REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, January 15, 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

| 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 per speaker per item with nine (9) minutes per speaker cumulative for the entire meeting. Power Point and video presentations must be requested prior to the start of the meeting. Please see the Clerk for assistance.

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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://media.ocgov.com/gov/bos/agenda/default.asp*

*Tuesday, January 15, 2013*
**9:30 A.M.**

INVOCATION: Supervisor Nguyen, First District

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District

**I N D E X**


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## I. PRESENTATIONS/INTRODUCTIONS

## II. CONSENT CALENDAR (Items 1-19)

*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

**Chairman Nelson:**

1. Senior Citizens Advisory Council - Reappoint Irene Lange, Fullerton, for term ending 12/31/14

2. Waste Management Commission - Reappoint Chad Wanke, Placentia, for term ending 11/14/14

**Supervisor Moorlach:**

3. Orange County Veterans Advisory Council - Reappoint Chase Wickersham, Corona Del Mar, for term ending 1/2/15

4. Audit Oversight Committee - Appoint Mark Wille, Newport Beach, for term ending 12/31/16

**Supervisor Nguyen:**

5. Senior Citizens Advisory Council - Reappoint Patricia McGuigan, Santa Ana, for term ending 12/31/14

6. Public Financing Advisory Committee - Appoint John J. Moohr, Fountain Valley, to complete term ending 5/1/13

ELECTED DEPARTMENT HEADS

**Sheriff-Coroner:**

7. Approve agreement PO-060-13011277 with NetXperts, Inc. for purchase of Cisco computer equipment and licenses ($26,293); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

8. Approve license agreement with Regents of the University of California, for University of California, Irvine (UCI) Police Department's rental of Katella Training Facility for training purposes, Orange; and make California Environmental Quality Act findings - District 3

9. Approve agreement PO-060-13011455 with Staples Contract & Commercial, Inc. dba Staples Advantage for toner purchases ($8,674); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

10. Approve amendment 3 to agreement MA-060-11010660 renewing as MA-060-12010783 with Sirron Software Corporation for maintenance of civil process software, 2/9/13 - 2/8/14 ($43,089); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

11. Approve agreement MA-060-13010885 with Thermo Electron North America, LLC for purchase and maintenance of controlled substances analysis equipment, commencing on 1/8/13; extending for three years from date of installation ($191,251); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts
**Deleted**

12. Approve amendment 4 to agreement MA-060-12011434 with Pacific Maritime Industries Corporation for mattress purchase and recover services, term ending 6/28/13 ($125,000; new total $430,000); renewable for two additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

HEALTH CARE AGENCY

13. Approve master agreement MA-042-13010653 with Decade Software Company, LLC for software licensing, maintenance and support services for Environmental Health Division, 2/1/13 - 1/31/14 ($334,101); renewable for one additional year, 2/1/14 - 1/31/15 ($275,601); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

OC COMMUNITY RESOURCES

14. Approve amended bylaws to Senior Citizens Advisory Council - All Districts (Continued from 12/11/12, Item 8; 12/18/12, Item 14)

15. Approve and accept quitclaim and trail easement deeds from City of Mission Viejo for facility/parcels PR51A-912 and PR51A-913; approve quitclaim deed to City of Mission Viejo for facility/parcel PR51A-701.2, O'Neill Regional Park; and make California Environmental Quality Act findings - District 5

OC PUBLIC WORKS

16. **Acting as the Orange County Flood Control District -** Approve agreement MA-080-13010838 with HydroLynx Systems, Inc. for upgrades, maintenance and repair of County's flood detection system, 1/15/13 - 1/14/18 ($123,500); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

OC WASTE & RECYCLING

17. Approve agreement with Orange County Sanitation District to deliver waste to the Orange County Disposal System, 1/15/13 - 6/30/20; authorize Director or designee to execute agreement; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

18. **County Counsel -** Select law firm of McKenna, Long & Aldridge LLP to provide primary advisory and litigation services for land use, environmental law and planning related legal services at former Marine Corps Air Station El Toro; authorize County Counsel to execute agreement and a conflict of interest waiver with selected law firm to represent Newport Dunes RV Park and Marina and Paradies-OC, LLC - All Districts (4/5 vote of the membership)

