# A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

**Tuesday, October 25, 2016**
**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

**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

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) 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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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: Vice Chair Steel, Second District

PLEDGE OF ALLEGIANCE: Supervisor Nelson, Fourth District

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

Chairwoman Bartlett will be presenting a resolution to CalOptima for being named the top rated Medi-Cal plan in the State of California for the third consecutive year

Chairwoman Bartlett will be presenting the 2016 Challenge Award from Graham Knaus, CSAC Deputy Executive Director of Operations and Member Services to OC Public Works for its Adopt-A-Channel Program

Chairwoman Bartlett will be presenting a proclamation to OC Waste & Recycling in recognition of November 15, 2016 as America Recycles Day

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

## II. CONSENT CALENDAR (Items 1-23)

*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

**Vice Chair Steel:**

1. John Wayne Airport Arts Commission - Appoint Frank J. Gutierrez, Santa Ana for term concurrent with 2nd District Supervisor's term of office

2. Orange County Historical Commission - Appoint Dr. Alexandria Coronado, Cypress, for term concurrent with 2nd District Supervisor's term of office

DEPARTMENT APPOINTMENTS

3. **OC Community Resources -** Orange County Development Board - Appoint Trung Le, Anaheim, for term ending 12/31/18 - All Districts

ELECTED DEPARTMENT HEADS

**Sheriff-Coroner:**

4. Receive and file annual Inmate Welfare Fund Revenue and Expenditure Reports for FY 2015-16 - All Districts

5. Approve amendment 5 to renew agreement MA-060-14010447 with Yorba Regional Animal Hospital and Pet Resort, Inc. for veterinary and boarding services for police K-9's, 12/20/16 - 12/19/17 ($10,000; new total $145,000; cumulative total $511,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

6. Approve agreement PO-060-17010342 with Tecan US Inc., for purchase, delivery and installation of one EVO 100 fully automated liquid-handling robotic system ($119,947.79); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

7. Ratify FY 2015-16 Federal Equitable Sharing Agreements and Certification Reports for federally forfeited property or proceeds received for Sheriff-Coroner Department, Regional Narcotics Suppression Program and Orange County Pro-Active MethLab Investigative Task Force - All Districts

8. Approve amendment 1 to agreement MA-060-16010379 with Lifecomm Enterprise Solutions Inc., increasing service hours for software support, 10/1/15 - 9/30/17 ($39,040; new total $61,440); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

9. Approve Memorandum of Understanding with City of Los Angeles Harbor Department for training coordination services, three year term; and authorize Sheriff-Coroner or designee to execute MOU - All Districts

HEALTH CARE AGENCY

10. Approve amendment 1 to agreement with Shanti Orange County for HIV Care services, 3/1/16 - 2/28/19($95,000; new total $465,821); authorize Director or designee to exercise cost contingency increase not to exceed 10 percent under certain conditions and to execute amendment - All Districts

11. Approve master agreement with various universities for off-campus student training, 12/1/16 - 11/30/21;authorize Director or designee to execute individual agreements - All Districts

JOHN WAYNE AIRPORT

12. Authorize Director to allocate regulated Class A and Class E average daily departures, seat capacity, remain overnight positions and passenger capacity to scheduled commercial passenger, cargo and commuter carriers under Phase 2 Commercial Airline Access Plan and Regulation for 2017 Plan Year; approve related actions; and consider application of prior Environmental Impact Report No. 617 and other findings - District 2 (Continued from 10/11/16, Item 3)

OC COMMUNITY RESOURCES

13. Accept donation of $14,821.38 from Friends of the Heritage Park Library to offset cost of refurbishing chairs, Heritage Park Library - District 3
DELETED

14. Accept donation of $24,121.07 from Friends of the University Park Library to offset cost of purchasing new furniture, University Park Library - District 3

OC PUBLIC WORKS

15. Approve Final Tract 17564, RMV PA 2 Development, LLC; accept dedication of easements for public street and public utility purposes; accept vehicular access rights; approve subdivision improvement agreement S1609-208 and accept bonds guaranteeing construction - District 5

GENERAL ADMINISTRATION

**Clerk of the Board:**

16. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Department of Child Support Services - All Districts

17. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Children and Families Commission of Orange County - All Districts

18. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the District Attorney - All Districts

19. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the El Toro Water District - District 5

20. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the West Cities Communications Center JPA - All Districts

21. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Ocean View School District - Districts 1 and 2

22. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Savanna School District - Districts 2, 3 and 4

23. **County Executive Office -** Authorize Interim Chief Information Officer or designee to conduct negotiations concurrently with AssetWorks, LLC and International Business Machines Corporation for computerized maintenance management system solution and return to the Board for approval - All Districts

