



REGULAR MEETING OF THE BOARD OF SUPERVISORS  
ORANGE COUNTY, CALIFORNIA

*Tuesday, March 27, 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

ATTENDANCE: All Present

EXCUSED: None

|          |                          |                     |
|----------|--------------------------|---------------------|
| PRESENT: | COUNTY EXECUTIVE OFFICER | Thomas G. Mauk      |
|          | COUNTY COUNSEL           | Nicholas S. Chrisos |
|          | CLERK OF THE BOARD       | Susan Novak         |

INVOCATION: Supervisor Nelson, Fourth 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 1-27)**

34152 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 11 WHICH WAS CONTINUED TO 4/17/12, 9:30 A.M.; ITEMS 13 & 21 WHICH WERE CONTINUED TO 4/3/12, 9:30 A.M.; ITEM 19 WHICH WAS DELETED; AND ITEMS 9, 25, & 27 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

**BOARD APPOINTMENTS**

1. **Supervisor Campbell** - [Orange Park Acres Advisory Committee - Reappoint Mike](#) Forkert and appoint John Cox; Fran Klovstad; Laura Thomas; Kathy Lucas; Peter Jacklin; Sue Philipp; Keith Dombroske; Don Bradley, all from Orange, for terms ending 1/10/13

**Supervisor Nguyen:**

2. [Waste Management Commission - Reappoint Xuan-Nhi Van Ho, Westminster](#), for term ending 3/21/14
3. [Orange County Veterans Advisory Council - Appoint Miguel A. Vazquez](#), Westminster, to complete term ending 3/27/14
4. [Emergency Medical Care Committee - Appoint Chan Lee Nguyen, MD](#), Fountain Valley, to complete term ending 6/30/13

**COMMENDATIONS/PROCLAMATIONS/REPORTS**

5. **Supervisor Nguyen** - [Adopt resolution proclaiming April 22-28 as "Week of the Young Child"](#)  
*RESO: 12-032*

**ELECTED DEPARTMENT HEADS**

**Sheriff-Coroner:**

6. [Approve plans and specifications and set bid opening for 5/2/12, 2:00 p.m., for](#) dehumidification system, Coroner Facility; and make California Environmental Quality Act findings - District 1
  7. [Approve plans and specifications and set bid opening for 5/2/12, 2:00 p.m., for](#) replacement of three hot water heat exchangers, Central Men's Jail; and make California Environmental Quality Act findings - District 1
  8. [Approve amendment 3 to agreement N1000008677 with KONE Inc. for](#) elevator preventative maintenance and repair services, extending term to 6/26/12; and authorize Purchasing Agent or authorized deputy to execute amendment - All Districts
  9. [Accept grant award from State Emergency Management Agency for 2011](#) Emergency Management Performance Grant funds (\$687,703); approve agreement to transfer funds to participating cities; authorize Sheriff-Coroner or designee to execute individual agreements and related documents; and authorize Auditor Controller to transfer funds to other entities under certain conditions - All Districts
- 21345 **APPROVED AS RECOMMENDED**
10. [Approve plans and specifications and set bid opening for 5/2/12, 2:00p.m., for](#) Phase II of overhaul of electric sliding door, Central Men's and Women's Jails; and make California Environmental Quality Act findings - District 1

**OC DANA POINT HARBOR**

11. [Select Dana Point Marina Company as primary, Almar Management as first alternate](#) and TBW Company as second alternate firms for marina management services for West Basin Marina, Dana Point Harbor; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 5
- 34152 **CONTINUED TO 4/17/12, 9:30 A.M.**

## **OC COMMUNITY RESOURCES**

12. [Approve assignment, novation and consent agreement with Swift Lee Office, Inc. for](#) on-call architect-engineer services, effective 3/30/12; and authorize Director or designee to execute agreement - All Districts
13. [Approve consent to assignment agreement assigning Aliso Viejo Branch Library food](#) and beverage concession lease from The Neighborhood Cup, LLC to Match Point Co., Inc.; and make California Environmental Quality Act findings - District 5
- 34152 **CONTINUED TO 4/3/12, 9:30 A.M.**

