REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 21, 2012
9:30 A.M.

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

JOHN M. W. MOORLACH
CHAIRMAN
Second District

SHAWN NELSON
VICE CHAIRMAN
Fourth District

JANET NGUYEN
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

PATRICIA BATES
SUPERVISOR
Fifth District

ACTING COUNTY EXECUTIVE OFFICER	COUNTY COUNSEL	CLERK OF THE BOARD
Robert J. Franz	Nicholas S. Chrisos	Susan Novak

County of Orange Mission Statement

Making Orange County a safe, healthy, and fulfilling place to live, work, and play, today and for generations to come,
by providing outstanding, cost-effective regional public services.

- **Vision Statement for Business Values - We strive to be a high quality model governmental agency that delivers services to the community in ways that demonstrate:**
  - EXCELLENCE – Provide responsive and timely services
  - LEADERSHIP – Leverage available resources as we partner with regional businesses and other governmental entities
  - STEWARDSHIP – Seek cost-effective and efficient methods
  - INNOVATION – Use leading-edge innovative technology

- **Vision Statement for Cultural Values - We commit to creating a positive, service-oriented culture which:**
  - Attracts and retains the best and the brightest
  - Fosters a spirit of collaborations and partnership internally and externally
  - Supports creativity, innovation, and responsiveness
  - Demonstrates a "can-do" attitude in accomplishing timely results
  - Creates a fun, fulfilling, and rewarding working environment
  - Models the following core values in everything we do: Respect, Integrity, Caring, Trust & Excellence

The Orange County Board of Supervisors welcomes you to this meeting and encourages your participation. This agenda contains a brief general description of each item to be considered. Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda.

If you wish to speak on an item contained in the agenda, please complete a Speaker Request Form(s) identifying the item(s) and deposit it in the box to the left of the podium. If you wish to speak on a matter which does not appear on the agenda, but is under the jurisdiction of the Board of Supervisors, you may do so during the Public Comments period at the end of the meeting. Your speaker request form must be deposited prior to the beginning of the consent calendar, the Clerk's reading of the title for 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. Please address the Board as a whole through the Chair. Comments to individual Supervisors or staff are not permitted. Speakers will be limited to three (3) minutes. Power Point and video presentations must be requested prior to the start of the meeting. Please see the Clerk for assistance.

In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Clerk of the Board's Office 72 hours prior to the meeting at (714) 834-2206

All supporting documentation is available for public review in the office of the Clerk of the Board of Supervisors located in the Hall of Administration Building, 333 W. Santa Ana Blvd., 10 Civic Center Plaza, Room 465, Santa Ana, 92701 during regular business hours, 8:00 a.m. - 5:00 p.m., Monday through Friday. Agenda Items are also available online at: http://www.ocgov.com/supervisors/agenda/supervisorsagenda.asp

Tuesday, August 21, 2012
9:30 A.M.

INVOCATION: Supervisor Bates, Fifth District

PLEDGE OF ALLEGIANCE: Supervisor Nelson, Fourth District

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I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-28)

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

Supervisor Bates:

1. Senior Citizens Advisory Council - Appoint Anthony Allevato, Mission Viejo, to complete term ending 12/31/13

2. Assessment Appeals Board No. 1 - Reappoint Jeanette M. Krembas, Laguna Niguel, for term ending 9/6/15

3. Assessment Appeals Board No. 3 - Reappoint Jerry McCloskey, Laguna Niguel, for term ending 9/6/15

4. Assessment Appeals Board No. 4 - Reappoint Craig Alexander, Dana Point, for term ending 9/6/15

COMMENDATIONS/PROCLAMATIONS/REPORTS

5. **Supervisor Campbell -** Adopt resolution recognizing September 11, 2012 as "Project Management Day"
Revised Title to read:
Supervisor Campbell - Adopt resolution recognizing September ~~11~~*10-14,* 2012 as "Project Management ~~Day~~ *Week*"

ELECTED DEPARTMENT HEADS

District Attorney:

