REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, December 13, 2016, 9:00 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: Vice Chair Steel, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Nelson, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

El Toro Water District provided a presentation of their water efficiency and conservation efforts

Lucy Dunn of Orange County Business Council presented Shari Freidenrich with Public Sector Leadership Award

II. PUBLIC COMMENTS

Kris Murray, Fred Schremp - Oral Re: Homeless shelter at 1000 N. Kraemer

Robert Lauten - Oral Re: Homeless camps in Santa Ana River, OC Public Works maintenance project postponed, US trade deficit

Roger Ruehle, Louis Pepper, Deborah Clark, Kirsty Fournier, Brad Kiefer, Chris Kramer, Audrianna Lee, Juan Reyes, Daniel Medina, Shaun Culp, Eric Hernandez, Chuck Street, Kavous Gitbin - Oral Re: Supports Atlantic Aviation for Fixed Base Operation lease at John Wayne Airport

Christina Hall, Greg Walgenbach, Jerry Rivero, Rebecca Whitehead, Dwight Smith, Eve Garrow, Morgan Denges, Larry Haynes, Mohammed Aly, Erin Roberts, Tess Wolf, Smitty, Brooke Weitzman - Oral Re: Supports Restaurant Meals Program

Dori Abouzeid, Curt Castagna, Kurt Belcher, Julie Broderick, Eric Hiefala, Jim Hopkins, Jason Karlin - Oral Re: Supports Signature Flight Support Corp for Fixed Base Operation lease at John Wayne Airport

Curtis Gamble - Oral Re: Homeless in Santa Ana River, change building codes to allow staying in churches, public transportation, safe zones, supports Restaurant Meals Program

Kevin Johnson - Oral Re: Esperanza Hills project, supports item 43

Douglas Wilson, Andrew Robilland, Nathan Ross, Garrett Smith, Jonathan Ball, Amy Davis, Joe Daichendt, Steve Baric, Robert Pickering, David Jensen, Bill Borgsmiller, John Gordillo, Brian Kisling, Whitney Schultz, Luke Newlon, Chris Hasty, Ally Monje, Anna Valsing, Ryan Andrews, Kellee Valentine, Michael Church, Andrew Smith, Gary Sequeira - Oral Re: Supports ACIJET for Fixed Base Operation lease at John Wayne Airport

Lou Noble - Oral Re: Homeless in Santa Ana River, Courtyard shelter full, safe zones

Scott Cutshall, David Lamb, Andrew Richmond - Oral Re: Supports Clay Lacy Aviation for Fixed Base Operation lease at John Wayne Airport

Michael Harrah - Oral Re: Fixed Base Operation lease at John Wayne Airport, fair fuel prices and support for ACIJET

Paul Hyek - Oral Re: Supports opening the Kraemer homeless shelter in phases and supports the Restaurant Meals Program

Brian Cantrell, Michael West, Mary Doan, Stephen LeBoeuf - Oral Re: Thanked Board for opening the Courtyard homeless shelter

Brad Fieldhouse - Oral Re: City Net 70 day update for Midnight Mission at Courtyard homeless shelter

Michael Klubnikin - Oral Re: Public comments

Ilya Tseglin - Oral Re: Nate Tseglin, grievances for kidnap, torture and extermination, OC Regional Center, government

Robert Tseglin - Oral Re: Nate Tseglin, kidnap by Irvine police, group homes and Adult Protective Services

Norma Lopez - Oral Re: Support of memorandum of understanding for Teamsters Local 952

III. CONSENT CALENDAR (Items 1-29)

32145 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 3 WHICH WAS CONTINUED TO 1/24/17, 9:30 A.M.; ITEM 14 WHICH WAS CONTINUED TO 1/10/17, 9:30 A.M.; AND ITEMS 6, 21, 26 AND 27 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Do -** Orange County Mental Health Board - Appoint Karyl L. Dupée, Garden Grove, tocomplete term ending 9/15/18

2. **Chairwoman Bartlett -** Senior Citizens Advisory Council - Reappoint Elaine Gennawey, Laguna Niguel, for term ending 12/31/17

