A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, April 16, 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

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

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 Moorlach, Second District

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-20)

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 - Reappoint Elizabeth Busick, Mission Viejo, to complete term ending 12/31/14

2. Oversight Boards of the Successor Agencies to the City Redevelopment Agencies, Mission Viejo - Appoint Sherri Butterfield

ELECTED DEPARTMENT HEADS

3. **Treasurer-Tax Collector -** Approve agreement with City of Westminster for water billing and payment processing services, 3/1/13 - 2/28/18; and authorized Treasurer-Tax Collector to execute agreement - District 1 (Continued from 2/26/13, Item 13)
Revised Title to read:
Treasurer-Tax Collector - Approve agreement with City of Westminster for water billing and payment processing services, 3/1/13 - 2/28/18 *5/1/13 - 4/30/18*; and authorized Treasurer-Tax Collector to execute agreement - District 1 (Continued from 2/26/13, Item 13)

OC COMMUNITY RESOURCES

4. Approve master agreement with various providers of veterinary services, 7/1/13 - 6/30/15 ($600,000); and authorize Director or designee to execute agreements and exercise contingency contract increase not to exceed 10% - All Districts

5. Approve agreement MA-012-13011419 with Rosario Tapia dba Tapia Landscaping for landscape maintenance services, Santa Ana River Trail and Bikeway, 5/1/13 - 4/30/14 ($253,502.20); renewable for four one-year periods; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - Districts 1, 2, & 3

6. Approve agreement with Moffat & Nichol for design and consulting services for Sunset Harbour Maintenance Dredging Project ($720,301); and make California Environmental Quality Act findings - District 2

7. Approve Commercial Day Camp Licenses with U.S. Ocean Safety, Inc. and California Junior Lifeguard Programs, Inc. for Junior Lifeguard programs, Salt Creek Beach; and make California Environmental Quality Act findings - District 5

8. Approve final draft general development plan for Orange County Zoo for future zoo operations and improvements; and make California Environmental Quality Act and other findings - District 3

OC PUBLIC WORKS

9. Approve agreement MA-080-11011371 with RBF Consulting for stormwater permit implementation assistance services, 5/17/13 - 5/16/14 ($250,000); authorize Purchasing Agent or authorized Deputy to execute agreement; authorize Director or designee to make adjustments under certain conditions; and make California Environmental Quality Act findings - All Districts

10. Select AECOM as primary and Faith + Gould, Inc. as alternate firms for comprehensive building assessment; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - Districts 1 and 3

11. Approve plans and specifications and set bid opening for 5/8/13, 2:00 p.m., for asbestos removal and decontamination services Job Order Contract; and make California Environmental Quality Act findings - All Districts
Continued to 5/7/13, 9:30 a.m

12. Approve plans and specifications and set bid opening for 5/29/13, 2:00 p.m., for Job Order Contract O&M 007, FY 2013-14, General Engineering-Road Projects; and make California Environmental Quality Act findings - All Districts
Continued to 5/7/13, 9:30 a.m

13. Approve plans and specifications and set bid opening for 5/29/13, 2:00 p.m., for Job Order Contract O&M 008, FY 2013-14, Earthwork & Paving-Road Projects; and make California Environmental Quality Act findings - All Districts
Continued to 5/7/13, 9:30 a.m

14. Receive and file Traffic Committee Report dated 2/21/13; approve recommendations and adopt necessary resolution; rescind a portion of Resolution 83-0447 and 96-0270; and make California Environmental Quality Act findings - Districts 1 and 3

15. **Acting as the Orange County Flood Control District -** Approve plans and specifications and set bid opening for 5/29/13, 2:00 p.m., for Job Order Contract O&M 009, FY 2013-14, General Engineering-Flood Projects; and make California Environmental Quality Act findings - All Districts
Continued to 5/7/13, 9:30 a.m

SOCIAL SERVICES AGENCY

16. Approve amendment 3 to MA-063-12011704 to renew as MA-063-13011175 with Quakleen Co. Inc. for janitorial and day porter services , Orangewood Children and Family Center, 6/1/13 - 5/31/14 ($207,540); and authorize Purchasing Agent or authorized Deputy to execute amendment - District 3

GENERAL ADMINISTRATION

Clerk of the Board:

17. Approve the proposed amendments to the Conflict of Interest Code Designated Filers Exhibits for the Auditor-Controller - All Districts

18. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Orange County Fire Authority - All Districts

19. Approve re-adoption of the State's Model Code by reference and modifications to Designated Filer Positions and Disclosure Categories Exhibits A & B for East Orange County Water District - All Districts

20. **Human Resource Services -** Approve amendment 1 to agreement with Great-West Retirement Services for County's Internal Revenue Code Section 457 defined contribution plan, Section 401 (a) Retirement Plan and Section 3121 plan for extra-help employees; approve adoption of agreements amending 457 defined contribution plan and 401 (a) retirement plan; and authorize Director or designee, as Plan Administrator to administer plans, negotiate and execute underlying agreements necessary for proper function and to make changes under certain conditions - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 21-33)

ELECTED DEPARTMENT HEADS

21. **Auditor-Controller -** Approve agreement MA-003-13011289 with Intellitime Systems Corporation for enterprise license, annual maintenance and support fees, 4/16/13 - 4/15/18 ($812,000); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

22. **Sheriff-Coroner -** Accept State Public Work Board's decision for establishment for expansion of James A. Musick Facility project (JAMF); approve amendment 2 to agreement with AECOM Technical Services, Inc. for architectural design services for Phase I Expansion of JAMF ($6,863,160); and make California Environmental Quality Act findings - All Districts

