REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, December 15, 2015, 9:00 A.M.

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

TODD SPITZER
CHAIRMAN
Third District

LISA A. BARTLETT
VICE CHAIRMAN
Fifth District

ANDREW DO
SUPERVISOR
First District

MICHELLE STEEL
SUPERVISOR
Second District

SHAWN NELSON
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

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

INVOCATION: Supervisor Steel, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Do, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Spitzer presented a resolution commending Frank Ospino on his retirement

II. CONSENT CALENDAR (Items 1-30)

45123 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 5 & 30 WHICH WERE CONTINUED TO 1/12/16, 9:30 A.M.; ITEMS 15 & 28 WHICH WERE DELETED; AND ITEMS 3, 4, 12, 16, 22 & 24 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Steel -** Orange County Mental Health Board - Reappoint Alisa Chatprapachai, Cypress, for term ending 12/4/18

DEPARTMENT APPOINTMENTS

2. **Health Care Agency -** Orange County HIV Planning Council - Appoint Robin Keeble, Cypress; Maria Negrete, Santa Ana; Timothy "Joel" Welz, Newport Beach and Diana Wydo, Cypress; and reappoint Bobby Avalos, Orange; Kelly Gomez, Anaheim; Marc Meulman, Orange; John Paquette, Orange; Albert Ramirez, Anaheim, Christopher Ried, Santa Ana and Jeremiah Tilles, Irvine for terms ending 12/31/17 - All Districts

3. **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

41253 **CONTINUED TO 1/12/16, 9:30 A.M.; DIRECTED STAFF TO SEE IF 1) VOTER REGISTRATION IS REQUIRED AS PART OF THE APPOINTMENT PROCESS FOR INDIVIDUALS APPOINTED TO GOVERNMENT APPOINTED BOARDS AND 2) TO REQUEST THE REGISTRAR OF VOTERS VERIFY VOTER REGISTRATION OF RECOMMENDED APPOINTMENTS TO THE ORANGE COUNTY WORKFORCE INVESTMENT BOARD**

ELECTED DEPARTMENT HEADS

4. **Auditor-Controller -** Receive and file Monthly Internal Audit Activity Status Report for October and November 2015 - All Districts

45123 **APPROVED AS RECOMMENDED**

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)

45123 **CONTINUED TO 1/12/16, 9:30 A.M.**

6. Approve amendment 3 to agreement MA-060-13010961 with Cerilliant Corporation for purchase of analytical reference standards, 4/1/15 - 3/31/16 ($45,000; new total $75,000; cumulative total $100,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

7. Approve amendment 7 to revenue agreement Z1000000068 with Rancho Santiago Community

College District for law enforcement training consultant services, 1/1/16 - 2/29/16 ($5,000; cumulative total $195,849); and authorize Sheriff-Coroner or designee to execute amendment - All Districts

8. Approve amendment 2 to agreement MA-060-11010909 with Rancho Santiago Community College District for law enforcement training programs, 1/1/16 - 2/29/16 ($24,000; cumulative total $625,000); and authorize Sheriff-Coroner or designee to execute amendment - District 3

9. Approve Memorandum of Understanding with City of Los Angeles Harbor Department for training coordination services, three year term; and authorize Sheriff-Coroner or designee to execute MOU - All Districts

10. Approve agreement MA-060-16010077 with Optiv Security Inc. for security software and hardware, one year term ($530,747.57); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

11. **Treasurer-Tax Collector -** Adopt resolution approving public auction #1388 of tax-defaulted real property delinquent for over five years - All Districts
RESO: 15-136

HEALTH CARE AGENCY

12. Appoint Nedenia Lane, M.A. as Orange County Public Guardian, effective 12/25/15 - All Districts
35124 **APPROVED AS RECOMMENDED TO INCLUDE MAKING A FINDING THAT IT IS IN THE BEST INTEREST OF THE COUNTY TO WAIVE THE REQUIREMENT THAT THE APPOINTED COUNTY OFFICER BE A RESIDENT OF THE COUNTY OF ORANGE**

13. Approve master agreement with various organizations for sponsorship of Orange County Task Force for Drowning Prevention ($250,000); and authorize Director or designee to accept funding and execute individual sponsorship agreements - All Districts

JOHN WAYNE AIRPORT

14. 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 from 12/8/15, Item 9)

OC COMMUNITY RESOURCES

15. Approve amended bylaws to the Orange County Human Relations Commission - All Districts
45123 **DELETED**

OC PUBLIC WORKS

16. Receive and file Traffic Committee Report dated 10/15/15; approve recommendations and adopt necessary resolution - Districts 1 and 5

