REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 26, 2017, 9:00 A.M.

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

MICHELLE STEEL
CHAIRWOMAN
Second District

ANDREW DO
VICE CHAIR
First District

TODD SPITZER
SUPERVISOR
Third District

SHAWN NELSON
SUPERVISOR
Fourth District

LISA A. BARTLETT
SUPERVISOR
Fifth 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 Do, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Spitzer, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairwoman Steel will be presenting a resolution proclaiming October as "Crosswalk Safety Awareness Month" and commending Steve Cienfuegos of City of Laguna Niguel's Planning Commission, in recognition of their effort to increase awareness about crosswalk safety
DELETED

Supervisor Spitzer presented a resolution commending Dave Carlson on his retirement, Third District appointee to the Audit Oversight Committee (AOC) and the longest serving member on the AOC

II. PUBLIC COMMENTS

Michael Klubnikin - Oral Re: The Tseglins; complaints filed with the County, Attorney General and

SenatorMoorlach regarding real estate tax frauds

Darrell Ferguson - Oral Re: Surfrider Foundation; coalition of Surfrider Foundation, Coast Keepers and Sierra Club speaking to city representatives and storm water managers regarding trash provisions from the State; Coastal Clean-Up Day on September 16th; coalition can be resource to reduce single use plastic and keep trash out of the ocean; Ocean Friendly Restaurant Program; Cappy's Restaurant is participating in program and is not providing straws to customers

Karl Seckel - Oral Re: Municipal Water District; supports Agenda Item #18

Steve Rocco - Oral Re: Case for the Ethics Commission regarding Judge Tam Nomoto-Schumann; aliases of Judge Tam Nomoto-Schumann; murder, criminal cover up, and case dismissal by Judge Tam Nomoto-Schumann; false testimony and evidence; Sheriff Department and Public Defender sent to his home

Linda Dimario - Oral Re: Vice President, Economic Development and Tourism, Greater Irvine Chamber; supports Agenda Item S46B

Matt Buck - Oral Re: Supports Agenda Item S46B

Adam Wood - Oral Re: Building Industry Association; supports Agenda Item S46B

Hoiyin - Oral Re: Sierra Club; Coastal Clean up Day; suggests reducing trash at sewers and reducing use of single use plastic; survey conducted by Sierra Club regarding use of plastic; reusable versus single use plastics; Manhattan Beach 'Bring Your Own' campaign

Jeanine Robbins - Oral Re: Supervisor Spitzer's comments during Anaheim City Council meeting on September 12 regarding sanitary needs for the homeless living on the Santa Ana Riverbed; need sufficient drainage system by the water bottle filling station; Vector Control spraying near water filling stations for West Nile virus; outbreak of Hepatitis A if sanitary systems are not provided; State of Emergency declared in Orange County due to individuals waiting for Section 8 housing

Mike Robbins - Oral Re: City of Anaheim declaration of emergency, update regarding homeless; police presence and arrest of 3 individuals; 33 deaths of homeless in Orange County in one month

Mohammed Aly - Oral Re: Lead away from podium in handcuffs during the September 12 Board meeting when addressing the Board regarding insufficient services provided at the Courtyard; untrained, insufficient guards with criminal records at the Courtyard; sexual and physical abuse and unsanitary conditions at the Courtyard; allocation of funds for a shelter; was arrested at the riverbed for use of bleach to clean the water filling stations; Fountain Valley encampment not being served; homeless veteran killed in Huntington Beach

Jordan Hoiberg - Oral Re: County's augmented budget and placement of leftover funds be used for permanent supportive housing; State funds to be received from real estate transaction tax fee; advocates fixing drainage system by the water bottle filling station; commends Supervisor Spitzer and his comments to the Anaheim City Council; Board needs to provide basic sanitation to individuals on the riverbed

Bruce Creel - Oral Re: Invocation and Pledge; ministers to the homeless at the riverbed; abuses of the homeless; hotel rooms, group homes and temporary housing not solution for the homeless; Saddleback Church opening in Yorba Linda; thanked Sheriff for patrolling the riverbed