JOHN WAYNE AIRPORT

23. Approve Memorandum of Understanding with City of Newport Beach, Airport Working Group and Stop Polluting Our Newport for funding and preparation of Environmental Impact Report; and make California Environmental Quality Act findings - District 2

OC DANA POINT HARBOR

24. Approve amendment 5 to agreement MA-108-10012441 with Project Dimensions, Inc. for project management services associated with Dana Point Harbor Revitalization Plan, extending term five years ($4.4 million); and authorize Director or designee to execute amendment - District 5 (Continued from 2/5/13, Item 18; 2/26/13, Item 41; 3/5/13, Item 14; 3/19/13, Item 23; 4/9/13, Item 38)

OC PUBLIC WORKS

25. Approve agreement with Santa Margarita Water District and Rancho Mission Viejo for financing of specific on and offsite transportation infrastructure in South Orange County for Community Facility District 2013-1; and make California Environmental Quality Act findings - District 5

26. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreements D13-001 with Harris & Associates and D13-002 with CALTROP Corporation for on-call construction support services, three-year terms ($400,000 each); and make California Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

Probation:

27. Approve submission of Orange County Comprehensive Multi-Agency Juvenile Justice Plan and application for continued funding for FY 13-14 to Board of State and Community Corrections; and authorize Chief Probation Officer to execute application - All Districts

28. Approve renewal of agreement with C.M. Tipton Polygraph and Associates for adult sex offender post conviction polygraph examination services, 6/1/13 - 5/31/14 ($170,000); renewable for one additional year; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts
Continued to 5/7/13, 9:30 a.m.

SOCIAL SERVICES AGENCY

29. Approve amendment 1 to master agreement MA-063-12011826 with Orange County Transportation Authority for purchase of bus passes for mandated programs ($3,380,000; new total $5,980,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

GENERAL ADMINISTRATION

County Executive Office:

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

31. Approve pre-annexation agreement with City of Mission Viejo for Northeast Annexation and adopt resolution approving property tax exchange; authorize OCPW Director or designee to execute Local Agency Formation Commission Property Owner Consent form for annexation of parcels 856-061-30 and 856-061-40; and make California Environmental Quality Act and other findings - Districts 3 & 5

32. Approve grant application/awards submitted by District Attorney in 4/16/13, grant report and other actions recommended; adopt resolution authorizing District Attorney or designee to execute agreement and amendments with State Victim Compensation and Government Claims Board for State Criminal Restitution Compact Program ($263,337); and make California Environmental Quality Act findings - Al Districts

33. Conduct interviews of candidates for the position of Auditor-Controller; appoint Auditor-Controller; and provide additional direction to County Executive Office and Human Resource Services staff - All Districts

IV. PUBLIC HEARINGS (Items 34-35)

OC PUBLIC WORKS

34. Public Hearing to consider adopting resolution approving 2013 Weed Abatement Program and direct OC Public Works to report back to the Board on 7/30/13 and 7/29/14 with itemized cost reports; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

35. **County Executive Office -** Public Hearing to consider first reading and adoption of "An Ordinance of the County of Orange, California Approving a Public/Private Partnership with Related/Griffin for the Assessment and Construction of an Office Building for Governmental and Commercial Uses in the Santa Ana Civic Center"; approve agreement CT-080-13010515 with Griffin Structures, Inc. for Building 16/Civic Center Master Plan Study, 2/26/13 - 2/25/14 ($459,450); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 1 (4/5 vote of membership) (Continued from 2/26/13, Item 52; 3/12/13, Item 19; 3/19/13, Item 34)
Revised Title to read:
County Executive Office - Public Hearing to consider first reading and adoption of "An Ordinance of the County of Orange, California Approving a Public/Private Partnership with Related/Griffin for the Assessment and Construction of an Office Building for Governmental and Commercial Uses in the Santa Ana Civic Center"; approve agreement CT-080-13010515 with Griffin Structures, Inc. for Building 16/Civic Center Master Plan Study, 2/26/13 - 2/25/14 *4/16/13 – 4/15/14* ($459,450); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 1 (*4/5 vote of membership*) (Continued from 2/26/13, Item 52; 3/12/13, Item 19; 3/19/13, Item 34)

V. CLOSED SESSION (Items CS-1-CS-7)

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. **Chairman Nelson -** PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957:
Title: County Executive Officer

County Counsel:

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: California Department of Finance, et al. v. Jan Grimes, etc., OCSC Case No. 30-2012-00559592-CU-WM-CJC

CS-3. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9 (d)(4):
Number of Cases: One Case

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Phoebe Loggins, et al. v. County of Orange, et al., United States District Court Case No. SACV12-691 JVS (MLGx)
Continued to 4/23/13, 9:30 a.m.

CS-5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Aliso Beach Cafe v. County of Orange, Orange County Superior Court Case No. 30-201100462884

CS-6. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: County Owned and Leased Buildings, Civic Center, Santa Ana, CA
County Negotiator: Robert J. Franz
Negotiating Party: Related/Griffin, and future sellers or lessors in the Civic Center area, Santa Ana, CA
Under Negotiations: Terms and potential development(s)

CS-7. **Human Resource Services -** 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), 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

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, 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:

April 23, 2013	**Regular Meeting**
April 30, 2013	**No Scheduled Meeting**
May 7, 2013	**Regular Meeting**