15243 **APPROVED AS RECOMMENDED**
RESO: 15-137

17. Approve agreement MA-012-16010516 with ATI Architects & Engineers, Inc. for on-call architect-engineer services, 12/15/15 - 12/14/18 ($400,000); and authorize Director or designee to execute agreement - All Districts

18. **Acting as the Orange County Flood Control District -** Approve improvement and restoration agreement with City of Irvine, certificate of acceptance and easement deeds from The Irvine Company and from One Venture Plaza for Bee Canyon Channel; and make California Environmental Quality Act and other findings - District 3

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

19. Approve agreements with Statewide Traffic Safety & Signs and Myers & Sons Hi-Way Safety, Inc. for construction site flagger services on an as-needed basis, 12/15/15 - 12/14/18 ($600,000 combined total); renewable for one additional two-year period; authorize Purchasing Agent or authorized Deputy to execute agreements; and make California Environmental Quality Act and other findings - All Districts

20. Approve funding reserve agreement D15-005 and grant deed from DMB San Juan Investment North, LLC for repair of potential seismic damage of Lower Gobernadora Multi-Purpose Basin ($500,000); authorize Auditor-Controller to deposit annual payment and implement disbursements related to agreement; approve amendment 1 to basin implementation agreement with Santa Margarita Water District and DMB San Juan Investment North, LLC, effective through 12/31/18 ($10,343 increase); approve grant deed and easement agreements with Santa Margarita Water District for Lower and Upper Gobernadora Multi-Purpose Basin; and authorize OC Public Works Director, OC Parks Director or designees to execute related documents - District 5

PUBLIC PROTECTION

21. **Probation -** Approve amendment 1 to agreement 40654 with Orange County Department of Education - Safe Schools and Support Services for drug, alcohol and mental health services, 7/1/14 - 6/30/17; and authorize Chief Probation Officer or designee to execute amendment - All Districts

SOCIAL SERVICES AGENCY

22. Approve non-financial Memorandum of Understanding CAM0316 with California Department of Social Services for Resource Family Approval Program 1/1/16 - 12/31/16; and authorize Director or designee to execute MOU - All Districts

21453 **APPROVED AS RECOMMENDED**

23. Approve non-financial master Memorandum of Understanding CPY1315-00 for multidisciplinary team to provide prevention and early intervention services, 1/15/16 - 1/14/18; and authorize Director or designee to execute master MOU with qualified community based organizations - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

24. Adopt resolution approving list of recurring Board resolutions for 2016; and authorizing Chair or other Supervisor to draft and execute said resolutions - All Districts

52143 **APPROVED AS AMENDED TO ADD PRESCRIPTION DRUG TAKE-BACK DAY IN APRIL AND OLDER AMERICANS MONTH IN MAY**
RESO: 15-138

25. Approve the Conflict of Interest Code Designated Filer Exhibits for the Orange County In-Home Supportive Services Public Authority - All Districts

County Executive Office:

26. Acting as the Legislative Body of the Community Facilities Districts - Receive and file the annual report pursuant to the Local Agency Special Tax and Accountability Act for Community Facilities Districts 2001-1, 2002-1, 2003-1 and 2004-1 (Ladera Ranch) - District 5

27. Adopt resolution supporting United Way of Orange County to conduct the 2015-16 charitable campaign for Orange County employees, including fundraising events, 12/15/15 - 6/30/16 - All Districts
RESO: 15-139

28. Approve side letter agreements with Alliance of Orange County Workers, Orange County Employees Association and International Union of Operating Engineers, Local 501, AFL-CIO for overtime pay related to activations of County's Emergency Operations Center and Department Operations Centers - All Districts

45123 **DELETED**

29. Approve amendment 1 to Regional Cooperative agreement MA-017-16010175 with GovDeals, Inc. for online surplus auctioning services, 12/16/15 - 7/31/20; renewable for two additional years; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

30. **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)

45123 **CONTINUED TO 1/12/16, 9:30 A.M.**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 31-S61B)

DEPARTMENT APPOINTMENTS

31. **Health Care Agency -** Select and appoint one candidate to the CalOptima Board of Directors County Resident/Non-Consumer position for term ending 4/30/16 - All Districts (Continued from 9/1/15, Item 18; 9/22/15, Item 35; 10/27/15, Item 13)