DEPARTMENT APPOINTMENTS

Health Care Agency:

3. Well Standards Advisory Board - Reappoint John Gregg, Huntington Beach; Roy Herndon,Fountain Valley; Robert McVicker, Anaheim; Jian Peng, Orange; and Nabil Saba, Santa Ana for terms ending 1/6/2020 - All Districts

32145 **CONTINUED TO 1/24/17, 9:30 A.M.**

4. Approve revised bylaws for Orange County Mental Health Board; appoint Sandra Finestone, Costa Mesa, to complete term ending 4/22/19; Matthew Holzmann, Newport Beach, to complete term ending 3/4/17; Joy Torres, Santa Ana, to complete term ending 4/3/19; Diane Truong, Huntington Beach, to complete term ending 3/23/19; and reappoint Karyn Mendoza, Orange, for term ending 8/14/19 - All Districts

5. Orange County HIV Planning Council - Appoint James "Wesley" Fought, Fullerton; and Ralph Ponce, Anaheim, to complete terms ending 12/31/18; and reappoint Javier Buenrostro Jr., Tustin; Dr. Charles "Scott" Huffman, Santa Ana; Parmis Khatibi, Laguna Niguel; Leslie Lindgren, Irvine and Joe Parsakis, Westminster, for terms ending 12/31/18 - All Districts (Continued from 11/22/16, Item 6)

ELECTED DEPARTMENT HEADS

6. **Auditor-Controller -** Receive and file Monthly Internal Audit Activity Status Report for August,September and October 2016 - All Districts

32145 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

7. Approve agreement MA-060-17010589 with Assured Audio Visual Inc. for purchase, delivery, installation, maintenance and repair of inmate televisions and related equipment in jail system, two year term effective upon approval ($440,000); renewable for one two-year term and one one-year term; and authorize Sheriff-Coroner or designee to execute agreement - Districts 1, 3 and 5

8. Approve Application for Use of Rancho Santiago Community College District's facilities forWomen's Fitness Challenge event on 4/22/17; authorize donation of a portion of participants' entry fee to Project 999; authorize Sheriff-Coroner or designee to

execute application and future applications under certain conditions; and make related findings - District 3

HEALTH CARE AGENCY

9. Approve amendment 2 to agreement MA-042-15011635 with The Alpha & Omega Group SecurityServices, Inc. for unarmed security guard services, 7/1/16 - 6/30/17 ($60,223; new total $210,223); and authorize Purchasing Agent or authorized Deputy to execute amendment and to execute renewal 7/1/17 - 6/30/18 ($210,223) - All Districts

JOHN WAYNE AIRPORT

10. Approve Consent to Assignment of lease from MCR Orange, LLC to Budget Rent A Car System, Inc. for operation of rental car concession, 10/1/16 - 11/30/18; and make California Environmental Quality Act and other findings - District 2

OC COMMUNITY RESOURCES

11. Approve agreement MA-012-17010778 with Retro-Tek Energy Services, Inc. for interior and exteriorlighting re-lamping, service and maintenance at various OC Public Libraries locations 1/1/17 - 12/31/19 ($414,900); authorize Purchasing Agent or authorized Deputy to execute agreement and to exercise contingency cost increase or decrease not to exceed 10% under certain conditions; and make California Environmental Quality Act and other findings - All Districts

12. Receive and file FY 2015-16 Developer Fee Deposit Balance Report; and make related findings - All Districts

13. **Acting as the Orange County Housing Authority acting as the Housing Successor Agency** - Receive and file FY 2015-16 Housing Successor Agency Annual Report; and authorize Director or designee to make any adjustments, as may be necessary, based on final Comprehensive Annual Financial Report - All Districts

OC PUBLIC WORKS

14. Approve agreement MA-080-17010644 with City of Lake Forest for on-call street maintenance, surveying and materials laboratory services, term ending 6/30/21 ($450,000); authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions; and make California Environmental Quality Act and other findings - District 5

32145 **CONTINUED TO 1/10/17, 9:30 A.M.**

15. Approve Parcel Map No. 2003-198, Marvin Crocker, Modjeska Canyon; approve subdivision agreement S16-08207 and accept bonds guaranteeing execution of monuments - District 3

