REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, March 22, 2016, 9:30 A.M.

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

LISA A. BARTLETT
CHAIRWOMAN
Fifth District

MICHELLE STEEL
VICE CHAIR
Second District

ANDREW DO
SUPERVISOR
First District

TODD SPITZER
SUPERVISOR
Third District

SHAWN NELSON
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Frank Kim
	COUNTY COUNSEL	Leon J. Page
	CLERK OF THE BOARD	Robin Stieler

INVOCATION: Supervisor Nelson, Fourth District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Chairwoman Bartlett will be presenting a resolution commending Kevin H. Brewer on his retirement
RESOLUTION WAS NOT PRESENTED TO KEVIN H. BREWER

Chairwoman Bartlett presented a resolution proclaiming April 2016 as "Child Abuse Prevention Month"

Ed Fuller, Orange County Visitors Association President and CEO, presented the Orange County VisitorsAssociation 2015 Annual Report

II. CONSENT CALENDAR (Items 1-11)

42135 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 10 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

1. Approve amendment 9 to agreement Z1000000068 with Rancho Santiago Community CollegeDistrict for law enforcement training consultant services, 4/1/16 - 9/30/16 ($15,000; cumulative total $213,349); and authorize Sheriff-Coroner or designee to execute amendment - All Districts

2. Approve amendment 4 to agreement MA-060-11010909 with Rancho Santiago CommunityCollege District for law enforcement training programs, 4/1/16 - 9/30/16 ($72,000; cumulative total $709,000); and authorize Sheriff-Coroner or designee to execute amendment - District 3

HEALTH CARE AGENCY

3. Approve amendment 1 to agreement with College Community Services for Mental Health Peer Support and Wellness Center services, 4/1/16 - 6/30/17 ($15,180; new total $2,798,142); and authorize Director or designee to execute amendment and to exercise cost contingency increase of agreement not to exceed 10% under certain conditions - All Districts

4. Approve agreement MA-042-16010992 with Illumina, Inc. for purchase of laboratory test kits, 4/1/16 -3/31/17 ($110,000 per year); renewable for four additional one-year terms, and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

5. Approve amendment 3 to agreement MA-042-15011788 with Matrix Imaging Products, Inc. for scanning, indexing and imaging services, 5/7/16 - 5/6/17 ($205,000; cumulative total $714,800); authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

6. Approve amendment 1 to agreement CT-042-16010539 with Westbound Communications Inc., forBilingual Drowning Prevention Campaign services, 4/1/16 - 3/31/17 ($225,000; new total $250,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC COMMUNITY RESOURCES

7. Approve amendment 4 to renew agreement MA-012-12011805 with Graffiti Protective Coatings, Inc. for graffiti removal services, 6/1/16 - 5/31/17 ($140,000; cumulative total $700,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

8. Approve Cooperative Agreement with the City of Fountain Valley for pavement rehabilitation of HarborBoulevard from northerly of Heil Avenue to Edinger Avenue, unincorporated County area ($200,000); direct Auditor-Controller to make related payment; and make California Environmental Quality Act and other findings - District 1

9. **Acting as the Board of Supervisors and Orange County Flood Control District -**

Approve cooperative agreement MA-080-16011417 with Orange County Civic Center Authority for procurement services for Lower Santa Ana River Sand Management Project, three year term and authorize expenditure of Flood Control District funds to fund agreement MA-080-16011353 between Civic Center Authority and CJW Construction, Inc. for design phase services, three year term ($363,557.50); and make California Environmental Quality Act and other findings - District 2

PUBLIC PROTECTION

10. **Probation -** Approve agreements for Community Recidivism Reduction Grant award with Grandma'sHouse of Hope ($100,000), Straight Talk Clinic, Inc. ($100,000), Colette's Children's Home, Inc. ($100,000) and New Life Spirit, Inc. ($100,000) for Transitional Housing Services - All Districts

35124 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

11. Approve non-financial Memoranda of Understanding CVC0216 with The Trustees of the California State University on behalf of California State University, Dominguez Hills and CGD0716 with University of Southern California for undergraduate or graduate fieldwork experience, 7/1/16 - 6/30/20; and authorize Director or designee to execute MOU's - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 12-S25F)

CHILD SUPPORT SERVICES

12. Approve amendment 3 to renew agreement MA-027-13011154 with ABC Legal Services, Inc. for legalprocess services, 5/6/16 - 5/5/17 ($450,000; cumulative total $1,700,000); renewable for one additional year; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

51234 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

13. Ratify amendments 3 and 4 to agreement 14-90077 with State Department of Health Care Services forSubstance Use Disorder services, FY 2015-16 ($34,400; new total $21,053,873) and FY 2016-17 ($79,348; new total $20,150,025); authorize Director or designee to execute amendments and CCC-307 Certification Form - All Districts

14235 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

14. Approve amendment 3 to renew agreement MA-012-13011419 with Rosario Tapia, dba Tapia Landscaping for landscape maintenance services at Santa Ana River Trail and Bikeway, 5/1/16 - 4/30/17 ($253,502.20; cumulative total $1,014,008.80); and authorize Purchasing Agent or authorized Deputy to execute amendment - Districts 1, 2 and 3

