REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, October 23, 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

INTERIM 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, October 23, 2012
9:30 A.M.

INVOCATION: Supervisor Campbell, Third District

PLEDGE OF ALLEGIANCE: Supervisor Nelson, Fourth District

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I. PRESENTATIONS/INTRODUCTIONS (None Scheduled)

II. CONSENT CALENDAR (Items 1-6)

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.

HEALTH CARE AGENCY

1. Approve selection of and agreement with Pharmacy Healthcare Solutions, Ltd. for Behavioral Health Patient Assistance Program Management services, 10/24/12 - 6/30/13; and authorize Director or designee to extend agreement one-year; and authorize Director or designee to execute agreement and extension - All Districts

2. Approve CalRecycle Enforcement Assistance grant agreement EA 23-12-31 for solid waste management, 7/1/12 - 10/28/13 ($44,869); and authorize Director or designee to execute agreement - All Districts

OC PUBLIC WORKS

3. Receive bids and award contract to Link-Nilsen Corporation for replacement of fire suppression and leak detection systems project, OC Data Center ($318,675); and make California Environmental Quality Act findings - District 1

PUBLIC PROTECTION

4. **Probation -** Receive and file update of Orange County Public Safety Realignment and Postrelease Community Supervision 2012 Implementation Plan - All Districts

SOCIAL SERVICES AGENCY

5. Approve and authorize Social Services to make revisions to the General Relief Regulations Manual - All Districts

GENERAL ADMINISTRATION

6. **Supervisor Moorlach -** Adopt resolution proclaiming November 2012 as "National Pancreatic Cancer Awareness Month"

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 7-25)

ELECTED DEPARTMENT HEADS

7. **Sheriff-Coroner -** Approve amendment four to agreement MA-060-13010493 with Computer Deductions, Inc. for Unisys Dorado 4080 mainframe computer hardware/software license, maintenance and support, 12/14/12 - 12/13/13 ($386,518); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

8. **District Attorney, Sheriff, and Probation -** Approve use of general funds to replace Neighborhood Development and Preservation Program (NDAPP) funding to continue anti-gang efforts, Central/North Orange County, including areas in unincorporated islands, Midway City, Stanton and portions of Garden Grove and Orange ($3,831,603) - Districts 1, 2, 3 & 4
Revised Title to read:

> **District Attorney, Sheriff and Probation** - Approve use of ~~general funds~~ *Prop 172 funding* to replace Neighborhood Development and Preservation Program (NDAPP) funding to continue anti-gang efforts, Central/North Orange County, including areas in unincorporated islands, Midway City, Stanton and portions of Garden Grove and Orange ~~($3,831,603)~~ - Districts 1, 2, 3 & 4

HEALTH CARE AGENCY

9. Approve renewal of ten year lease agreements with CGJP-1, LLC for adult mental health services, alcohol and drug abuse services and mental health services act programs, Westminster; and make California Environmental Quality Act findings - District 1

10. Approve amendment 2 to lease agreement with Margery Geiler, Trustee of the Margery G. Geiler Trust and Leland W. Geiler II, Trustee of the Leland W. Geiler Separate Property Trust for office space and negotiated reduction of rent for adult mental health services, alcohol and drug abuse services and mental health services act program, Aliso Viejo; and make California Environmental Quality Act findings - District 5

JOHN WAYNE AIRPORT

11. Select and approve lease with XpresSpa dba XpresSpa John Wayne Airport, LLC for operation of specialty concession; and make California Environmental Quality Act findings - District 2 (4/5 vote of the members present)

12. Approve plans and specifications and set bid opening for 11/28/12, 2:00 p.m., for Perimeter Road Reconstruction- Phase 2 project; authorize Director or designee to sign plans and specifications and extend bid opening if required up to 55 days; and make California Environmental Quality Act findings - District 2

13. Response to 11/22/11 Board Directive - Approve amendment 6 to agreement with Orange County Fire Authority for Aircraft Rescue Fire Fighting (ARFF) services, 12/1/12 - 11/30/13 ($5,032,644); authorize Purchasing Agent or authorized Deputy to execute amendment, extend agreement up to 90 days and to issue Request for Statement of Qualifications for ARFF; and make California Environmental Quality Act findings - District 2 (Continued from 10/16/12, Item 22)
Continued to 10/30/12, 9:30 a.m.

OC PUBLIC WORKS

14. Approve agreement MA-080-13010705 with Parking Concepts Inc. for management and operation of multi-facility parking complexes, 12/1/12 - 11/30/13 ($2,148,662); renewable for four additional years; and make California Environmental Quality Act findings - Districts 1 and 3
Revised Title to read:

OC Public Works - Approve agreement MA-080-13010705 with Parking Concepts Inc. for management and operation of multi-facility parking complexes, 12/1/12 - 11/30/13 (~~$2,148,662~~ *$2,148,562*); renewable for four additional years; and make California Environmental Quality Act findings - Districts 1 and 3

OC WASTE & RECYCLING

15. Approve master agreement MA-299-13010437 with Tetra Tech BAS, Inc. for landfill gas operation and maintenance services, South Region Landfills, 12/1/12 - 11/30/15 ($4,200,000) with option to renew for two additional one-year periods ($1,400,000 per year); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - Districts 3 & 5
Continued to 11/20/12, 9:30 a.m.

