A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, December 8, 2015
9:30 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

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: Supervisor Do, First District

PLEDGE OF ALLEGIANCE: Vice Chair Bartlett, Fifth District

I. PRESENTATIONS/INTRODUCTIONS (9:30 Scheduled)

Chairman Spitzer will be holding two ceremonial presentations at 9:30 A.M.

The United Service Organizations Show Troupe will perform the national anthem, The Star-Spangled Banner.

The Board of Supervisors will lead the County in a moment of silence in memory of the victims of the massacre in San Bernardino.

II. CONSENT CALENDAR (Items 1-25)

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

Supervisor Nelson:

1. Oversight Board of the Successor Agency to the City Redevelopment Agency, Fullerton -Appoint Chris Norby.
   Revised Title to read: Supervisor Nelson - Oversight Board of the Successor Agency to the City Redevelopment Agency, ~~Fullerton~~ Anaheim - Appoint Chris Norby

2. Assessment Appeals Board No. 2 - Appoint Michael Giangrande, Brea, to complete term ending 9/2/18

3. **Acting as the Orange County Housing Authority -** Housing and Community Development Commission - Appoint Richard D. Murphy, Los Alamitos, to complete term ending 6/30/17

ELECTED DEPARTMENT HEADS

4. **District Attorney -** Approve Memorandum of Understanding with Orange County Society for the Prevention of Cruelty to Animals for free pet therapy services for certain individuals who participate in legal proceedings - All Districts (Continued from 11/10/15, Item 3)

Sheriff-Coroner:

5. Approve Memorandum of Understanding with Orange County Peace Officers Association(OCPOA) to eliminate public access, establish operational procedures of utilizing space and specify funding of maintenance and repairs, Katella Training Facility; authorize amendment 1 to Quitclaim Deed with OCPOA to establish use by members, County personnel and active or retired law enforcement - District 3

6. Approve amendment 5 to agreement MA-060-13010460 with Intoximeters Incorporated for Alco-Sensor Instruments parts and accessories, term ending 10/21/16 ($15,000; new total $92,000; cumulative total $309,000); renewable for one additional year; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

7. Ratify and approve retroactive agreement 15112111 with State of California for Peace Officer Standards and Training (POST) Basic Narcotics Investigation course, 7/1/15 - 6/30/16; accept reimbursement for training costs ($43,200); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

CHILD SUPPORT SERVICES

8. Approve Plan of Cooperation with Superior Court for coordination of respective efforts and delineation of responsibilities in relation to Child Support Enforcement Program under Title IV-D of Social Security Act, 1/1/16 - 12/31/17; and authorize Director or designee to execute Plan of Cooperation - All Districts

JOHN WAYNE AIRPORT

9. Approve assignment, assumption and consent to assignment of lease agreement from Newport Beach Golf Course, LLC to Inland Group, Inc. for Newport Beach Golf Course; and make California Environmental Quality Act and other findings - District 2
Continued to 12/15/15, 9:30 a.m.

OC COMMUNITY RESOURCES

10. Approve amendment 1 to agreement 15-27-0017 with Council on Aging - Orange County long-term care Ombudsman Program services for older adults, FY 2015-16 ($196,552; new total $617,763); and authorize Director or designee to execute agreement and exercise cost contingency increase or decrease not to exceed 10% and make line item budget transfers under certain conditions - All Districts (Continued from 10/27/15, Item 9).
Revised Title to read: **OC Community Resources** - Approve amendment 1 to agreement 15-27-0017 with Council on Aging - Orange County long-term care Ombudsman Program services for older adults, FY 2015-16 **~~($196,552~~** $200,295; new total $**~~617,763~~** $621,506); and authorize Director or designee to execute agreement and exercise cost contingency increase or decrease not to exceed 10% and make line item budget transfers under certain conditions - All Districts (Continued from 10/27/15, Item 9

11. Receive and file FY 2014-15 Developer Fee Deposit Balance Report; and make related findings - All Districts

12. **Acting as the Housing Successor Agency to the Orange County Development Agency** - Receive and file FY 2014-15 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

13. Approve Final Tract Map 17054, Sendero Retail, LLC; accept dedication of easements for regional riding and hiking trail, public sidewalk and emergency vehicle access purposes; approve subdivision improvement agreement S1508-191 and accept bonds guaranteeing construction - District 5

14. Approve agreement MA-080-16010298 with Geosyntec Consultants, Inc. for architect-engineer on-call support services for water quality management plan implementation, 12/8/15 - 12/7/18 ($400,000); and authorize Director or designee to execute agreement - All Districts

