REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 17, 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

COUNTY EXECUTIVE OFFICER	COUNTY COUNSEL	CLERK OF THE BOARD
Thomas G. Mauk	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, July 17, 2012
9:30 A.M.

INVOCATION: Supervisor Nelson, Fourth District

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District

I N D E X

I. PRESENTATIONS/INTRODUCTIONS		Page #
II. CONSENT CALENDAR	(Items 1-14)	Page #
III. DISCUSSION ITEMS	(Items 15-31)	Page #
IV. PUBLIC HEARINGS	(Items 32-35)	Page #
V. CLOSED SESSION	(Items CS-1-CS-4)	Page #

VI. PUBLIC, CEO, BOARD & EMAIL COMMENTS & ADJOURNMENT
Page #

I. PRESENTATIONS/INTRODUCTIONS

Deleted - Chairman Moorlach will be presenting a resolution to Thomas V. McKernan, Chief Executive Officer, Automobile Club of Southern California on his retirement

Chairman Moorlach will recognize graduates of Orange County Leadership Academy XVII

Chairman Moorlach will presenting a resolution proclaiming July 15-21, 2012 as "Probation Services Week"

OCFEC Chair Joyce Tucker will present a ceremonial basket of Fair to Remember Packets to the Board of Supervisors & Social Services Agency to commemorate the 15,000 participants that will benefit from the 2012 partnership between the Fair and County

II. CONSENT CALENDAR (Items 1-14)

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 Campbell:

1. Orange County Historical Commission - Appoint Marilyn Thoms, North Tustin, for term concurrent with 3rd District Supervisor's term of office

2. North Tustin Advisory Committee - Reappoint Manual T. Padilla and John Secor, for terms ending 3/31/13; Merlin Henry, Jr., Gail J. Michelsen and Peter Schneider, for terms ending 3/31/14; and Sara Gerrick and Lance Jensen, for terms ending 3/31/15, all from North Tustin
   Revised Title to read:
   Chairman Moorlach - North Tustin Advisory Committee - Reappoint ~~Manual~~ *Manuel* T. Padilla and John Secor, for terms ending 3/31/13; Merlin Henry, Jr., Gail J. Michelsen and Peter Schneider, for terms ending 3/31/14; and Sara Gerrick and Lance Jensen, for terms ending 3/31/15, all from North Tustin

Chairman Moorlach:

3. Orange County Veterans Advisory Council - Appoint Donald J. Dillon, Newport Beach, to complete term ending 6/20/14

4. Audit Oversight Committee - Reappoint David M. Carlson, to complete term ending 12/31/15
   Revised Title to read:
   Chairman Moorlach - Audit Oversight Committee - Reappoint David M. Carlson, *Irvine,* to complete term ending 12/31/~~15~~ *14*

ELECTED DEPARTMENT HEADS

District Attorney:

5. Accept cash donation from Angels Outfielder Torii Hunter for Orange County Gang Reduction and Intervention Partnership (OC GRIP) ($50,000) - All Districts

6. Approve agreement DA-12-018 with Santa Ana Arts IV, Inc. for storage space at 811 N. Broadway, Santa Ana; and make California Environmental Quality Act findings - District 1

7. **Sheriff-Coroner -** Approve amendment 4 to agreement MA-060-12010462 with Susan Saxe-Clifford, Ph.D. for psychological evaluation services, term ending 12/30/12 ($350,000; new total $580,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC DANA POINT HARBOR

8. Approve Public Internet/Public Access agreement with California Ocean Institute and Coastal Conservancy for access to Maddie James Seaside Learning Center; and make California Environmental Quality Act findings - District 5

OC PUBLIC WORKS

9. Adopt resolutions approving Traffic Committee Reports dated 4/19/12; and report recommendations; and make California Environmental Quality Act findings - District 3

10. Approve plans and specifications and set bid opening for 8/22/12, 2:00 p.m., for replacement of Fire Suppression & Leak Detection Systems project, Orange County Data Center; and make California Environmental Quality Act findings - District 1