16. Receive and file FY 2015-16 Development Fee Deposit Balance Reports; and make related findings - All Districts

OC WASTE & RECYCLING

17. Adopt resolution amending Construction and Demolition Policy and Program for unincorporated areas to comply with 2016 California Green Building Standards Code - All Districts
RESO: 16-118

PUBLIC PROTECTION

18. **Probation -** Approve Community Recidivism Reduction Grant Award agreements with Phoenix House Orange County Inc. ($60,000) and The Villa Center, Inc., ($60,000) for residential treatment services; with Taller San Jose Hope Builders ($60,000) for life skills training and support services; with Five Points Sober Living ($60,000) and The Cottages ($60,000) for substance abuse recovery support services; and authorize return of unspent funds from CRRG 2014 allocation to the State ($25,000) - All Districts

SOCIAL SERVICES AGENCY

19. Approve agreement 75332154 with State of California Office of Systems Integration for loan of a Social Services Agency employee to provide subject matter expertise and consulting services for Child Welfare Services New System Project to replace the current Child Welfare Services/Case Management System, 1/1/17 - 12/31/19 ($548,508); and authorize Director or designee to execute contractor certification clauses form CCC-307, execute agreement and any related documents under certain conditions - All Districts

20. Approve non-financial Memorandum of Understanding 15-STD-00907 with the California Department of Social Services for The Work Number online employment and income verification services, through 9/30/17; and authorize Director or designee to execute MOU - All Districts

21. Authorize Social Services Agency to implement CalFresh Restaurant Meals Program - All Districts

53124 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

Clerk of the Board:

22. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Municipal Water District of Orange County - All Districts

23. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits forRancho Santiago Community College District - Districts 1 and 3

24. Adopt resolution approving list of recurring Board resolutions for 2017; and authorizing Chair or other Supervisor to draft and execute said resolutions - All Districts
RESO: 16-119

County Executive Office:

25. Acting as the Legislative Body of the Community Facilities Districts - Receive and fileCommunity Facilities Districts 2001-1, 2002-1, 2003-1, 2004-1 and 2015-1 Report, pursuant to Local Agency Special Tax and Accountability Act - District 5

26. Approve revised Countywide Information Technology Governance Model - All Districts

53124 **APPROVED AS RECOMMENDED**

27. Receive and file Quarterly Information Technology Project Progress Detail Report for 1st Quarter FY 2016-17 - All Districts

53124 **APPROVED AS RECOMMENDED**

Registrar of Voters:

28. Receive and file certification of election results and Statement of Votes Cast for November 8, 2016 Presidential General Election; and declare elected or nominated the persons having the highest number of votes for that office - All Districts

29. Declare Russell Baldwin to be General Member and Frank E. Eley to be Retired Member to theOrange County Employees Retirement System Board of Retirement for a three-year term, commencing 1/1/17 - All Districts

END OF CONSENT CALENDAR

IV. DISCUSSION ITEMS (Items 30-S58E)

ELECTED DEPARTMENT HEADS

30. **Clerk-Recorder -** Approve agreement MA-059-17010305 with SouthTech Systems, Inc. for County Clerk and Recorder services software maintenance and technical support, 2/1/17 - 1/31/22 ($1,027,725); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

24135 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

31. Approve amendment 6 to agreement MA-060-11011428 with Juguilon Medical Corporation for forensic pathology/autopsy services, 2/1/17 - 1/31/18 ($1,800,445; cumulative total $12,416,225); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

12345 **APPROVED AS RECOMMENDED**

32. Approve amendment 2 to renew agreement MA-060-13010457 with MorphoTrak, LLC, forpurchase of Automated Biometrics Identification System, 12/18/16 - 1/26/18 ($250,000; cumulative total $7,334,384); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

14235 **APPROVED AS RECOMMENDED**

Treasurer-Tax Collector:

33. Approve agreement MA-074-1701860 with Wausau Financial Systems, Inc. for software support and hardware maintenance for remittance processing equipment,

