A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, June 25, 2013
9:30 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

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

This agenda contains a brief description of each item to be considered. Except as provided by law, no action shall be taken on any item not appearing in the agenda. To speak on an item, complete a Speaker Request Form(s) identifying the item(s) and deposit it in the box to the left of the podium. To speak on a matter not appearing in the agenda, but under the jurisdiction of the Board of Supervisors, you may do so during Public Comments at the end of the meeting. Speaker request forms must be deposited prior to the beginning of the consent calendar, the reading of the 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. Address the Board as a whole through the Chair. Comments to individual Supervisors or staff are not permitted. Speakers are limited to three (3) minutes per item with nine (9) minutes cumulative for the entire meeting. Power Point and video presentations must be requested in advance of the meeting through the Clerk.

Supporting documentation is available for review in the Clerk of the Board of Supervisors office in the Hall of Administration, 333 W. Santa Ana Blvd., Room 465, Santa Ana, 92701 8:00 am - 5:00 pm, Monday-Friday.
The Agenda is available online at: http://ocgov.com/gov/bos/agenda
Meetings are broadcast live at http://bos.ocgov.com/video/video.html

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In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the Clerk of the Board's Office 72 hours prior to the meeting at (714) 834-2206

INVOCATION: Supervisor Moorlach, Second District

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-25)

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.

ELECTED DEPARTMENT HEADS

District Attorney:

1. Approve five-year agreements with various cities for prosecution of violators of city ordinances, 7/1/13 - 6/30/18 - All Districts

2. Approve agreement MA-026-13012083 with Hewlett Packard Company for maintenance of network equipment, 7/1/13 - 6/30/14 ($133,928.02); renewable for one additional year; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

Sheriff-Coroner:

3. Accept Urban Area Security Initiative funds from the City of Santa Ana, FY 11 for purchase of intelligence analyst professional services ($45,850); and authorize Purchasing Agent or authorized Deputy to purchase related equipment under certain conditions - All Districts

4. Approve amendment 3 to agreement MA-060-13012028 with Partners for a Safer America for revenue-producing bail bond advertising in jail facilities, 7/1/13 - 6/30/14; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

5. Approve agreement MA-060-13012159 with En Pointe Technologies Sales, Inc. for Cisco SMARTnet maintenance, 7/1/13 - 6/30/14 ($182,567); renewable for four additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

CHILD SUPPORT SERVICES

6. Approve shared services agreement with Imperial County for call center partnership to assist Imperial County Child Support Services with client telephone calls, 7/1/13 - 6/30/14; and authorize Director to execute agreement and extend agreement for one additional year - All Districts

HEALTH CARE AGENCY

7. Approve amendment 1 to lease agreement with MS-Beach Blvd Buena Park, LLC for office space at 6301 Beach Blvd, Buena Park for Women, Infants & Children program; and make California Environmental Quality Act findings - District 4

8. Approve master agreement MA-042-13011507 with Advocate Technology Solutions, LLC. for software maintenance and support services for Public Health Nursing Program, 8/1/13 - 7/31/14 ($123,000); renewable for two years ($90,000 per year); and authorized Purchasing Agent or authorize Deputy to execute agreement - All Districts

9. Approve agreement with Hospital Association of Southern California for California Children's Services Eligibility Technician services, 7/1/13 - 6/30/15; and authorize Director or designee to execute agreement - All Districts

OC COMMUNITY RESOURCES

10. Adopt resolution approving FY 2013-14 adjustments of land values for Local Park Code for accurate basis for calculating in-lieu fee and/or credits by community analysis areas; and make California Environmental Quality Act findings - All Districts

11. Approve Memorandum of Understanding with Orange County Sports Foundation for aquatics/ice complex at Regional Park at Former Marine Corp Air Station (MCAS) Tustin; and make California Environmental Quality Act findings - District 3

OC PUBLIC WORKS

12. Adopt resolution terminating development fees for fire stations and branch libraries - Districts 3 and 5

13. Approve plans and specifications and set bid opening for 7/31/13, 2:00 p.m., for Building 10 Elevator Controls and Controllers Replacement Project; and make California Environmental Quality Act findings - District 1

14. Approve Gilbert Street Improvements Project from Katella Avenue to Ball Road; return to Board to approve final plans and specifications; and make California Environmental Quality Act findings - District 4

15. Approve agreement D13-057 with Southern California Coastal Water Research Project Authority for associate membership, 7/1/13 - 6/30/17 ($100,000 per year); authorize Director to execute agreement; appoint OC Public Works Manager of OC Watersheds as the Associate Member Representative to the Southern California Coastal Water Research Project Authority Commission; ratify approval of agreement D08-026 for the Southern California Coastal Water Research Project Authority to manage regional bioassessment program, five-year term; and make California Environmental Quality Act findings - All Districts

