A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, January 12, 2016
9:00 A.M. Presentation
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
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

INVOCATION: Vice Chair Bartlett, Fifth District

PLEDGE OF ALLEGIANCE: Supervisor Do, First District

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

Supervisor Do will be presenting a resolution to Bree Morse, Miss California 2015

Supervisor Steel will be presenting resolutions in honor of Korean American Day and Korean American Seniors Day

Chairman Spitzer will be presenting a resolution commending Ruby Maldonado on her retirement.

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

II. CONSENT CALENDAR (Items 1-18)

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 -** Assessment Appeals Board No. 4 - Appoint Scott Lee, Fullerton, to complete term ending 9/3/17

2. **Chairman Spitzer -** Orange County Waste Management Commission - Reappoint Steve Chavez Lodge, Anaheim Hills, for term ending 1/18/18

3. **Supervisor Do -** Board of Retirement, OCERS - Reappoint Wayne S. Lindholm, Laguna Niguel, for term ending 12/31/18

DEPARTMENT APPOINTMENTS

4. **OC Community Resources -** Orange County Workforce Investment Board - Reappoint Robert Claudio, Anaheim; Fred Flores, Brea; June Kuehn, Anaheim; Barbara Mason, Huntington Beach; Dr. Gary Matkin, Irvine; Adalberto J. Quijada, Santa Ana; Michael Ruane, Orange; Thomas Tassinari, Irvine; Ed Tomlin, Aliso Viejo and Kay Turley-Kirchner, Aliso Viejo for terms ending 12/31/18 - All Districts (Continued from 12/15/15, Item 3)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

5. Approve amendment 2 to agreement with The Reynolds Group for additional testing, monitoring and reporting of environmental site assessment, James A. Musick Facility Phase 1 Jail project ($29,520; cumulative total $127,535); and authorize Sheriff-Coroner or designee to execute amendment - Districts 3 & 5 (Continued from 11/10/15, Item 6; 12/15/15, Item 5)

6. Approve amendment 1 to agreement MA-060-15011787 with Truth Be Told Polygraph LLC for polygraph services, term ending 4/20/17 ($200,000; cumulative total $270,000); and authorize Sheriff-Coroner or designee to execute amendment - All Districts

HEALTH CARE AGENCY

7. Affirm Orange County's response to Mutual Aid to San Bernardino County - All Districts

OC COMMUNITY RESOURCES

8. Accept donation of $10,000 from David Perry on behalf of his wife Elaine Perry to defray the cost of shelter and care for the animals at the OC Animal Shelter - All Districts

9. Approve Access Road License agreement with Vedanta Society of Southern California, Los Angeles SMSA Limited Partnership, d/b/a Verizon Wireless for access to Verizon telecommunication facility and establish annual fees for maintenance and repair of access road across O'Neill Regional Park, effective upon Board approval; and make California Environmental Quality Act and other findings - District 5

OC PUBLIC WORKS

10. Approve amendment 2 to Memorandum of Understanding with Riverside County, San Bernardino County, Santa Ana Watershed Project Authority and The Wild lands Conservancy for completion of Santa Ana River Parkway, extending term three years; authorize Director or designee to execute amendment; and make California Environmental Quality Act and other findings - All Districts

11. Approve proposed Lambert Road Bikeway project for bike lanes within unincorporated area; direct Director or designee to return to the Board for approval; and make California Environmental Quality Act and other findings - District 4

12. Approve amendment 2 to agreement OCP12-018 with AECOM Technical Services, Inc. for Santa Ana River Parkway project, term ending 1/28/17 ($40,000; new total $440,000) - District 3

Acting as the Orange County Flood Control District:

13. Approve amendment 2 to agreement D10-065 with Pacific Advanced Civil Engineering, Inc. for architect-engineer services, 3/1/16 - 2/28/18 - All Districts

14. Approve Assignment , Novation and Consent Agreement with Hall & Foreman Inc. to David Evans and Associates, Inc. for on-call architect and engineering services - All Districts

GENERAL ADMINISTRATION

15. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Rancho Santiago Community College District - Districts 1 & 3

County Executive Office:

16. Adopt resolution approving amended FY 2014-15 Measure M2 Expenditure Report for Orange County Transportation Authority; and make California Environmental Quality Act and other findings - All Districts

17. Ratify appointment of Sharon Petrosino, Interim Orange County Public Defender($210,579.20), effective 5 pm 12/30/15 - All Districts

18. **Supervisor Steel -** Direct Auditor-Controller in accordance with Election Code section 9160(c), to prepare and within sixty days provide to the Board a fiscal impact statement describing and summarizing fiscal costs of measure establishing a Campaign Finance and Ethics Commission, approved for placement on 6/7/16 election ballot (Continued from 11/10/15, Item 17; 12/15/15, Item 30)