12345 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

15. Receive bids and award contract to Griffith Company for Dana Point Harbor Inspection and RoadwayImprovements Project ($1,874,478) - District 5

54123 **APPROVED AS RECOMMENDED**

16. Approve amendment 5 to agreement MA-080-12011450 with Jonset Corporation dba Sunset PropertyServices for street sweeping services, 5/1/16 - 4/30/17 ($408,018; cumulative total $1,988,915); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

12345 **APPROVED AS RECOMMENDED**

17. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve amendment 2 to agreement MA-080-14011550 with LA Consulting, Inc. for maintenance system enhancements and program management services, 5/3/16 - 5/2/19 ($663,175; cumulative total $1,069,842); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

14235 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Probation:

18. Ratify agreement MA-057-16010448 with The Regents of the University of California, Irvine for Crossroads Study, to determine long-time impact on first time male offenders

of formal and informal processing in the juvenile justice system, 7/1/15 - 6/30/18 ($402,714); and authorize Chief Probation Officer to execute agreement - All Districts

32145 **APPROVED AS RECOMMENDED**

19. Approve renewal of agreement MA-057-16011649 with Boys Republic for Chino Hills Campusprogram for foster care services of probation-supervised youth, 4/1/16 - 3/31/19; and authorize Chief Probation Officer or designee to execute placement waiver extension request - All Districts

12345 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

20. Approve amendment to agreement MA-063-15011310 to renew as agreement MA-063-16011084 withDocuLynx Inc. for scanning, indexing and imaging services, 5/7/16 - 5/6/17 ($2,261,204; cumulative total $6,526,659) and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

14235 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

14235 **APPROVED AS RECOMMENDED**

22. Approve combined follow-up responses to various 2014-15 Grand Jury Reports - All Districts

42135 **APPROVED AS RECOMMENDED**

23. Approve proposed response to FY 2014-15 Grand Jury Report "Joint Powers Authorities: Issues of Viability, Control, Transparency, and Solvency" as the governing body of the Orange County Public Financing Authority and South Orange County Public Financing Authority - All Districts

42135 **APPROVED AS RECOMMENDED**

24. Approve grant applications/awards submitted by OC Public Works in 3/22/16 grant report andother actions as recommended; adopt resolution authorizing OC Public Works Director or designee to submit and execute application for Renewed Measure M Environmental Cleanup, Tier 1 grant program and to invoice Orange County Transportation Authority for payment - All Districts

42135 **APPROVED AS RECOMMENDED**
RESO: 16-022

25. Approve amendment 2 to lease with City of Laguna Hills for Clerk-Recorder South County Branch office - District 5

52134 **APPROVED AS RECOMMENDED**

S25A. **Supervisor Spitzer -** Orange Park Acres Advisory Committee - Appoint Sandy Forkert, Orange Park Acres, to complete term ending 12/31/16

35124 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

S25B. Approve Orange County Traffic Committee Report - Item C recommendation - District 1 (Continued RA#3 from 3/15/16, Item 10)

13245 N **APPROVED AS AMENDED TO AN ALL-WAY STOP CONTROL AT THE INTERSECTION OF JACKSON STREET AND BISHOP AVENUE**

OC COMMUNITY RESOURCES

S25C. Approve use of up to $199,500 in previously approved year-round emergency shelter operation funds toallow armory emergency shelters to remain open for 21 additional days in FY 2015-16; approve agreement with City of Anaheim and City of Santa Ana for armory emergency shelter program for additional operating days ($99,750 each); approve amendment 2 to agreement 15-22-0015PS with Mercy House Living Centers, Inc. for Armory Emergency Shelter Program, 7/1/15 - 6/30/16 ($199,500; cumulative total $1,473,574); authorize Director or designee to execute amendment and agreements and to exercise contingency cost increase or decrease not to exceed 10% and make line item budget transfers under certain conditions - Districts 1 and 4

14235 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S25D. **County Executive Office -** Approve amendment 4 to lease with Miller and Miller, a California LimitedPartnership, dba Coffee Importers to allow them to expand into adjacent suite increasing their premises and minimum annual rent (New Total $79,519); and consider application of prior Final Environmental Impact Report No. 591 and other findings - District 5

54123 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

S25E. Approve Program Management and Design Agreement with Griffin Structures, Inc. for designphase services of new Building 16 within Santa Ana Civic Center; and make California Environmental Quality Act and other findings - All Districts

14235 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

S25F. Consider request by South Orange County Wastewater Authority to extend cooperative agreement; authorize Chief Real Estate Officer to negotiate and execute amendment 5 and extend indemnification for related access to Aliso & Wood Canyons Regional Wilderness Park; and make California Environmental Quality Act and other findings - District 5

52134 **APPROVED AS AMENDED TO AMEND ATTACHMENT B AS FOLLOWS: TO SECTION 1, ADD AT THE END OF THE PARAGRAPH, "AND UNTIL JUNE 20, 2016 AT THE OPTION OF THE CEO," AND ADD A NEW SECTION 3, "SOCWA SHALL KEEP ALL EXISTING TRAFFIC MITIGATION MEASURES ON AWMA BRIDGE IN PLACE."**