19. **Human Resource Services -** Approve agreements CT-054-13010483 with Debra L. Reilly, DBA Reilly Workplace Investigations, 8/9/12 - 8/8/13 ($30,000; new total $54,000); and CT-054-13010255 with Bickmore and Associates, Inc., 8/8/12 - 8/7/13 ($9,832.50; new total $33,832.50) for as-needed Personnel Investigative Legal Services; and authorize Purchasing Agent or authorize Deputy to execute agreement - All Districts

END OF CONSENT CALENDAR

## III. DISCUSSION ITEMS (Items 20-30)

ELECTED DEPARTMENT HEADS

20. **Clerk-Recorder -** Approve agreement with Corelogic Solutions, LLC for creation and mailing of Property Fraud Prevention Courtesy Notices, 1/1/13 - 12/31/13 ($216,000); renewable for two additional one-year periods; and authorize Clerk-Recorder or designee to execute agreement and exercise contingency contract cost increase not to exceed 10% - All Districts
**Revised Title to read:**
**Clerk-Recorder** - Approve agreement with Corelogic Solutions, LLC for creation and mailing of Property Fraud Prevention Courtesy Notices, 1/1/13 *2/1/13* - 12/31/13 ($216,000); renewable for two additional one-year periods; and authorize Clerk-Recorder or designee to execute agreement and exercise contingency contract cost increase not to exceed 10% - All Districts

21. **Treasurer-Tax Collector -** Adopt resolution authorizing issuance and sale of Westminster School District General Obligation Bonds, Election 2008, Series 2013 ($21,000,000); and authorizing execution of necessary documents and other related actions - District 1

OC PUBLIC WORKS

22. **Acting as the Orange County Flood Control District -** Approve plans and specifications and award contract to SS Mechanical for construction of the Los Alamitos Pump Station Project; approve agreement D12-066 with RBF Consulting for on-call engineering support services, three-year term ($440,000); and make California Environmental Quality Act findings - District 2 (Continued from 12/18/12, Item S57A, Recommended Actions 1 - 4)
**Revised Title to read:**
**OC Public Works - Acting as the Orange County Flood Control District -** Approve plans and specifications and award contract to *Direct staff to obtain a price from* SS Mechanical for construction of the *for procurement and installation of four new pumps and to return to the Board to approve final plans and specifications and award contract to SS Mechanical for* Los Alamitos Pump Station Project; approve agreement D12-066 with RBF Consulting for on-call engineering support services, three-year term ($440,000); and make California Environmental Quality Act findings - District 2 (Continued from 12/18/12, Item S57A, Recommended Actions 1 - 4)

PUBLIC PROTECTION

23. **Probation -** Approve performance agreement with Boys Republic for Children's Services Program Development for probation-supervised youth placed at Boys Republic Chino-Pomona Program RCL-10, 4/2/13 - 4/1/16; authorize Chief Probation Officer or designee to execute placement waiver extension request and endorsement of the Performance Outcome Update Report; and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

24. Approve master agreement MA-063-13010738 with The Center to Promote Healthcare Access, Inc., dba Social Interest Solutions for One-e-App hosted software maintenance support, 2/1/13 - 1/31/16 ($765,408); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

25. Approve amended agreement MA-063-12011048 to renew as MA 063-13010817 with SBC Global Services, Inc. DBA AT&T Global Services for automated call distribution services, 1/30/13 - 1/29/14 ($873,561); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

GENERAL ADMINISTRATION

**County Executive Office:**

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

27. Approve grant applications/awards submitted by District Attorney, OC Public Works and OC Community Resources/OC Public Libraries in 1/15/13 grant report and other actions as recommended; and adopt resolution authorizing District Attorney or designee to execute grant agreement and amendments with State Office of Traffic Safety (OTS) for Alcohol and Drug Impaired Driver Vertical Prosecution Program, 10/1/13 - 9/30/14 ($423,326); and make California Environmental Quality Act and other findings - All Districts
**Revised Title to read:**
**County Executive Office** - Approve grant applications/awards submitted by District Attorney, OC Public Works and OC Community Resources/OC Public Libraries in 1/15/13 grant report and other actions as recommended; and adopt resolution authorizing District Attorney or designee to execute grant agreement and amendments with State Office of Traffic Safety (OTS) for Alcohol and Drug Impaired Driver Vertical Prosecution Program, 10/1/13 - 9/30/14 ($423,326) (*$628,326*); and make California Environmental Quality Act and other findings - All Districts