## **OC PUBLIC WORKS**

14. [Approve plans and specifications and set bid opening for 5/2/12, 2:00 p.m., for slurry](#) seal of various streets in Orange County; and make California Environmental Quality Act findings - Districts 2 and 3
15. [Approve plans and specifications and set bid opening for 5/16/12, 2:00 p.m., for Job](#) Order Contract O&M 004, FY 2012-13, General Engineering-Road Projects; and make California Environmental Quality Act findings - All Districts
16. [Approve plans and specifications and set bid opening for 5/26/12, 2:00 p.m., for Job](#) Order Contract O&M 005, FY 2012-13, Earthwork & Paving-Road Projects; and make California Environmental Quality Act findings - All Districts
17. [Approve plans and specifications and set bid opening for 5/16/12, 2:00 p.m., for Job](#) Order Contract O&M 006, FY 2012-13, General Engineering-Flood Projects; and make California Environmental Quality Act findings - All Districts
18. [Approve agreement MA-080-12011186 with A Lighting By Design for lighting](#) maintenance and repair, 4/1/12 - 3/31/13 (\$288,016); renewable for four one-year periods; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts
19. [Approve and accept for recording quitclaim deed from the City of Irvine for conveyance](#) of three parcels totaling approximately 60 acres; and make California Environmental Quality Act findings - Districts 3 and 5 (Continued from 1/24/12, Item 17; 2/28/12, Item 17; 3/20/12, Item 8)
- 34152 **DELETED**
20. **Acting as the Orange County Flood Control District -** [Approve plans and](#) specifications and set bid opening for 5/2/12, 2:00 p.m., for the Trabuco Creek Channel Levee Protection Project, Phase VII; approve agreement D10-037 with Moulton Niguel Water District and Santa Margarita Water District; and make California Environmental Quality Act findings - District 5

### **Acting as the Board of Supervisors and Orange County Flood Control District:**

21. [Approve agreement MA-080-12011216 with MRF Geosystems Corporation for](#) GeoResearch Land Records E-Commerce System software maintenance and technical support, 3/27/12 - 3/26/13 (\$66,456); renewable for two additional years; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California

34152 Environmental Quality Act findings - All Districts  
**CONTINUED TO 4/3/12, 9:30 A.M.**

22. [Approve agreement D11-073 with Dudek for on-call habitat creation](#), restoration and enhancement services, three-year term (\$400,000); and make California Environmental Quality Act findings - All Districts

### **OC WASTE & RECYCLING**

23. [Approve grant award 12179 with South Coast Air Quality Management District for](#) Surplus Off-Road Opt-In for Nitrogen Oxides Program, term ending 6/30/20 (\$86,612); and authorize Director or designee to execute grant award agreement - Districts 3 & 5

24. [Receive and file AB 939 Surcharge Implementation Semi-Annual Report - All Districts](#)

### **PUBLIC PROTECTION**

25. **Probation -** [Approve Memorandum of Understanding with Superior Court for](#) reimbursement of Court expenditures related to Parent Empowerment Program services, 4/1/12 - 3/31/13 (\$120,000); and make California Environmental Quality Act findings - All Districts

24135 **APPROVED AS RECOMMENDED**

### **GENERAL ADMINISTRATION**

26. **County Executive Office -** [Approve amendment 1 to lease agreement](#) OCPW/RLS/CEO-10-026 with CalOptima for 462 useable square feet of floor space, Santa Ana; authorize Manager of CEO/IT to increase the size of premises at same per square foot rental rate; and make California Environmental Quality Act findings - District 1

27. **Internal Audit -** [Receive and file Internal Audit Department Monthly Status Report for](#) February 2012 - All Districts

23145 **APPROVED AS RECOMMENDED**

**END OF CONSENT CALENDAR**

### **III. DISCUSSION ITEMS (Items 28-S47A)**

#### **ELECTED DEPARTMENT HEADS**

28. **District Attorney - [Approve lease agreement DA-11-002 with Birtcher Anderson Investors, LLC for](#) office space at 801 Civic Center Drive West, Santa Ana; and make California Environmental Quality Act findings - District 1 (Continued from 12/13/11, Item 27; 1/10/12, Item 24; 2/7/12, Item 27; 2/28/12, Item 30; 3/6/12, Item 18)**
- B.O. **CONTINUED TO 4/17/12, 9:30 A.M.**

#### **HEALTH CARE AGENCY**

29. **[Approve amendment 6 to master agreement MA-042-11011686 with RxAmerica, LLC for pharmacy](#) benefits manager services (\$7,500,000; new total \$31,982,098) and master agreement MA-042-12011480 with Ramsell Corporation for 340B program pharmacy benefits administrator services, 5/1/12 - 8/31/12 (\$2,600,000); authorize Purchasing Agent or authorized Deputy to execute agreements; and approve master agreement with participating providers for 340B Covered Entity Pharmacy services, 5/1/12 - 12/31/13; and authorize Director or designee to execute individual agreements - All Districts**
- 41352 **APPROVED AS RECOMMENDED**

#### **JOHN WAYNE AIRPORT**

30. **[Approve renewal of agreement with CH2M HILL for environmental services, 4/1/12 - 3/31/13](#) (\$800,000); and make California Environmental Quality Act findings - District 2**
- 24135 **APPROVED AS RECOMMENDED**
31. **[Approve amendment 1 to agreement with Amtech Elevator Services for elevator and](#) escalator preventative maintenance and repair services, term ending 6/6/13 (\$181,187; new total \$1,151,795); renewable for one additional year (\$492,699); and authorize Purchasing Agent or authorized deputy to execute amendment - District 2**
- 24135 **APPROVED AS RECOMMENDED**
32. **[Reject all bids and return bid bonds for Bristol Street Slope Stabilization project; and](#) make California Environmental Quality Act findings - District 2**
- 23145 **APPROVED AS RECOMMENDED**

