# A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

**Tuesday, October 6, 2015**
**9:00 A.M. (Presentations)**
**9:30 A.M. (Regular Business)**

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

**TODD SPITZER**
CHAIRMAN
Third District

**LISA A. BARTLETT**
VICE CHAIRMAN
Fifth District

**ANDREW DO**
SUPERVISOR
First District

**MICHELLE STEEL**
SUPERVISOR
Second District

**SHAWN NELSON**
SUPERVISOR
Fourth District

| COUNTY EXECUTIVE OFFICER | COUNTY COUNSEL | INTERIM CLERK OF THE BOARD |
|---|---|---|
| Frank Kim | Leon J. Page | Robin Stieler |

This agenda contains a brief description of each item to be considered. Except as provided by law, no action shall be taken on any item not appearing in the agenda. To speak on an item, complete a Speaker Request Form(s) identifying the item(s) and deposit it in the box to the left of the podium. To speak on a matter not appearing in the agenda, but under the jurisdiction of the Board of Supervisors, you may do so during Public Comments at the end of the meeting. Speaker request forms must be deposited prior to the beginning of the consent calendar, the reading of the individual agenda items and/or the beginning of Public Comments. When addressing the Board, it is requested that you state your name for the record. Address the Board as a whole through the Chair. Comments to individual Supervisors or staff are not permitted. Speakers are limited to three (3) minutes per item with nine (9) minutes cumulative for the entire meeting. Power Point and video presentations must be requested in advance of the meeting through the Clerk.

*Supporting documentation is available for review in the Clerk of the Board of Supervisors office in the Hall of Administration, 333 W. Santa Ana Blvd., Room 465, Santa Ana, 92701 8:00 am - 5:00 pm, Monday-Friday.*
*The Agenda is available online at: http://ocgov.com/gov/bos/agenda*
*Meetings are broadcast live at http://bos.ocgov.com/video/video.html*

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INVOCATION: Supervisor Nelson, Fourth District

PLEDGE OF ALLEGIANCE: Supervisor Steel, Second District

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

Chairman Spitzer will be presenting a resolution commending OC Community Services for earning the Affordable Housing Award for Development of the Year

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

## II. CONSENT CALENDAR (Items 1-15)

*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

1. **Supervisor Steel -** Airport Commission - Reappoint Chris A. Welsh, Newport Beach, for term concurrent with 2nd District Supervisor's term of office

2. **Supervisor Do -** Airport Commission - Appoint John L. Wong, Rossmoor, for term concurrent with 1st District Supervisor's term of office

DEPARTMENT APPOINTMENTS

**Health Care Agency:**

3. Orange County Mental Health Board - Reappoint Judith Lewis, Huntington Beach, for termending 7/20/18 - All Districts

4. Alcohol and Drug Advisory Board - Appoint Margaret Fleitman, Mission Viejo, to complete term ending 10/27/17; Geoffrey Henderson, Anaheim, to complete term ending 3/6/17; Debra Kelsey, Westminster, and Frederick Williams, Jr., Irvine to complete terms ending 10/28/17; and reappoint Stacy Deeble-Reynolds, Long Beach, for term ending 6/3/18 - All Districts

ELECTED DEPARTMENT HEADS

**District Attorney:**

5. Approve model agreement for teachers in Orange and San Juan Capistrano School Districts forGang Reduction and Intervention Partnership (GRIP) program tutorial services, 9/28/15 - 7/31/16 ($457,500); renewable for one additional one-year term; and authorize Purchasing Agent or authorized Deputy to execute individual agreements - Districts 3 & 5 (Continued from 9/22/15, Item 16)
Continued to 10/27/15, 9:30 a.m.

