REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, February 28, 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. This agenda contains a brief general description of each item to be considered. The Board of Supervisors encourages your participation. If you wish to speak on an item contained in the agenda, please complete a Speaker Form(s) identifying the item(s) and deposit it in the Speaker Form Return box located on the side of the podium. If you wish to speak on a matter which does not appear on the agenda, and is under the jurisdiction of the Board of Supervisors, you may do so during the Public Comments period at the end of the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda. 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, February 28, 2012
9:30 A.M.

INVOCATION: Supervisor Campbell, Third District

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District

I N D E X

I. PRESENTATIONS/INTRODUCTIONS		Page #
II. CONSENT CALENDAR	(Items 1-28)	Page #
III. DISCUSSION ITEMS	(Items 29-51)	Page #
IV. PUBLIC HEARINGS	(Item 52)	Page #
V. CLOSED SESSION	(Items CS-1-CS-3)	Page #
VI. PUBLIC, CEO, BOARD & EMAIL COMMENTS & ADJOURNMENT		Page #

I. PRESENTATIONS/INTRODUCTIONS

Presentation of District goals for 2012

II. CONSENT CALENDAR (Items 1-28)

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

1. **Supervisor Bates -** Orange County Veterans Advisory Council - Appoint Maurice Hansen, Dana Point, to complete term ending 1/4/14

ELECTED DEPARTMENT HEADS

2. **District Attorney -** Approve agreement MA-026-12011323 with Astrid Hagen for professional sign language interpreting services, 3/1/12 - 2/28/13 ($140,000); and authorize Purchasing Agent or authorized deputy to execute agreement - All Districts

Sheriff-Coroner:

3. Accept donation from Drug Use Is Life Abuse to fund one Deputy Sheriff I position for one year ($150,000) - All Districts (Continued from 2/7/12, Item 9)

4. Approve agreement with AVO Training Institute for developing and implementing Arc Flash Hazard Analysis Program ($199,600) - All Districts

5. Receive bids and award contract to Edward M. Hilton for replacement of washer extractor at James A. Musick Facility ($157,800) - District 3

Treasurer-Tax Collector:

6. Adopt resolution approving public auction sale #1383 of multiple parcels of tax-defaulted real property - All Districts

7. Approve agreement MA-074-12011142 with Wausau Financial Systems for software and hardware maintenance services, 3/1/12 - 12/31/16 ($451,393); and authorize Purchasing Agent or authorized deputy to execute agreement - All Districts

HEALTH CARE AGENCY

8. Approve amendment 1 to lease with Mennen Industries, Inc. for office space at 2137 E. Ball Road, Anaheim for Women, Infants & Children program; and make California Environmental Quality Act findings - District 4

9. Approve agreements with Hoag Memorial Hospital Presbyterian and Advanced Skincare MedCenter, Inc. for HIV Health Care services, 3/1/12 - 2/28/13; and authorize Director or designee to execute agreements - All Districts

10. Approve selection of and agreement with Regents of the University of California, on behalf of UC Irvine Medical Center for HIV Expanded Testing services, 3/1/12 - 6/30/12 ($100,594) and 7/1/12 - 6/30/13 ($232,188); and authorize Director or designee to execute agreement - All Districts

OC COMMUNITY RESOURCES

11. Approve Mutual Indemnification Provision for Cost Reimbursement agreement ARFVTP #Z6 with Cypress College for Alternative and Renewable Fuel and Vehicle Training Program to facilitate technical training for workers, 2/28/12 - 11/30/12; and authorize Director or designee to execute agreement, exercise a cost contingency increase or decrease not to exceed 10% and make line item budget transfers - All Districts

12. Approve amendment 1 to Workforce Investment Act (WIA) Cost Reimbursement agreement 16-SMC-11 with Coast Community College District/Coastline Community College District for Community Based Job Training Recycling and Resource Management Project, 2/28/12 - 5/31/13 ($117,530; new total $539,008); and authorize Director or designee to execute agreement, exercise a cost contingency increase or decrease not to exceed 10% and make line item budget transfers - All Districts

13. Approve amended Bylaws of the Orange County Historical Commission changing membership terms to be concurrent with the Supervisors' term of office and other administrative changes - All Districts

14. Revised Title to read:
OC Community Resources - Approve agreement MA-012-12011265 with Greentech Landscape, Inc. for landscape maintenance services at Carbon Canyon Regional Park and Clark Regional Park, 3/1/12 - 2/28/13 ($299,552); renewable for four one-year periods; authorize Purchasing Agent or authorized deputy to execute agreement; and make California Environmental Quality Act finding~~s~~ - District~~s 3 &~~ 4

15. Select Kishimoto Architects, Inc. as primary and Thirtieth Street Architects, Inc. as alternate firms for design of plans and specifications for San Clemente Library Expansion Project; and authorize negotiation of agreement for Board approval - District 5

16. Accept donation from Laguna Canyon Foundation for new tractor to be used at various OC Parks facilities ($42,000) - All Districts

OC PUBLIC WORKS

17. 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)
Continued to 3/20/12, 9:30 a.m.