28. Approve amendment 1 to agreement N1000009636 with SBC Global Services, Inc. dba AT&T Global Services on behalf of Pacific Bell Telephone Company dba AT&T California (AT&T) for voice, data and long distance services, term ending 2/29/14; and authorize Purchasing Agent or authorized Deputy to execute amendment and add or delete services as required - All Districts
**Revised Title to read:**
**County Executive Office** - Approve amendment 1 to agreement N1000009636 with SBC Global Services, Inc. dba AT&T Global Services on behalf of Pacific Bell Telephone Company dba AT&T California (AT&T) for voice, data and long distance services, term ending 2/29/14 *($5,000,000)*; and authorize Purchasing Agent or authorized Deputy to execute amendment and add or delete services as required - All Districts

29. Approve the purchase and sale agreement with 301 S. State College, a General California General Partnership for the purchase of property at 301 S. State College, Fullerton to facilitate a year-round emergency shelter and multi-service center for homeless families and individuals; authorize County Executive Officer or designee to sign related documents, make minor modifications under certain conditions and perform related actions; authorize funding not to exceed $25,000 to conduct due diligence investigations to comply with applicable County ordinances and best practices; approve agreement CT-080-13010503 with Vanguard Commercial Brokerage for commercial real estate brokerage services and authorize Purchasing Agent or authorized Deputy to execute agreement; direct County Executive Officer or designee to return to the Board in the event due diligence investigations regarding the real estate are not completed and the contingencies set forth in the purchase and sale agreement are not fulfilled; and make California Environmental Quality Act findings - District 4

**Revised Title to read:**

**County Executive Office** - Approve the purchase and sale agreement with 301 S. State College, a General California General Partnership for the purchase of property at 301 S. State College, Fullerton to facilitate a year-round emergency shelter and multi-service center for homeless families and individuals *($3,150,000)*; authorize County Executive Officer or designee to sign related documents, make minor modifications under certain conditions and perform related actions; authorize funding not to exceed $25,000 *$50,000* to conduct due diligence investigations to comply with applicable County ordinances and best practices; approve agreement CT-080-13010503 with Vanguard Commercial Brokerage for commercial real estate brokerage services and authorize Purchasing Agent or authorized Deputy to execute agreement; direct County Executive Officer or designee to return to the Board in the event due diligence investigations regarding the real estate are not completed and the contingencies set forth in the purchase and sale agreement are not fulfilled; and make California Environmental Quality Act findings - District 4

30. **Human Resource Services -** Approve agreement with Alliance of Orange County Workers for Operations and Service Maintenance bargaining unit requiring employees hired on or after 1/1/13 to pay Reverse Pick-up for incremental cost of 2.7% @ 55 retirement formula provided to certain County employees effective, 1/11/13 - All Districts

## Supplemental Item(s)

S30A. **Health Care Agency** - Approve agreement with American Correctional Solutions, Inc. for provision of direct digital radiology services, 2/1/13 - 6/30/18 *($4,632,528)*; and authorize Director or designee to execute agreement

## IV. PUBLIC HEARINGS (None Scheduled)

## V. CLOSED SESSION (Items CS-1-CS-5)

*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: California Department of Finance, et al. v. Jan Grimes, etc., OCSC Case No. 30-2012-00559592-CU-WM-CJC

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Saddleback Canyons Conservancy, et al, v. County, et al., OCSC Case No. 30-2012-00609766

CS-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Marcus & Raelyn Stokes, et al. v. County of Orange, et al., OCSC Case No. 30-2010-00351398

CS-5. **Human Resource Services -** 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) and other non-represented employees
RE: Terms and Conditions of Employment

## 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:

| | |
|---|---|
| **January 22, 2013** | **No Scheduled Meeting** |
| **January 29, 2013** | **Regular Meeting** |
| **February 5, 2013** | **Regular Meeting** |