Justin Samson - Oral Re: Candidate for State Legislature; conditions of residents at the riverbed; passing

of SB2 for low income housing; ending homelessness and providing housing to the homeless

Kimberly O'Neill - Oral Re: Homeless at the riverbed; safe housing and employment for the homeless; suggested visiting and speaking to individuals at the riverbed and shelters; need to find solution to address housing in Orange County; housing in Orange County is expensive

Lou Noble - Oral Re: Quotation from Thomas Jefferson; warned the Board of things to come; law enforcement and criminalizing homeless is not the answer; need to find solution to help the homeless

Ken Inouye - Oral Re: Agenda Item #46; amendments to the Orange County Human Relations Commission were drafted without input from the Commission or their staff despite the numerous requests made to staff; request dialogue and discussion with the Commission staff and/or community groups before approving amendments to the Orange County Human Relations Commission

Rusty Kennedy - Oral Re: Agenda Item #46; offered to work with County Counsel, the AdHoc Committee, Commission, OC Community Resources and non-profit to discuss bylaws amendments and bring back to the Board for approval

Peter DeMarco - Oral Re: Orange County Business Council; supports Agenda Item S46B

Sarah Gregory - Oral Re: Legal Aid Society of Orange County; concerns with Agenda Item #40 and provisions in the policy permitting deletion of transitory emails and texts at any time at the discretion of County officials or employees

Sheena Innocente - Oral Re: Social Worker and homeless provider; advocate for housing funding; speak out on the arrest of Mohammed Aly on the riverbed; County's augmented budget and placement of leftover funds be used for permanent supportive housing; shooting in Huntington Beach related to homelessness and lack of sustainable housing; wages are stagnant in Orange County; several models successfully delivering housing first services in Los Angeles but need funding; opposes Agenda Item #40

Bryan Kaye - Oral Re: OC Sheriff civilian employee's use of position to threaten people and influence criminalproceedings; forged plea agreements; reporting lies and fraud

Margaret - Oral Re: Advocate for the homeless; does not support Mohammed Aly's arrest; opposes Agenda Item #40; homeless issue is a State of Emergency and use of Fairview Development Center facility; oversight of cities and affordable housing for the homeless

Luis Hernandez - Oral Re: Court case regarding custody of his children; needs help to get custody of his children; requests the Board look at his court case

III. CONSENT CALENDAR (Items 1-18)

41352 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 10 WHICH WAS DELETED; AND ITEM 18 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Nelson -** Assessment Appeals Board No. 4 - Reappoint Steven Douglas White, Anaheim, for term ending 9/6/20

ELECTED DEPARTMENT HEADS

Auditor-Controller:

2. Authorize Auditor-Controller to delete damaged, destroyed, dismantled, missing, obsolete, stolen and surplused equipment from department capital asset inventories - All Districts

3. Receive and file Report of Refunds for FY 2016-17 - All Districts

4. Receive and file Semi-Annual Fund/Budget Control Report for FY 2016-17 - All Districts

5. Receive and file Annual Reports of Cash Difference Funds, Cash Losses and Overage Funds for FY 2016-17 - All Districts

6. Receive and file Annual Report of Revolving Funds for FY 2016-17 - All Districts

HEALTH CARE AGENCY

7. Approve PC 1000 Drug Program with various certified providers - All Districts

OC COMMUNITY RESOURCES

8. Approve amendment 3 to subordinate agreement MA-012-16012322 with AG Coast, Inc. dba California Panther Security for unarmed security guard services for OC Community Resources, Orange County Housing Authority and OC Animal Care for FY 2017-18 ($129,521.70; cumulative total $205,401.70), effective upon Board approval; and authorize County Procurement Officer or authorized Deputy to execute agreement - Districts 1 and 3

9. Approve amendment 2 to agreement MA-012-16010499 with US EDirect Inc. for OC Parks reservation and point of sale system services, 11/1/17 - 10/31/18 ($138,000; cumulative total $432,000); renewable for two additional years; and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

