REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, May 12, 2015, 9:00 A.M.

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

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Frank Kim
	COUNTY COUNSEL	Leon Page, Senior Assistant
	INTERIM CLERK OF THE BOARD	Robin Stieler

INVOCATION: Supervisor Do, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Steel, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Spitzer presented resolution proclaiming May 25, 2015 as "Memorial Day"

Chairman Spitzer presented a resolution recognizing Nurse's Appreciation Week

Chairman Spitzer presented a resolution to Mike Giancola for his service to the County

On behalf of Senator's Moorlach, Bates and Nguyen, David Mansdorfer presented a resolution to Mike Giancola for his service to the County

Chairman Spitzer conducted swearing in of Frank Kim as County Executive Officer

II. CONSENT CALENDAR (Items 1-18)

31245 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 6 WHICH WAS CONTINUED TO 5/19/15, 9:30 A.M.; AND ITEMS 8, 9, 13 AND 17 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Supervisor Steel:

1. Orange County Waste Management Commission - Appoint Joe J. Carchio, Huntington Beach, to complete term ending 1/2/17

2. Oversight Board of the Successor Agency to the City Redevelopment Agency, Stanton - Appoint Nancy K. Heitman

3. Oversight Board of the Successor Agency to the City Redevelopment Agency, Seal Beach - Appoint Sandra Massa-Lavitt and Ellery A. Deaton

ELECTED DEPARTMENT HEADS

4. **Sheriff-Coroner -** Approve Release of Liability, Indemnification and Hold Harmless Agreement with City of Santa Ana for the use of City of Santa Ana's Training Facility for bomb technician training purposes on 5/21/15; and authorize the Sheriff-Coroner or her designee to execute release of liability, indemnification and hold harmless agreement - All Districts

CHILD SUPPORT SERVICES

5. Approve extension of agreement with Imperial County for call center partnership to assist Imperial County Child Support Services with client telephone calls, 7/1/15 - 6/30/16; and authorize Director or designee to execute agreement and extend agreement for one additional year - All Districts

6. Approve agreement MA-027-15011568 with The Alpha & Omega Group Security Services, Inc. for unarmed security guard services, 7/1/15 - 6/30/16 ($130,000) renewable for four additional years; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

31245 **CONTINUED TO 5/19/15, 9:30 A.M.**

HEALTH CARE AGENCY

7. Approve renewal of master agreement MA-042-14011236 as MA-042-15011466 with Hospital Association of Southern California for ReddiNet software license, maintenance and hardware support services, 6/1/15 - 5/31/17 ($67,537; cumulative total $163,003); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

OC COMMUNITY RESOURCES

8. Accept donation of $27,648.44 from Friends of the Laguna Niguel Library to offset cost of new tables and chairs in the community room, Laguna Niguel Branch Library - District 5

54123 **APPROVED AS RECOMMENDED**

9. Accept donation of $83,589.87 from Friends of the Dana Point Library to offset cost of new furnishings, Dana Point Branch Library - District 5

51243 **APPROVED AS RECOMMENDED**

10. Approve Funding Agreement with Nature Reserve of Orange County for Adaptive Recreation Management and Core Habitat Evaluation Study, effective upon Board approval through 3/31/18 ($40,000); and make California Environmental Quality Act and other findings - Districts 2, 3 & 5

11. Approve selection of various providers of Senior Services Programs, 7/1/15 - 6/30/16; authorize Director or designee to negotiate contract with option to renew for three additional one-year terms and return to the Board for final approval - All Districts

12. Approve amendment one to lease with Kirsten Street for continued operation of Silverado Library, effective upon Board approval through 6/30/16 ($30,550; cumulative total $224,949) - District 3

13. Approve master agreement with Dr. Katalin Grant Marino, Dr. Lisa Foshay Shimomura, Dr. Sasha Henderson Burczewski, Dr. Leonard Scott Sauer and Dr. Jennifer Selffor for veterinary services, 7/1/15 - 6/30/16 ($350,000); authorize Director or designee to exercise a cost contingency increase not to exceed 10% and to execute agreements - All Districts

