A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, November 10, 2015
9:00 A.M. Presentations
9:30 A.M. Regular Business

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

TODD SPITZER
CHAIRMAN
Third District

LISA A. BARTLETT
VICE CHAIRMAN
Fifth District

ANDREW DO
SUPERVISOR
First District

MICHELLE STEEL
SUPERVISOR
Second District

SHAWN NELSON
SUPERVISOR
Fourth District

COUNTY EXECUTIVE OFFICER	COUNTY COUNSEL	INTERIM CLERK OF THE BOARD
Frank Kim	Leon J. Page	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 Nelson, Fourth District

PLEDGE OF ALLEGIANCE: Supervisor Steel, Second District

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

Supervisor Do will be presenting a resolution commemorating the 240th Birthday of the United States Marine Corps to the USMC Recruiting Command of Orange County

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

II. CONSENT CALENDAR (Items 1-17)

All matters are approved by one motion unless pulled by a Board Member for discussion or separate action. At this time, any member of the public may ask the Board to be heard on any item on the Consent Calendar.

BOARD APPOINTMENTS

1. **Chairman Spitzer -** Orange County Human Relations Commission - Reappoint Richard Steinberg, Lake Forest, for term ending 11/9/17

2. **Supervisor Do -** Orange County Planning Commission - Appoint Trung "Joe" Q. Ha, Westminster, for term concurrent with 1st District Supervisor's term of office

ELECTED DEPARTMENT HEADS

3. **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

Sheriff-Coroner:

4. Accept one-time donation valued at $13,297 from Orange County Sheriff's Advisory Council to install drought-resistant landscaping, Katella Training Facility; and make California Environmental Quality Act and other findings - District 3

5. Receive bids and award contract to Interfinish Corp., Inc. for replacement of carpet and vinyl floor tiles on the fourth and sixth floors of Brad Gates Forensic Science Building ($171,853); and make California Environmental Quality Act and other findings - District 1

6. 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); authorize Sheriff-Coroner or designee to execute amendment; and make California Environmental Quality Act and other findings - Districts 3 & 5. Continued to 12/15/15, 9:30 a.m.

7. Approve amendment 1 to license agreement PM 462-6620-03-19-23.1 with City of Irvine for continued use of space for training purposes at Sheriff's Katella Training Facility, Orange ($1,262.50; cumulative total $3,931.50); five year term commencing date of execution; renewable for five year period; and make California Environmental Quality Act findings and other findings - District 3

Treasurer-Tax Collector:

8. Approve agreement MA-074-16010777 with OPEX Corporation for maintenance of mail processing equipment, 12/1/15 - 11/30/18 ($107,213); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

9. Approve amendment 1 to Memorandum of Understanding with Superior Court, for establishing a separate bank account for Juvenile Traffic Citation revenue; and authorize Treasurer-Tax Collector to execute Memorandum of Understanding - All Districts

JOHN WAYNE AIRPORT

10. Approve plans and specifications and set bid opening for 12/16/15, 2:00 p.m. for Lighting System Upgrades project - District 2

OC PUBLIC WORKS

11. Select various firms in ranked list for on-call architect-engineer and professional consultant historical architecture services, 11/10/15 - 11/9/20; authorize negotiation of agreements for Board approval; and make California Environmental Quality Act and other findings - All Districts

12. Approve agreement MA-080-16010174 with GEI Consultants, Inc. for on-call architect-engineer support services for environmental regulation, 11/10/15 - 11/9/18 ($400,000); authorize Director or designee to execute agreement; and make California Environmental Quality Act and other findings - All Districts

13. **Acting as the Board of Supervisors** - approve and execute quitclaim deed to Orange County Flood Control District; **Acting as Board of Supervisors and Orange County Flood Control District** - approve and accept quitclaim deed from Orange County; approve and execute quitclaim deed to Orange County Transportation Authority for removal of liability and maintenance obligations for superseded Bixby Channel right of way at State Route 405 Freeway, near Seal Beach Blvd.; and make related findings - District 2