10. Approve appointment of County of Orange Director of Care Coordination or designee as the Board ofSupervisors representative on the Bridges at Kraemer Place Community Advisory Board - All Districts

41352 **DELETED**

OC PUBLIC WORKS

11. Approve Final Tract Map 17596; approve Subdivision Improvement Agreement S1707-220 with TheNew Home Company Southern California, LLC and accept bonds guaranteeing construction; accept dedication of easement for public street and public utility purposes of Topaz Street; and accept vehicular access rights to Esencia Drive and Suerte Street - District 5

12. Approve Easement Agreement with DMB San Juan Investment North, LLC, et al for revised San JuanCreek Class I Bikeway; and approve quitclaim deeds to eliminate superseded portions of the San Juan Creek Bikeway right-of-way - District 5

13. **Acting as the Orange County Flood Control District -** Approve Bikeways and Trails agreement MA-080-18010066 with City of Placentia to operate and maintain existing and future bikeways and pedestrian trails, 10-year term with automatic renewals up to total term of 50 years; authorize the Director or designee to carry out terms of agreement and to execute future amendments under certain conditions; and make California Environmental Quality Act and other findings - District 4

14. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve fourEasement Deed and Agreement documents to Orange County Flood Control District; direct Auditor-Controller to make journal voucher entries ($2,800); and authorize Director or designee to execute related documents and perform related activities under certain conditions - District 3

GENERAL ADMINISTRATION

County Executive Office:

15. Receive and file proposed Information Technology Sourcing Strategy - All Districts

16. Receive and file Report of Real Property Interests under Delegated Authority for reporting period of 6/30/16 - 7/1/17 - All Districts

17. Receive and file Quarterly Information Technology Project Progress Detail Report for FourthQuarter FY 2016-17 - All Districts

18. **Chairwoman Steel -** Adopt resolution supporting California EcoRestore and California WaterFixPreferred Alternative

25134 **APPROVED AS RECOMMENDED**

NN

RESO: 17-113

END OF CONSENT CALENDAR

IV. DISCUSSION ITEMS (Items 19-S46E)

ELECTED DEPARTMENT HEADS

19. **Auditor-Controller -** Approve agreement MA-003-18010160 with Enterprise Services LLC formodernization of the Legacy Property Tax System, 10/2/17 - 10/8/20 ($6,150,816.51); and approve agreement MA-003-18010262 with ARK Technologies for technical services and support for Property Tax System Modernization Project, 10/2/17 - 8/30/19 ($830,700); and authorize County Procurement Officer or authorized Deputy to execute agreements - All Districts

14352 **APPROVED AS RECOMMENDED**

20. **Sheriff-Coroner -** Ratify retroactive acceptance of grant award from California Office of EmergencyServices for Paul Coverdell Forensic Science Improvement Program ($75,000); and authorize Sheriff-Coroner or designee to execute related documents - All Districts

15342 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

21. Approve selection of and agreements for Nutrition Education and Obesity Prevention Program Projects, with America On Track for Buena Park City Project ($300,000) and Santa Ana City Project ($550,000) and with Community Action Partnership of Orange County for La Habra City Project ($300,000) and Anaheim City Project ($550,000), 10/1/17 - 9/30/18; and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute agreements - Districts 1, 2 and 4

12345 **APPROVED AS RECOMMENDED**

22. Approve amendment 3 to agreement with AIDS Services Foundation Orange County ($292,435 annually; cumulative total $6,878,121) and amendment 1 to agreement with Special Service for Groups, Inc. ($15,000 annually; cumulative total $420,000) for HIV Care Services, 3/1/16 - 2/28/19; and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute amendments - All Districts

34152 **APPROVED AS RECOMMENDED**

23. Ratify amendment 3 to standard agreement 15-10073 A03 with California Department of Public Healthfor Women, Infants and Children Supplemental Nutrition Program, 10/1/15 - 9/30/19 ($20,210,456) - All Districts