35124 **APPROVED AS RECOMMENDED**

14. **Acting as the Board of Supervisors and Orange County Housing Authority** - Approve agreement with People for Irvine Community Health dba 2-1-1 Orange County for technical assistance for Continuum of Care Homeless Assistance Programs, 7/1/15 - 6/30/16 ($397,230) renewable for four additional one-year periods; authorize Director or designee to exercise a cost contingency increase not to exceed 10%; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

SOCIAL SERVICES AGENCY

15. Approve non-financial Memorandum of Agreement AVC1115 with Sacramento County Department of Human Assistance for participation in North State/Orange Cash Assistance Program for Immigrants Consortium, 7/1/15 - 6/30/20; and authorize Director or designee to execute agreement - All Districts

16. Approve non-financial master Memorandum of Understanding CMS0515-00 for multidisciplinary team to provide differential response path one services, 7/1/15 - 6/30/18; and authorize Director or designee to execute master MOU with qualified community based organizations - All Districts

17. Authorize Director or designee to file a claim with California State Controller's Office for the proceeds from the life insurance policy left by Virginia L. Johnson for Orangewood Children and Family Center

and accept donation of $189,982.72 - All Districts

34125 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

18. **County Executive Office -** Approve new agreements with Merrill Corporation, Access Data and Guidance Software for IT forensics and eDiscovery services, 6/1/15 - 11/30/15, with same terms and conditions and pricing as Price Agreement #X1000000416; and authorize Purchasing Agent or authorized Deputy to execute agreements, amendments/modifications without further Board actions; authorize Purchasing Agent or authorized Deputy to execute amendment to change vendor name from Merrill Corporation to Document Technologies, Inc. if vendor's acquisition is completed - All Districts (Continued from 4/21/15, Item 18; 5/5/15, Item 24)

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 19-42)

HEALTH CARE AGENCY

19. Approve agreement with Orange County Child Abuse Prevention Center, Inc. dba Child Abuse Prevention Center, Inc. for Children's In-Home Crisis Stabilization services, 7/1/15 - 6/30/16 ($1,569,160); and authorize Director or designee to execute agreement - All Districts

41253 **APPROVED AS RECOMMENDED**

20. Approve agreement with Orange County Association for Mental Health dba Mental Health Association of Orange County for Children and Transitional Age Youth Mentoring services, 7/1/15 - 6/30/17 ($1,000,000); and authorize Director or designee to execute agreement - All Districts

14253 **APPROVED AS RECOMMENDED**

21. Approve agreement with Community Service Programs, Inc. for Children's Crisis Residential services, 7/1/15 - 6/30/17 ($7,110,048); and authorize Director or designee to execute agreement - All Districts

45123 **APPROVED AS RECOMMENDED**

22. Approve agreements with Orange County Department of Education ($2,875,950) and Community Service Programs, Inc. ($726,300) for School-Based Violence Prevention Education services, 7/1/15 - 6/30/18; authorize Director or designee to exercise cost contingency increase of agreement not to exceed 10% under certain conditions and to execute agreements - All Districts

54123 **APPROVED AS RECOMMENDED**

23. Approve agreement with Community Service Programs, Inc. for Full Service Partnership/Wraparound services for Youthful Offenders, 7/1/15 - 6/30/18 ($6,872,607); authorize Director or designee to execute agreement - All Districts

41253 **APPROVED AS RECOMMENDED**

24. Approve amendment 2 to agreements with Child Guidance Center, Inc. ($2,316,203; new total $6,948,608), Community Service Programs, Inc. ($364,480; new total $1,093,440), Providence Community Services, LLC ($3,051,053; new total $9,153,158), Seneca Family of Agencies ($2,142,299; new total $6,426,897), South Coast Children's Society, Inc. dba South Coast Community Services ($430,800; new total $1,292,400) and Western Youth Services ($5,103,203; new total $15,309,609) for Mental Health Outpatient Services for Children and Youth, 7/1/15 - 12/31/15; and authorize Director or designee to execute amendments - All Districts

15243 **APPROVED AS RECOMMENDED**

25. Approve renewal of master agreement MA-042-14011348 as MA-042-15011543 with The Regents of the University of California, on behalf of UC Irvine Pathology Services for urinalysis laboratory testing services, 6/1/15 - 5/31/16 ($200,000; cumulative total $895,000); authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