6. Adopt resolution approving FY 2011-12 Federal Equitable Sharing agreement and Certification Report - All Districts

7. Approve Real Estate Fraud Prosecution Annual Report, FY 2011-12 pursuant to Government Code Section 27388 (d) (1) & (d) (2) - All Districts

Sheriff-Coroner:

8. Select HDR Architecture Inc. as primary and TMAD Taylor & Gaines, Inc. as alternate firms for design services for Immigration and Customs Enforcement (ICE) administrative office space, Theo Lacy Facility; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 3

9. Approve license agreement with Santa Catalina Island Conservancy for operation of emergency communications equipment, Mt. Black Jack Communications Facility; and make California Environmental Quality Act findings - All Districts

10. Approve amendment 7 to agreement MA-060-11012345 with American Textiles Systems for jail bed sheets, term ending 6/14/12 ($34,000; new total $164,600); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

11. Approve FY 2011-12 Federal Equitable Sharing Agreements and Certification Reports for federally forfeited property or proceeds received for Sheriff-Coroner Department, Regional Narcotics Suppression Program and Orange County Pro-Active MethLab Investigative Task Force - All Districts

12. Approve agreement MA-060-13010252 with Govplace for EMC Corporation data storage system hardware and software maintenance, 9/1/12 - 6/30/13 ($118,929); renewable for four additional one-year periods ($142,715 per year); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

HEALTH CARE AGENCY

13. Approve agreements with Community Action Partnership of Orange County for Network for a Healthy California - Children's Power Play! Campaign services ($140,000) and Latino Campaign services ($155,000), 10/1/12 - 9/30/13; and authorize Director or designee to execute agreements - All Districts

OC COMMUNITY RESOURCES

14. Approve agreement MA-012-12012165 with Merchants Landscape Services, Inc. for landscape maintenance services, Craig Regional Park, 9/1/12 - 8/31/13 ($300,140); renewable for four one-year periods; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 4

15. Approve amendment 1 to subordinate agreement MA-012-12012135 with Exclusive Network Enterprises for information technology temporary help services, 8/22/12 - 5/31/13 ($375,000; new total $400,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

16. Approve renewal of agreement MA-012-10013355 with AquaTechnex for lake management services at OC Parks facilities, 9/1/12 - 8/31/13 ($400,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

17. Approve OC Public Libraries code of conduct for library patrons; and authorize County Librarian to make immaterial changes - All Districts

18. **Acting as the Orange County Housing Authority** - Authorize Executive Director or designee to sign Section 8 Management Assessment Program Certification and related documents for monitoring key areas of performance of Section 8 Housing Choice Voucher Program - All Districts

OC PUBLIC WORKS

19. Approve agreements D12-040 with Rancho Mission Viejo, LLC and D12-041 with DMB Ladera, LLC for development in the Ranch Planned Community and Ladera Ranch Planned Community; authorize Director or designee to execute future agreements; and make California Environmental Quality Act findings - District 5

20. Adopt resolution relinquishing County jurisdiction over portions of Moulton Parkway and El Toro Road to City of Laguna Woods; and make California Environmental Quality Act findings - District 5

21. Approve agreement D12-046 with Rancho Mission Viejo Community Development, LLC and amendment 1 to agreement D11-008 with DMB Ladera, LLC for landscape maintenance of Antonio Parkway Landscape project; and make California Environmental Quality Act findings - District 5

22. **Acting as the Orange County Flood Control District -** Adopt Mitigated Negative Declaration IP 12-077; approve agreement D12-017 with Midway City Sanitary District for Newland Storm Channel Improvements Project; authorize Orange County Flood Control District to develop final plans and seek permits; and make California Environmental Quality Act findings - District 1

OC WASTE & RECYCLING

23. Approve plans and specifications and set bid opening for 11/21/12, 2:00 p.m., for Phase VIII-C Groundwater Protection project, Frank R. Bowerman Landfill; and make California Environmental Quality Act findings - District 3