1/1/17 - 12/31/18 ($185,500); renewable for three additional one-year terms; and authorize Purchasing Agent or authorized Deputy to execute master agreement - All Districts

41235 **APPROVED AS RECOMMENDED**

34. Approve Program Application, Subscription agreement and Indemnity agreement with KemarkFinancial Services, Inc. to become Securities Transfer Agents Medallion Program guarantor, five-year term beginning 1/1/17 ($595 annual subscription fee); designate Treasurer-Tax Collector as Securities Transfer Agents Medallion Program Administrator; authorize Treasurer-Tax Collector to execute agreements and related documents; authorize manager of CEO/Risk Management to obtain a surety in compliance with requirements of Subscription agreement and Treasurer-Tax Collector; authorize Treasurer-Tax Collector to provide Medallion Signature Guarantee services in accordance with terms of agreement only to County Agencies and Departments on official County documents that require a Medallion Signature Guarantee; authorize Treasurer-Tax Collector to develop and implement written policies and procedures for providing Medallion Signature Guarantee Services to County Agencies and Departments for the use, custody and safekeeping of the Medallion Signature Guarantee Stamp; and authorize County Agencies and Departments utilizing the Medallion Guarantee services to recover up to actual costs when appropriate, subject to Auditor-Controller review and in accordance with State and County laws and policies - All Districts

52135 **APPROVED AS RECOMMENDED**

35. **Auditor-Controller, Vice Chair Steel, and Supervisor Spitzer** - Adopt resolution requiring designated County Officers to take anti-fraud training created by Auditor-Controller and featuring the District Attorney's office (Continued from 9/13/16, Item S36A; 9/27/16, Item 24; 10/11/16, Item 11; 10/25/16, Item 26; 11/8/16, Item 18)

32145 **APPROVED AS RECOMMENDED**
NN

RESO: 16-120

HEALTH CARE AGENCY

36. Approve amendment to standard agreement with California Department of Health Care Services for Cancer Detection Partnership services, 1/1/17 - 6/30/19 ($766,000); and authorize Director or designee to execute amendment and Certification Form CCC 307 - All Districts

32145 **APPROVED AS RECOMMENDED**

37. Approve selection of and agreement with Extended Care Hospital of Westminster for Mental Health Skilled Nursing Facility with Special Treatment Program services, 1/1/17 - 6/30/19 ($10,747,823); and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute agreement - All Districts

23145 **APPROVED AS RECOMMENDED**

38. Ratify amendment 3 to agreement 14-10527 with California Department of Public Health for funding ofCenter for Disease Control Public Health Emergency Preparedness Grant, State General Fund Pandemic Influenza Grant and Health and Human Services Hospital Preparedness Program, 7/1/14 - 6/30/17 ($319,989 reduction; new total $12,524,327); and authorize Director or designee to execute amendment - All Districts

23145 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

39. Approve Certificated Passenger Airline Leases, Certificated Passenger Airline Operating Licenses,Commuter Airline Operating License, Cargo Leases and Club Room Leases with various airlines; and authorize Director or designee to reassign or relocate airline's exclusive use area based on operational needs - District 2 (4/5 vote of members present and voting)

23145 N **APPROVED AS RECOMMENDED**

40. Approve amendment 1 renew agreement MA-280-14010382 with John Bean Technologies Corporation dba JBT AeroTech Airport Services for Terminals A, B & C Passenger Loading Bridge and Baggage Handling System maintenance services, 1/14/17 - 1/13/19 ($7,476,084; cumulative total $17,848,968); and authorize Purchasing Agent or authorized Deputy to execute amendment and exercise cost contingency increase not to exceed $50,000 per year under certain conditions - District 2

24135 **APPROVED AS RECOMMENDED**

41. Approve agreement with John Wayne Airport Yellow Cab for taxicab services, 1/1/17 - 12/31/22; and make California Environmental Quality Act and other findings - District 2

25134 N **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

42. Approve amendment 4 to MA-012-11010396 with U.S. Ocean Safety, Inc. for lifeguard services at various County beaches, 1/1/17 - 12/31/19 ($6,313,515; cumulative total $17,885,559); and authorize Purchasing Agent or authorized Deputy to execute amendment - Districts 2 and 5