13452 **APPROVED AS RECOMMENDED**

24. Approve amendment 3 to agreement MA-042-14012216 with Healthy Communities Institute Corporation for web-based software and services, 11/1/17 - 10/31/19 ($200,000; cumulative total $509,100); and authorize County Procurement Officer or authorized Deputy to execute amendment - All Districts

15342 **APPROVED AS RECOMMENDED**

25. Ratify standard agreement 17-10252 with California Department of Public Health for Childhood LeadPoisoning Prevention Program, 7/1/17 - 6/30/20 ($3,849,707); and authorize Director or designee to execute Certification Regarding Lobbying, Contractor's Release form upon submission of final invoice and State's CCC-307 Certification Clauses form - All Districts

15342 **APPROVED AS RECOMMENDED**

26. Approve selection of and agreements with Olive Crest ($2,967,343) and National Alliance on MentalIllness Orange County ($782,680) for Parent Education and Family Support services, 10/1/17 - 6/30/20; and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and execute agreements - District 1

14352 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

27. Approve agreement with IDS Group, Inc., for design and construction support services, 704 day term($528,113); approve agreement with Swinerton Builders, as Construction Manager At-Risk for design phase services, 240 day term ($88,937) for Airport Operations Center Project; authorize negotiation of agreement with Swinerton Builders for construction phase services (not to exceed $6,000,000) and authorize Director or designee to execute agreement under certain conditions; and make California Environmental Quality Act and other findings - District 2

25134 **APPROVED AS RECOMMENDED**

28. Receive bids and award contract to Griffith Company for Taxiway "B" Rehabilitation Project, 140 dayterm ($4,369,000) - District 2

21345 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

29. Consider first reading of "An Ordinance of the County of Orange, California Amending Sections 4-1-23 and 4-1-95 of the Codified Ordinances of the County of Orange to Amend the Definitions Applicable to Potentially Aggressive Dogs in the County and Make Various Other Amendments to Facilitate the Implementation of Safety Restrictions on Such Dogs"; and set second reading and adoption for 10/17/17 - All Districts (Continued first reading from 8/22/17, Item 39; 9/12/17, Item 22)

12345 **APPROVED OPTION 1**
N N

30. Approve selection of agreements 17-28-0002-DRPA with Orange County Human Relations Council,($825,000), 17-28-0001-DRPA with Community Service Programs, Inc. ($550,000), 17-28-0008-DRPA with Chapman University ($275,000) for dispute resolution services, 10/1/17 - 6/30/20; renewable for two additional one-year terms; and authorize Director or designee to execute agreements and exercise cost contingency increase not to exceed 10% under certain conditions - Districts 1, 2, 3 and 4 (Continued from 9/12/17, Item 25)

12345 **APPROVED AS AMENDED WITH OC HUMAN RELATIONS COUNCIL AND COMMUNITY SERVICE PROGRAMS, INC. FOR THE PERIOD 10/1/17 - 6/30/18 ($187,500 EACH) AND FOR THE PERIOD 7/1/18 - 6/30/20 ($250,000 EACH ANNUALLY); AND WITH CHAPMAN UNIVERSITY FOR THE PERIOD 10/1/17 - 6/30/18 ($75,000) AND FOR THE PERIOD 7/1/18 - 6/30/20 ($100,000 ANNUALLY) FOR AN AGGREGATE TOTAL OF $1,650,000**

OC PUBLIC WORKS

31. Adopt resolutions approving rescissions, revisions and new Records Retention Schedules for OC Public Works, Auditor-Controller, Health Care Agency, and OC Community Resources; rescinding retention schedules 332A, 333A, 334A, 335A, 336A, 337A, 338A, 339A, 340A, 341A and 342A for OC Public Works and 53B, 54B, and 55B for Health Care Agency; approving new and revised retention schedules 332B, 333B, 334B, 335B, 336B, 337B, 340B, and 341B for OC Public Works, 319C and 322C superseding 319B and 322B for Auditor-Controller, and 377, 378, 379, 380 and 381 for OC Community Resources; authorizing continued disposition of records in accordance with the schedules; and making California Environmental Quality Act and other findings - All Districts (4/5 vote of the members present and voting)

