REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, November 19, 2013, 8:00 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: All Present

EXCUSED: None

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

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Moorlach, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-13)

54123 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 4 & 9 WHICH WERE CONTINUED TO 12/10/13, 9:30 A.M.; AND ITEMS 12 & 13 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

1. Approve amendment 6 to agreement MA-060-13010622 with Susan Saxe-Clifford, Ph.D., A

Professional Corporation, for psychological evaluation services, 12/31/13 - 6/30/14 ($175,000; new total $640,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

2. Ratify and approve agreement PO-060-14010803 with National Training Concepts for Active Shooter Instructor Course, 8/14/13 - 8/17/13 ($6,435); and authorize Auditor Controller or designee to make related payment - All Districts

3. Adopt resolution authorizing expenditures in the amount of $8,000 annually to provide appreciation certificates, letters, plaques, awards, meals and refreshments to volunteers at Sheriff-Coroner Department/Inmate Services Division Recognition events; and make related findings - All Districts
RESO: 13-111

4. Approve agreement with Shea/Baker Ranch Associates, LLC at no cost for installation and maintenance of landscape at James A. Musick Jail Facility; and make California Environmental Quality Act findings - District 3
54123 **CONTINUED TO 12/10/13, 9:30 A.M.**

OC COMMUNITY RESOURCES

5. Approve amendment 1 to cooperative agreement with South Orange County Wastewater Authority for completion of restoration of Aliso Water Management Agency Bridge, extending term to 6/30/14; and make California Environmental Quality Act findings - District 5

6. Approve restated amendment 2 to agreement D06-085 with West Cities Police Communications Center Joint Powers Authority for radio communication and dispatch services for County Park Rangers ($5,856 increase) - All Districts

OC PUBLIC WORKS

7. Receive bids and award Job Order Contract to CTG Construction, Inc. for OC Public Works for painting services on facilities maintenance and repair projects ($250,000); and make California Environmental Quality Act findings - All Districts

8. **Acting as the Board of Supervisors and Orange County Flood Control District -** Relying upon Final Mitigated Negative Declaration IP 12-079 as compliance under the California Environmental Quality Act, approve agreement D13-094 with Los Angeles County Flood Control District for the Coyote Creek Class 1 Bikeway Project - District 4

PUBLIC PROTECTION

9. **Probation -** Approve agreement M493223 with State Employment Development Department for release and use of confidential wage, employer and insurance information, 7/1/13 - 6/30/16 ($12,677.65); authorize Chief Probation Officer or designee to execute agreement; and make California Environmental Quality Act findings - All Districts
54123 **CONTINUED TO 12/10/13, 9:30 A.M.**

GENERAL ADMINISTRATION

10. **Clerk of the Board -** Adopt revised Assessment Appeals Board and Hearing Officer Rules of

Procedure governing the County Board of Equalization hearing notice process to establish use of hearing confirmations effective immediately for scheduling of new hearings - All Districts

11. **Human Resource Services -** Approve five-year Internship & Cooperative Education Site agreement SL12-492 with California State University, Fullerton to facilitate student fieldwork/internship placement within County agencies/departments; and authorize Chief Human Resources Officer or designee to modify agreement to comply with changes in State and/or Federal law or regulation, without further Board action - All Districts

12. **Internal Audit -** Approve amendment to Audit Oversight Committee Bylaws making the Performance Audit Director a Regular, Voting Member - All Districts

32154 **APPROVED AS RECOMMENDED**

13. **Registrar of Voters -** Receive and file certification of results of October 24, 2013 Board of Retirement of the Orange County Employees Retirement System election; and declare elected the person having the highest number of votes for Retired Member for three year term, commencing 1/1/14 - All Districts

32154 **APPROVED AS RECOMMENDED**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 14-S22A)

ELECTED DEPARTMENT HEADS

14. **District Attorney -** Approve amendment 1 to lease agreements DA-11-008, DA-11-011, DA-11-012 and DA-12-018 with Santa Ana Arts IV, Inc. for secure file and record storage, extending terms 5 years ($1,377,000); and make California Environmental Quality Act findings - District 1

13254 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

15. Ratify and approve amendment 13 to agreement MA-060-10013277 with Galls LLC assigning to Galls LLC-Quartermaster LLC for supply of uniforms, 7/1/13 - 6/30/14 ($1,377,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