END OF CONSENT CALENDAR

## III. DISCUSSION ITEMS (Items 24-49)

ELECTED DEPARTMENT HEADS

**Sheriff-Coroner:**

24. Accept grant award from California Emergency Management Agency for 2016 Emergency Management Performance Grant funds ($777,980); approve agreement form to transfer funds to participating cities; authorize Sheriff-Coroner or designee to execute individual agreements; authorize Auditor Controller to transfer funds to participating cities under certain conditions; and authorize Purchasing Agent or authorized Deputy to purchase related equipment and services - All Districts

25. Approve amendment 3 to agreement MA-060-14010397 with Life Technologies Corporation for maintenance of Genetic Analyzers and Real Time Polymerase Chain Reaction instruments, 11/1/16 - 10/31/18 ($45,421.08; cumulative total $119,840.08); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

26. **Auditor-Controller, Vice Chair Steel, and Supervisor Spitzer** - Adopt resolution requiring designated County officials to take anti-fraud training provided by Auditor-Controller
(Continued from 9/13/16, Item S36A; 9/27/16, Item 24; 10/11/16, Item 11)
Continued to 11/8/16, 9:30 A.M.

HEALTH CARE AGENCY

27. Ratify standard agreement with California Department of Public Health for AIDS Drug Assistance Program, 7/1/16 - 6/30/19; authorize Director or designee to execute agreement and related documents - All Districts

28. Ratify cooperative agreement with City of Anaheim for housing and supportive services for persons living with HIV infection, 7/1/16 - 6/30/17 ($894,332) - All Districts
Continued to 11/8/16, 9:30 A.M.

29. Approve amendment 1 to agreement with Orange County Association for Mental Health dba Mental Health Association of Orange County for Multi-Service Center services for homeless mentally ill adults, 7/1/15 - 6/30/18 ($1,241,242; new total $4,856,971); authorize Director or designee to exercise cost contingency increase of agreement not to exceed 10 percent under certain conditions and execute amendment - All Districts

30. Approve agreement with Cerner Corporation for system application and technical upgrade services,10/26/16 - 10/25/19 ($1,674,114); authorize Director or designee to execute agreement and any subsequent agreement term extension and exercise contingency term of agreement without additional funding through no later than 6/30/20 - All Districts

OC COMMUNITY RESOURCES

31. Approve amendment 2 to renew agreement MA-012-15010841 with OverDrive, Inc. for eBooks and digital audiobook titles, 12/9/16 - 12/8/17 ($500,000; cumulative total $1,500,000); renewable for two additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

32. Receive bids and award contract to Sukut Construction, LLC for Phase VIIIB-2 Buttress and Liner Construction Project at Frank R. Bowerman Landfill ($28,643,353); and authorize Director or designee to execute contract - District 3

33. Approve agreements MA-080-17010031 with Cal Building Systems, Inc. ($850,450) and MA-080-17010037 with Champion Fire Systems, Inc. ($571,000) for fire system maintenance and repair services, 12/1/16 - 2/28/19; authorize Purchasing Agent or authorized Deputy to execute agreements; and make California Environmental Quality Act and other findings - Districts 1, 2, 3 and 5

34. Approve amendment 1 to agreement MA-299-14010179 with SWT Engineering, Inc., for design and construction support of East Canyon Landslide Mitigation Measures for Frank R. Bowerman Landfill ($397,047; cumulative total $2,397,047); and authorize Director or designee to execute amendment - District 3

35. Approve amendment 1 to agreement MA-299-15011969 with Simplus Management Corporation for additional construction management, quality assurance/quality control and archaeological/paleontological support services, Central Region Landfills, extending term to 7/13/18 ($1,400,000; cumulative total $7,400,000); and authorize Director or designee to execute amendment - District 3

36. Approve amendment 1 to agreement MA-080-16010778 with Carahsoft Technology Corporation for integration of Customer Relationship Management and Land Management Systems, extending term to 6/30/22 ($6,175,694); approve recurring annual subscription fees through June 30, 2027, not-to-exceed 10 percent above the proposed annual subscription fees; direct Auditor-Controller to revise appropriations, revenues and reserves; and authorize Director or designee to execute amendment - All Districts (RA #3 4/5 vote of the members present and voting)