25134 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

43. Vacate Resolutions 15-048 previously approving the Esperanza Hills Development Project and 15-018previously certifying Final Environmental Impact Report No. 616; and vacate Ordinance 15-010 previously adopting Esperanza Hills Specific Plan - District 3

31245 **APPROVED AS RECOMMENDED**

44. Receive bids and award contract to Sukut Construction, LLC for Front Slope Improvement Project Phase II, Olinda Alpha Landfill ($23,941,250); and authorize Director or designee to execute contract - District 4

41235 **APPROVED AS RECOMMENDED**

45. Award Job Order Contracts to Telenet VoIP, Inc. for electrical services, Exbon Development, Inc., CTG Construction, Inc. and ENL Service, Inc. for painting services, MTM Construction, Inc. for heating, ventilation and air conditioning services, Sea Pac Engineering, Inc. and Thomasville Construction, Inc. for plumbing services, and Environmental Remediation Contractors, Inc., National Demolition Contractors and Integrated Demolition & Remediation, Inc. for asbestos removal and decontamination services, 12/13/16 - 12/12/17 ($4,566,000 each); declare Baker Electric as non-responsive; and authorize Director or designee to execute contracts - All Districts

24135 **APPROVED AS RECOMMENDED**

46. Approve agreement MA-080-17010645 with California Department of Parks and Recreation Division of Boating and Waterways for beach erosion control; approve agreements MA-080-17010660 with Surfside Colony Storm Water Protection District, City of Huntington Beach and City of Newport Beach for local cost share necessary for periodic beach nourishment at Surfside-Sunset Beach; direct Auditor-Controller to make related payments; and make California Environmental Quality Act and other findings - District 2

23145 **APPROVED AS RECOMMENDED**

47. Adopt resolution approving updated standard plans and specifications for construction, improvement and repair of highways, bridges, flood control and recreational facilities; and repeal all previously adopted versions of Standard Specifications for Public Works Construction (GreenBook), State of California Department of Transportation Standard Plans and Standard Specifications, 2010 Edition, and California Manual on Uniform Traffic Control Devices, 2012 Edition - All Districts

12345 **APPROVED AS RECOMMENDED**
RESO: 16-121

48. Award Job Order Contracts to CTG Construction, Inc., Pub Construction, Inc., Exbon Development, Inc., New Creation Engineering and Builders, Inc., and MIK Construction, Inc. for general contracting services, 12/13/16 - 12/12/17 ($4,566,000 each); and authorize Director or designee to execute contracts - All Districts

25134 **APPROVED AS RECOMMENDED**

49. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve cooperative agreement MA-080-17010657 with Orange County Civic Center Authority for procurement of the San Juan Creek Channel Levee Protection Project, Phases 4, 5 and 6, three-year term; authorize expenditure of Flood Control District funds to fund agreement MA-080-17010642 between Orange County Civic Center Authority and Ames Construction, Inc. for construction manager at-risk design phase services, three-year term ($6,000) and to fund guaranteed maximum price agreement for construction phase services ($30,600,000); authorize Chief Engineer to adopt plans and specifications and working details; and consider application of Negative Declaration No. IP 06-493 and Addendum No. IP 11-004 and other findings - District 5

B.O. **DELETED**

OC WASTE & RECYCLING

50. Approve agreement MA-299-17010655 with Clean Harbors Environmental Services, Inc. for hazardous waste collection and disposal services, 2/1/17 - 1/31/20 ($5,670,000 per year; cumulative total $17,010,000); renewable for two additional one-year terms; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act and other findings - All Districts

25134 **APPROVED AS RECOMMENDED**

51. Approve amendment 2 to renew agreement MA-299-13010956 with Discovery Science Center forEcoChallenge Exhibits, EcoChallenge Brand & Strategic Marketing Plan, 2/5/17 - 2/4/18 ($500,000; cumulative total $2,500,000); approve amendment 2 to renew agreement MA-299-13010957 with Angels Baseball LP for marketing and media outreach to promote EchoChallenge exhibits, 2/5/17 - 2/4/18 ($25,000; new total $184,274; cumulative total