#### **OC DANA POINT HARBOR**

33. **[Approve amendment 2 to lease with Sea Styles, LLC dba Sea Styles, for early](#) termination of lease, term ending 10/1/12, with the option for 90-day extension prior to 6/30/15; authorize Director or designee to execute amendment; and make California Environmental Quality Act findings - District 5**
- 54132 **APPROVED AS RECOMMENDED**

#### **OC PUBLIC WORKS**

34. **[Approve agreement MA-080-12011291 with American Integrated Services, Inc.,](#) Double Barrel Environmental Services, Inc., O.C. Vacuum, Inc., Ocean Blue Environmental Services, Inc. and United Pumping Service, Inc. for on-call environmental cleanup services, 3/27/12 - 3/26/15 (\$1,500,000); renewable for two additional one-year periods (\$1,000,000 for two years);**

authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

41352 **APPROVED AS RECOMMENDED**

35. **Acting as the Orange County Flood Control District - [Approve acquisition contract, residential](#)** rental agreement and grant deed with Helen Dominguez for purchase of real property within the Prado Dam Project area; authorize Auditor Controller to make related payments; authorize Purchasing Agent or authorized Deputy to execute related documents; and make California Environmental Quality Act findings - All Districts

B.O. **CONTINUED TO 5/1/12, 9:30 A.M.**

### **OC WASTE & RECYCLING**

36. **[Select SCS Field Services as primary and Tetra Tech BAS as alternate firms for landfill gas services](#)**, North Region Landfills; and authorize negotiation of agreement for Board approval - Districts 3 & 4

43152 **APPROVED AS RECOMMENDED**

### **SOCIAL SERVICES AGENCY**

37. **[Approve amendment 1 to agreement MA-063-10012366 with Majestic Systems Integration Co., Inc.](#)**; Randstad North America LP dba Randstad Technologies LP; Sarcom, Inc. and Soft-Train, Inc. for Information Technology Professional services, extending term through 5/31/13 (\$4,203,700); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

43152 **APPROVED AS RECOMMENDED**

### **GENERAL ADMINISTRATION**

38. **Clerk of the Board - [Children and Families Commission - Approve selection of one](#)** individual to the Health Category (annual alternating category); one individual to the Health Category; and one individual to the Education Category, for terms ending 3/31/14 - All Districts

32145 **APPOINTED DR. MARIA MINON TO THE HEALTH CATEGORY FOR TERM OF APRIL 1, 2012 - MARCH 31, 2014**

52134 **APPOINTED KATHERINE AHN TO THE HEALTH CATEGORY FOR TERM OF APRIL 1, 2012 - MARCH 31, 2014**

42135 **APPOINTED SANDRA PIERCE TO THE EDUCATION CATEGORY FOR TERM OF APRIL 1, 2012 - MARCH 31, 2014**

#### **County Executive Office:**

39. **[Response to 10/18/11 Board Directive - Direct County Executive Office and Sheriff-Coroner](#)** to pursue options for establishing long-term law enforcement services contracts; and direct CEO to pursue options for legislative solutions - All Districts (Continued from 1/24/12, Item 44; 2/7/12, Item 42)

51342 **APPROVED RECOMMENDED ACTION 1 AS AMENDED TO DIRECT STAFF TO PURSUE CONTRACTS WITH TERMS OF NOT LESS THAN 5 YEARS BEGINNING IN FY 2013-14 AND APPROVED RECOMMENDED ACTION 2**