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 19-40)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

19. Approve amendment 1 to agreement with Vanir Construction Management, Inc. for construction management services to coordinate SB1022 384 bed programming, treatment and housing facility with AB 900 Phase II 512 bed expansion project, James A. Musick Facility ($2,195,000; cumulative total $4,861,676); and authorize Sheriff-Coroner or designee to execute amendment - Districts 3 & 5

20. Approve amendment 5 to agreement MA-060-11011428 with Juguilon Medical Corporation for forensic pathology/autopsy services, 2/1/16 - 1/31/17 ($1,800,445; cumulative total $10,615,780); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

21. Approve Staffing and Operating Cost Analysis for SB 1022 384-bed rehabilitation, treatmentand housing project, James A. Musick Facility - Districts 3 & 5

HEALTH CARE AGENCY

22. Approve amendment 5 to master agreement MA-042-15010682 with Accela, Inc., for software licensing,maintenance and support services for environmental health programs, 2/1/16 - 1/31/17 ($301,761; cumulative total $1,213,224); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts (Continued from 12/15/15, Item 40)

OC COMMUNITY RESOURCES

23. Approve amendment 1 to amended and restated lease and option with Waterfront Resort Properties, L.P. and Newport Dunes Marina, LLC (tenant) allowing development of two hotels and extend lease option period to 2020; approve consent to hotel sublease between tenant and Brighton Management, LLC; approve consent to amended and restated sublease between tenant and Newport Dunes Resort and Marina Partnership; delegate to CEO/Chief Real Estate Officer or designee the authority to consent to hotel sublease under certain conditions and to enter into model subordination, attornment and non-disturbance agreements with Brighton Management, LLC or a Brighton affiliate under certain conditions; and make California Environmental Quality Act and other findings - District 2 (4/5 vote of members present) (Continued from 12/8/15, Item 34; 12/15/15, Item 43) Continued to 1/26/16, 9:30 A.M.

24. Approve first amendment to lease with Southern Sierra Land & Cattle Company for operation and maintenance of equestrian center in Silverado Canyon area extending term to 12/31/24; and make California Environmental Quality Act and other findings - District 5

25. Authorize $2,600,000 for County Cash Contribution Funds required to commit the County match for the Active Transportation Program grant, as a prerequisite for award of funds; and return to the Board for approval of $646,000 Active Transportation Program Cycle 2 Grant Funds upon notice of award from California Transportation Commission for Coyote Creek Class I Bikeway - District 4 (4/5 vote of the members present)

OC PUBLIC WORKS

26. Adopt unit price book and technical specifications and set bid opening for 2/3/16, 2:00 p.m. for Job Order Contracts for electrical, heating, ventilation and air-conditioning, demolition and roofing services; and make California Environmental Quality Act and other findings - All Districts

27. Receive bids and award contract to CB&I Environmental & Infrastructure, Inc. for Landfill Gas Collection Systems Expansion, Frank R. Bowerman and Santiago Canyon Landfills ($1,121,370) - District 3

28. **Acting as the Orange County Flood Control District -** Approve cooperation agreement with United States Army Corps of Engineers for rehabilitation and improvement of Ocean View Channel ($1,236,586); and authorize Director or designee to execute future Public Law 84-99 rehabilitation and improvement projects and agreements under certain conditions - All Districts

OC WASTE & RECYCLING

29. Approve amendment 5 to agreement MA-299-12010665 with Clean Harbors Environmental Services,Inc. for hazardous waste collection and disposal services, 2/1/16 - 1/31/17 ($5,692,000); authorize Purchasing Agent or authorized Deputy to execute amendment; and make California Environmental Quality Act and other findings - All Districts

PUBLIC PROTECTION

30. **Probation -** Approve agreement with Padres Unidos for Parent Outreach, Support and Education services for Families of Youth Involved in Criminal Justice System, 1/13/16 - 1/12/19 ($287,283; total $861,849); authorize Chief Probation Officer or designee to renew for two years, 1/13/19 - 1/12/21 ($296,884); cumulative total $1,455,617) - All Districts

SOCIAL SERVICES AGENCY

31. Approve agreement MA-063-16010858 with The Center to Promote Healthcare Access, Inc., dba Social Interest Solutions for One-e-App hosted software maintenance support, 2/1/16 - 1/31/19 ($321,300); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

32. Approve agreements with Staff4jobs LLC dba Lyneer Staffing Solutions ($1,997,486) and Lloyd Staffing, Inc. ($1,273,251) for temporary help services 2/1/16 - 1/31/17; renewable for four additional one year terms; and authorize Purchasing Agent or authorized Deputy to execute agreements - All Districts

GENERAL ADMINISTRATION

33. **Chairman Spitzer -** Discuss, take public comment and provide direction to staff concerning the recommendations of the Orange County District Attorney Informant Policies & Practices Evaluation Committee Report including but not limited to analysis and recommendations from the Office of Internal Review.
Revised Title to read: Chairman Spitzer - Discuss, take public comment and provide direction to staff concerning the recommendations of the Orange County District Attorney Informant Policies & Practices Evaluation Committee Report including but not limited to analysis and recommendations from the Office of Internal Independent Review.