IV. PUBLIC HEARINGS (Items 26-27)

OC PUBLIC WORKS

26. Public Hearing to consider denying appeal filed by owners of Smithcliffs, Laguna Beach, California, anduphold Planning Commission's decision to approve Coastal Development for partial demolition and construction of a single family residence located at 12 Emerald Bay, Laguna Beach; and consider adoption of Mitigated Negative Declaration PA150024 and other findings - District 5 (Continued from 2/23/16, Item 31)

B.O. **CLOSED PUBLIC HEARING**

51235 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

27. **County Executive Office -** Acting as the Board of Supervisors - Public Hearing to consider establishment of Community Facilities District No. 2016-1 (Village of Esencia), rate and method of apportionment of special tax and proposed issuance of bonds; approve and file Engineer's Report; adopt resolution establishing district, authorizing the levy of special tax, calling an election and approving related actions; approve amendment 1 to Tri-Party agreement and approve Joint Community Facilities agreement with Santa Margarita Water District and RMV PA 2 Development, LLC; approve Joint Community Facilities agreement with Capistrano Unified School District and RMV PA 2 Development, LLC; and make California Environmental Quality Act and other findings; Acting as the Legislative Body of Community Facilities District No. 2016-1 (Village of Esencia) - Adopt resolution determining necessity to incur bonded indebtedness in an amount not to exceed $115,000,000 with Community Facilities District No. 2016-1 and calling an election - District 5

B.O. **CLOSED PUBLIC HEARING**

54123 **APPROVED AS RECOMMENDED**
RESO: 16-023 - 16-024

V. CLOSED SESSION (Items CS-1-SCS5)

GENERAL ADMINISTRATION

CS-1. **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), International Brotherhood of Teamsters, Local 952, 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 Case: David Tilstra v. County of Orange, Workers' Compensation Appeals Board Case
Nos. ADJ9189827, ADJ666279

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

SCS3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Orange County Fire Authority, et al. v. County of Orange, Court of Appeal Case No.G050687 (Orange County Superior Court Case No. 30-2013-00694527)

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

SCS4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Addarosa Franco-Gutierrez v. County of Orange, Worker's Compensation Appeals Board Case Nos. 118989; 2157777; 3177455; 835626; 4350758

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF ADDAROSA FRANCO-GUTIERREZ 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.**

SCS5. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant toGovernment Code Section 54956.8:
Property Location: Bridge amd Access Easement from Alicia Parkway to and over Aliso Wood Canyon Park
County Negotiator: Scott D. Mayer, chief Real Estate Officer
Negotiating Park: South Orange County Wastewater Authority
City of Aliso Viejo
City of Laguna Niguel
Church of Jesus Christ Latter-day Saints
Aliso Viejo Community Association
Under Negotiation: Terms of Easement and Property Acquisition

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

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Ilya Tseglin - Oral Re: Nate Tseglin, Orange County Regional Center, corrupted judges, Public Defender, Nuremburg trails, government corruption and activity by the County

Robert Tseglin - Oral Re: Nate Tseglin kidnapped by the Irvine Police Department, Judges, Orange County Regional Center

Theresa Boyd - Oral Re: Art show by CalOptima in April to promote health and wellness; Mental Health Services Act art exhibit displayed at Fullerton City Council

Michael Klubnikin - Oral Re: Loss of trust in law and government, Attorney General, criminal complaint cover-up, County Counsel, District Attorney, judges, Ilya Tseglin, Grand Jury, PA/PG

Steven Wontrobski - Oral Re: Orange County Fire Authority pension and benefits; privatization of fire and EMS services if desired by Cities and residents

COUNTY EXECUTIVE OFFICER COMMENTS:

Frank Kim - Oral Re: Orange County Registrar of Voters needs more than 6,000 volunteers to assist with the upcoming June 7, 2016, Presidential Primary Election; encouraged volunteers to sign up at www.ocvote.com/volunteer

BOARD COMMENTS:

Supervisor Spitzer - Oral Re: Requested Neal Kelley, Registrar of Voters, provide flyer to the Board regarding the need of volunteers for upcoming June 7, 2016 Presidential Primary Election; thanked and acknowledged Dr. Hawkins and staff for pet adoption event held on March 19 and 20, 2016; requested Frank Kim and Dr. Jennifer Hawkins to respond to allegations against Orange County Animal Care of using false euthanasia data.

Chairwoman Bartlett - Oral Re: Congratulated Supervisor Spitzer for successful pet adoption event held on March 19 and 20, 2016 at OC Animal Care; will be having a pet adoption event in April in District 5; ongoing efforts to improve Orange County Animal Care and shelters; Santa Ana Transit Terminal activated on March 11, 2016 for temporary homeless shelter.

ADJOURNED: 2:23 P.M.

25134 **Adjourned im memory of Edgar C. Baume**

51234 **Adjourned in memory of Florence Charton**

*** 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)

Chairwoman, Orange County Board of Supervisors

Orange County Clerk of the Board