16. Approve plans and specifications and set bid opening for 7/31/13, 2:00 p.m., for Building 10 fire alarm replacement/rehab project; and make California Environmental Quality Act findings - District 1

17. **Acting as the Orange County Flood Control District -** Approve amendment 1 to agreement D12-017 with Midway City Sanitary District for Newland Storm Channel Improvement Project, extending term two years; and make California Environmental Quality Act findings - District 1

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

18. Approve agreement D13-051 with HDR Construction Control Corporation for on-call construction support services, three-year term ($400,000); and make California Environmental Quality Act findings - All Districts

19. Approve agreement MA-080-13011890 with Sandwood Enterprise Inc. and Warren Brothers Tractor Work for fuel modification, mowing and discing, fire hazard and weed abatement services, 7/1/13 - 6/30/14 ($235,000); renewable for four additional years; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

Probation:

20. Approve amendment 3 to current Administrative Memorandum of Understanding effective 1/1/13 and approve new Memorandum of Agreement (HOA), 7/1/13 - 6/30/14 with Orange County Superintendent of Schools for support services for Accountability Commitment Program; authorize Chief Probation Officer to renew MOA for two additional one year periods (not to exceed $26,772 annually) with total service not to exceed three years - All Districts

21. Approve lease agreement GA 1214-43 with CTF5-Lake Hills, LLC for office space at 23141 Moulton Parkway, Suite 110, Laguna Hills, 7/6/13 - 6/30/15; and make California Environmental Quality Act findings - District 5

SOCIAL SERVICES AGENCY

22. Approve Memorandum of Understanding (MOU) MMC0213 with California Ventura Automated Collection System Association for accounting collecting and accounts receivable unit in collecting overpayments/monies owed to County, 7/1/13 - 6/30/14 ($11,151.86); renewable for two additional one-year periods; and authorize Director or designee to execute MOU - All Districts

GENERAL ADMINISTRATION

23. **County Executive Office** - Approve regulation permitting waiver by new employees over the age of 60 of Orange County Employees Retirement System membership if employer concurs pursuant to Government Code Section 31552 - All Districts
Deleted

24. **Human Resource Services** - Select Navex Global, Inc. for on-line Equal Employment training for County's non-management/supervisory staff; and authorize negotiation of agreement for Board approval - All Districts

25. **Internal Audit** - Receive and file Internal Audit Department Monthly Status Report for May 2013 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 26-51)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

26. Approve agreement with City of Aliso Viejo for law enforcement services, 7/1/13 - 6/30/14 ($6,678,535); authorize Sheriff-Coroner to execute amendments; and extend agreements under certain conditions, 7/1/14 - 8/31/14 - District 5

27. Approve agreement with City of Dana Point for law enforcement services, 7/1/13 - 6/30/14 ($9,614,073); authorize Sheriff-Coroner to execute amendments; and extend agreements under certain conditions, 7/1/14 - 8/31/14 - District 5

28. Approve agreement with City of Laguna Niguel for law enforcement services, 7/1/13 - 6/30/14 ($9,461,388); authorize Sheriff-Coroner to execute amendments; and extend agreements under certain conditions, 7/1/14 - 8/31/14 - District 5

29. Approve agreement with City of Laguna Woods for law enforcement services, 7/1/13 - 6/30/14 ($1,388,991); authorize Sheriff-Coroner to execute amendments; and extend agreements under certain conditions, 7/1/14 - 8/31/14 - District 5

30. Approve agreement with City of Lake Forest for law enforcement services, 7/1/13 - 6/30/14 ($12,721,449); authorize Sheriff-Coroner to execute amendments; and extend agreements under certain conditions, 7/1/14 - 8/31/14 - District 5

31. Approve agreement with City of Mission Viejo for law enforcement services, 7/1/13 - 6/30/14 ($15,830,649); authorize Sheriff-Coroner to execute amendments; and extend agreements under certain conditions, 7/1/14 - 8/31/14 - District 5

32. Approve agreement with City of Rancho Santa Margarita for law enforcement services, 7/1/13 - 6/30/14 ($7,471,556); authorize Sheriff-Coroner to execute amendments; and extend agreements under certain conditions, 7/1/14 - 8/31/14 - District 5

33. Approve agreement with City of San Clemente for law enforcement services, 7/1/13 - 6/30/14 ($12,122,631); authorize Sheriff-Coroner to execute amendments; and extend agreements under certain conditions, 7/1/14 - 8/31/14 - District 5