SOCIAL SERVICES AGENCY

16. Select and approve agreement CMC0113 with Professional Tutors of America, Inc., for individual academic tutoring services, 11/1/12 - 6/30/15 ($320,000) - All Districts

17. Ratify emergency agreement PO-063-13010834 with OP Almaraz dba Allied Restoration Services Inc. for emergency sanitation clean-up at 800/840 N. Eckhoff St., Orange, 9/1/12 - 9/3/12 ($182,186.05); and make related findings - District 3 (4/5 vote of the members present)

GENERAL ADMINISTRATION

County Executive Office:

18. Approve grant applications/awards submitted by OC Public Works and Sheriff-Coroner in 10/23/12 grant report and other actions as recommended; adopt resolutions authorizing OC Public Works Director or designee to submit and execute applications for Renewed Measure M2 Regional Traffic Signal Synchronization Program and M2 Regional Capacity Program and to invoice Orange County Transportation Authority for payment - All Districts

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

20. Approve renewal agreement MA-017-10012843 with York Risk Services Group, Inc. for administration of County's self-insured workers' compensation claims, through 6/30/16; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

21. Adopt resolution establishing 2012 Mortgage Credit Certificate Program; authorizing County Executive Officer, Public Finance Director or designees to file all necessary notices with appropriate State and Federal agencies and to develop rules and guidelines for the program; authorizing submission of application to California Debt Limit Allocation Committee for authority to issue mortgage credit certificates; authorizing County Executive Officer, Public Finance Director or designees to enter into cooperative agreements with participating cities; approving other related actions and making related findings - All Districts

22. Approve reassignment of Corporate Real Estate unit from OC Public Works to County Executive Office; direct County Executive Offer (CEO) to return to the Board with necessary budget transfers needed to fully implement reassignment in First Quarter Budget Report - All Districts

23. **Human Resources Department** - Approve amendment to Short-Term Disability Plan Document, effective 10/23/12; and authorize Director or designee to make changes as required by law or regulatory authority - All Districts

24. **Supervisor Campbell** - Approve renaming 401 S. Tustin Mental Health Campus, Orange as "Juliette A. Poulson Behavioral Health Campus" with informal name of "Poulson Campus" in honor of former Health Care Agency Director Juliette A. Poulson (Continued from 10/16/12, Item S29A)
Deleted

25. **Supervisor Nguyen** - Receive and file 18th Annual Report on the Conditions of Children in Orange County

IV. PUBLIC HEARINGS (Items 26-27)

HEALTH CARE AGENCY

26. Public Hearing to consider adopting resolution approving Drinking Driver Program Fee update; superseding and rescinding Resolution 08-128; effective 11/1/12, 7/1/13 and 7/1/14; and make California Environmental Quality Act and other findings - All Districts

27. Public Hearing to consider adopting resolution approving PC 1000 Drug Diversion Program Fee update; superseding and rescinding Resolution 08-129; effective 11/1/12, 7/1/13 and 7/1/14; and make California Environmental Quality Act and other findings - All Districts

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

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Andrea Harris v. County of Orange, Workers' Compensation Appeal Board Case No. ADJ2156512

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Jill Abbott v. County of Orange, Workers' Compensation Appeal Board Case Nos. ADJ3440086 and ADJ626726

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Robert J. Sellers v. County of Orange, Workers' Compensation Claim

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Souhair Khatib v. County of Orange, et al., United States District Court Case No. SACV07-1012 DOC (MLGx)

CS-5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: California Department of Finance, et al. v. Jan Grimes, etc. OCSC Case No. 30-2012-00559592-CU-WM-CJC
Continued to 10/30/12, 9:30 a.m.

CS-6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Lea Riley v. County of Orange, et al. United States District Court Case No. SACV11-00773 JST (ANx)

CS-7. **Human Resources Department -** 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 Orange County Managers Association (OCMA)
RE: Terms and Conditions of Employment

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

CLOSED SESSION

SCS8. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):

Name of Case: Lyle Wilson v. County of Orange, United States District Court Case No. 30-2012-00601570

SCS9. **Human Resources** - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957:

Title: Performance Audit Director

SCS10. **County Executive Officer** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:

Property Location: County parcels located on the former Marine Corps Air Station El Toro
County Negotiator: Robert J. Franz
Negotiating Party: Lowe Enterprises, Inc.
Under Negotiation: Terms and Value of Future Sale

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:

October 30, 2012	**Regular Meeting**
November 6, 2012	**No Meeting Scheduled**
November 13, 2012	**No Meeting Scheduled**