6. Adopt resolution approving amended FY 2014-15 Federal Equitable Sharing Agreement andCertification Report - All Districts

**Sheriff-Coroner:**

7. Approve amendment 3 to renew agreement MA-060-12010139 with Premier Computing, Inc. for help desk support for Commissary operations system, 11/9/15 - 11/8/16 ($24,000; cumulative total $96,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

8. Approve purchase order PO-060-16010256 with Impex Technologies, Inc. for one-time purchase and delivery of computer hardware to increase storage of existing data system ($81,768.56); and authorize Purchasing Agent or authorized Deputy to execute purchase order - All Districts
   Revised Title to read: **Sheriff-Coroner** - Approve purchase order PO-060-16010256 with Impex Technologies, Inc. for onetime purchase and delivery of computer hardware to increase storage of existing data system ($81,768.56); and authorize Purchasing Agent or authorized Deputy to execute purchase order - All Districts

9. Receive and file annual Inmate Welfare Fund Revenue and Expenditure Reports for FY 14-15 -All Districts

HEALTH CARE AGENCY

10. Approve agreement MA-042-15012267 with Freedom Imaging, Inc. for purchase of unbudgeted digitalradiography equipment ($64,212); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts (4/5 vote of members present)
    Deleted

OC COMMUNITY RESOURCES

11. Approve agreement MA-012-16010499 with US eDirect Inc. for OC Parks reservations system, 10/9/15 -10/8/16 ($160,000) with option to renew for four additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

12. Accept donation of $14,910.48 from Friends of the Library to offset cost of refurbishing chairs, HeritagePark Branch Library - District 3

13. **Acting as the Housing Successor Agency to the Orange County Development Agency** - AdoptRecognized Obligation Payment Schedule (ROPS), 1/1/16 - 6/30/16; authorize staff to submit ROPS to State Department of Finance and the State Controller's Office; direct staff to notify Board of any changes made to ROPS by County Auditor-Controller, County's Oversight Board, State Department of Finance, and/or State Controller's Office; and make California Environmental Quality Act and other findings - All Districts
    Revised Title to read: **OC Community Resources - Acting as the ~~Housing~~ Successor Agency to the Orange County Development Agency** - Adopt Recognized Obligation Payment Schedule (ROPS), 1/1/16 - 6/30/16; authorize staff to submit ROPS to State Department of Finance and the State Controller's Office; direct staff to notify Board of any changes made to ROPS by County Auditor-Controller, County's Oversight Board, State Department of Finance, and/or State Controller's Office; and make California Environmental Quality Act and other findings - All Districts

OC PUBLIC WORKS

14. Approve retroactive reimbursement agreement 15-0044 with California Department of Food andAgriculture for reimbursement of inspection of high risk plant shipments, 7/1/15 - 6/30/16 ($102,381); authorize Director or designee to execute agreement; and make California Environmental Quality Act and other findings - All Districts

15. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve amendment 1 to agreement D10-054 with Canyon Recreational Vehicle Park for a one-time fee for water connection and power and water usage ($54,000) - District 3

END OF CONSENT CALENDAR

## III. DISCUSSION ITEMS (Items 16-34)

ELECTED DEPARTMENT HEADS

16. **Auditor-Controller -** Approve agreement MA-003-16010046 with CGI Technologies and Solutions Inc., for CAPS+ Advantage Finance/Procurement and Human Resources/Payroll software system upgrade, ($5,767,823); and approve amendment 2 to agreement MA-003-11012413 with CGI Technologies and Solutions Inc., for maintenance and support services for bundled software added under agreement MA-003-16010046 ($30,412.21; new total $11,659,827.83); and authorize Purchasing Agent or authorized Deputy to execute agreements - All Districts (Continued from 9/22/15, Item 37)

**Sheriff-Coroner:**

17. Approve amendment 1 to license agreement PM 1239-9-3-1 with County of Riverside forcontinued lease of space, Ortega Communications Facility, extending term 30 years to 10/4/45 ($839,155; cumulative total $888,018); and make California Environmental Quality Act and other findings - District 5