14253 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

26. Approve agreement MA-280-15011461 with Ultra Electronics Airport Systems, Inc. for system upgrades, equipment and support of Common Use Passenger Processing System, 6/1/15 - 5/31/20 ($14,767,369); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act and other findings - District 2

21453 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

27. Approve agreement and transfer deed with South Orange County Wastewater Authority (SOCWA) regarding Aliso Water Management Agency (AWMA) Bridge and AWMA Road to transfer ownership of AWMA Bridge from South Orange County Wastewater Authority to County and clarify responsibilities of SOCWA and County for ongoing maintenance and emergency repair of AWMA Road and replacement of AWMA Bridge ($1,000,000); and make California Environmental Quality Act findings - District 5 (Continued from 3/3/15, Item S45A)

B.O. **CONTINUED TO 7/14/15, 9:30 A.M.**

28. Approve amendment 5 to sole source agreement with Orange County Human Relations Council for continued operational support of Orange County Human Relations Commission, 7/1/15 - 6/30/16 ($252,000; cumulative total $1,310,000); and authorize Director or designee to execute amendment - All Districts

35124 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

29. Receive bids and award contract CT-080-15010806 with All American Asphalt for Gilbert Street Improvements Project ($2,280,815); and accept funds from Safe Routes to School ($450,000) and Highway Safety Improvement Program ($900,000) - Districts 1, 2 and 4

12453 **APPROVED AS RECOMMENDED**

30. Select various firms in ranked list for on-call professional A-E specialty services; authorize negotiation of agreement for on-call services with Board approved ranked firms not to exceed $500,000 per agreement; and make California Environmental Quality Act and other findings - All Districts

51243 **APPROVED AS RECOMMENDED**

31. Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Sections 5-5-1, 5-5-2, and 5-5-13 of the Codified Ordinances of the County of Orange to Provide for Registration and Inspection of Retail Motor Fuel Devices and Price Scanners and to Increase the Maximum Annual Fees for Registration of All Commercial Weighing and Measuring Instruments" - All Districts (Continued from Closed Public Hearing 5/5/15, Item 53)

45123 **APPROVED AS RECOMMENDED**

NN

ORD: 15-008

OC WASTE & RECYCLING

32. Approve amendment 1 to Forster Settlement Agreement with Advanced Group 99-SJ extending time to

obtain grading permits, for former Forster Canyon Landfill to 12/31/16; authorize Director or designee to execute amendment and extend agreement for two additional one-year terms; and make California Environmental Quality Act and other findings - District 5

51243 **APPROVED AS RECOMMENDED**

33. Approve Change Order No. 2 to agreement MA-299-15010961 with KBI General Contractors for remedial repairs at the Administrative "Green" Building at Prima Deshecha Landfill ($72,955.09; cumulative total $490,765.09); authorize Director or designee to execute change order; and make California Environmental Quality Act and other findings - District 5

51243 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Probation:

34. Approve agreement MA-057-15011536 with C.M. Tipton Polygraph & Associates for provision of polygraph examination services for adult sex offenders - post conviction, 6/1/15 - 6/30/18 ($546,000); authorize renewal for two additional years ($381,000); and authorize Chief Probation Officer or authorized designee to execute agreement - All Districts

31245 **APPROVED AS RECOMMENDED**

35. Approve renewal of agreement MA-057-14010529 with GEO Reentry Services, LLC for provision of day reporting services, 6/1/15 - 5/31/16 ($1,504,300; cumulative total $3,008,600) renewable for three consecutive one-year periods - District 1

15243 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

36. Approve agreements WRR0315 with City of Anaheim ($1,308,000) and WRR0415 with City of Santa Ana ($1,600,000) for vocational training activities and work experience, 7/1/15 - 6/30/17; authorize Director or designee to extend agreements 12 additional months under certain conditions and to exercise contingency cost increase not to exceed 10% - All Districts

41253 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

15243 **APPROVED AS RECOMMENDED**

38. Approve grant applications/awards submitted by Sheriff-Coroner and ratify retroactive grant applications/awards submitted by District Attorney in 5/12/15 grant report and other actions as recommended - All Districts

45123 **APPROVED AS RECOMMENDED**

39. Approve and adopt Policy and Procedure for Board of Supervisors sponsorship of County events; and consider allocation of funding for inclusion in FY 2015-16 budget - All Districts

15243 **CONTINUED TO 6/2/15, 9:30 A.M.**

Human Resource Services:

