REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, March 6, 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, March 6, 2012
9:30 A.M.

INVOCATION: Supervisor Nelson, Fourth District

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District

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I. PRESENTATIONS/INTRODUCTIONS (None Scheduled)

II. CONSENT CALENDAR (Items 1-16)

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 Historical Commission - Appoint Ronald Langer, Laguna Niguel, for term concurrent with 5th District Supervisor's term of office

Supervisor Nelson:

2. OC Parks Commission - Appoint Paul Kott, Anaheim, for term concurrent with 4th District Supervisor's term of office

3. Orange County Veterans Advisory Council - Appoint Ron Garcia, Brea, for term ending 3/4/14

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

4. Approve amendment 1 to agreement MA-060-11012291 with Goodwill Industries of Orange County for packaging food and personal care items for jail commissary operations, term ending 5/17/12 ($39,000; new total $169,000); renew agreement as MA-060-12011270, 5/18/12 - 5/17/13 ($169,000); renewable for three additional one-year periods; and authorize Purchasing Agent or authorized deputy to execute amendment and renewal agreement - All Districts

5. Approve agreement MA-060-12011355 with Microsoft Corporation for software support services, 5/4/12 - 5/3/13 ($68,730); and authorize Purchasing Agent or authorized deputy to execute agreement - All Districts

6. Approve agreement MA-060-12011223 with Computer Deductions, Inc. for Live Scan software programming and support, 3/10/12 - 3/9/13 ($87,510); renewable for two additional one-year periods; and authorize Purchasing Agent to execute agreement - All Districts

7. **Treasurer-Tax Collector -** Approve agreement MA-074-12011056 with Elavon, Inc. for electronic payment acceptance and processing, term ending 5/31/15; renewable for one two-year term without further Board action; and authorize Purchasing Agent or authorized deputy to execute agreement - All Districts

OC COMMUNITY RESOURCES

8. Approve Workforce Investment Act (WIA) Cost Reimbursement agreement with California Manufacturing Technology Consulting (CMTC) to fund layoff aversion and business expansion assistance services, 3/7/12 - 9/30/12 ($100,000); authorize Director or designee to execute agreement and exercise a cost contingency increase or decrease not to exceed 10% for funding level changes and make line item budget transfers under certain conditions - All Districts

OC PUBLIC WORKS

9. Adopt resolution initiating 2012 Weed Abatement Program; and set public hearing for 4/17/12, 9:30 a.m., to consider assessment to private property for removal of weeds by County contractor; and make California Environmental Quality Act findings and other declarations - All Districts

10. Approve plans and specifications and set bid opening for 4/11/12, 2:00 p.m., for Ethelbee Way Storm Drain project, North Tustin area; and make California Environmental Quality Act findings - District 3

11. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve agreement MA-080-12011174 with Pacific Advanced Civil Engineering, Inc. for on-call watershed planning and engineering support services, 3/6/12 - 3/5/15 ($400,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

OC WASTE & RECYCLING

12. Approve amended Bylaws of the Orange County Waste Management Commission changing appointing authority for seven positions from the League of California Cities, Orange County Division to City Selection Committee and making other administrative changes - All Districts

13. Approve conservation easement PM 126-47 and agreement MA-299-12011363 with The Reserve at Rancho Mission Viejo for habitat mitigation requirements, Prima Deshecha Landfill, 75 year term ($15,320 first year plus annual consumer price index increases); and make California Environmental Quality Act findings - District 5

14. Approve agreement MA-299-12011170 with Associated Laboratories and Weck Laboratories, Inc. for water quality analytical services, 4/1/12 - 3/31/13 ($186,750); renewable for two additional one-year periods; and authorize Purchasing Agent or authorized deputy to execute agreement - All Districts

GENERAL ADMINISTRATION

County Counsel:

15. Authorize County Counsel to execute a waiver of potential conflict of interest and consent on specific conditions to allow Irvine office of the law firm Buchalter Nemer, PLC to represent Airport Working Group of Orange County, Inc., in connection with extension of Settlement Agreement in the litigation County of Orange v. Air California - All Districts

16. Authorize County Counsel to execute a waiver of potential conflict of interest and consent on specific conditions to allow Los Angeles office of the law firm Drinker Biddle & Reath, LLP to represent County of Orange Defined Contribution Plan in connection with the litigation in William Crutchfield v. Great-West Life & Annuity Insurance Company et al. - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 17-26)

ELECTED DEPARTMENT HEADS

District Attorney:

17. Adopt resolution approving extension $3.00 of recording fee on certain real estate instruments for funding prosecution and deterrence of real estate fraud crimes, 4/1/12 - 3/31/15; and make related findings - All Districts
Continued to 3/20/12, 9:30 a.m.

18. 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)
Continued to 3/27/12, 9:30 a.m.

HEALTH CARE AGENCY

19. Adopt resolution approving agreement 11-10684 with State Department of Public Health for Cancer Detection Partnership services, 1/1/12 - 12/31/14 ($778,678); and authorize Director or designee to execute Contractor's Release form upon submission of final invoice - All Districts

20. Approve amendment 1 to agreement 10-95277 with State Department of Public Health for AIDS related services, 7/1/10 - 6/30/13 ($869,172; new total $9,261,106); and authorize Director or designee to sign Memoranda of Understanding incorporated in amendment and Contractor's Release form upon submission of final invoice - All Districts
Continued to 3/20/12, 9:30 a.m.