31452 **APPROVED AS RECOMMENDED**
RESO: 17-114 - 17-115

32. Approve Records Retention Schedule 287B for County Executive Office - Public Finance Section tosupersede Schedule 287A; and authorize continued disposition of records in accordance with the schedule - All Districts (4/5 vote of the members present and voting)

54132 **APPROVED AS RECOMMENDED**

Acting as the Board of Supervisors and Orange County Flood Control District:

33. Award Job Order Contracts to Pub Construction, Inc., Sol Construction, Inc., SJD&B, Inc., Harry H. Joh Construction, Inc., Exbon Development, Inc., HYM Engineering, Inc., MIK Construction, Inc., Bitech Construction Company, Inc., PALP, Inc. dba Excel Paving Company, and KEC Engineering for general engineering services, 10/25/17 - 10/24/18 ($4,656,000 each); and authorize Director or designee to execute contracts - All Districts

15342 **APPROVED AS RECOMMENDED**

34. Award Job Order Contracts to PALP, Inc. dba Excel Paving Company, All American Asphalt,Harry H. Joh Construction, Inc., R.J. Noble Company, Pavement Coatings Co., MIK Construction, Inc., and Sully-Miller Contracting Company for pavement maintenance services, 9/26/217 - 9/25/18 ($4,656,000 each); and authorize Director or designee to execute contracts - All Districts

51342 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

35. Approve agreement MA-299-18010214 with Tetra Tech BAS, Inc. for landfill gas operation andmaintenance services, South Region Landfills, 10/1/17 - 9/30/20 ($8,250,000) with option to renew for two additional years ($2,750,000 per year); authorize County Procurement Officer or authorized Deputy to execute agreement; and make California Environmental Quality Act and other findings - District 5

53142 **APPROVED AS RECOMMENDED**

36. Approve amendment 1 to renew agreement MA-299-15010501 with Ron Dietz, Inc. dba DietzHydroseeding Company for hydroseeding services, 11/23/17 - 11/22/18 ($350,000; cumulative total $1,290,000); authorize County Procurement Officer or authorized Deputy to execute amendment; and make California Environmental Quality Act and other findings - Districts 3, 4 and 5

35142 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

37. Approve agreement MA-063-18010245 with BIT California LLC dba Document Fulfillment Services for CalWIN client correspondence printing, postage and mailing services, 11/1/17 - 10/31/20 ($18,131,675); renewable for two additional one-year terms; and authorize County Procurement Officer or authorized Deputy to execute agreement - All Districts

15342 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

15342 **APPROVED AS RECOMMENDED**

39. Approve grant applications/awards submitted by OC Public Works, Health Care Agency, Sheriff-Coroner and OC Community Resources/OC Parks in 9/26/17 grant report and other actions as recommended; adopt resolutions authorizing Director of OC Community Resources or designee to negotiate, execute and submit applications,

related documents and amendments to State Department of Parks and Recreation for Habitat Conservation Fund Programs for Irvine Regional Park Natural Play Trail project, Saddleback Gateway Meadow Discovery Area project and Healthy Planet, Healthy People at Aliso and Woods Canyons project; Acting as Orange County Flood Control District - Adopt resolution authorizing OC Public Works Director or designee to execute grant applications and related documents with California Governor's Office of Emergency Services for Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program for construction of Fullerton Creek Channel and construction of East Garden Grove-Wintersburg Channel - All Districts

31452 **APPROVED AS RECOMMENDED**
RESO: 17-116 - 17-119

40. Adopt resolution approving County Records Management Policy, effective 12/1/17, to supersede County Archives Policy and County Records Management Program dated 7/17/07, Electronic Records Management Policy and Email Management Guidelines dated 12/21/09, and any other records retention related documents; approving County Standard Administrative Records Retention Schedule 16C to supersede Records Control Schedule 16B; authorizing continuing disposition of records in accordance with approved Records Management Policy and Standard Administration Records Retention Schedule 16C; and authorizing County Executive Office to make immaterial changes to the County Records Management Policy as necessary; and making California Environmental Quality Act and other findings - All Districts (4/5 vote of the members present and voting)