County Executive Office:

34. Approve amendments to 2015-16 County of Orange Legislative Platform and legislative proposal for 2016 - All Districts (Continued from 12/15/15, Item 58)
DELETED.

35. Approve amendments to 2015-16 County of Orange Legislative Platform and legislative proposal for 2016 - All Districts.

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

37. Adopt resolution authorizing the issuance of additional County of Orange Teeter Plan Obligations, and authorizing the execution and delivery of amendments to Fifth Supplemental Trust Agreement, Note Purchase and Reimbursement Agreement, Fee and Interest Rate Agreement and other related documents as necessary; and making related findings - All Districts.

38. Approve retroactive amendment 5 to master services agreement MA-017-13011864 with Science Applications International Corporation for data center operations, service desk, desktop support and applications services, effective 2/3/15 ($2,469,731; cumulative total $85,953,110); and authorize Chief Information Officer or designee to execute amendment - All Districts.

39. Approve grant applications/awards submitted in 1/12/16 grant report and other actions as recommended - All Districts.
Revised Title to read: County Executive Office - Approve grant applications/awards submitted by Sheriff-Coroner and District Attorney and retroactive grant applications/awards submitted by OC Community Resources/OC Parks, Probation Department and Health Care Agency in 1/12/16 grant report and other actions as recommended - All Districts.

40. **Board of Supervisors -** Election of 2016 Officers.

S 40A. **County Executive Office** - Approve amendment 1 to lease agreement GA 1213-137-1 with Leed Warner, LLC for facilities supporting centralized operations functions and Adult Services programs, 1505 East Warner Avenue, Santa Ana, extending term for 15 years; authorize Chief Real Estate Officer to execute subsequent lease amendments under certain conditions; and make California Environmental Quality Act and other findings - District 1

S40B. **Sheriff-Coroner** - Approve amendment 5 to agreement with AECOM Technical Services Inc. for architectural design services for SB 1022 project, James A. Musick Facility ($500,000; cumulative total $14,805,134) - Districts 3 & 5

IV. PUBLIC HEARINGS (Item 41)

GENERAL ADMINISTRATION

41. **County Executive Office -** Public Hearing pursuant to Section 147 (f) of the Internal Revenue Code of 1986 to consider adopting resolutions approving proposed issuance of multifamily revenue bonds by California Statewide Communities Development Authority for affordable housing at Esencia Norte in an aggregate principal amount not to exceed ($25,000,000) and Sendero Bluffs in an aggregate principal amount not to exceed ($20,000,000) - District 5

V. CLOSED SESSION (Items CS-1-CS-7)

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 to Government Code Section 54956.9(d)(1):
Name of Case: County of Orange v. First National Insurance Company of America, Horizons Construction Company, etc., et al., Los Angeles County Superior Court Case No. BC472901

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant tom Government Code Section 54956.9(d)(1):
Name of Case: Lorena Martinez v. Carlos Bustamante and County of Orange, Orange County Superior Court Case No. 30-2013-00666624.
Revised Title to read: County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases: Lorena Martinez v. Carlos Bustamante and County of Orange, Orange County Superior Court Case No. 30-2013-00666624; People v. Bustamante, Orange County Superior Court Case No. 12CF1964

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Jackelyne Mora v. Carlos Bustamante and County of Orange, Orange County Superior Court Case No. 30-2013-00672190.
Revised Title to read: County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases: Jackelyne Mora v. Carlos Bustamante and County of Orange, Orange County Superior Court Case No. 30-2013-00672190; People v. Bustamante, Orange County Superior Court Case No. 12CF1964

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: In re Arbitration between County of Orange v. Atos Governmental IT Outsourcing Services, LLC

CS-5. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases: One Case

CS-6. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

CS-7. **Human Resource Services** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Robert O'Brien
Employee Organizations: Association of County Law Enforcement Management (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Association of Orange County Deputy Sheriffs (AOCDS), 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-8. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(d)(4): Number of Cases: One Case

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:

January 19, 2016	**No Scheduled Meeting**
January 26, 2016	**Regular Meeting**
February 2, 2016	**No Scheduled Meeting**