15. Receive and file development fee deposit balance reports, FY 2014-15; and find deposits held more than five years be retained for future projects within specified fee programs - All Districts

16. **Acting as the Orange County Flood Control District -** Approve agreement D09-058; approve deed to Orange County Transportation Authority for Lewis Channel; and approve easement deed to State Department of Transportation for access to East Garden Grove-Wintersburg Channel related to State Route 22 Freeway widening project; authorize Director or designee to execute agreement and related documents; adopt feasible mitigation measures; and consider application of Final Environmental Impact Statement and Environmental Impact Report and Addendum IP 09-093 and other findings - District 1

OC WASTE & RECYCLING

17. Approve amendment 1 to agreement with USA Waste of California, Inc. assigning to CR&R, Inc. for residential solid waste and recyclables collection service in unincorporated La Habra Islands; authorize Director or designee to execute amendment; and make California Environmental Quality Act and other findings - District 4

SOCIAL SERVICES AGENCY

18. Approve Memorandum of Understanding with Approach Learning and Assessment Centers, Inc., dba Olive Crest Academy for free school meals direct certification, 1/1/16 - 12/31/17; authorize Director or designee to execute and extend term of MOU for 12 additional months under certain conditions - District 3

GENERAL ADMINISTRATION

Clerk of the Board:

19. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Orange County Employees Retirement System - All Districts

20. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Orange County Subdivision Committee - All Districts

21. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Huntington Beach Union High School District - Districts 1 & 2

22. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the South Coast Water District - District 5

County Executive Office:

23. Approve amendment 2 to lease with San Clemente Sportfishing Inc., dba Dana Wharf Sportfishing to allow them to incorporate part of existing Harbor common area into their premises and give County like amount of exterior patio space; and consider application of prior Final Environmental Impact Report No. 591 and other findings - District 5

24. Adopt resolution approving FY 2014-15 Measure M2 Expenditure Report; and make California Environmental Quality Act and other findings - All Districts

25. **Registrar of Voters -** Approve Facility Use agreements with cities, school districts, private entities and non-profits for use of facilities for election related activities, effective 1/1/16 - 12/31/19; authorize Registrar of Voters or designee to execute agreements - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 26-50)

ELECTED DEPARTMENT HEADS

26. **Sheriff-Coroner -** Approve agreements MA-060-16010910 ($1,127,163) Laguna Cell and MA-060-1611000 ($3,160,160) North Cell with Motorola Inc. for replacement of obsolete radio equipment, 12/9/15 - 12/8/16; adopt resolution and accept reimbursements for 800 MHz Countywide Coordinated Communications System project ($30,000,000); authorize Sheriff-Coroner or designee to execute agreements; and make California Environmental Quality Act and other findings - All Districts (4/5 vote)
Revised Title to read: Sheriff-Coroner - Approve agreements MA-060-16010910 ($1,127,163) Laguna Cell and MA-060- 1611000 ($3,160,160) North Cell with Motorola Inc. for replacement of obsolete radio equipment, 12/9/15 - 12/8/16; adopt resolution and accept reimbursements for 800 MHz Countywide Coordinated Communications System project ($30,000,000); authorize Sheriff-Coroner or designee to execute agreements; and make California Environmental Quality Act and other findings - All Districts (4/5 vote)

HEALTH CARE AGENCY

27. Approve selection of and agreement with Hospital Association of Southern California for Administrative Mental Health Hospital Triage services, 11/1/15 - 6/30/17 ($3,422,448); and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and to execute agreement - All Districts (Continued from 10/27/15, Item 16; 11/17/15, Item 5)
Continued to 12/15/15, 9:30 a.m

28. Approve selection of and agreements with Community Service Programs, Inc. ($2,756,046) and Orangewood Children's Foundation, Inc. ($1,479,024) for collaborative courts full service partnership/wraparound services, 1/1/16 - 6/30/17; and authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions and to execute agreements - All Districts

29. Approve amendment 3 to agreements with Child Guidance Center, Inc. ($1,158,101; new total$8,106,709), Community Service Programs, Inc. ($182,240; new total $1,275,680), Providence Community Services, LLC ($1,525,527; new total $10,678,685), Seneca Family of Agencies ($1,071,150; new total $7,498,047), South Coast Children's Society, Inc. dba South Coast Community Services ($215,400; new total $1,507,800) and Western Youth Services ($2,551,602; new total $17,861,211) for Mental Health Outpatient Services for Children and Youth, 7/1/14 - 3/31/16; and authorize Director or designee to execute amendments - All Districts

