REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, January 14, 2014, 9:30 A.M.

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

SHAWN NELSON
CHAIRMAN
Fourth District

PATRICIA BATES
VICE CHAIRMAN
Fifth District

JANET NGUYEN
SUPERVISOR
First District

JOHN M.W. MOORLACH
SUPERVISOR
Second District

TODD SPITZER
SUPERVISOR
Third District

ATTENDANCE: Supervisors: Bates, Nguyen, Moorlach and Spitzer

EXCUSED: Supervisor Nelson

PRESENT:	COUNTY EXECUTIVE OFFICER	Michael B. Giancola
	COUNTY COUNSEL	Nicholas S. Chrisos
	CLERK OF THE BOARD	Susan Novak

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Vice Chair Bates, Fifth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-9)

32145 X **APPROVED AS RECOMMENDED WITH THE EXCEPTIONS OF ITEM 3 WHICH WAS CONTINUED TO 2/25/14, 9:30 A.M.; AND ITEMS 7, 8 & 9 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Spitzer -** Waste Management Commission - Reappoint Steve Chavez Lodge, Anaheim

Hills, for term ending 1/18/15

2. **Supervisor Nguyen -** Orange County Cemetery District - Reappoint Vivien Owen, Santa Ana, for term ending 1/8/18

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

3. Authorize County employees to voluntarily donate to Sheriff's Advisory Council through payroll deductions - All Districts (Continued from 12/10/13, Item 8)

32145 X **CONTINUED TO 2/25/14, 9:30 A.M.**

4. Approve agreement with Shea/Baker Ranch Associates, LLC at no cost for installation and maintenance of landscape at James A. Musick Jail Facility; and make California Environmental Quality Act findings - District 3 (Continued from 11/19/13, Item 4; 12/10/13, Item 7; 12/17/13, Item 14)

5. Approve agreement PO-060-14011022 with Helinet Aviation Services, LLC for purchase of SkyLink MINI Antenna Pod and Coupler Assembly ($42,606); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

6. Approve amendment 1 to agreement MA-060-13011459 with Ray Carmody dba Carmody Construction for general construction and maintenance services, 1/14/14 - 1/13/15 ($220,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

7. Receive and file Traffic Committee Report dated 10/17/13; approve recommendations and adopt necessary resolutions; and make California Environmental Quality Act findings - Districts 1 and 5 (Continued from 12/17/13, Item 30)

52134 X **APPROVED RECOMMENDED ACTIONS 2 & 3**

RESO: 14-006

52134 X **APPROVED RECOMMENDED ACTION 5 WITH STATUS REVIEW BY BOARD AFTER 6 MONTHS**

RESO: 14-007

35124 X **APPROVED RECOMMENDED ACTIONS 1, 4 & 6**

RESO: 14-008 - 14-009

GENERAL ADMINISTRATION

8. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Centralia School District and Magnolia School District - Districts 2 & 4 (Continued from 12/10/13, Item 42)

23154 X **CONTINUED TO 1/28/14, 9:30 A.M.**

9. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for November 2013 - All Districts (Continued Exhibit C - Purchasing Card Audit using computer-assisted audit techniques (CAATS) of the County Executive Office/County Procurement Office from 12/17/13, Item 37)

35124 X **RECEIVED AND FILED EXHIBIT C - PURCHASING CARD AUDIT WITH 1/9/14 REVISED RESPONSE TO RECOMMENDATION #3D**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 10-S20A)

ELECTED DEPARTMENT HEADS

10. **Sheriff-Coroner -** Accept grant award from State Emergency Management Agency for 2013 Emergency Management Performance Grant funds ($752,278); approve master agreement to transfer funds to participating cities; authorize Sheriff-Coroner or designee to execute individual agreements and related documents; authorize Auditor Controller to transfer funds to other entities under certain conditions; and authorize Purchasing Agent or authorized Deputy to purchase related equipment and services - All Districts

21354 **APPROVED AS RECOMMENDED**

X

HEALTH CARE AGENCY

11. Adopt resolution approving Shared Savings determination process to be used as methodology for calculating amount of Health Realignment Revenue to be redirected to the Family Support Services Subaccount; and authorize Director or designee to execute related documents - All Districts

12354 **APPROVED AS RECOMMENDED**

X

RESO: 14-010

12. Approve agreement with Advanced Medical Management, Inc. for Fiscal Intermediary Services for Medical Safety Net Program, 1/1/14 - 12/31/15 ($636,000); approve selection of and agreement with Advanced Medical Management, Inc. for Fiscal Intermediary Services for Emergency Medical Services Fund Program, 7/1/14 - 9/30/17 ($1,867,410); renewable for two year term; and authorize Director or designee to execute agreements and to exercise contingency cost increase of 10% under certain conditions; and authorize Auditor-Controller to make related payments - All Districts

52134 **APPROVED AS RECOMMENDED WITH STATUS REPORT TO THE BOARD IN 6 MONTHS**

X

OC COMMUNITY RESOURCES

13. Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Sections 4-1-23 and 4-1-95 of the Codified Ordinances of the County of Orange to Amend the Definitions" Applicable to Potentially Aggressive Dogs in the County and Make Various Other Amendments to Facilitate the Implementation of Safety Restrictions on Such Dogs" - All Districts (Continued from 9/17/13, Item 40; 10/1/13, Item 23; 11/5/13, Item 29; 12/17/13, Item 48)