$821,370); and authorize Purchasing Agent or authorized Deputy to execute amendments - All Districts

21345 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

52. Approve Agreement CCB3216 with The Regents of the University of California, on behalf of University of California, Irvine, School of Medicine, Department of Pediatrics for child abuse medical services, 1/1/17 - 6/30/21 ($2,762,000) - All Districts

42135 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

53. Adopt resolution authorizing issuance of a Pension Obligation Debenture, issuance and sale ofshort-term Taxable Pension Obligation Bonds, 2017 Series A ($400,000,000); and execution and delivery of Seventh Supplemental Trust agreement and Bond Purchase agreement; and authorizing Public Finance Director to execute all related documents; approve related budget adjustments and related payments; and make related findings - All Districts (RA 2, 3 & 4 4/5 vote of the members present)

51234 **CONTINUED TO 1/10/17, 9:30 A.M.**

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

25134 **APPROVED AS RECOMMENDED**

55. Approve grant applications/awards submitted by OC Public Works, OC Community Resources and Social Services Agency in 12/13/16 grant report and other actions as recommended - All Districts

12345 **APPROVED AS RECOMMENDED**

56. Approve qualified panel of underwriter firms to assist in formulating and executing futurefinancings; and direct CEO staff to complete request for qualifications for underwriter firms in two years - All Districts

41235 **APPROVED AS RECOMMENDED**
N

57. **Acting as the Board of Supervisors and Orange County Flood Control District -** Adoptresolution delegating authority to Chief Real Estate Officer or designee to negotiate, execute and amend leases and licenses of real property for use by County or Orange County Flood Control District under certain conditions and perform related activities; direct Chief Real Estate Officer or designee to submit an annual report to the Board each year on June 30th; and make California Environmental Quality Act and other findings - All Districts

54123 **CONTINUED TO 1/10/17, 9:30 A.M.**

58. **Human Resource Services -** Approve and adopt 2016–2019 Memorandum of Understanding withTeamsters Local 952, effective through 6/20/19 - All Districts

42135 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

S58A. Approve Interim Fixed Base Operation Lease with Signature Flight Support Corporation for Eastside Fixed Base Operation and Westside Hangars; approve Interim Fixed Base Operation Lease with Newport FBO Two, dba Atlantic Aviation for Southeast Fixed Base Operation, 1/1/17 - 12/31/18; and make California Environmental Quality Act and other findings - District 2 (4/5 vote of the members present)

13245 N **CONTINUED TO 1/24/17, 9:30 A.M.; DIRECTED STAFF TO NEGOTIATE AN INCREASE TO THE MONTH TO MONTH RENT WITH THE EXISTING OPERATORS**

OC COMMUNITY RESOURCES

S58B. Approve operator agreement 16-22-0037-PS with Mercy House Living Centers, Inc. for operation of year round emergency shelter and multi-service center at 1000 N. Kraemer Place, Anaheim, 12/14/16 - 6/30/18 ($2,775,000); approve rent-free lease with Mercy House Living Centers, Inc. upon completion of rehabilitation and receipt of Certificate of Occupancy for 1000 N. Kraemer Place, Anaheim, for a term of 20 years, renewable for two additional 10 year terms; select construction option A or B and authorize staff to proceed with construction option as directed ($10,000,000); approve cooperative funding agreement with City of La Habra for shelter and supportive services ($150,000); authorize Director or Designee to execute operator agreement and exercise cost contingency increase or decrease not to exceed 10%, make non-substantial amendments and line item budget transfers under certain conditions; authorize Chief Real Estate Officer or designee to execute rent free lease and subsequent lease amendments under certain conditions; authorize County Executive Officer or designee to execute cooperative funding agreement; and consider application of Final Mitigated Negative Declaration No. IP 15-114 and other findings - Districts 3 and 4