32154 **APPROVED AS RECOMMENDED**

16. Approve amendment 12 to agreement MA-060-12011648 with Global Tel*Link Corporation for inmate telephone services, 12/3/13 - 9/2/14; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

31254 X **CONTINUED TO A DATE TO BE DETERMINED. CONTRACT WITH GLOBAL TEL*LINK TO CONTINUE ON MONTH TO MONTH BASIS; DIRECTED SHERIFF TO PREPARE FOR AN RFP (IN CASE IT'S NEEDED); DIRECTED COUNTY COUNSEL TO WRITE A MEMO DELINEATING OPTIONS AVAILABLE TO BOARD; AND DIRECTED COUNTY COUNSEL TO RE-AGENDIZE ITEM AND ASK SHERIFF DEPARTMENT, INCUMBENT VENDOR AND PROTESTOR TO BE PRESENT AT BOARD MEETING FOR QUESTIONS.**

OC COMMUNITY RESOURCES

17. Approve agreement MA-012-14010623 with The Soto Company for landscape maintenance service, at various South Coastal Operations facilities, 12/1/13 - 11/30/14 ($385,760); renewable for four one-year periods under same terms and conditions; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 5

51234 X **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

18. Receive bids and award contract to MAMCO, Inc. dba Alabbasi for Cerritos Avenue Reconstruction and Sewer Improvements project from Gilbert Street to Brookhurst Street ($2,017,255.07); approve agreement D13-046 with Garden Grove Sanitary District to reimburse cost to construct new sewer main and sewer laterals within project limits and transfer of ownership and maintenance responsibilities; and approve agreement D13-065 with City of Anaheim for relocation of water facilities within the project limits and transfer of ownership and maintenance responsibilities - District 4

41235 X **APPROVED AS RECOMMENDED**

19. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreement with California Conservation Corps for work crews to support OC Public Works operations and maintenance, five-year term ($300,000 per year); and make California Environmental Quality Act

findings - All Districts
15234 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

20. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
NO ACTION TAKEN

21. Approve grant applications/awards submitted by District Attorney and OC Community Resources/OC Animal Care in 11/19/13 grant report and other actions as recommended - All Districts
15234 **APPROVED AS RECOMMENDED**
X

22. Receive from Supervisor Spitzer the selection of finalists in the Orange County Crime Victims' Memorial Design Competition - All Districts
RECEIVED

OC PUBLIC WORKS

S22A. Consider whether to award contract to Papich Construction Company ($61,724,732.25) for the La Pata Avenue/Camino Del Rio Extension Project; or relieve the low bidder, Papich Construction Company of its obligation to perform and waive the bid item irregularity of Sukut Construction as immaterial and award contract to Sukut Construction ($74,976,111.16); or reject all bids received on October 30, 2013 and direct Clerk of the Board to readvertise the bid; and find that Final Environmental Impact Report 610, originally certified on May 24, 2011 provide adequate documentation under the California Environmental Quality Act - All Districts
53124 **APPROVED RECOMMENDED ACTIONS 1, 2C & 4**
X

IV. PUBLIC HEARINGS (Item 23)

OC COMMUNITY RESOURCES

23. **Acting as the Board of Supervisors and Orange County Housing Authority -** Public Hearing to consider adopting FY 2014-15 Funding Allocation Policy and process for Housing and Development activities - All Districts
B.O. **CONTINUED TO 12/17/13, 9:30 A.M.**

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

CS-1. **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:

Michael Klubnikin - Oral Re: Bell scandal, his estate, Internal Audit.

Ilya Tseglin & Robert Tseglin - Oral Re: Nate Tseglin, Regional Center.

Wan Tin - Oral Re: Issue with case transferred from LA Superior Court to Orange County Superior Court and Arcadia police. The Chairman determined the issues were not within the jurisdiction of the BOS.

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:

Supervisor Spitzer - Oral Re: Wished everyone a Happy Thanksgiving.

Supervisor Nguyen - Oral Re: Wished everyone a Happy Thanksgiving; Purple Heart resolution presentation at Orange County Veterans Advisory Council meeting. Will be working with other Board offices to contact cities which are not yet designated as "Purple Heart Cities."

ADJOURNED: 10:47 A.M.

54123 **Adjourned in memory of Ernie Johnson**
X

54123 **Adjourned in memory of Pete Ross**
X

*** KEY ***

Left Margin Notes

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

Chair, Orange County Board of Supervisors

Orange County Clerk of the Board