34. Approve amendment 4 to five-year agreement with City of San Juan Capistrano for law enforcement services, 7/1/13 - 6/30/14 ($7,550,296); and authorize Sheriff-Coroner to execute amendment under certain conditions - District 5

35. Approve five-year agreement with City of Stanton for law enforcement services, 7/1/13 - 6/30/18 ($7,501,387 for FY 13-14); and authorize Sheriff-Coroner to execute subsequent amendments under certain conditions - District 2

36. Approve five-year agreement with City of Villa Park for law enforcement services, 7/1/13 - 6/30/18 ($1,162,046 for FY 13-14); and authorize Sheriff-Coroner to execute subsequent amendments under certain conditions - District 3

37. Approve agreement with City of Laguna Hills for law enforcement services, 7/1/13 - 6/30/14 ($6,811,407); authorize Sheriff-Coroner to execute amendments under certain conditions; and authorize Sheriff-Coroner to extend agreements under certain conditions, 7/1/14 - 8/31/14 - District 5

38. Approve amendment 3 to five-year agreement with City of Yorba Linda for law enforcement services, 7/1/13 - 6/30/14 ($8,639,619); and authorize Sheriff-Coroner to execute subsequent amendments under certain conditions - District 3

39. Consider second reading and adoption of "An Ordinance of the County of Orange, California, Adding Section 1-2-127 to the Codified Ordinances of the County of Orange to Authorize Sheriff Special Officers to Arrest Persons Who Have Committed Misdemeanors in Their Presence" - All Districts (Continued from 6/18/13, Item 82)

HEALTH CARE AGENCY

40. Approve amendment 1 to agreement 10-NNA30 with State Department of Alcohol and Drug Program for Substance Use Disorder services, FY 2012-13 ($51,076) and FY 2013-14 ($19,329,865); and authorize Director or designee to execute amendment - All Districts

41. Approve agreement with Cerner Corporation for maintenance and software support services, 7/1/13 - 6/30/17 ($8,970,245); and authorize Director or designee to execute agreement - All Districts

OC COMMUNITY RESOURCES

42. Approve agreement with New Irvine Ranch Conservancy for Irvine Ranch open space management services, 7/1/13 - 6/30/16 ($3,072,872 annually with an additional one-time $190,255 first year); renewable for three additional three-year periods; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

43. Approve Workforce Investment Act (WIA) Master Cost Reimbursement agreements with various vendors for WIA employment and training services, 7/1/13 - 6/30/14 ($3,191,762) (no single agreement exceeding $1,998,937); approve amendment 4 to WIA agreement 16-N-13 with Coast Community College District for WIA employment and training services, extending term to 7/31/13 ($146,452; new total $3,830,214); and authorize Director or designee to execute agreements and amendment and to exercise cost contingency increase or decrease not to exceed 10% - All Districts

OC PUBLIC WORKS

44. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreement MA-080-13011980 with J. Orozco Enterprise Inc. dba Orozco Landscape and Tree Company for channel cleaning services of various flood control facilities, 7/1/13 - 6/30/14 ($750,000); renewable for four additional years; authorize Purchasing Agent or authorized deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

45. **County Counsel -** Approve amendment 3 to Memorandum of Understanding dated April 5, 1991, with City of Orange to increase the number of inmate beds by 331 beds in the Theo Lacy Branch Jail; and find that Final Environmental Impact Report 558, Location of Near-Term Jail Facility; Theo Lacy Branch Jail Buildout and Operation, originally certified on August 8, 1995, with addenda, provide adequate documentation under the California Environmental Quality Act for this action based upon the analysis reviewed by and action by taken by this Board on July 20, 2010 - District 3

County Executive Office:

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

47. Revised Title to read:
County Executive Office - Approve grant applications/awards submitted by Sheriff-Coroner and Health Care Agency and ratify retroactive grant application/awards submitted by District Attorney and OC Community Resources in 6/25/13 grant report and other actions as recommended; adopt resolution authorizing District Attorney or designee to submit and execute grant agreement and amendments with Board of State Community Corrections (BSCC) for Juvenile Accountability Block Grants Program, 7/1/13 – 6/30/14 ($177,502); and make California Environmental Quality Act and other findings; adopt resolution authorizing District Attorney or designee to execute grant agreement and certain amendments with State Department of Insurance (CDI) for Automobile Insurance Fraud Program, 7/1/13 – 6/30/14 ($1,193,408); and adopt resolution approving grant award from State Coastal Conservancy for Aliso and Wood Canyons Wilderness Park *($675,000)* improvements and authorizing OC Community Resources Director or designee to execute agreement and related documents*; authorize County Executive Officer or designee to execute Edward Byrne Memorial Justice Assistance Grant (JAG) Memorandum of Understanding ($420,826); and authorize Health Care Agency Director or designee to execute amendment to agreement 11-10049 with State Department of Public Health for Sexually Transmitted Disease (STD) Program, ending 6/30/15 ($815,400; new total $1,161,166)* – All Districts