37. **Acting as the Board of Supervisors and Orange County Flood Control District -** Receive bids and award contracts MA-080-17010310 with Sol Construction, Inc., MA-080-17010312 with Interlog Construction, Inc., MA-080-17010313 with Pub Construction, Inc., MA-080-17010501 with Palp, Inc. dba Excel Paving Company and MA-080-17010502 with Bitech Construction Co., Inc. for general engineering services, 10/25/16 - 10/24/17 ($4,500,000 each); relieve SJD&B, Inc., Horizons Construction Company International, Inc. and Access Pacific, Inc. from bid obligation; and make California Environmental Quality Act and other findings - All Districts

OC WASTE & RECYCLING

38. Approve amendment 2 to renew agreement MA-299-13010437 with Tetra Tech BAS, Inc. for landfill gas operation and maintenance services, South Region Landfills, 12/1/16 - 11/30/17 ($1,400,000; cumulative total $7,000,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - Districts 2, 3 and 5

39. Approve agreement MA-299-17010397 with Quinn Company for heavy equipment maintenance and repair services, North, Central and South Region Landfills, 12/1/16 - 11/30/19 ($24,000,000); renewable for two additional one-year periods ($8,000,000 per year); and authorize Purchasing Agent or authorized Deputy to execute agreement - Districts 3, 4 and 5

GENERAL ADMINISTRATION

**County Executive Office:**

40. Select a primary and an alternate firm to provide Federal Legislative Advocacy services; and authorize Purchasing Agent or authorized Deputy to negotiate an agreement and return to the Board for approval no later than 12/13/16 - All Districts (Continued from 9/27/16, Item 42)
**DELETED**

41. Select primary and alternate firms to provide Federal Legislative Advocacy services; and authorize Purchasing Agent or authorized Deputy to negotiate an agreement and return to the Board for approval no later than 12/13/16 - All Districts

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

43. Approve in concept issuance of short-term Taxable Pension Obligation Bonds for early payment of County's FY 2017-18 employer pension obligation; and select KNN Public Finance as municipal advisor and Orrick Herrington & Sutcliffe, LLP as bond counsel - All Districts

44. Approve grant applications/awards submitted in 10/25/16 grant report and other actions as recommended - All Districts
Revised Title to read:
County Executive Office - Approve grant applications/awards submitted by *Health Care Agency, Sheriff's Department, OC Community Resources/OC Parks, County Executive Office and ratify retroactive grant applications/awards submitted by OC Public Works and District Attorney in 10/25/16 grant report and other actions as recommended; adopt resolution authorizing HCA Director or designee to submit grant application for continued funding of various department programs and directing annual submittal of a list of routine continued funding grant applications for Board approval; adopt resolutions authorizing District Attorney or designee to execute grant award agreements and amendments with California Department of Insurance for Automobile Insurance Fraud Program ($1,100,000), Disability and Healthcare Insurance Fraud Program ($1,110,000), Disability and Healthcare Supplemental Program ($146,490) and Workers' Compensation Insurance Fraud Program ($4,152,802), 7/1/16 – 6/30/17; and making California Environmental Quality Act and other findings; and adopt resolution authorizing Director of OC Community Resources or designee to negotiate, execute and submit all documents with State Department of Parks and Recreation for Youth Soccer and Recreation Development Program* - All Districts

45. Ratify retroactive Assignment, Novation and Consent agreement with Hahn & Bowersock, Inc. to Veritext Corp. dba Hahn & Bowersock for court reporter services, effective 4/26/16 - 9/30/20; authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

**Human Resource Services:**

46. Approve five-year Internship & Cooperative Education Site agreement with

Chapman University to facilitate undergraduate and graduate fieldwork/internship placement within County agencies/departments; authorize Chief Human Resources officer or designee to modify site agreement to comply with changes in State and/or Federal laws or regulations - All Districts

47. Approve and adopt Side Letter agreements with Orange County Employees Association for terms and conditions of employment - All Districts

48. **Supervisor Nelson -** Direct County Counsel and Airport Director to research ways to prohibit gender discrimination by common carriers doing business at John Wayne Airport and report back to the Board (Continued from 10/11/16, Item S21A)

49. **Vice Chair Steel -** Consider second reading and adoption of "An Ordinance of the County of Orange, State of California Amending Section 4-1-45 of the Codified Ordinances of the County of Orange Regarding the Restraint of Dogs"; and make California Environmental Quality Act and other findings (Continued from 4/26/16, Item 32; 5/10/16, Item 63, 7/26/16, Item 47) **DELETED**

S49A. **Sheriff-Coroner -** Approve agreement MA-060-17010182 with American Guard Services, Inc. for crossing guard services, 11/1/16 – 10/31/18 ($972,721.60); authorize Sheriff-Coroner or designee to exercise cost contingency increase not to exceed 10 percent under certain conditions; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