18. Approve amendment 1 to agreement MA-060-15011899 with CDCE Incorporated for purchase of Getac Rugged Laptops, Tablets and Integrated Control Systems and adding another invoicing location, 5/8/15 - 5/7/18 ($1,888,652.44; new total $2,501,817.93); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

19. **Treasurer-Tax Collector -** Approve amendment 1 to agreement MA-074-11012506 with The Northern Trust Company for custody banking services, 10/20/15 - 10/19/16 ($121,500; cumulative total $796,500); and authorize Treasurer-Tax Collector to execute amendment - All Districts

HEALTH CARE AGENCY

20. Approve selection of and agreement with College Community Services for Peer Mentoring services forAdults and Older Adults, 11/1/15 - 6/30/17 ($2,914,452); and authorize Director or designee to execute agreement - All Districts

JOHN WAYNE AIRPORT

21. Approve amendment 1 to architect-engineer agreement for Project No. 280-280-1900-ENV2 with AMECFoster Wheeler Environmental & Infrastructure, Inc., extending term to 9/9/16; ($480,000; new total $2,880,000) - District 2

22. Approve Passenger Facility Charge amendment with Federal Aviation Administration for reimbursements and funding of projects and authorize Director to execute amendment; approve agreement with Swinerton Builders for terminal improvements project ($101,837,386); and consider application of Final Environmental Impact Report No. 582, Addendum 582-1, and Final Supplemental Environmental Impact Report 582, and other findings - District 2

23. Consider second reading and adoption of "An Ordinance of the County of Orange, California AmendingSections 2-1-30.4 and 2-1-30.5 of the Codified Ordinances of the County of Orange Pertaining to Noise Regulations and Decibel (dB) Limitations" - District 2 (First reading on 9/22/15, Item 42)

OC PUBLIC WORKS

24. Receive bids and award job order contracts MA-080-16010087 to National Demolition Contractors andMA-080-1601058 to Environmental Remediation Contractors, Inc. for asbestos removal and decontamination services support, 10/6/15 - 10/5/16 ($4,475,000 each) - All Districts

25. Approve agreement D15-004 with Santa Fe Pacific Pipeline, L.P. for relocation of petroleum pipelines, La Pata Avenue widening - District 5

26. Receive bids and award job order contracts MA-080-16010245 with Interlog Construction, MA-080-16010246 with Harry H. Joh Construction and MA-080-16010247 with MIK Construction for general contracting services, 10/6/15 - 10/5/16 ($4,475,000 each); and make California Environmental Quality Act and other findings - All Districts

27. Approve amendment 1 to agreement D13-085 with Hill International, Inc. for construction management of La Pata Avenue and Camino Del Rio Extension Project ($1,000,000 reduction; new total $6,706,372) - District 5

28. Approve agreement CT-080-16010222 with West Coast Air Conditioning Co., Inc. for ConstructionManager At Risk general contractor design phase services for Central Utility Facility Infrastructure Upgrades project ($796,540); and make California Environmental Quality Act and other findings - District 1

29. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve acquisitioncontract with and accept grant deed from Bruce T. Mulhearn, Trustee of the Grasmere Trust, for purchase of real property, Prado Dam Project, 7215 Pine Avenue, Chino, California ($4,030,000); authorize Chief Real Estate Officer or designee to execute related documents; and authorize Auditor-Controller to make related payments - All Districts

GENERAL ADMINISTRATION

**County Counsel:**

30. Consider second reading and adoption of "An Ordinance of the County of Orange, California,Amending Section 2-2-15 of the Codified Ordinances of the County of Orange Regarding the Appointment of Members to the Orange County Parks Commission" - All Districts (First reading on 9/22/15, Item 47)

31. Consider second reading and adoption of "An Ordinance of the County of Orange, California,Amending Section 1-2-302 of the Codified Ordinances of the County of Orange Regarding the Composition of the Housing and Community Development Commission" - All Districts (First reading on 9/22/15, Item 48)