35124 **CONTINUED TO 1/28/14, 9:30 A.M.**

X

GENERAL ADMINISTRATION

County Executive Office:

14. Approve grant applications/awards submitted by Health Care Agency, OCCR/OC Parks and OCCR/OC Animal Care in 1/14/14 grant report and other actions as recommended; adopt resolution authorizing OC Community Resources Director or designee to submit and execute standard agreement and amendments with State Department of Housing and Community Development for Housing-Related Parks Program - All Districts

25134 **APPROVED AS RECOMMENDED**

X

RESO: 14-011

15. Consider options for supporting charities through payroll deductions - All Districts

B.O. **CONTINUED TO 2/25/14, 9:30 A.M.**

16. Acting as the Board of Supervisors and Legislative Body of Community Facilities District No. 2004-1 (Ladera Ranch) - Adopt resolution authorizing issuance of 2014 Special Tax Refunding Bonds in an aggregate principal amount not to exceed $73,000,000; and approving other related documents and actions; and approving related budget adjustments (RA 2 4/5 vote of the members present) - District 5

53124 **APPROVED AS RECOMMENDED**

X

RESO: 14-012

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

21354 **RECEIVED AND FILED**

X

18. **Human Resource Services -** Approve amendment 4 to agreement MA-054-12011245 with Liebert Cassidy Whitmore for labor negotiation services, 1/25/14 - 1/24/15 ($350,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

25134 **APPROVED AS RECOMMENDED**

X

19. **Office of the Performance Audit Director -** Receive and file Review of Orange County Sheriff-Coroner Department Harbor Patrol Recommendations Follow-up Report - All Districts

23154 **RECEIVED AND FILED**

X

20. **Board of Supervisors -** Election of 2014 Officers

B.O. **CONTINUED TO 1/28/14, 9:30 A.M.**

ELECTED DEPARTMENT HEADS

S20A. **Sheriff-Coroner -** Provide direction to Sheriff-Coroner with regard to pursuing and obtaining contract for inmate telephone services - All Districts

25134 **DIRECTED STAFF TO CONTINUE WITH MONTH TO MONTH CONTRACT WITH**

X **GLOBAL TEL*LINK WHILE CONDUCTING AN EXPEDITED REQUEST FOR PROPOSALS**

IV. PUBLIC HEARINGS (Item 21)

OC COMMUNITY RESOURCES

21. Public Hearing to consider adopting resolution approving OC Animal Care Fee Schedule update for all animal license fees, effective 2/1/14 and for all other fees, effective 1/1/14; rescinding Resolution 08-091; and making California Environmental Quality Act and other findings - All Districts (Continued from 12/10/13, Item 73)

B.O. **CONTINUED TO 1/28/14, 9:30 A.M.**

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

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

B.O. **HELD, THE CLERK READ: THE BOARD BY A VOTE OF 3 TO 0, SUPERVISORS BATES, MOORLACH, AND SPITZER VOTING IN FAVOR, SUPERVISORS NELSON AND NGUYEN BEING ABSENT, AUTHORIZED COUNTY COUNSEL TO JOIN IN THE PETITION FOR WRIT OF MANDATE CHALLENGING THE COMMISSION ON STATE MANDATES' RULING OF THE TEST CLAIM ON SEXUALLY VIOLENT PREDATORS.**

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Arlet Wyant v. County of Orange, Worker's Compensation Appeal Board Case No. ADJ1659573

B.O. **HELD, THE CLERK READ: THE BOARD BY A VOTE OF 3 TO 0, SUPERVISORS BATES, MOORLACH, AND SPITZER VOTING IN FAVOR, SUPERVISORS NELSON AND NGUYEN BEING ABSENT, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF ARLET WYANT 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.**

CS-3. **County Executive Office** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: County Owned Property at Former MCAS El Toro
County Negotiator: Scott D. Mayer, Chief Real Estate Officer

Negotiating Party: Lowe Enterprises Real Estate Group
Under Negotiation: Terms and Value of Development Agreement and Master 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: Steve Danley
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) and other non-represented employees
RE: Terms and Conditions of Employment

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

SCS5. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Voice of Orange County.org, et al. v. County of Orange, Orange County Superior Court Case No. 30-2012-00585774

B.O. **HELD, THE CLERK READ: THE BOARD BY A VOTE OF 3 TO 0, SUPERVISORS BATES, MOORLACH, AND SPITZER VOTING IN FAVOR, SUPERVISORS NELSON AND NGUYEN BEING ABSENT, CONTINUED THE MATTER TO JANUARY 28, 2014.**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Michael Klubnikin - Oral Re: Fraud in handling of his mother's estate

Ilya Tseglin, Robert Tseglin and Gill Fine - Oral Re: Nate Tseglin and Orange County Regional Center

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Supervisor Spitzer - Oral Re: Participation in Probation Department sweep of parolees

ADJOURNED: 1:30 P.M.

25134 **Adjourned in memory of Giles Brown**
X

51234 **Adjourned in memory Stuart Hilborn**
X

35124 **Adjourned in memory Dr. William E. Callahan Jr.**

X

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen	A. = Abstained
2. = Supervisor Moorlach	X. = Excused
3. = Supervisor Spitzer	N. = No
4. = Supervisor Nelson	BO = Board Order
5. = Supervisor Bates	

ORD. = Ordinance
RESO. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

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Vice Chair, Orange County Board ofSupervisors

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Orange County Clerk of the Board