14352 **APPROVED AS RECOMMENDED**
RESO: 17-120

41. Approve amendment 1 to lease agreement with Civic Center, LLC for office space for CEO/Risk Management Division, Santa Ana, for five years through 9/30/22; authorize Chief Real Estate Officer or designee to execute subsequent lease amendments for non-monetary and/or monetary changes under certain conditions; and delegate Chief Real Estate Officer or designee ability to exercise any option to extend term of lease - District 1

14352 **APPROVED AS RECOMMENDED**

42. Select Chapman Investment Company LP and Guardian Investment Capital, LLC as primary and TAIT & Associates, Inc. as alternate for lease and development of the closed Coyote Canyon Landfill at 20661 Newport Coast Drive, Newport Beach; authorize negotiation of agreements for Board approval; and make California Environmental Quality Act and other findings - District 2

21345 **APPROVED AS RECOMMENDED**

43. Approve in concept issuance of short-term Taxable Pension Obligation Bonds for early payment of County's FY 2018-19 employer pension obligation; and select KNN Public Finance as municipal advisor and Orrick Herrington & Sutcliffe, LLP as bond counsel - All Districts

41352 **APPROVED AS RECOMMENDED**

44. Approve amendment 10 to master services agreement MA-017-13011864 with ScienceApplications International Corporation for data center operations, service desk, desktop support and applications services, five year term ($181,806 decrease; new

cumulative total $105,500,651); and authorize Chief Information Officer or designee to execute amendment - All Districts

45132 **APPROVED AS RECOMMENDED**

45. Approve FY 2016-17 Fourth Quarter Budget Report and related budget adjustments; approveproposed organizational change for OC Campaign Finance and Ethics Commission; approve amended FY 2017-18 County Events Calendar; approve updated classifications and pay grades for specified Audiovisual Specialist, Legal Secretary, Environmental Resources Specialist, Veterans Claims, Procurement, Nurse Practitioner, Pharmacy Technician, and Pharmacist positions; approve new classification specifications and pay grades for Animal Control Assistant and Surveyor positions; and approve and adopt Side Letter agreement with Orange County Employee Association, effective 9/29/17 - All Districts (R.A. 1, 2, 3 & 4 4/5 vote of the members present and voting)

14352 **APPROVED AS RECOMMENDED**

46. **Chairwoman Steel and Vice Chair Do -** Approve amended bylaws of the Orange County HumanRelations Commission

21345 **CONTINUED TO 10/31/17, 9:30 A.M.**

ELECTED DEPARTMENT HEADS

S46A. **District Attorney -** Adopt resolution approving grant awards from State Office of Traffic Safety forAlcohol and Drug Impaired Driver Vertical Prosecution Program, 10/1/17 - 9/30/18 ($672,541) and Traffic Safety Resource Prosecutor Training Network, 10/1/17 - 9/30/18 ($594,670); authorize District Attorney or designee to execute agreements and amendments under certain conditions; and make California Environmental Quality Act and other findings - All Districts

31452 **APPROVED AS RECOMMENDED**
RESO: 17-121

GENERAL ADMINISTRATION

S46B. **Supervisor Spitzer -** Adopt resolution supporting the City of Irvine in its bid to secure AmazonHQ2

32145 **APPROVED RESOLUTION AS AMENDED (COPY OF AMENDED RESOLUTION ON FILE WITH THE CLERK OF THE BOARD)**
RESO: 17-122

ELECTED DEPARTMENT HEADS

S46C. **Auditor-Controller -** Adopt resolution revising property tax rate for Newport-Mesa Unified SchoolDistrict General Obligation Bonds, Election 2000, Series 2012 Refunding General Obligation Bonds for FY 2017-18 - District 2