GENERAL ADMINISTRATION

14. **Clerk of the Board -** Approve 2016 Board of Supervisors regular meeting schedule - All Districts

15. **Clerk of the Board and County Counsel -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Auditor-Controller, Board of Supervisors First District, Board of Supervisors Fourth District, Clerk of the Board, Clerk-Recorder, County Counsel, County Executive Office, Department of Child Support Services, District Attorney, Health Care Agency, John Wayne Airport, OC Community Resources, OC Dana Point Harbor, OC Public Works, OC Waste & Recycling, Probation, Public Defender, Registrar of Voters, Sheriff-Coroner, Social Services Agency and Treasurer-Tax Collector - All Districts

16. **County Executive Office -** Receive and file Quarterly Information Technology Project Progress Detail Report for 1st Quarter FY 2015-16 - All Districts

17. **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

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-35)

ELECTED DEPARTMENT HEADS

18. **Clerk-Recorder -** Approve amendment 2 to Multi-County agreement with Counties of Los Angeles, Orange, Riverside and San Diego for shared ownership and ongoing maintenance of Statewide Electronic Courier Universal Recording Environment electronic recording delivery system ($250,000; new total $3,168,875) effective upon Board approval through 8/18/18; and authorize Clerk-Recorder or his designee to execute agreement - All Districts

District Attorney:

19. Approve amendment 3 to renew agreement MA-026-13010867 with Southern California Private Investigators, Inc. for document analysis services, 1/1/16 - 12/31/16 ($200,000; cumulative total $800,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

20. Approve amendment 2 to renew agreement MA-026-14010833 with Bode Cellmark Forensics,Inc. for forensic DNA testing services, 1/1/16 - 12/31/16 ($995,000; cumulative total $2,985,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

21. **Treasurer-Tax Collector -** Approve retroactive agreement M597504 with California Employment Development Department to obtain confidential wage, employer and insurance claim data, 1/1/15 - 12/31/18 ($15,706.70); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

HEALTH CARE AGENCY

22. Ratify retroactive agreement 15-78008-000 with California Department of State Hospitals for conditional release program, 7/1/15 - 6/30/16 ($1,482,349); and authorize Director or designee to execute agreement - All Districts

23. Ratify retroactive amendment 2 (7/1/15 - 6/30/16) to agreement 14-90077 with California Department of Health Care Services for substance use disorder services, 7/1/14 - 6/30/17 ($948,796; new total $21,019,473; cumulative total $61,205,775); and authorize Director or designee to execute amendment - All Districts

OC COMMUNITY RESOURCES

24. Approve Commercial Day Camp Licenses with U.S. Ocean Safety, Inc. dba OC Lifeguards and California Junior Lifeguard Programs, Inc. for Junior Lifeguard Programs, Salt Creek Beach, five year term with option to extend for additional five years; and make California Environmental Quality Act and other findings - District 5

25. Approve amendment 2 to agreement MA-012-14010024 with Parking Concepts, Inc. for parking management services at OC Parks facilities, 1/1/16 - 12/31/16; and authorize County Purchasing Agent or authorized Deputy to execute amendment - All Districts

26. **Acting as the Board of Supervisors and Orange County Housing Authority -** Receive and file the Affordable Housing Strategic Plan and approve Strategic Affordable Housing Implementation Plan recommendations and Regional Housing Needs Assessment transfer credit options; and authorize Director or designee to make related implementation plan actions - All Districts (Continued from 10/20/15, Item 16)

OC PUBLIC WORKS

27. Consider second reading and adoption of "An Ordinance of the County of Orange, California Adding Section 6-6-1 of the Codified Ordinances of the County of Orange Related to Performance and Development Standards for Wireless Communications Facilities Within County Highways" - All Districts (Continued Attachment B from 10/20/15, Item 26; 1st reading was heard on 10/27/15, Item 20)