B.O. **DELETED**

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

32. Approve amendment 1 to subordinate agreement MA-060-15010977 to master agreement MA-080-13010881 with Ray Carmody dba Carmody Construction for general construction and maintenance services, term ending 1/13/16 ($50,000; new total $270,000); renew subordinate agreement as MA-060-16010977, 1/14/16 - 1/13/17 ($325,000; cumulative total $1,035,000); and authorize Purchasing Agent or authorized Deputy to execute amendment and agreement - All Districts

15243 **APPROVED AS RECOMMENDED**

33. Approve amendment 1 to subordinate agreement MA-060-15010976 to master agreement MA-080-13010879 with Dain Hormell dba DH General Contractors for general construction and maintenance services, term ending 1/8/16 ($50,000; new total $225,000); renew subordinate agreement as MA-060-16010972, 1/9/16 - 1/8/17 ($275,000; cumulative total $850,000); and authorize Purchasing Agent or authorized Deputy to execute amendment and agreement - All Districts

15243 **APPROVED AS RECOMMENDED**

34. Approve amendment 1 to subordinate agreement MA-060-15010973 to master agreement MA-080-13010880 with Action Contractors, Inc. for general construction and maintenance services, term ending 1/8/16 ($50,000; new total $375,000); renew subordinate agreement as MA-060-16010969, 1/9/16 - 1/8/17 ($430,000; cumulative total $1,455,000); and authorize Purchasing Agent or authorized Deputy to execute amendment and agreement - All Districts

54123 **APPROVED AS RECOMMENDED**

35. Approve amendment 1 to subordinate agreement MA-060-15010974 to master agreement MA-080-13010878 with H.L. Miller for general construction and maintenance services, term ending 1/8/16 ($50,000; new total $375,000); renew subordinate agreement as MA-060-16010976, 1/9/16 - 1/8/17 ($430,000; cumulative total $1,455,000); and authorize Purchasing Agent or authorized Deputy to execute amendment and agreement - All Districts

52143 **APPROVED AS RECOMMENDED**

36. Approve cooperative agreement with City of Newport Beach for Mooring Management Services, Newport Harbor, 1/1/16 - 12/31/20 ($1,603,781) - District 2

25143 **APPROVED AS RECOMMENDED**

37. Accept grant award from California Emergency Management Agency for 2015 Emergency Management Performance Grant funds ($777,250); approve agreement form to transfer funds to participating cities; authorize Sheriff-Coroner or designee to execute individual agreements; authorize Auditor Controller to transfer funds to participating cities under certain conditions; and authorize Purchasing Agent to purchase related equipment and services - All Districts

15243 **APPROVED AS RECOMMENDED**

38. **Treasurer-Tax Collector -** Adopt resolution approving 2016 Investment Policy Statement delegating authority, as authorized by Codified Ordinance Section 1-2-320 to the Treasurer-Tax Collector; and approve amended Treasury Oversight Committee Bylaws and Rules of Procedures - All Districts

53124 **APPROVED AS RECOMMENDED**
RESO: 15-140

HEALTH CARE AGENCY

39. Ratify retroactive Memorandum of Understanding with California Department of State Hospitals and California Mental Health Services Authority and Participating Counties for purchase of State Hospital beds, 7/1/14 - 6/30/16 ($11,129,832); and authorize Director or designee to execute MOU - All Districts

15243 **APPROVED AS RECOMMENDED**

40. 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

53124 **CONTINUED TO 1/12/16, 9:30 A.M.; DIRECTED STAFF TO LOOK INTO MODIFICATIONS TO STANDARD TERMS AND CONDITIONS AND ENSURE NEWLY ACQUIRED COMPANY AND SUBCONTRACTORS HAVE BEEN THROUGH LEGAL REVIEW TO ENSURE THERE ARE NO PENDING LAWSUITS OR LEGAL ISSUES**

41. 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; 12/8/15, Item 27)

B.O. **CONTINUED TO 1/26/16, 9:30 A.M.**

OC COMMUNITY RESOURCES

42. Approve amendment 1 to Workforce Innovation and Opportunity Act agreements MA-012-16010498 with City of La Habra (Northern Region) ($50,000; new total $430,318) and Orange County Conservation Corps (Coastal and Northern Region) ($100,000; new total $552,542); and amendment 2 to agreement with Orange County Asian and Pacific Islander Community Alliance (Coastal and Western Region) ($140,000; new total $1,339,520), effective upon Board approval through 6/30/16;

and authorize Director or designee exercise a cost contingency increase not to exceed 10% under certain conditions, make line item budget transfers and execute agreements - All Districts

41253 **APPROVED AS RECOMMENDED**

43. 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)