40. Approve agreement with StayWell Company, LLC for administration of a Health Management program, 5/13/15 - 5/12/18 ($3,194,000); renewable for two additional one-year periods; authorize Chief Human Resources Officer or designee to execute agreement - All Districts

34125 N **APPROVED AS RECOMMENDED**

41. Approve and adopt Settlement agreement and 2015 - 2019 Memorandum of Understanding with Orange County Attorneys Association (OCAA) - All Districts

41253 **APPROVED AS RECOMMENDED**

Chairman Spitzer:

S41A. In accordance with section 7 of the May 7, 2013, Agreement for Employment of County Executive Officer, terminate said Agreement without cause, and release County Executive Officer Michael B. Giancola from County employment

41253 **APPROVED AS RECOMMENDED**

S41B. Confirm the appointment of Frank Kim to the position of County Executive Officer for a five-year term; authorize the Chairman to execute, on behalf of the Board, the attached Agreement for the Employment of County Executive Officer; find that the appointment of Frank Kim is required for the effective and efficient operations of the County, in accordance with the County Policy on Employment of Relatives (Subpart D of Section 1 of Article 1 of Part 1 of the 2003 County of Orange Personnel and Salary Resolution); direct County Counsel to prepare a letter concerning the appropriate handling of workplace complaints involving Mr. Kim's sister; and direct County Counsel to prepare a letter concerning the appropriate handling of workplace complaints involving Mr. Kim's spouse

45123 **APPROVED AS RECOMMENDED**

42. Study Session provided by Health Care Agency on Orange County's Food Safety and Restaurant Inspection Program

B.O. **CONTINUED TO 6/2/15, 2:00 P.M.**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-SCS4)

GENERAL ADMINISTRATION

CS-1. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to

Government Code Section 54957.6:
Agency Negotiator: Steve Danley
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

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

County Counsel:

SCS2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases: Orange County Attorneys Association v. County of Orange, State of California Public Employment Relations Board Case No. LA-CE-814-M; Orange County Attorneys Association v. County of Orange, State of California Public Employment Relations Board Case No. LA-CE-895-M; and Orange County Attorneys Association v. County of Orange, Orange County Superior Court Case No. 30-2013-00638110, Court of Appeal Court Case No. G050981

B.O. **DELETED**

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases: County of Orange v. Tata Consultancy Services Ltd., et al., United States District Court Case No. SACV13-683 JST (JCx).

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

SCS4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
Number of Cases: One Case

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

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Michael Klubnikin - Oral Re: Abuse of seniors, criminal complaints and illegal business

Ilya Tseglin - Oral Re: Nate Tseglin, Regional Center and public offices

Robert Tseglin - Oral Re: Nate Tseglin, Regional Center and public offices

Chung Phan, Christine Nguyen, Stephanie Yenowine and Gabriel Lalli - Oral Re: IHSS provider; fair wages for

home care providers

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Do - Oral Re: Congratulated Frank Kim on his appointment to County Executive Officer and acknowledged him for being the first Korean-American County Executive Officer for the County of Orange

Vice Chair Bartlett - Oral Re: Congratulated Frank Kim on his appointment to County Executive Officer; directed Clerk of the Board to examine the best practices of other Counties regarding regular reviews of their advisory Boards and Commissions and to report back to the Board on the findings to establish a proposed structure for a regular review of our Boards, Commissions and Committees and the need for effectiveness; and directed County Departments to provide a breakdown regarding job services and employment support services with annual budget, the subset of the employment services to be provided by the subcontractors and the subset of operating expenses when subcontractors are involved on an agenda item.

Chairman Spitzer - Oral Re: Directed CEO to appoint staff to work with the Board offices to schedule meetings to be held in each of the five Supervisorial Districts to introduce our new County Executive Officer Frank Kim and the Executive Team and to honor community persons or groups, etc. as part of the outreach program.

ADJOURNED: 2:32 P.M.

53124 **Adjourned in memory of Melissa Nicole Nemeth**

53124 **Adjourned in memory of Saylor Voris**

*** KEY ***

Left Margin Notes

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

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

ORD. = Ordinance
RESO. = Resolution

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

Chair, Orange County Board of Supervisors

Interim Orange County Clerk of the Board