18. Approve agreement C-1-3001 with Orange County Transportation Authority for Crown Valley Parkway Corridor Regional Traffic Signal Synchronization Program Project ($6,800); and make California Environmental Quality Act findings - District 5

19. Authorize Purchasing Agent or authorized deputy to execute amendment 3 to subordinate agreement DO-080-1102162 with Cellco Partnership, dba Verizon Wireless for wireless services and equipment purchase, term ending 9/30/12 ($270,000; new total $370,000); and make California Environmental Quality Act findings - All Districts

20. Relieve Garcia Juarez Construction, Inc. from bid obligation; receive bids and award contract to PK Mechanical Systems, Inc. for Modjeska Canyon Road Storm Drain improvements ($480,200); and make California Environmental Quality Act findings - District 3

21. Approve plans and specifications and set bid opening for 3/28/12, 2:00 p.m., for replacement of two 150 ton chillers, Health Care Agency Clinic; and make California Environmental Quality Act findings - District 1

22. Approve plans and specifications and set bid opening for 4/4/12, 2:00 p.m., for 17th Street pavement rehabilitation and landscape improvements; approve agreements D11-071 with Orange County Sanitation District for adjustment of District manhole lids and frames and D11-067 with City of Tustin for adjustment of City water valve can lids within the 17th Street Pavement Rehabilitation & Landscape Improvements project; and make California Environmental Quality Act findings - District 3

23. Adopt resolution approving 2013 Federal Transportation Improvement Program for FFYs 2012/13 - 2017/18; and make California Environmental Quality Act findings - Districts 3 and 5

GENERAL ADMINISTRATION

Clerk of the Board:

24. Approve proposed amendments to the Conflict of Interest Code Designated Filers Exhibits for Sheriff-Coroner - All Districts

25. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Placentia-Yorba Linda Unified School District - All Districts

26. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for January 2012 - All Districts

Registrar of Voters:

27. Approve Facility Use agreements with cities, school districts, private entities and non-profits for use of facilities for election related activities; authorize Registrar of Voters or designee to execute agreements - All Districts

28. Approve ten-month lease agreement with Kornland Building for warehouse space for Presidential Primary Election, Santa Ana, 3/1/12 - 12/31/12; and make California Environmental Quality Act findings - District 1

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 29-51)

ELECTED DEPARTMENT HEADS

29. **Assessor Department -** Response to 11/8/11 Board Directive regarding Assessment Tax System II update - All Districts

30. **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)
Continued to 3/6/12, 9:30 a.m.

Sheriff-Coroner:

31. Approve amendment 2 to agreement MA-060-12010732 with Applied Biosystems, LLC for purchase of DNA analysis kits and supplies, 3/2/12 - 3/1/13 ($350,000); and authorize Purchasing Agent or authorized deputy to execute amendment - All Districts

32. Approve amendment 1 to agreement with County of San Diego for 2010 Operation Stonegarden Grant; accept 2011 grant award funds from State Emergency Management Agency ($540,665); authorize Sheriff-Coroner to execute amendment and related documents; and authorize Purchasing Agent or authorized deputy to purchase related equipment - All Districts

33. **Treasurer-Tax Collector -** Adopt resolution authorizing issuance and sale of Santa Ana Unified School District, County of Orange, State of California, 2011-2012 Tax and Revenue Anticipation Notes on behalf of the Santa Ana Unified School District ($65,000,000) - District 1

HEALTH CARE AGENCY

34. Approve amendment 2 to agreement 10-NNA30 with State Department of Alcohol and Drug Programs for alcohol and drug abuse treatment and prevention services ($17,520 decrease; new total $19,349,213 for FY11-12); and authorize Director or designee to execute agreement - All Districts

JOHN WAYNE AIRPORT

35. Approve agreement PO-280-12011776 with Besam US, Inc. dba Besam Entrance Solutions for purchase and installation of automatic sliding door unifit kits ($130,775); authorize Purchasing Agent or authorized deputy to execute agreement; and make California Environmental Quality Act findings - District 2

OC DANA POINT HARBOR

36. Approve agreement CT-108-120120280 with MVE Institutional, Inc. for architectural-engineering services for work associated with Harbor Revitalization Plan, six year term ($7,423,484); authorize Director or designee to make budget transfers and corresponding changes under certain conditions; authorize CEO Public Finance to develop construction financing plan; and make California Environmental Quality Act and other findings - District 5