28. Receive bids and award contract to Sukut Construction, LLC for Phase VIIIB-1 Buttress and Liner Construction Project at Frank R. Bowerman Landfill ($11,127,323) - District 3

29. Receive bids and award contract to CJW Construction, Inc. for maintenance and dredging project in Dana Point Harbor ($3,926,100) - District 5

SOCIAL SERVICES AGENCY

30. Accept California Governor's Office of Emergency Services Child Abuse Treatment Program grant funds10/1/15 - 9/30/16 ($225,000); and approve agreement FRB1715 with Olive Crest and Child Guidance Center, Inc. for comprehensive treatment services to child victims of abuse and violence, 11/10/15 - 9/30/20 ($1,778,750) - All Districts

GENERAL ADMINISTRATION

County Executive Office:

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

32. Adopt resolution determining no exchange of property tax revenues will occur for the Meyer Reorganization to City of Anaheim (RO 15-01) as a result of the detachment of property from Municipal Water District of Orange County - District 3

33. Approve grant applications/awards submitted in 11/10/15 grant report and other actions as recommended - All Districts. Revised Title to read: County Executive Office - Approve grant applications/awards submitted by Health Care Agency, OC Community Resources/OC Community Services and OC Public Works in 11/10/15 grant report and other actions as recommended; adopt resolution authorizing HCA Director or designee to submit grant applications for continued funding of various department programs and directing annual submittal of a list of routine continued funding grant applications for Board approval; adopt resolutions authorizing HCA Director or designee to submit and execute applications, related documents and amendments to State Department of Resources Recycling and Recovery (CalRecycle) for Local Enforcement Agency grant, Waste Tire Enforcement grant and Used Oil Payment Program; and adopt resolution authorizing OC Public Works Director or designee to negotiate, execute agreements and amendments with California Coastal Commission for Whale Tail grant ($20,000) - All District

34. **Human Resource Services -** Approve agreement with Standard Insurance Company for Long-Term Disability Insurance, third-party administration of County's self-insured Short-Term Disability Insurance plan and Reserve Deputy Sheriff Disability Income Protection Plan for certain represented eligible employee units, 1/1/16 - 12/31/18; renewable for two additional one-year periods; and authorize Chief Human Resources Officer or designee to execute agreement and to make any changes to document as required by law or regulatory authority - All Districts

35. **Chairman Spitzer and Supervisor Do -** Relating to the independent oversight and review of County operations, receive and file updated progress report of Special Counsel Michael Gennaco; provide direction to County Counsel and Mr. Gennaco to prepare amendments to Article 18 of Division 2 of Tile 1 of the Codified Ordinances of the County of Orange pertaining to the Office of Independent Review (OIR) that (1) amend the jurisdiction of the OIR to additionally include oversight and review of the Probation Department, Office of the District Attorney, Office of Public Defender, and the Social Services Agency, (2) enhance the reporting obligations of the OIR to the Board of Supervisors

IV. PUBLIC HEARINGS (None Scheduled)

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.

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Gaylan Harris, et al. v. County of Orange, United States District Court Case No. SA09CV00098- AG (MLGx)

CS-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - INITIATION OF LITIGATION pursuant to Government Code section 54956.9(d)(4):
Number of Cases: One Case

CS-3. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Orange County Flood Control District owned +/- 95 acre property located at the intersection of Mountain Avenue and Bickmore Avenue, Chino, CA
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: Future Lessees or Purchasers
Under Negotiation: Terms and Value of Future Lease or Sale

Human Resource Services:

CS-4. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title: Performance Audit Director

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. Human Resource Services - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b): Title: Clerk of the Board

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:

November 17, 2015	**Regular Meeting**
November 24, 2015	**Canceled Meeting**
December 1, 2015	**Canceled Meeting**