**County Executive Office:**

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

33. Acting as the Legislative Body of Community Facilities Districts No. 2002-1 and 2004-1 -Approve amendment 4 to Acquisition, Funding and Disclosure agreement for Series A of 2003 Bonds, CFD 2002-1 and Series A of 2005 Bonds, CFD 2004-1 for purpose of financing the La Pata extension project and related improvements; and authorize Public Finance Manager to execute amendments; and make related budget adjustments - District 5 (R.A. #4, 4/5 vote of members present and voting)

34. Approve grant applications/awards submitted in 10/6/15 grant report and other actions asrecommended - All Districts
Revised Title to read: **County Executive Officer** - Approve grant applications/awards submitted *by District Attorney and OC Community Resources/Community Services in 10/6/15 grant report and other actions as recommended; adopt resolution authorizing District Attorney or designee to execute grant subaward amendment and additional amendments under certain conditions with California Office of Emergency Services for Unserved/Underserved Victim Advocacy and Outreach Services Program, 10/1/14 - 3/31/16 ($62,500; cumulative total $192,233); and make California Environmental Quality Act and other findings* - All Districts

S34A. **Chairman Spitzer and Supervisor Nelson** - Relating to the establishment of a County Ethics Commission, provide direction to County Counsel concerning amendments to the County Charter, amendments to the County Campaign Reform Ordinance (TINCUP), an ordinance establishing a County Ethics Commission, and amendments to the County Lobbyist Registration and Reporting Ordinance; direct County Counsel to return to the Board on October 20, 2015, with final ordinance language and a proposed directive for placement of the amendments to the County Charter and the County Campaign Reform Ordinance on the ballot of the June 2016 statewide primary election

S34B. **Supervisor Do** - Relating to the establishment of a County Ethics Commission, provide direction to County Counsel concerning amendments to the County Charter, amendments to the County Campaign Reform Ordinance (TINCUP), an ordinance establishing a County Ethics Commission, and amendments to the County Lobbyist Registration and Reporting Ordinance; direct County Counsel to return to the Board on October 20, 2015, with final ordinance language and a proposed directive for placement of the amendments to the County Charter and the County Campaign Reform Ordinance on the ballot of the June 2016 statewide primary election

## IV. PUBLIC HEARINGS (Items 35-36)

OC PUBLIC WORKS

35. Public Hearing to consider adopting resolution approving General Plan Amendment Land Use Element 15-01 for elements that contain goals, policies and regulations that affect unincorporated areas of Orange County; and consider adoption of Negative Declaration No. IP 15-115 and other findings - All Districts

36. Public Hearing to consider second reading and adoption of "An Ordinance of the Board of Supervisors ofthe County of Orange Granting to SFPP, L.P., a Delaware Limited Partnership, a Franchise for the Transportation & Distribution of Refined Petroleum Products in the County of Orange for Ten (10) Years" - Districts 3, 4 & 5 (First reading on 9/22/15, Item 58)

## V. CLOSED SESSION (Items CS-1-CS-4)

*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

**County Counsel:**

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: James E. Dovey, etc., et al. v. Niguel Shores Community Association, et al., Orange County Superior Court Case No. 30-2013-00651468-CU-OR-CJC

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: In re Arbitration between County of Orange v. Atos Governmental IT Outsourcing Services, LLC

**Human Resource Services:**

CS-3. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title: Airport Director
(Continued from 9/22/15, Item CS-11)

CS-4. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section54957.6:
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), Alliance of Orange County Workers (AOCW), In-Home Supportive Services Provider Unit (IHSS) represented by United Domestic Workers of America (UDWA), International Union of Operating Engineers (IUOE), Orange County Attorneys Association (OCAA), Orange County Employees Association (OCEA), Orange County Managers Association (OCMA) and other non-represented employees
RE: Terms and Conditions of Employment

SCS-5. **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

## 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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|---|---|
| **October 13, 2015** | **No Scheduled Meeting** |
| **October 20, 2015** | **Regular Meeting** |
| **October 27, 2015** | **Regular Meeting** |