JOHN WAYNE AIRPORT

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

31. Approve amendment 2 to agreement with IDS Group for program management and construction support services, term ending 3/19/19 ($1,946,797; new total $5,576,434); approve amendment 1 to agreement with Ninyo & Moore for testing and inspection services, term ending 3/19/19 ($4,495,488; new total $5,845,488); approve amendment 3 to agreements with Jeff Oviedo and Associates, dba JOA Group, ($349,400; new total $2,532,781) and Butier Engineering, Inc., ($4,867,120; new total $6,869,244) for project management services, term ending 3/19/19; approve amendment 2 to agreement with Faithful+Gould for project management services, term ending 3/19/19 ($1,336,000; new total $2,230,482); and make California Environmental Quality Act and other findings - District 2

32. Approve amendment 4 to renew agreement MA-280-12010686 with Universal Protection Service, LP for armed security guard services, 2/1/16 - 1/31/17 ($948,897.40); and authorize Purchasing Agent or authorized Deputy to execute amendment - District 2

33. Select 3 highest ranked companies for parking facilities and valet parking operation and management; Authorize Director or designee to solicit bids and return to the Board for approval; and make California Environmental Quality Act and other findings - District 2

OC COMMUNITY RESOURCES

34. 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 to 12/15/15, 9:30a.m

35. Approve agreement 15-28-0004-OS with ProPath, Inc. for employment and training services, 12/1/15 -6/30/16 ($3,120,000); authorize Director or designee to execute agreement and exercise cost contingency increase not to exceed 10% and make line item budget transfers under certain conditions - All Districts

OC PUBLIC WORKS

36. Approve agreements with D. Woolley & Associates, Inc., Huitt-Zollars, Inc., Johnson-Frank &Associates, Inc., Coast Surveying, Inc., Carol Knox, Land Surveyor, and David Evans and Associates, Inc., for map checking services, 12/15/15 - 12/14/20 ($500,000 each); authorize Director or designee to execute agreements; and make California Environmental Quality Act and other findings - All Districts

37. Approve amendment No. 3 to agreement MA-080-14010184 with Habitat Restoration Sciences, Inc. forherbicide application services, 1/2/16 - 12/31/16 ($550,000; cumulative total $1,650,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

38. Approve agreement MA-080-16010659 with Nichols Consulting Engineers, Chtd. for roadway distress evaluations, 12/8/15 - 12/7/20 ($1,500,000); authorize Director or designee to execute agreement; and make California Environmental Quality Act and other findings - All Districts

39. Approve agreement MA-080-16010778 with Carahsoft Technology Corp. for integration of Customer Relationship Management and Land Management Systems, 12/8/15 - 5/31/18 ($4,000,000); renewable for two additional years; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

40. Approve agreement MA-080-16010892 with Environmental Systems Research Institute, Inc. for geographical information systems software licensing and maintenance support services, three-year term beginning 1/1/16 ($1,485,000); renewable for one additional year; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act and other findings - All Districts

OC WASTE & RECYCLING

41. Adopt resolution designating County of Orange unincorporated area as Recycling Market Development Zone to participate in Orange County Recycling Market Development Zone program under the lead of Huntington Beach; authorize Director or designee to forward resolution to City of Huntington Beach; and make California Environmental Quality Act and other findings - All Districts

GENERAL ADMINISTRATION

County Executive Office:

42. Approve Memorandum of Understanding with Superior Court of California for provision of services between the County of Orange and the Courts, 12/8/15 - 6/30/16; authorize Purchasing Agent or authorized Deputy to adjust annual contract amount for mid-year budget adjustments; authorize CEO or designee to execute MOU and amendments to adjust annual contract amount to reconcile with annual budgets after FY 2015-16; and authorize OC Public Works as an additional department user to approved agreement - All Districts

43. Approve Memorandum of Understanding with Superior Court of California for Sheriff-Coroner services to Court, 12/8/15 - 6/30/16; authorize Sheriff-Coroner or designee to adjust annual contract amount for mid-year budget adjustments and execute MOU and amendments to adjust annual contract amount to reconcile with annual budget after FY 2015-16 - All Districts

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

45. Approve Option agreement with Lab Holdings, LLC dba Agora for lease of County owned property located at the former South County Justice Center, Laguna Niguel; approve use of monies ($122,402) for an Environmental Impact Report to City of Laguna Niguel and additional monies ($200,000) for associated technical studies to support General Plan Amendment and Zone change; and authorize Chief Real Estate Officer or designee to execute all documents related to process of entitling property including a memorandum of understanding with City of Laguna Niguel - District 5