PUBLIC PROTECTION

11. **Probation -** Approve agreement with City of Orange for gang reduction, intervention and prevention services and truancy and curfew sweep services; ($14,104 reimbursement); authorize Chief Probation Officer to execute agreement; and make California Environmental Quality Act findings - District 3

GENERAL ADMINISTRATION

12. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Placentia Library District - All Districts

13. **County Counsel -** Select law firm of Kutak Rock, LLP for legal services related to base closure and reuse; authorize County Counsel to execute agreement and a conflict of interest waiver allowing the firm to represent the City of Tustin - All Districts

14. **Chairman Moorlach -** Receive and file Annual Report from Orange County Juvenile Justice Commission

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 15-31)

HEALTH CARE AGENCY

15. Adopt resolution approving standard agreement 12-007-250 with State Water Resources Control Board for County oversight of Leaking Underground Storage Tank Cleanup, 7/1/12- 6/30/13 ($1,072,470); authorize Director or designee to execute any subsequent amendments under certain conditions - All Districts

16. Approve cooperative agreement with City of Santa Ana for HIV housing and supportive services, 7/1/12 - 6/30/13 ($902,159) - All Districts

OC DANA POINT HARBOR

17. Approve agreements DP12-001 with Moffatt & Nichol for on-call Coastal Engineering services; DP12-002 with Chambers Group, Inc. for on-call Environmental Engineering services; DP12-003 with Moffatt & Nichol for on-call General Engineering services; DP12-004 with Geosyntec Consultants for on-call Geotechnical Engineering services; DP12-005 with Bryant Palmer Soto, Inc. for on-call Architectural services, 7/17/12 - 7/16/15 ($300,000 each); and make California Environmental Quality Act findings - District 5

OC COMMUNITY RESOURCES

18. Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Section 4-1-95 of the Codified Ordinances of the County of Orange to Authorize the Director of OC Animal Care to Impose Dog Ownership Restrictions on the Owners or Custodians of Dogs Declared to be Vicious" - All Districts (Continued from 6/19/12, Item 64; 6/26/12, Item 60)

19. Approve continued use of State Eligible Training Provider List for Workforce Investment Act training provider selection; and authorize Director or designee to execute individual agreements, 7/1/12 - 6/30/14 ($5,000,000; $6,500 per person) - All Districts (Continued from 6/19/12, Item 65; 6/26/12, Item 63)
Revised Title to read:
OC Community Resources - Approve continued use of State Eligible Training Provider List for Workforce Investment Act training provider selection; and authorize Director or designee to execute individual agreements *varying terms within*, 7/1/12 - 6/30/14 ($5,000,000; $6,500 per person) - All Districts (Continued from 6/19/12, Item 65; 6/26/12, Item 63)

OC PUBLIC WORKS

20. Approve agreement 12-0123-SF with State Department of Food and Agriculture for reimbursement of costs related to inspection services for Pierce's Disease Program, 7/1/12 - 6/30/14 ($955,336); authorize Director or designee to execute agreement; and make California Environmental Quality Act findings - All Districts

21. Approve FY 2012-13 OC Civic Center Parking/Maintenance Fund 828 Budget ($6,530,385); authorize Auditor-Controller to make related payments and advance funds from Parking Facilities Fund 137 not to exceed $577,693; and make California Environmental Quality Act findings - District 1

OC WASTE & RECYCLING

22. Select Environ Strategy Consultants, Inc. as primary and Shaw Environmental, Inc. as alternate firms for operation and maintenance services of groundwater control and monitoring and water supply systems, North Region Landfills; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - Districts 3 & 4

23. Select Simplus Management as primary and Tetra Tech BAS as alternate firms for construction management, quality assurance/quality control and archaeological/paleontological services, Central Region Landfills; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 3

24. Select LSA Associates, Inc. as primary and ECORP Consulting, Inc. as alternate firms for biological and archaeological/paleontological services, South Region Landfills; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - Districts 2, 3 & 5

PUBLIC PROTECTION

25. **Public Defender -** Approve lease agreement with CGJP-1, LLC for office space at 14120 Beach Blvd., Westminster; and make California Environmental Quality Act findings - District 1

GENERAL ADMINISTRATION

County Executive Office:

26. Adopt resolution authorizing execution and delivery of Fifth Supplemental Trust Indenture for Irvine Coast Assessment District No. 88-1 Limited Obligation Improvement Bonds and related actions - District 2

27. Approve revised 2007 Contract Policy Manual; and authorize County Purchasing Agent to execute 2012 manual incorporating all revised policies - All Districts (Continued from 6/26/12, Item 72)
Continued to 7/24/12, 9:30 A.M.

