REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 30, 2013, 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 Nguyen, Moorlach, Nelson & Bates

EXCUSED: Supervisor Spitzer

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

INVOCATION: Supervisor Nguyen, First District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-13)

25134 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 13 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Bates -** Orange County Veterans Advisory Council - Appoint Peter W. McCormick, Laguna Niguel, to complete term ending 1/4/14

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

2. Adopt resolution accepting grant award from the State Department of Alcoholic Beverage Control for local law enforcement project ($100,000); and authorize Sheriff-Coroner to execute agreement and related documents - All Districts
RESO: 13-073

3. Approve agreement PO-060-13012260 with Chem-Aqua Inc. for purchase of water treatment chemicals ($6,085) - All Districts

4. Approve amendment 1 to agreement MA-060-13012117 with Hunter Consulting, Inc. dba HCI Environmental & Engineering Services for replacement and disposal of lead contaminated filters, 8/14/13 - 8/13/14 ($350,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

5. Approve amendment 4 to agreement MA-080-1101077 with Siemens Industry, Inc. for traffic signal maintenance services, 10/1/13 - 9/30/14 ($408,757); authorize Purchasing Agent or authorized Deputy to execute amendment and make necessary changes; and make California Environmental Quality Act findings - All Districts

6. Based upon Mitigated Negative Declaration IP 13-048 as clearance under the California Environmental Quality Act, approve proposed Edinger Avenue Bridge replacement over Bolsa Chica Channel Project; and direct staff to return to the Board for approval of final plans and special provisions, form of proposal and construction agreement and to set bid opening date - District 2

7. Based upon Mitigated Negative Declaration IP 02-150 as clearance under the California Environmental Quality Act, approve amendment 1 to agreement D08-044 with South Coast Water District for conveyance and treatment of filter backwash from Poche Clean Beach Project, five-year term ($90,000); and authorize Director or designee to execute agreement and amendments under certain conditions - District 5

8. **Acting as the Orange County Flood Control District -** Approve agreement D13-060 with Adams Streeter Civil Engineers for on-call architect-engineering services, three-year term ($400,000); and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

9. Adopt resolution authorizing Human Resources Director or designee as required by Penal Code Sections 11105(b)(11) and 13300(b)(11) and California Department of Justice to access state and federal level summary criminal history information including subsequent arrest records for any employees, including contract and volunteer employees, performing licensing regulatory duties who

have access to Foster Family Home licensing information - All Districts
RESO: 13-074

10. Approve 2013 Medi-Cal Privacy and Security agreement with California Department of Health Care Services for continued access to Medi-Cal Personally Identifiable Information; and authorize Director or designee to execute agreement and any additional documents necessary - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

11. Approve proposed amendments to the Conflict of Interest Code Designated Filers Exhibits for the District Attorney - All Districts

12. Approve initial Conflict of Interest Code for The Academy Charter School, a California Public Charter School - District 1

13. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for June 2013 - All Districts

24135 **APPROVED AS RECOMMENDED**
X

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 14-S25A)

GENERAL ADMINISTRATION

14. **Supervisor Moorlach -** Presentation by Matt Cate, CSAC Executive Director
PRESENTED

OC COMMUNITY RESOURCES

15. Approve amendment 1 to MA-012-12012186 with OCLC Online Computer Library Center Inc., for Online Cataloging and WorldCat FirstSearch services, 8/1/13 - 7/31/15 ($255,842); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

25134 **APPROVED AS RECOMMENDED**
X

16. Approve cooperative agreement OCP12-020 with City of Brea for implementation of Fullerton Creek Restoration Plan; and make California Environmental Quality Act findings - District 4

42135 **APPROVED AS RECOMMENDED**
X

17. Approve amendment 2 to agreement MA-012-11010396 with U.S. Ocean Safety, Inc. for lifeguard services to cover unforeseen staffing requirements, 1/1/13 - 12/31/13 ($86,400; new total $1,906,833); renewable for three additional years, 1/1/14 - 12/31/16 ($6,121,000 cumulative); and authorize Purchasing Agent or authorized Deputy to execute amendment - District 5

51234 **APPROVED AS RECOMMENDED**
X

OC PUBLIC WORKS

18. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreements D13-037 with ICF Jones & Stokes and D13-038 with URS Corporation for on-call regulatory permitting services, three-year terms ($400,000 each); and make California Environmental Quality Act findings - All Districts