OC COMMUNITY RESOURCES

37. Approve Concept Plan for Regional Park at former Marine Corps Air Station (MCAS) Tustin for preparation of a General Development Plan; authorize OC Parks Director or designee to submit Concept Plan to the National Park Service as Program of Utilization for conveyance of park property from the Federal Government to the County; authorize OC Parks Director or designee to negotiate an agreement with Orange County Sports Foundation to enable development and operation of a water polo/ice hockey complex within the Regional Park; and authorize CEO/Public Finance to develop a financing plan for the Regional Park with no impact on the General Fund; and make California Environmental Quality Act and other findings - District 3 (Continued from 1/24/12, Item 30; 2/7/12, Item 31)

38. Approve amendment 1 to Workforce Investment Act Master Cost Reimbursement agreements for County Workforce Investment Board professional and training workforce services, 7/19/11 - 6/30/13 ($2,000,000; new total $3,000,000); and authorize Director or designee to execute amended agreement, exercise a cost contingency increase or decrease not to exceed 10% and make line item budget transfers - All Districts

39. Authorize Director or designee to increase standard Workforce Investment Act (WIA) Training Account master agreement for additional training opportunities to WIA participants using One Stop Centers ($500,000; new total $3,000,000) - All Districts

OC PUBLIC WORKS

40. Consider second reading and adoption of "An Ordinance of the County of Orange, California Designating Very High Fire Hazard Severity Zones Within the County Unincorporated Areas" - All Districts (Continued from 2/7/12, Item 35)

41. Approve amendment 3 to agreement MA-080-10012351 with Hardy & Harper, Inc. for asphalt concrete pavement maintenance, 3/11/12 - 3/10/13 ($927,000); and make California Environmental Quality Act findings - All Districts

42. Release bid submitted by Halcyon Electric, Inc.; receive bids and award contract to West Coast Air Conditioning Co., Inc. for replacement of feed water pumps, Central Utility Facility ($1,268,900); direct Auditor-Controller to make related budget adjustments; and make California Environmental Quality Act findings - District 1

43. Approve amendment 3 to agreement MA-080-10010678 with Aquatic Bioassay and Consulting Laboratories, Inc. and Nautilus Environmental, LLC for water quality toxicity testing services, 3/10/12 - 3/9/13 ($600,000); and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

44. Approve amendment 1 to agreement RTM0311A with ACCESS California Services and Vietnamese Community of Orange County, Inc. to provide employment, support, mentoring, and citizenship and naturalization services for refugees, 10/1/11 - 9/30/14 ($526,371; new total $1,594,749) - All Districts

GENERAL ADMINISTRATION

County Executive Office:

45. Approve agreement MA-017-12011319 with Network Television Time, Inc., for Board of Supervisors video and equipment services, 4/1/12 - 3/31/13 ($250,000); renewable for four additional one year periods - All Districts

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

47. Approve grant applications/awards submitted by Health Care Agency and OC Public Works in 2/28/12 grant report and other actions as recommended - All Districts

48. Adopt resolution approving CEO Marketing Plan for Corporate Sponsorship of Annual OC Green Fair for 2012; authorize Purchasing Agent or his designee to pursue marketing, sponsorships and fundraising partnerships with private sector organizations and businesses and execute related exhibitor/sponsorship agreements; approve indemnification language and authorize County Executive Officer or his designee to execute City of Santa Ana use permit for use of Civic Center Plaza - All Districts

49. **Supervisor Campbell -** Receive presentation from Children and Families Commission of Orange County for allocation of $45 million one-time funding for various projects

50. **Supervisor Moorlach -** Consider directing the Registrar of Voters to place "An Ordinance of the County of Orange, California Repealing Section 1-2-9 of the Codified Ordinances of the County of Orange and Adding Article IV, Sections 401, 402, 403 and 404 to the Charter of Orange County Imposing a Lifetime Limit On the Number of Terms for Members of the Orange County Board of Supervisors" on the ballot and to consolidate that election with the Statewide primary election to be held June 5, 2012; and direct County Counsel to prepare the ballot language and impartial analysis of Ordinance and forward to the Registrar of Voters

51. **Supervisor Nelson -** Consider directing the Registrar of Voters to place "An Ordinance of the County of Orange, California Adding Article IV, Section 401 to the Charter of Orange County Imposing a Mandatory Minimum Pension Selection for Members of the Orange County Board of Supervisors" on the ballot and to consolidate that election with the Statewide primary election to be held June 5, 2012; and direct County Counsel to prepare the ballot language and impartial analysis of Ordinance and forward to the Registrar of Voters

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

S51A. Health Care Agency - CalOptima - Consider reappointment of current Directors for remainder of their terms in new seat designations approved on 12/13/11: Reappoint Edward B. Kacic, Irvine; James (Jim) McAleer III, Irvine; and Mary Anne Foo, Irvine, for terms ending 9/30/12; Adriana Moreno, Costa Mesa, for term ending 1/7/15 and Lee Penrose, Mission Viejo, for term ending 9/30/15 - All Districts