B.O. **CONTINUED TO 1/12/16, 9:30 A.M.**

OC PUBLIC WORKS

44. Receive bids and award contracts to CAM Painting, Inc., Todd Painting, Inc., Interlog Corp. dba Interlog Construction, Harry H. Joh Construction, and CTG Construction, Inc. for painting services, 12/15/15 - 12/14/16 ($500,000 each) - All Districts

24153 **APPROVED AS RECOMMENDED**

45. Approve agreements MA-080-16010911 with SVA Architects, Inc., MA-080-16010912 with HMC Group, MA-080-16010913 with Westgroup Designs, MA-080-16010914 with Owen Group, MA-080-16010915 with The Arcanthus Corporation dba Archetype International, MA-080-16010916 with Gkkworks, MA-080-16010917 with TAIT & Associates, Inc., and MA-080-16010918 with GA Design Inc. for on-call architectural services support, 12/15/15 - 12/14/20 ($1,500,000 each); and authorize Director or designee to execute agreements - All Districts

45123 **APPROVED AS RECOMMENDED**

46. Approve agreement MA-299-16010968 with LSA Associates, Inc. for archaeological, paleontological and biological services for South Region Landfills, 12/15/15 - 12/14/18 ($950,000); authorize Director or designee to execute agreement; and make California Environmental Quality Act and other findings - Districts 2, 3 and 5

52143 **APPROVED AS RECOMMENDED**

47. Consider second reading and adoption 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" - All Districts (Closed Public Hearing on 12/8/15, Item 52)

45123 **APPROVED AS RECOMMENDED**

ORD: 15-021

48. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve acquisition contract with and accept grant deed from Hyponex Corporation for purchase of real property, 15978 El Prado Road, Chino, California; authorize Chief Real Estate Officer or designee to execute related documents and minor modifications under certain conditions; approve lease with Hyponex Corporation, three-year term; authorize Director or designee to execute lease and make minor modifications to lease; authorize Auditor-Controller to make related payments; and adopt resolution making related findings - All Districts

14253 **APPROVED AS RECOMMENDED**
RESO: 15-141

OC WASTE & RECYCLING

49. Approve amendment 6 to Successor Refuse Gas Lease and agreement and approve amendment 8 to Site Lease agreement with Coyote Canyon Energy LLC, effective 1/1/16; authorize Director or designee to execute amendments; and consider application of Final Mitigated Negative Declaration No. 90-24 and Addendum 2 and other findings - District 2

21453 **APPROVED AS RECOMMENDED**

50. Approve amendment 1 to agreements with Cities, Facility Operators and Sanitary Districts for waste disposal, new offer expiration 6/30/16; approve continued waste importation and share net waste importation revenue; and extend current term an additional 5 years, 7/1/20 - 6/30/25; and authorize Director or designee to execute amendment - All Districts

14253 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

51. Select Arbor E&T, LLC, dba ResCare Workforce Services for welfare to work job and employment services, 7/1/16 - 6/30/21; and authorize negotiation of agreement for Board approval - All Districts

54123 **APPROVED AS RECOMMENDED**

52. Select MAXIMUS Human Services, Inc. for welfare to work case management services, 7/1/16 - 6/30/21; and authorize negotiation of agreement for Board approval - All Districts

15243 **APPROVED AS RECOMMENDED**

53. Approve Orange County Children's Trust Fund Commission's Fiscal Year 2015-16 recommendation to fund child abuse prevention, emergency support and crisis intervention services - All Districts

42153 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

15243 **RECEIVED AND FILED**

55. Approve amendment 1 to Lease agreement GA 1213-137-1 with Leed Warner, LLC for offices and storage facilities for SSA Adult Services and centralized operations, Santa Ana, term of 15 years; authorize Chief Real Estate Officer to execute subsequent lease amendment and make subsequent non-monetary and/or monetary changes not to increase costs by more than $50,000 per amendment; and make California Environmental Quality Act and other findings - District 1

B.O. **DELETED**

56. 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 ($8,916,541; cumulative total $83,509,786); and authorize Chief Information Officer or designee to execute amendment - All Districts

B.O. **DELETED**

57. Adopt resolution authorizing issuance of a Pension Obligation Debenture, issuance and sale of short-term Taxable Pension Obligation Bonds, 2016 Series A ($357,000,000); and execution and delivery of Sixth Supplemental Trust agreement and Bond Purchase agreement; approve Preliminary Official Statement form; and authorizing Public Finance Director to execute all related documents; approve related budget adjustments and related payments; and make related findings - All Districts (RA 2 & 3 4/5 vote of the members present)