25134 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

19. Approve agreements with Stephen Connolly as Executive Director, 9/1/13 - 8/31/14 ($210,000 per year plus County Executive Manager car allowance subject to continuing appropriations) and with John W. Harris as Investigations Analyst, 9/1/13 - 8/31/14 ($91,800 per year) for the Office of Independent Review - All Districts

21354 **APPROVED AS RECOMMENDED**
X N

20. Approve grant applications/awards submitted by Human Resource Services in 7/30/13 grant report and other actions as recommended - All Districts

21354
X

APPROVED AS RECOMMENDED

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

25134
X

APPROVED AS RECOMMENDED

22. Receive and file Quarterly Information Technology Project Status Detail, Executive Summary and Risk Assessment Reports for April - June 2013 - All Districts

24135
X

APPROVED AS RECOMMENDED

23. Approve proposed response to FY 2012-13 Grand Jury Report "Fixing the Law – Cutting Through the Tangle of Child Support and Custody" - All Districts

52134
X

APPROVED AS RECOMMENDED

24. Approve master services agreement MA-017-13012100 for five years with option for two one-year renewals with Xerox State & Local Solutions, Inc., for voice and data network services (Scope 2) (FY 2013-2014 cost $13,470,875; five year cost $133,541,303); and authorize Chief Information Officer or designee to execute master services agreement; authorize the County Chief Information Officer or his designees to extend the Term of the Information Technology and Telecommunications Services Agreement (#N10000003198) with Xerox State and Local Solutions, Inc., and increase the contract by a not to exceed amount of $8,172,918 beginning August 1, 2013 and no later than February 6, 2014 in the form of Amendment No. 20; approve Amendment #1 to Master Services Agreement (MA-017-13011864) between the County of Orange and Science Applications International Corporation (SAIC) for $243,328 for additional transition activities beyond the 120 day transition originally approved in the Agreement, and authorize and direct the County Chief Information Officer or designee to execute the amendment on behalf of the County; and make California Environmental Quality Act findings - All Districts (Continued from 7/23/13, Item 32)

15234
XN

AUTHORIZED STAFF TO ENTER INTO AN AGREEMENT WITH XEROX STATE AND LOCAL SOLUTIONS, INC. FOR INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS SERVICES FOR THE PERIOD 8/1/13 TO 9/10/13 AND CONTINUED THIS ITEM TO 9/10/13, 9:30 A.M.

25. **Human Resource Services** - Approve amendment 3 to agreement with Xerox HR Solutions, LLC for Total Benefits Self-Service Administrator services, 1/1/15 - 12/31/16; and authorize HRS/Employee Benefits Deputy Purchasing Agent to execute amendment - All Districts

54123
X

APPROVED AS RECOMMENDED

S25A. **Chairman Nelson -** Approve formation of real estate ad-hoc committee and appoint Chairman Nelson and Supervisor Spitzer as committee members

42135 X **APPROVED FORMING A REAL ESTATE AD-HOC COMMITTEE FOR GENERAL REAL ESTATE ISSUES AND APPOINTED CHAIRMAN NELSON AND SUPERVISOR NGUYEN AS MEMBERS AND A GREENSPOT AD-HOC COMMITTEE AND APPOINTED SUPERVISOR MOORLACH AND SUPERVISOR SPITZER AS MEMBERS.**

IV. PUBLIC HEARINGS (Item 26)

OC PUBLIC WORKS

26. Public Hearing to consider adopting resolution approving FY 2012-13 Weed Abatement Cost Report and special assessments on identified properties; and make California Environmental Quality Act findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

14235 X **APPROVED AS RECOMMENDED**

RESO: 13-075

V. CLOSED SESSION (Items CS-1-CS-3)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Craig Counts v. County of Orange, Workers' Compensation Appeal Board Case No. ADJ 7940379

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, SUPERVISOR SPITZER BEING ABSENT, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF CRAIG COUNTS 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-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Rodney Walker v. County of Orange, Workers' Compensation Appeal Board Case No. ADJ8934144

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, SUPERVISOR SPITZER BEING ABSENT, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF RODNEY WALKER 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. **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**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Opinion Online

Michael Klubnikin - Oral Re: seizure of estate, Internal Audit, Grand Jury

Ilya Tseglin and Robert Tseglin - Oral Re: Nate Tseglin

Nick Berardino - Oral Re: lack of line staff involvement in IT Sourcing process

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
None

ADJOURNED: 12:37 P.M.
None

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Spitzer

A. = Abstained
X. = Excused
N. = No

4. = Supervisor Nelson
5. = Supervisor Bates

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