S51B. OC Community Resources - Approve amendment 7 to agreement 122 with Mercy House Living Centers, Inc. to provide emergency funding for continued operation of FY 2011-12 Armory Emergency Shelter Program ($300,000; new total $719,046); authorize Director or designee to execute amendment and to make future non-monetary and non-material changes without further Board action - All Districts

S51C. **Chairman Moorlach** - Acting as the Board of Supervisors - Consider establishment of Oversight Board of the Successor Agency to the Orange County Development Agency (OCDA) as set forth in California Health and Safety Code Section 34179 and approve appointment of Thomas M. Dean to Chair of the Board of Supervisors slot; John Viafora to Former RDA Employee slot and Bruce Whitaker to Member of Public slot; and approve appointments to the respective oversight boards to the successor agencies to the city redevelopment agencies of Kris Murray, Anaheim; Alyson Price, Buena Park; Jim Righeimer and Tom Hatch, Costa Mesa; Mariellen Yarc and Chuck Mealey, Cypress; Cheryl Brothers and Bradley Gaston, Fountain Valley; Steve Bone and Lucy Dunn, Huntington Beach; Lucy Dunn and Marian Bergeson, Irvine; Robert Carruth and Keith Nelson, La Palma; Gary Remland and Pat Buttress, Orange; Michael Levitt and Gordon Shanks, Seal Beach; Harold Hughes and Alyson Price, Stanton; John Nielson and Doug Davert, Tustin; Tom Lindsey and Stephen Stowell, Yorba Linda; Acting as the Orange County Flood Control District - Approve appointment of Donald R. Powell to the Oversight Board of the Successor Agency to the OCDA and approve appointments to the respective oversight boards to the successor agencies to the city redevelopment agencies of Rick Francis, Costa Mesa; Christine Ann Compton, Irvine; Charles “Chuck” Puckett, Tustin; and Kennith L. Peterson, Yorba Linda

IV. PUBLIC HEARINGS (Item 52)

HEALTH CARE AGENCY

52. Public Hearing to consider adopting resolution updating Adult Immunization Program Fee Schedule, effective 2/1/12, 7/1/12 and 7/1/13; rescinding Resolution 06-033; and delegate authority to Director or designee to reduce or waive vaccine administration fee if there is an event or circumstance for which it is determined to be in best interest of public health; and make California Environmental Quality Act and other findings - All Districts (Continued from 1/24/12, Item 51)
Revised Title to read:
Health Care Agency - Public Hearing to consider adopting resolution updating Adult Immunization Program Fee Schedule, effective ~~2/1/12~~ *3/15/12*, 7/1/12 and 7/1/13; rescinding Resolution 06-033; and delegate authority to Director or designee to reduce or waive vaccine administration fee if there is an event or circumstance for which it is determined to be in best interest of public health; and make California Environmental Quality Act and other findings - All Districts (Continued from 1/24/12, Item 51)

V. CLOSED SESSION (Items CS-1-CS-3)

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. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Ralph Espinoza v. County of Orange, et al., Orange County Superior Court Case No. 30-2008 00110643

County Executive Office:

CS-2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8
Property Location: County-owned Property Alton Parcels, Irvine, CA
County Negotiator: Thomas G. Mauk
Negotiating Party: Purchasers and sellers of property
Under Negotiation: Terms and value of future sale(s) and acquisition(s)
Revised Title to read:
County Executive Office - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8
Property Location: County-owned Property Alton Parcels *and the 100 Acre Parcel at the former Marine Corps Air Station (MCAS) El Toro*, Irvine, CA
County Negotiator: Thomas G. Mauk
Negotiating Party: Purchasers and sellers of property
Under Negotiation: Terms and value of future sale(s) and acquisition(s)

CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Various locations, including: 1770 North Broadway, Santa Ana, CA; 405 W. 5th Street, Santa Ana, CA; 200 Santa Ana Blvd., Santa Ana, CA; 801 W. Civic Center Drive, Santa Ana, CA; Santa Ana Transit Terminal
County Negotiator: Thomas G. Mauk
Negotiating Party: Purchasers and sellers of buildings
Under Negotiation: Terms and value of future sale(s) and acquisition(s)
Continued **to 3/20/12, 9:30 a.m.**

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

SCS-4. Human Resources Department- 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), Association of Orange County Deputy Sheriffs (AOCDS), 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)
RE: Terms and Conditions of Employment

SCS-5. County Counsel - CONFERENCE WITH LEGAL COUNSEL - THREATENED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case

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:

March 6, 2012	**Regular Meeting**
March 13, 2012	**No Meeting Scheduled**
March 20, 2012	**Regular Meeting**

This site is not the official record and may not include all additions or changes to the agenda.
Clerk of the Board