48. Approve Memoranda of Understanding with Superior Court of California for provision of services between the County and the Courts, 7/1/13 - 6/30/14; and authorize CEO or designee to execute - All Districts

49. Approve proposed response to FY 2012-13 Grand Jury Report "A Call for Ethical Standards: Corruption in Orange County." - All Districts

50. Approve agreement MA-003-13012150 with CGI Technologies and Solutions Inc. for professional services, third-party software and associated software licensing for County's Budget Reporting and Analysis Support System to performance budgeting upgrade, 6/25/13 - 2/28/14 ($1,105,531) - All Districts

51. Adopt FY 2013-14 Final Budget resolution; establish District Attorney Special Appropriations and Vehicle Theft Task Force Special Funds and Sheriff-Coroner Special Appropriations and Regional Narcotics Suppression Funds; approve termination of supplemental judicial benefits at the end of each judge's current term; authorize OC Community Resources to return to the Board with a plan for disposition of the Saddleback Vineyards property that ensures the public's rights to use Santiago Truck Trail are unaffected; direct Auditor-Controller to encumber HP Enterprise Services LLC agreement for the CalWin Project per 12/14/99 Board action; approve various Internal Service Fund billing rates; approve FY 2013-14 employee and employer retirement contribution rates; adopt resolution authorizing members of the Board of Supervisors to make a charitable contribution of the amount of employees' normal required contributions to OCERS and authorizing related actions and execution of documents; direct Human Resources Department to amend Master Position Control; and adopt resolutions authorizing various temporary transfer of funds - All Districts (DELETED - Public Hearing closed on 6/11/13 and continued to 6/25/13; Board took action on 6/18/13 to advance item to 6/24/13 Special Meeting)

Supplemental Item(s)

S51A. **OC Public Works -** Based upon Mitigated Negative Declaration IP03-105 as clearance under the California Environmental Quality Act, approve contract change order 1 to agreement D13-016 with SS Mechanical Corporation for completion of remaining mechanical, electrical, instrumental and equipment startup testing ($1,276,870); approve agreement with Belczak and Sons, Inc. for construction of temporary discharge pipe manifold structure ($216,590); and approve plans and specifications and set bid opening for 7/17/13, 2:00 p.m., for Los Alamitos Pump Station Completion project - District 2

S51B. **Health Care Agency** - Approve amendment and restated lease with 405 West Fifth Street Holdings, LLC for ten years office space for Health Policy & Communications program, Mental Health Services Act, Behavioral Health, Public Health and Administrative services; and make California Environmental Quality Act findings - District 1

IV. PUBLIC HEARINGS (Item 52)

ELECTED DEPARTMENT HEADS

52. **Sheriff-Coroner -** Public Hearing to consider first reading of "An Ordinance of the County of Orange, California Amending Division 1 of Title 8, Section 16 Fee for Removing and Keeping Dead Bodies"; set second reading and adoption for 7/16/13, 9:30 a.m.; and make California Environmental Quality Act findings - All Districts

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(d)(1):
Name of Case: Autum Koertgen, an individual, v. County of Orange, et al., Orange County Superior Court Case No. 30-2009 00332120
Deleted

County Executive Office:

CS-2. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Michael B. Giancola
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

CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: 405 W. 5th Street, Santa Ana, CA 92701
County Negotiator: Robert J. Franz
Negotiating Party: Purchasers and sellers of buildings
Under Negotiations: Terms and value of future sale and acquisition including - 405 W. 5th Street, Santa Ana, CA 92701

SCS4. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Alex Galvan (Deceased) v. County of Orange, Workers' Compensation Appeals Board Case No. - None Assigned; Risk Management Case No. CTOU-035445

SCS5. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Juvenal Carrasco, Plaintiff, and Tower Insurance Company of New York, etc. v. County of Orange, Orange County Superior Case No. 30-2011-00460875

SCS6. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: California Department of Finance, et al. v. Jan Grimes, etc., OCSC Case No. 30-2012-00559592-CU-WM-CJC

VI. PUBLIC, CEO, BOARD 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:

July 2, 2013	**No Scheduled Meeting**
July 9, 2013	**No Scheduled Meeting**
July 16, 2013	**Regular Meeting**