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

29. Approve Memorandums of Understanding with Superior Court of California for provision of services between the County and the Courts, 7/1/12 - 6/30/13; authorize CEO or designee to execute MOUs; and authorize Purchasing Agent or authorized Deputy to adjust annual contract amount for mid-year budget adjustments without further Board approval - All Districts

30. Approve grant applications/awards submitted by Health Care Agency, John Wayne Airport and OC Public Works in 7/17/12 grant report and other actions as recommended; adopt resolution authorizing Health Care Agency Director or designee to submit to State Department of Resources Recycling and Recovery (CalRecycle) a regional application and execute application, related documents and amendments for Used Oil Payment Program - All Districts

31. **Office of the Performance Audit Director -** Receive and file follow-up Audit of OC Planning and Development Services report - All Districts

IV. PUBLIC HEARINGS (Items 32-35)

ELECTED DEPARTMENT HEADS

32. **Sheriff-Coroner -** Public Hearing to consider adopting resolution approving penalty of $50 to be charged upon order of the Court based upon a person's ability to pay, to persons convicted of driving under the influence of alcohol or drugs (Vehicle Code Sections 23152 or 23153), effective 9/1/12; rescinding Resolution 91-1123; and making California Environmental Quality Act and other findings - All Districts

33. **Treasurer-Tax Collector -** Public Hearing to consider adopting resolution approving use of credit and debit cards as permitted under State Statute and reduction of convenience fees for Internet transactions for tax payments paid by credit and debit card; approving agreement MA074-12012200 with Official Payments Corp. for processing payments; authorizing the Treasurer-Tax Collector to execute agreement; and make California Environmental Quality Act findings - All Districts
Continued to 7/24/12, 9:30 A.M.

HEALTH CARE AGENCY

34. Public Hearing to consider adopting resolution approving recommended methodology for calculation and application of future annual adjustments for 911 emergency Basic Life Support maximum ambulance rates, effective July 1st of each year; and updating maximum Basic Life Support Ambulance and Orange County Fire Authority's advanced life support paramedic assessment and transportation rates; rescinding Resolution 08-075, effective 7/1/12 - All Districts (Continued from 6/26/12, Item 75)
Continued to 7/24/12, 9:30 A.M.

GENERAL ADMINISTRATION

35. **County Executive Office -** Public Hearing to consider adopting resolution approving issuance of Multifamily Housing Revenue Bonds and Refunding Bonds for San Clemente Senior Apartments Project in an aggregate principal amount not to exceed $17,600,000 for construction of Senior Apartments in City of San Clemente; and authorizing County Officers to execute and deliver any and all required documents - District 5

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

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
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. BD72901

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Morrison Pump Company v. SSC Construction, Inc., Orange County Superior Court Case No. 30-2010 00365657

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Foothill Communities Coalition v. County of Orange, Orange County Superior Court Case No. 30-2011-00467132
Deleted

CS-4. **County Executive Office** - Acting as the Board of Supervisors and Orange County Flood Control District - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Orange County Flood Control District owned 5.9 acre parcel on Bristol Street in the City of Costa Mesa adjacent to the 73 Freeway
County Negotiator: Thomas G. Mauk
Negotiating Party: Potential Lessees of Property
Under Negotiation: Lease Terms for Property/Release Request for Proposal

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

CLOSED SESSION

SCS5. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: County of Orange v. Asfour Family Corporation OCSC Case No. 30-2012 00542187

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:

July 24, 2012	**Regular Meeting**
July 31, 2012	**Regular Meeting**
August 7, 2012	**No Scheduled Meeting**