45123 **APPROVED AS RECOMMENDED**
RESO: 15-142

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

B.O. **CONTINUED TO 1/12/16, 9:30 A.M.**

59. Approve grant applications/awards submitted by District Attorney in 12/15/15 grant report and other actions as recommended; adopt resolution authorizing District Attorney or designee to execute grant sub-award and amendments with California Office of Emergency Services (CalOES) for Victim/Witness Assistance Program, 7/1/15 - 6/30/16 ($576,333; new total $1,848,817); and make California Environmental Quality Act and other findings - All Districts

25143 **APPROVED AS RECOMMENDED**
RESO: 15-143

60. **Human Resource Services -** Select Secova Inc. as primary and Xerox HR Solutions LLC as alternate firms for Benefits Administration Outsourcing services for all County health and welfare benefit programs; and authorize negotiation of agreement for Board approval - All Districts

25143 **APPROVED AS RECOMMENDED**

61. **Chairman Spitzer and Supervisor Do -** Consider second reading and adoption 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" - All Districts (Continued from 12/8/15, Item S50C)

31245 **APPROVED AS RECOMMENDED**
NN

ORD: 15-022

S61A. **County Counsel -** Approve amendment to agreement with Michael Gennaco for special counsel services ($10,000 per month); approve amendment 2 to agreement with Stephen Connolly for special legal services, month to month terms ($17,500 per month, County Executive Manager car allowance $765); and direct County Executive Officer to conduct a nationwide recruitment for position of Executive Director of Office of Independent Review - All Districts

13245 **APPROVED AS RECOMMENDED**
NN

S61B. **County Executive Office -** Approve Purchase and Sale agreement with Orange County Transportation Authority for purchase of property identified as APN: 398-252-07 and APN: 398-252-05, containing former Santa Ana Transit Terminal, Santa Ana ($3,298,000); authorize Chief Real Estate Officer or designee to execute agreement, related documents, make minor modifications under certain conditions, perform related actions and conduct due diligence investigations to comply with applicable County ordinances and best practices; direct Chief Real Estate Officer or designee to return to the Board upon completion of all due diligence investigations regarding the real estate and when contingencies set forth in the purchase and sale agreement are fulfilled; direct Auditor-Controller to make related payments; and make California Environmental Quality Act and other findings - District 1

14253 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 62)

OC PUBLIC WORKS

62. Public Hearing to consider first reading and adoption of " An Ordinance of the Board of Supervisors of the County of Orange, California Amending the North Tustin Specific Plan to Delete the Senior Residential Housing (SRH) Land Use District and to Reclassify the Land Use District for 11901 Newport Avenue from SRH to Residential Single Family (100-RSF)"; and consider application of prior Final Environmental Impact Report No. 421 and addendum IP 15-109 and other findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

34125 **APPROVED AS RECOMMENDED**
NN

ORD: 15-023

V. CLOSED SESSION (Items CS-1-SCS7)

GENERAL ADMINISTRATION

County Counsel:

CS-1. 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

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

CS-2. 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

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

CS-3. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Future County of Orange Property at Former MCAS Tustin, South of Valencia Avenue and West of Armstrong Avenue
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: South Orange County Community College District
Under Negotiation: Terms and Value of Future Acquisition or Lease

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

CS-4. **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

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

SCS5. **County Counsel -** 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**

SCS6. **County Executive Office -** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

B.O. **DELETED**

SCS7. **Human Resource Services -** PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title: Interim Public Defender

B.O. **HELD, THE CHAIRMAN READ: THE BOARD BY A UNANIMOUS VOTE, APPOINTED SHARON PETROSINO TO THE POSITION OF INTERIM PUBLIC DEFENDER, EFFECTIVE 5:00 P.M., DECEMBER 30, 2015**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Elissa Davey - Oral Re: Co-Founder of Garden of Innocence National; burials for unidentified and abandoned children

Ilya Tseglin - Oral Re: OC Regional Center, Nate Tseglin, Public Defender, appointment of Frank Ospino to judgeship in the Orange County Superior Court

Robert Tseglin - Oral Re: Public Defender fraud and Nate Tseglin

Mary E. Oberschlake - Oral Re: CalOptima Board needs to expand solicitation process when filling vacant positions and should include patient/patient advocate representative

Liliana Benitez - Oral Re: CalOptima Board needs to fills vacant positions with patient/patient advocate representative

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
None

ADJOURNED: 4:01 P.M.

13245 **Adjourned in memory of Tibor Rubin**

53124 **Adjourned in memory of Richard Jahraus**

*** 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