S49B. **Revised Title to read:**
**Health Care Agency** - Approve agreement with Children's Hospital of Orange County dba CHOC Children's for support of Pediatric Clinic services, 11/1/16 - 6/30/17 ($150,000); and authorize Director or designee to execute agreement - ~~All Districts~~ District 3

S49C. **Supervisor Do -** Waive health permit fee and expand food safety and handing education seminars for non-profit organizations conducting charitable service by preparing food for individuals that are homeless at Courtyard Transitional Homeless Center in accordance with Government Code Section 26227; and make related findings

S49D. **OC Public Works -** Approve amendment 1 to agreement MA-080-14012029 with Larry Walker Associates for environmental regulation support services, extending term to 12/31/18 ($600,000; cumulative total $1,000,000); and authorize Director or designee to execute amendment – All Districts

S49E. **OC Public Works – Acting as Board of Supervisors and Orange County Flood Control District -** Approve agreement MA-080-17010600 with Orange County Coastkeeper for technical support during a stakeholder meeting regarding bacterial water quality regulation in Newport Bay, 10/25/16 – 10/25/18 ($100,000); authorize Director or designee to execute agreement; and direct Auditor-Controller to make related payments – All Districts

S49F. **County Executive Office -** Approve amendment 1 to lease conveyance agreement with 401 Capitol City Tower Corporation for elevator modernization project at 401 Civic Center Drive, Santa Ana, effective 10/25/16 – 2/8/21 ($1,084,504); authorize Chief Real Estate Officer or

designee to execute subsequent lease amendments for non-monetary and/or monetary changes under certain conditions – District 1

S49G. **County Executive Office - Acting as the Orange County Flood Control District –** Adopt resolution making certain findings pertinent to leasing of Orange County Flood Control District property; select Majestic Realty Corporation to option and then lease for development certain District owned property in City of Chino; approve Option agreement, Fill Dirt License agreement and Master Ground Lease agreement with Majestic Realty Corporation for entitlement and development of approximately 95-acre vacant parcel; authorize Chief Real Estate Officer or designee to execute agreements and all related documents and minor modifications under certain conditions; and make California Environmental Quality Act and other findings – All Districts

S49H. **John Wayne Airport -** Approve amendments to Certificated Passenger Airline Leases with Alaska Airlines, Inc., American Airlines, Inc., Delta Air Lines Inc., Frontier Airlines Inc., Southwest Airlines Company, United Airlines, Inc., and WestJet; approve Certificated Passenger Airline Operating Licenses with Compass Airlines, LLC, Horizon Air Industries, Inc. and Skywest Airlines, Inc.; approve Commuter Airline Operating License with Skywest Airlines, Inc.; approve Club Room Leases with American Airlines, Inc. and United Airlines, Inc.; approve Cargo Leases with United Parcel Service Co. and Federal Express Corporation; and consider application of prior Environmental Impact Report No. 617 and other findings – District 2 *(4/5 vote of members present)*

S49I. **OC Community Resources -** Authorize Director or designee limited authority to temporarily waive placement fees under certain urgent or emergency conditions; and direct OC Animal Care to report to the Board on nature, duration and financial impact of temporary adoption fee waivers - All Districts
Revised Title to read: **OC Community Resources** - ~~Authorize~~ *Adopt resolution authorizing* Director or designee limited authority to temporarily waive placement fees under certain urgent or emergency conditions; and direct OC Animal Care to report to the Board on nature, duration and financial impact of temporary adoption fee waivers - All Districts

## IV. PUBLIC HEARINGS (None Scheduled)

## V. CLOSED SESSION (Items CS-1-CS-2)

*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: Computer Network Support & Service, Inc., etc. v. Xerox Business Services, LLC., etc., et al., Los Angeles Superior Court Case Number EC065125

CS-2. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to

Government Code Section 54957.6:
Agency Negotiator: Brenda Diederichs
Employee Organizations: Association of County Law Enforcement Management (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Association of Orange County Deputy Sheriffs (AOCDS), International Brotherhood of Teamsters, Local 952, In-Home Supportive Services Provider Unit (IHSS) represented by United Domestic Workers of America (UDWA), International Union of Operating Engineers (IUOE), Orange County Attorneys Association (OCAA), Orange County Employees Association (OCEA), Orange County Managers Association (OCMA) and other non-represented employees
RE: Terms and Conditions of Employment
**DELETED**

SCS3. **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, 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

## 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:

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| **November 1, 2016** | **No Scheduled Meeting** |
| **November 8, 2016** | **Regular Meeting** |
| **November 15, 2016** | **No Scheduled Meeting** |