46. Acting as the Successor Agency to the Orange County Development Agency - Adopt resolution approving finding property surplus and ordering sale and approve Procedure for Sale and Offer and Agreement to Purchase Real Property in Santa Ana Heights; authorize Chief Real Estate Officer or designee to establish minimum bid at 100% of appraised value, solicit bids, accept highest responsive bid and execute all related documents; and make California Environmental Quality Act and other findings - District 2

47. Receive and file 2015 Strategic Financial Plan - All Districts

48. Approve grant applications/awards submitted in 12/8/15 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 OC Community Resources in 12/8/15 grant report and other actions as recommended; adopt resolution approving grant award from State Coastal Conservancy for construction of visitor center at Aliso and Wood Canyons Wilderness Park and authorizing OC Community Resources Director or designee to negotiate, execute agreements and instruments necessary to comply with Conservancy's grant requirements* - All Districts

Human Resource Services:

49. Adopt resolution approving revised County of Orange Equal Employment Opportunity and Anti-Harassment Policy and Procedure - All Districts

50. Approve and adopt 2014-2017 Memorandum of Understanding with Orange County Managers Association (OCMA) - All Districts

S50A. **Human Resource Services** - Approve and adopt amendment to Personnel and Salary Resolution (PSR), Article XXIV regarding Executive Management Executive Aides and Executive Assistants and eliminating Article XXV terms and conditions of employment for Law Enforcement Management Unit and adopt amendment eliminating PSR amendments 1, 2 and 3 and appendix D regarding annual leave plan, leave provision, vacation and classes in Law Enforcement Management Unit - All Districts

S50B. **OC Community Resources** - Authorize Director or designee to issue a Request for Proposals (RFP) for temporary emergency shelter beds/services for the homeless to be utilized in the event of severe weather and/or other emergency conditions; select providers(s), execute agreement(s) ($500,000), submit a report to the Board with results and assistance provided to homeless residing in Orange County; direct Director or designee to contract for temporary emergency shelter beds/services in the event of severe weather and/or other emergency conditions occurring prior to finalizing RFP and submit report to Board on any interim assistance provided - All Districts

S50C. **Chairman Spitzer and Supervisor Do** - Consider first reading of "An Ordinance of the County of Orange, California, Amending Title 1, Division 2, Article 18 of the Codified Ordinance of the County of Orange Pertaining to the Office of Independent Review"; set second reading and adoption for 12/15/15, 9:30, a.m.; and make California Environmental Quality Act and other findings – All Districts

IV. PUBLIC HEARINGS (Items 51-52)

OC COMMUNITY RESOURCES

51. Public Hearing to consider adopting FY 2016-17 Funding Allocation Policy and Process for housing and community development activities - All Districts

OC PUBLIC WORKS

52. Public Hearing to consider first reading of "An Ordinance of the County of Orange, California, Amending Various Sections of the County of Orange Subdivision Code, Article 3 of Division 9 of Title 7, and Section 7-9-136.1 of the Comprehensive Zoning Code, Article 2 of Division 9 of Title 7, of the Codified Ordinances of the County of Orange, to Reflect New County Organizational Structure, Clarify and Streamline the Subdivision Process, Improve Consistency with State Law, and Expand the Allowable Uses of Temporary Real Estate Offices for Residential Tract Sales and Rentals"; make California Environmental Quality Act and other findings; and set second reading and adoption for 12/15/15, 9:30 a.m. - All Districts

V. CLOSED SESSION (Items CS-1-CS-5)

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.

(TIME CERTAIN FOR CS-1 AT 12:30 P.M.)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

CS-2. 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-3. **County Executive Office** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Former Santa Ana Transit Terminal Property, Santa Ana, CA
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: Orange County Transportation Authority
Under Negotiation: Terms and Value of Future Sale

Human Resource Services:

CS-4. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title: Interim Public Defender

CS-5. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section54957.6:
Agency Negotiator: Robert O'Brien
Employee Organizations: Association of County Law Enforcement Management (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Association of Orange County Deputy Sheriffs (AOCDS), Alliance of Orange County Workers (AOCW), In-Home Supportive Services Provider Unit (IHSS) represented by United Domestic Workers of America (UDWA), International Union of Operating Engineers (IUOE), Orange County Attorneys Association (OCAA), Orange County Employees Association (OCEA), Orange County Managers Association (OCMA) and other non-represented employees
RE: Terms and Conditions of Employment

SCS-6. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1): Name of Case: Orange County Fire Authority, etc., et al. v. All Persons Interested, Orange County Superior Court Case No. 30-2013-00694527-CU-MC-CJC; Court of Appeal Case No. G050687

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:

December 15, 2015	**Regular Meeting**
December 22, 2015	**No Scheduled Meeting**
December 29, 2015	**No Scheduled Meeting**