24. Approve plans and specifications and set bid opening for 11/21/12, 2:00 p.m., for West Channel Realignment/South Basin/Wetlands Area Construction project, Frank R. Bowerman Landfill; and make California Environmental Quality Act findings - District 3

PUBLIC PROTECTION

Probation:

25. Approve Federal Equitable Sharing agreement, 10/1/12 - 9/30/13 and Federal Annual Certification Report, FY 2011-12; and make California Environmental Quality Act findings - All Districts

26. Approve agreement MA-057-13010126 with North Orange County Regional Occupational Program for personnel support services, Youth Guidance Center and Youth Leadership Academy, 9/1/12 - 8/31/13 ($160,000); authorized Purchasing Agent or authorize Deputy to execute agreement; and make California Environmental Quality Act findings - Districts 1 & 3

SOCIAL SERVICES AGENCY

27. Approve amendment 2 to lease with Manh Family Trust (Charles Manh and Anh Manh as Trustees) for County Community Service Center, Westminster, 10/1/07 - 9/30/17; and make California Environmental Quality Act findings - District 1

GENERAL ADMINISTRATION

28. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for July 2012 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 29-44)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

29. Approve lease agreement with Laguna Beach County Water District for use of Moorhead Reservoir at 10 Water Tank Road, Laguna Beach, for emergency radio communications, 10/6/09 - 10/5/17; and make related findings - District 5

30. Accept Urban Areas Security Initiative funds from City of Anaheim, FY10, for purchase of computer equipment ($90,000); and authorize Purchasing Agent or authorized Deputy to purchase related equipment - All Districts

31. Approve amendment 5 to five year agreement with City of Stanton for law enforcement services, 7/1/12 - 6/30/13 ($7,291,782); and authorize Sheriff-Coroner to execute agreement and subsequent amendments under certain conditions - District 2

HEALTH CARE AGENCY

32. Approve master agreement with various providers of professional medical, dental, behavioral and other support services, 9/29/12 - 9/28/13; authorize Director or designee to execute agreements - All Districts

OC COMMUNITY RESOURCES

33. Approve grant deed to United States Department of Agriculture - Forest Service for transfer of Santiago Truck Trail Property for public access to Cleveland National Forest; authorize Director or designee to execute grant deed and related documents; and make California Environmental Quality Act and other findings - All Districts (4/5 vote of members present) (Continued from 5/22/12, Item 70; 6/26/12, Item 58; 7/31/12, Item 14)
Deleted

34. Consider first reading of "An Ordinance of the County of Orange, California, Amending Sections 4-1-76, 5-1-1 and 5-1-29 of the Codified Ordinances of the County of Orange to Clarify the Requirements for Certain Permits and Licenses for the Keeping and Maintenance of Animals and for the Operation of Fixed and Mobile Animal Grooming Parlors"; and set second reading and adoption for 9/11/12, 9:30 a.m. - All Districts

35. Approve amendment 3 to agreement MA-012-10012969 with OC Partnership for technical assistance to Continuum of Care Homeless Assistance Programs for contract period ending 5/31/13, ($197,000; new total $280,500); renewable for two additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

36. Approve agreement MA-080-13010105 with Bureau Veritas North America Inc., GHD, Inc. and The Code Group, Inc. for plan check and related on-call support services, three-year term ($1,430,000); renewable for two additional years; and make California Environmental Quality Act findings - All Districts

37. Select RELATED/Griffin as primary and Birtcher Garfield Traub as alternate firms for development of Building 16 site in Santa Ana Civic Center; authorize Director or designee to negotiate agreement for Board approval; and make California Environmental Quality Act findings - District 1 (4/5 vote of the membership)
Revised Title to read:

OC Public Works - Select RELATED/Griffin as primary and Birtcher Garfield Traub as alternate firms for development of Building 16 site in Santa Ana Civic Center; authorize Director or designee to negotiate agreement for Board approval; and make California Environmental Quality Act findings - District 1 ~~*(4/5 vote of the membership)*~~

