange County Sheriff's Department, et al., Orange County Superior Court Case No. 30-2008-00212410-CU-CR-CXC.

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

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING 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

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

CS-4. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Robert O'Brien
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 Executive Office:

SCS5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: County Owned Property at Former MCAS El Toro
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: City of Irvine
Lowe Enterprises Real Estate Group
Future Lessees
Under Negotiation: Terms of Development and Value of Future Leases

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

SCS6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: County Owned Property at the Santa Ana Civic Center
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: Related/Griffin
Under Negotiation: Terms of Value of Future Development and Leases

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

COMMUNITY SERVICES AGENCY

SCS7. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Future County of Orange Property at Former MCAS Tustin, South of Valencia Avenue and West of Armstrong Avenue & 1300 South Grand Avenue, Santa Ana, CA
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: South Orange County Community College District
Under Negotiation: Terms and Value of Future Acquisition or Lease

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

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Ilya Tseglin - Oral Re: Nate, Tseglin, Social Services Agency, Public Defender, Courts

Robert Tseglin - Oral Re: Article on Nate Tseglin, Irvine Police Department, Public Defender, conservatorship, psychiatric medications

David E. Cortez - Oral Re: El Modena 130th year celebration of township, Lorenzo A. Ramirez Sculpture Installation Ceremony at Santiago Community College on February 11, 2016 at 2:00 p.m.

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Do - Oral Re: Lunar New Year observed on February 8, 2016, thanked the Board for

supporting the TET parade, Tet Festival scheduled February 12-14, 2016

Supervisor Spitzer - Oral Re: Lorenzo A. Ramirez Sculpture Installation Ceremony at Santiago Community College on February 11, 2016 at 2:00 p.m.

Vice Chair Steel - Oral Re: Toured La Pata Extension Project and Prima Deshecha Landfills and acknowledged OC Public Works and OC Waste and Recycling staff, and attended Seabridge HOA meeting regarding the Edinger Bridge project

ADJOURNED: 4:47 P.M.

52134 **Adjourned in memory of Bert Norred**

52134 **Adjourned in memory of Diane Ruth Thomas**

52134 **Adjourned in memory of Bob Morris**

*** KEY ***

Left Margin Notes

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

ORD. = Ordinance
RESO. = Resolution

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

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

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Chairwoman, Orange County Board of Supervisors

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Orange County Clerk of the Board