40. [Approve Performance Incentive Award to ACS State and Local Solutions](#)  
(\$183,175.58) for provision of information technology and telephony services - All  
Districts  
13452 **APPROVED AS RECOMMENDED**
41. [Ratify amendment 2 to agreement MA-017-11011395 with En Pointe](#) Technologies for  
Cisco Smartnet onsite software maintenance & support, 12/10/11 - 12/9/12  
(\$16,205.93); and authorize Purchasing Agent or authorized Deputy to execute  
amendment - All Districts  
31452 **APPROVED AS RECOMMENDED**
42. [Ratify agreement MA-017-12010492 with Govplace for Secure Computing](#) Equipment  
Maintenance, 1/1/12 - 12/31/12 (\$8,892.36); and authorize Purchasing Agent or  
authorized Deputy to execute agreement - All Districts  
35142 **APPROVED AS RECOMMENDED**
43. [Approve recommended positions on introduced or amended legislation and](#) consider  
other legislative subject matters - All Districts  
42135 **APPROVED RECOMMENDED ACTIONS WITH DIRECTION FOR STAFF  
TO REVISE LETTER OF OPPOSITION TO AB 1670 TO STRESS BOARD'S  
CONCERN THAT A FOREIGN NOMINEE TO ADMINISTER AN ESTATE IS  
NOT SUBJECT TO ENFORCEMENT ACTIONS IN OUR JUDICIAL SYSTEM**
44. [Approve grant application/award submitted by OC Community Resources in](#) 3/27/12  
grant report and other actions as recommended - All Districts  
31452 **APPROVED AS RECOMMENDED**
45. [Response to 9/21/10 Board Directive - authorize staff to return to the Board in](#)  
September, 2012 for extension of agreement with Platinum Advisors, LLC for State  
Legislative Advocacy services - All Districts  
31452 **WAIVED POLICY REQUIRING BIDDING OUT CONTRACTS EVERY 5  
YEARS AND APPROVED RECOMMENDED ACTION AS AMENDED  
DIRECTING STAFF TO RETURN TO THE BOARD WITH AN EXTENSION  
OF PLATINUM ADVISORS AGREEMENT THROUGH 9/30/2014**
46. [Appoint Shaun Skelly as Auditor-Controller - All Districts](#)  
51342 **CONTINUED TO 4/17/12, 9:30 A.M.**
47. **Human Resources Department - [Receive and file progress report on implementation](#) of**  
Performance Audit recommendations - All Districts  
B.O. **CONTINUED TO 4/3/12, 9:30 A.M.**

#### **ELECTED DEPARTMENT HEADS**

- S47A. **Auditor-Controller - [Approve contracts MA-003-12011617 with Macias, Gini & O'Connell,](#)**  
LLP (\$168,935) and MA-003-12011623 with Vavrinek, Trine, Day & Co., LLP (\$52,800) for  
agreed upon procedures related to the dissolution of redevelopment agencies; authorize  
Purchasing Agent or authorized Deputy to execute agreements and exercise a contingency  
contract increase not to exceed 10% and make related budget adjustments - All Districts (4/5  
vote of members present)  
43152 **APPROVED AS RECOMMENDED**

#### **IV. PUBLIC HEARINGS (Item 48)**

##### **OC COMMUNITY RESOURCES**

48. **Acting as the Board of Supervisors and Orange County Housing Authority - [Public Hearing to consider approving Orange County Housing Authority Annual Public Housing Agency Plan \(PHA\), FY 2012-13; and authorize Executive Director of OCHA or designee to execute related documents and to submit Plan to U.S. Department of Housing and Urban Development - All Districts](#)**

B.O. **CLOSED PUBLIC HEARING**

41352 **APPROVED AS RECOMMENDED**

#### **V. CLOSED SESSION (Items CS-1-SCS3)**

##### **GENERAL ADMINISTRATION**

- CS-1. **County Counsel - [CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION](#) - Pursuant to Government Code Section 54956.9(b):Number of Cases: One Case**

B.O. **DELETED**

##### **Human Resources Department:**

- CS-2. **[CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:](#)  
Agency Negotiator: Thomas G. Mauk  
Employee Organization: Association of County Law Enforcement Management (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), 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)**

B.O. **RE: Terms and Conditions of Employment  
HELD, NO REPORTABLE ACTION**

- SCS3. **[PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:](#)**

Title: County Executive Officer  
B.O. **CONTINUED TO 4/3/12, 9:30 A.M.**

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

##### **PUBLIC COMMENTS:**

[Opinion Online](#)

[Michael Klubnikin - Oral Re: Public Guardian](#)

Darrell Nolte - Oral Re: Documents shown on overhead projector should be included on video of Board

meeting

**COUNTY EXECUTIVE OFFICER COMMENTS:**

None

**BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:**

Supervisor Bates - Oral Re: thank you to all who assisted with the Annual Senior Summit

Supervisor Nguyen - Oral Re: thank you to all who assisted with the 3rd Annual Health Expo and visit to Santa Ana Armory

Supervisor Campbell - Oral Re: directed staff to work with video company to show documents placed on the overhead projector during the Board meeting videos

**ADJOURNED: 1:30 P.M.**

52134 **Adjourned in memory of Rabbi Allen Krause**

52134 **Adjourned in memory of Harry Lawrence**

12345 **Adjourned in memory of Donald P. Kennedy**

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\*\*\* KEY \*\*\*

***Left Margin Notes***

- 1. = Supervisor Nguyen
- 2. = Supervisor Moorlach
- 3. = Supervisor Campbell
- 4. = Supervisor Nelson
- 5. = Supervisor Bates

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order

ORD. = Ordinance  
RESO. = Resolution

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

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*Chair, Orange County Board of Supervisors*

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*Orange County Clerk of the Board*