34125 **APPROVED AS AMENDED WITH DIRECTION TO STAFF TO OPEN KRAEMER SHELTER AS SOON AS POSSIBLE ON AN INTERIM BASIS BY CONFIGURING EXISTING BUILDING SPACES FOR EMERGENCY SHELTER OCCUPANCY UNDER THE EXISTING BUDGET AUTHORITY AND RETURN TO THE BOARD FOR CONSTRUCTION PHASING TO COMPLETE FULL PROJECT SCOPE CONSISTENT WITH THE MANAGEMENT, OPERATIONS AND PUBLIC SAFETY PLANS**

GENERAL ADMINISTRATION

County Executive Office:

S58C. Approve purchase and sale agreement with Hickel CA Asset Management, LLC for purchase of office building for Probation South County Operations at 23271 Verdugo Drive, Laguna Hills ($3,800,000); authorize Chief Real Estate Officer or designee to execute agreement and related documents, make minor modifications under certain conditions, perform related actions, spend up to $200,000 for costs related to transaction; direct Auditor-Controller to make related budget adjustments and related payment; and make California Environmental Quality Act and other findings - District 5

(RA 5 4/5 vote of members present and voting)

53124 X **APPROVED AS RECOMMENDED**

S58D. Approve amendment 1 to Solar Site License agreement with BA LEASING BSC, LLC and OC Solar 2010, LLC for clarifying non-exclusive license areas at James A. Musick Jail Facility as necessary to obtain State lease revenue bonds for Jail Facility's Phase 1 and 2 construction; and authorize Chief Real Estate Officer to execute non-monetary amendment - District 3 and 5

32145 **APPROVED AS RECOMMENDED**
X

ELECTED DEPARTMENT HEADS

S58E. **Sheriff-Coroner -** Approve declaration of emergency and make findings pursuant to Public Contract Code 22050(a)(1)(2) at Central Men's Jail Facility for failure of hot water lines causing flooding in the basement of the facility; award emergency contract with H. L. Miller Inc. for all necessary repairs; set review to determine need for continuing local emergency for 1/10/17, 9:30 a.m. and every regularly scheduled meeting thereafter until terminated; and make California Environmental Quality Act and other findings - District 1 (4/5 vote of the members present)

15234 **APPROVED AS RECOMMENDED**

V. PUBLIC HEARINGS (Items 59-63)

HEALTH CARE AGENCY

59. Public Hearing to consider adopting resolution approving updated Emergency Medical Services feeschedule, effective 1/1/17; superseding and rescinding Resolution 05-096; and make California Environmental Quality Act and other findings - All Districts

54123 **CONTINUED TO 1/24/17, 9:30 A.M.; DIRECTED STAFF TO ASK FOR COMMUNITY**
X **INPUT AND COMPANIES TO PROVIDE JUSTIFICATION FOR FEE INCREASES AND RETURN TO THE BOARD (DID NOT CLOSE PUBLIC HEARING)**

OC COMMUNITY RESOURCES

60. Public Hearing to consider adopting FY 2017-18 Funding Allocation Policy and Process for Housing and Community Development Activities - All Districts

B.O. **CLOSED PUBLIC HEARING**

32145 **APPROVED AS RECOMMENDED**
X

OC PUBLIC WORKS

61. Public Hearing to consider reading and adoption of "An Uncodified Ordinance of the County of Orange, State of California Adopting Zone Change 16-02 and Rezoning Certain Land from the R2-2400 (H) "Multifamily Dwelling" District ("Housing Overlay") to R2-2100 (H) "Multifamily Dwelling" District ("Housing Overlay")"; adopt resolutions approving Mitigated Negative Declaration, approving use permit and site development permit for planning application PA160039, Midway City area - District 1

B.O. **CLOSED PUBLIC HEARING**

14235 **APPROVED AS RECOMMENDED**
RESO: 16-122 - 16-123

ORD: 16-023

62. Public Hearing to consider reading and adoption of "An Ordinance of the County of Orange, State ofCalifornia Adopting the Esperanza Hills Specific Plan and Rezoning Certain Land from the A-1 General Agricultural and A1(O) General Agriculture/Oil Production Districts to the S 'Specific Plan' District"; adopt resolution to certify Revised Final Environmental Impact Report No. 616 and other findings; adopt resolution approving General Plan Amendment Land Use Element 16-01; and adopt resolution approving Vesting Tentative Tract Map 17552 and making related findings - District 3