21. Approve agreement 11-10452 with State Department of Public Health for the Women, Infants and Children Supplemental Nutrition Program, 10/1/11 - 9/30/14 ($18,487,000); and authorize Director or designee to execute Contractor's Release form upon submission of final invoices - All Districts

22. Approve agreement 11-10303 with State Department of Public Health for Childhood Lead Poisoning Prevention Program, 7/1/11 - 6/30/14 ($2,503,220); and authorize Director or designee to execute Contractor's Release form upon submission of final invoices - All Districts
Continued to 3/20/12, 9:30 a.m.

OC COMMUNITY RESOURCES

23. 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 (Continued from 2/28/12, Item 38)

GENERAL ADMINISTRATION

County Executive Office:

24. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
Revised Title to read:
County Executive Office - Approve recommended positions on introduced or amended legislation and consider other legislative subject matters*; and adopt resolution supporting AB 1455, High Speed Rail* - All Districts

25. Approve grant application/award submitted by District Attorney in 3/6/12 grant report and other actions as recommended; adopt resolution authorizing District Attorney or designee to execute grant award agreement and amendments with State Emergency Management Agency (CalEMA) for Vertical Prosecution Block Grant Program, term ending 6/30/12 ($8,295; new total $1,702,844) - All Districts

26. **Chairman Moorlach -** Approve appointments of Thomas Dean to Chair of the Board of Supervisors slot on the Oversight Board of the Successor Agency to the Orange County Development Agency and Cheryl Brothers to the First District slot of the Fountain Valley Oversight Board of the Successor Agency to the City Redevelopment Agency (Continued from 2/28/12, Item S51C)
Revised Title to read and continued appointments of Cheryl Brothers, Fountain Valley; Tony Lam, Westminster and Ken Sprague, Westminster to 3/20/12, 9:30 a.m.:
Chairman Moorlach - Approve appointments of Thomas Dean to *the position slot to be nominated by the* Chair of the Board of Supervisors ~~slot~~ *and Bill Steiner to the position slot to be nominated by the Board of Supervisors* ~~*slot*~~ on the Oversight Board of the Successor Agency to the Orange County Development Agency and *Doug Shively, Anaheim; Kent Forte and Don Parker, Brea; David Zenger, Buena Park;* ~~Cheryl Brothers, to the First District slot of the Fountain Valley;~~ *Craig Walker and Scott Stanford, Fullerton; Supervisor Nguyen and Christy Delp, Garden Grove; Linda Steves and Ron Shepard, La Habra; Bill Heaton and Ed Garcia, Placentia; John Acosta and Julie Stroud, Santa Ana;* ~~*Tony Lam and Ken Sprague, Westminster*~~ *to the respective* Oversight Boards of the Successor ~~Agency~~ *Agencies* to the City Redevelopment Agencies (Continued from 2/28/12, Item S51C)

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

S26A. **County Executive Office** - Acting as the Legislative Body of Community Facilities District No. 2004-1 (Ladera Ranch) - Approve amendment 2 to Acquisition, Funding and Disclosure agreement for Series A of 2005 Special Tax Bonds; authorize Public Finance Director to execute amended agreement; approve amendment 1 to Joint Community Facilities agreement with State Department of Transportation; Acting as the Board of Supervisors - Approve cooperative agreement with State Department of Transportation for contribution for improvements on Ortega Highway Interchange project; and approve related budget adjustments - District 5 (*4/5 vote of the members present*)

S26B. **OC Public Works** - Acting as the Orange County Flood Control District - Approve easement deeds and agreement for possession with the City of Highland for construction of public bridge, Greenspot property, Highland; authorize Director to execute easement deeds and agreement; and make California Environmental Quality Act and other findings - All Districts

IV. PUBLIC HEARINGS (Item 27)

OC COMMUNITY RESOURCES

27. Public Hearing to consider adopting resolution of abandonment for park parcel BE74M-101, Laguna Beach; approve offer and agreement to purchase real property and quitclaim deed to Jack B. Corwin ($225,000); authorize Director or designee to execute deed; and make California Environmental Quality Act and other findings - District 5 (unanimous vote) (Continued from 12/6/11, Item 25; 2/7/12, Item 49)
Deleted

V. CLOSED SESSION (Items CS-1-CS-2)

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: Orange County Flood Control District v. Altfillisch Construction Co., Riverside County Superior Court Case No. RIC 10013337
Deleted

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: George Jaramillo v. County of Orange, Orange County Superior Court Case No. 05CC04220

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

SCS-3. **Human Resources Department** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organization: Orange County Attorneys Association (OCAA) and Orange County Managers Association (OCMA)
RE: Terms and Conditions of Employment

SCS-4. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED 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 13, 2012	**No Scheduled Meeting**
March 20, 2012	**Regular Meeting**
March 27, 2012	**Regular Meeting**