38. **Acting as the Orange County Flood Control District** - Approve contract change order 16 to agreement D10-035 with KEC Engineering for tunneling work ($3,096,695); and make California Environmental Quality Act and other findings - Districts 1 and 2 (4/5 vote of the members present)

39. **Acting as the Board of Supervisors and Orange County Flood Control District** - Select and approve agreement D12-044 with AECOM for construction management and inspection services for the Haster Retarding Basin, Pump Station and Recreational Field Project, three-year term ($1,754,265); and make California Environmental Quality Act findings - District 1

GENERAL ADMINISTRATION

County Executive Office:

40. Approve proposed response to FY 2011-12 Grand Jury Report "The Dissolution of Redevelopment: Where Have We Been? What Lies Ahead?" - All Districts

41. Exercise option to renew current agreement and approve amendment 5 to agreement with James F. McConnell, Jr. for Washington, D.C. federal advocacy services, 1/1/13 - 12/31/14 ($252,150 per year); renewable for one additional two-year term with Board approval; and authorize payment of $40,000 annually for specialized consultant work and authorized expenses - All Districts

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

43. Acting as Board of Supervisors and Community Facilities District 86-1 and 86-2 (Rancho Santa Margarita) - Adopt resolutions approving amendment 4 to Funding and Acquisition agreements for Community Facilities District 86-1 (Rancho Santa Margarita) and amendment 4 to Amended and Restated Funding and Acquisition agreement for Community Facilities District 86-2 (Rancho Santa Margarita); for reimbursement of costs to City of Rancho Santa Margarita for road projects completed; and authorize Public Finance Director to execute agreements - District 5

44. Approve compensation of $200 per meeting (maximum 12 meetings per year) for appointed members of Public Financing Advisory Committee (PFAC); and direct staff to amend PFAC Bylaws to include compensation - All Districts (Continued from 8/14/12, Item 26)
Continued to 9/11/12, 9:30 a.m.

S u p p l e m e n t a l I t e m (s)

DISCUSSION

S44A. **Chairman Moorlach** - Oversight Boards of the Successor Agencies to the City Redevelopment Agencies, Buena Park & Stanton - Appoint David Mansdoerfer

CLOSED SESSION

SCS5. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):

Name of Case: Jeff Bardzik v. County of Orange, et al., United States District Court Case No. SACV07-141-JVS (RNBx)

SCS6. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - THREATENED LITIGATION - Pursuant to Government Code Section 54956.9(b):

Number of Cases: One Case

IV. PUBLIC HEARINGS (None Scheduled)

V. CLOSED SESSION (Items CS-1-CS-4)

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

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: County of Orange v. Eastcom Corp., etc., et al., OCSC Case No. 30-2011-00526759

CS-2. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Various locations
County Negotiator: Robert J. Franz
Negotiating Party: Purchasers and sellers of buildings
Under Negotiations: Terms and value of futures sale(s) and acquisitions(s), including - County owned property in Santa Ana Civic Center; 801 W. Civic Center Drive, Santa Ana, CA; 405 W. 5th Street, Santa Ana, CA; 200 Santa Ana Blvd., Santa Ana, CA

Human Resources Department:

CS-3. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957:
Title: Interim County Executive Officer

CS-4. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6
Agency Negotiator: Robert J. Franz
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), International Union of Operating Engineers (IUOE), Orange County Attorneys Association (OCAA), Orange County Employees Association (OCEA) and Orange County Managers Association (OCMA)
RE: Terms and Conditions of Employment

VI. PUBLIC, CEO, BOARD & EMAIL 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, COMMITTEE, COMMISSION AND TRAVEL REPORTS:

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, provide travel or member committee, commission reports; provided that NO action may be taken on off-agenda items unless authorized by law.

ADJOURNED:

NEXT MEETINGS:

August 28, 2012	**No Scheduled Meeting**
September 4, 2012	**No Scheduled Meeting**
September 11, 2012	**Regular Meeting**