B.O. **CLOSED PUBLIC HEARING**

35124 **ON THE MOTION OF SUPERVISOR SPITZER AND SECONDED BY CHAIRWOMAN BARTLETT, THE BOARD REFERRED THE ITEM BACK TO THE PLANNING COMMISSION WITH DIRECTION TO CONSIDER A SECONDARY ACCESS VIA ASPEN WAY, FURTHER STUDY THE BRIDGE OPTION VS OPTION 1, AND CONSIDER A REDUCED UNIT PROJECT**

63. Public Hearing to consider readings and adoption of "An Ordinance of the County of Orange, State ofCalifornia, Rezoning Certain Land from the A-1 General Agricultural and A1(O) General Agriculture with Oil Production Districts to R-1 Single Family Residence District and R-1(O) Single Family Residence District with Oil Production Overlay within the Cielo Vista Area Plan"; and "An Uncodified Ordinance of the County of Orange, State of California, Adopting an Alternative Procedure for Approval of the Initial Vesting Tentative Tract Map for the Cielo Vista Project"; adopt resolution to certify Environmental Impact Report No. 615 and other findings; and adopt resolution approving the Alternative 5 Area Plan for Cielo Vista Project and making related findings - District 3

B.O. **CLOSED PUBLIC HEARING**

32145 **APPROVED AS RECOMMENDED WITH INCORPORATION BY REFERENCE OF SEAN MATSLER'S COMMENTS DURING THE ESPERANZA HILLS PUBLIC HEARING (ITEM 62 ON DECEMBER 13, 2016) AND LETTER DATED 12/6/2016 FROM MR. MATSLER OFFERING A PARCEL OF LAND TO THE ESPERANZA HILLS DEVELOPER TO PROVIDE ACCESS ACROSS THE CIELO VISTA PARCEL TO ASPEN WAY**
RESO: 16-124 - 16-125
ORD: 16-024 - 16-025

VI. 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: Alejandro Baltodano v. County of Orange, Orange County Superior Court Case No. 30-2016-00837233-CU-PO-CJC

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF ALEJANDRO BALTODANO 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.

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Elena Del Valle v. County of Orange, Workers' Compensation Appeals Board Case Nos. ADJ8723088; ADJ8723076

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF ELENA DEL VALLE 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.**

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Dave Gora v. County of Orange, Workers' Compensation Appeals Board Case No. ADJ9499926

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

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Dennis Mueller v. Manuel Cruz, County of Orange, United States District Court Case No. CV 13-01274 CJC (JCG)

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF DENNIS MUELLER V. MANUEL CRUZ, 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.**

CS-5. **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

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

SCS6. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Jaimie Davis v. John Robert Blank, County of Orange, et al., Orange County Superior Court Case No. 30-2016-00880719-CU-OR-CJC

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, AUTHORIZED COUNTY COUNSEL TO RETAIN HENNELLY & GROSSFELD LLP, TO REPRESENT THE COUNTY IN THE MATTER OF JAMIE DAVIS V. JOHN ROBERT BLANK, ET AL.**

SCS7. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: John Wayne Airport
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Parties: ACI JET
Advanced Air
Atlantic Aviation
Clay Lacy Aviation
Jet Aviation of America
Signature Flight Support
Under Negotiation: Terms and Value of Future Lease

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

VII. CEO, BOARD COMMENTS & ADJOURNMENT

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Spitzer - Oral Re: Holiday wishes for families to be safe and happy this holiday season

Supervisor Nelson - Oral Re: Directed staff to provide a report back to the Board with an update on success of solar farms at Registrar of Voters and others

Supervisor Steel - Oral Re: Happy Holidays and wishes for a healthy, happy and prosperous new year

Chairwoman Bartlett - Oral Re: Thank you to staff for a wonderful year and Happy Holidays

ADJOURNED: 7:36 P.M.

35124 **Adjourned in memory of Captain Eric Weuve**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Spitzer
4. = Supervisor Nelson

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

5. = Supervisor Bates

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