14352 **APPROVED AS RECOMMENDED**
RESO: 17-123

HEALTH CARE AGENCY

S46D. Approve Grant agreement with CalOptima for reimbursement of Recuperative Care services providedthrough Whole Person Care Pilot Program, 10/1/17 - 12/31/20; and authorize Director

or designee to execute agreement - All Districts

54132 **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

S46E. **Sheriff-Coroner -** Approve declaration of emergency and make findings pursuant to Public ContractCode 22050(a)(1)(2) at Theo Lacy Facility for repair to inoperable elevator used for public, legal visits and emergency egress for inmates; award contract to Specialized Elevator Corporation; set review to determine need for continuing local emergency for 10/17/17, 9:30 a.m. and every regularly scheduled meeting thereafter until terminated; and make California Environmental Quality Act and other findings - District 3 (4/5 vote of the members present)

34152 **APPROVED AS RECOMMENDED**

V. PUBLIC HEARINGS (Item 47)

HEALTH CARE AGENCY

47. Public Hearing to consider adopting resolution approving Driving Under the Influence Program Feeupdate, $77 effective upon Board approval and $80 effective 7/1/18; superseding and rescinding Resolution 12-159; authorizing HCA to make an annual fee adjustment effective July 1 of each year, starting in 2019, that increases fee by an amount not to exceed the annual percentage change in the Consumer Price Index; direct HCA to return to the Board if any fee study indicates that actual costs have reduced to level below revenue generated; and making California Environmental Quality Act and other findings - All Districts (Continued from 8/8/17, Item 27; 8/22/17, Item 56; 9/12/17, Item 37)

B.O. **CLOSED PUBLIC HEAERING**

51342 **NO ACTION TAKEN; DIRECTED HEALTH CARE AGENCY TO WORK WITH CEO IT AND TO RETURN TO THE BOARD WITH A PROPOSAL FOR A COMBINATION OF AN AUTOMATED SYSTEM WITH APPROPRIATE STAFFING LEVELS THAT WOULD INCLUDE ENROLLMENT AND TRACKING PROVISIONS**

VI. CLOSED SESSION (Items CS-1-SCS8)

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: 265 South Anita Drive, Orange, CA
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: Fountain Valley School District
Under Negotiation: Terms and Value of Future Sale

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

CS-2. **Human Resource Services -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Brenda Diederichs
Employee Organizations: Association of County Law Enforcement Management (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Association of Orange County Deputy Sheriffs (AOCDS), International Brotherhood of Teamsters, Local 952, In-Home Supportive Services (IHSS), 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:

SCS3. 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, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT WITH SILVERADO STAGES, INC. 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 COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.**

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**

SCS5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Sharon Willard v. County of Orange, Workers' Compensation Appeals Board Case No. ADJ2814714

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF SHARON WILLARD 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.**

SCS6. **County Executive Office** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: 1465 North Batavia, Orange, CA
County Negotiator Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: Rancho Santiago Community College District
Under Negotiation: Terms and Value of Future Acquisition

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

County Counsel:

SCS7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Christine Richters v. County of Orange, etc., et al., Orange County Superior Court Case No. 30-2017-00910955-CU-WT-CJC

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE,**

APPROVED A PROPOSED SETTLEMENT IN THE CASE OF CHRISTINE RICHTERS V. COUNTY OF ORANGE. A COPY OF THE APPROVED AGREEMENT CAN BE OBTAINED FROM THE CLERK OF THE BOARD BY ANY PERSON WHO INQUIRES.

SCS8. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant toGovernment Code Section 54956.9(d)(1):
Name of Case: Arnie Pike, Marilyn Pike, John Hislop v. County of Orange, Orange County Superior Court Case No. 00784343 and 00784177

B.O. **HELD, COUNTY COUNSEL READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF ARNIE PIKE, MARILYN PIKE, JOHN HISLOP 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.**

VII. CEO, BOARD COMMENTS & ADJOURNMENT

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
None

ADJOURNED: 2:17 P.M.

*** 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

Orange County Clerk of the Board