REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 24, 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 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, July 24, 2012
9:30 A.M.

INVOCATION: Supervisor Bates, Fifth District

PLEDGE OF ALLEGIANCE: Supervisor Nelson, Fourth District

I N D E X

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I. PRESENTATIONS/INTRODUCTIONS

Supervisor Campbell will be presenting the National Association of Counties Award to Neal Kelly, Registrar of Voters, for Civic Education and Public Information

II. CONSENT CALENDAR (Items 1-17)

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. **Chairman Moorlach -** State Council on Developmental Disabilities Area Board XI - Appoint Buddy Schreiber, Costa Mesa and Michael Rillera, Irvine, for terms ending 7/23/15
Continued to 7/31/12, 9:30 a.m.

2. **Supervisor Nelson -** Animal Care Community Outreach Committee - Appoint Charice King, Santa Ana, to complete term ending 3/31/14
Revised Title to read:
Supervisor Nelson - Animal Care Community Outreach Committee - *Waive requirement contained in OC Animal Care Community Outreach Committee bylaws that Supervisorial nominee to committee be a resident of the district of the nominating Supervisor and* appoint Charice King, Santa Ana, to complete term ending 3/31/14

3. **Supervisor Nguyen -** Assessment Appeals Board No. 4 - Appoint Clarence Alvey Jr., Fountain Valley, to complete term ending 8/31/14

DEPARTMENT APPOINTMENTS

4. **Treasurer-Tax Collector -** Treasury Oversight Committee - Reappoint William Dunn, Coast Mesa, for term ending 7/24/15

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

5. Approve plans and specifications and set bid opening for 9/5/12, 2:00 p.m., for installation of a dry fire suppression system, Loma Ridge Emergency Operations Center; and make California Environmental Quality Act findings - District 3

6. Approve agreement 12112111 with State of California for Peace Officer Standards and Training (POST) Basic Narcotics Investigation course, 7/1/12 - 6/30/13; accept reimbursement for training costs ($43,200); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

7. Approve agreement MA-060-12012050 with Association of Public Safety Communications Officials International Inc., dba APCO International Inc. for radio frequency coordination services, 7/24/12 - 7/23/13 ($30,000); renewable annually for four years; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

8. Approve amendment 5 to agreement MA-060-12010681 with Action Contractors, Inc. for carpentry and general construction services, term ending 11/14/12 ($109,500; new total $204,500); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

9. Approve amendment 1 to agreement MA-060-12010046 renewing as MA-060-12012259 with Tescan USA Incorporated for maintenance of scanning electron microscope system, 8/1/12 - 7/31/13 ($10,605); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

10. Approve agreement CT-060-12010985 with L-3 Communications Mobile-Vision, Inc. for purchase of Police Video System network server and 13 digital video recorders, 7/24/12 - 7/23/15 ($194,947); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

OC COMMUNITY RESOURCES

11. Approve agreement OCP12-015 with Harris & Associates for architect/engineer on-call contract administration and management services, three year term commencing on date of execution ($400,000); and make California Environmental Quality Act findings - All Districts

OC PUBLIC WORKS

12. Approve amendment 2 to agreement MA-080-10013328 with Southern California Building Services Incorporated for interior/exterior window cleaning, 7/1/11 - 6/30/12 ($22,779); and make California Environmental Quality Act findings - All Districts

13. Adopt resolution vacating a portion of Marcy Drive road easement; and make California Environmental Quality Act and other findings - District 3

14. Adopt resolution vacating scenic preservation easement, Tract 15330, over Lots 29 through 50, Coto de Caza Specific Plan; and make California Environmental Quality Act findings - District 5

OC WASTE & RECYCLING

15. Approve agreements with Irvine Community Development Company LLC for construction of new water line facilities on County property, Frank R. Bowerman Landfill; approve agreements with Irvine Ranch Water District for water service and continuous access over Bee Canyon Access Road; authorize Director or designee to execute agreements; and make California Environmental Quality Act findings - District 3

GENERAL ADMINISTRATION

16. **County Executive Office -** Receive and file Progress Report on recommendations from the Performance Audit of CEO/Risk Management - All Districts

17. **Registrar of Voters -** Approve amendment 1 to agreement MA-031-11012699 with Pitney Bowes Inc. for hardware maintenance and software license, 8/12/12 - 8/11/13 ($201,800); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-38)

ELECTED DEPARTMENT HEADS

18. **Sheriff-Coroner -** Approve agreement and letter of understanding with City of Yorba Linda for law enforcement services, 5/3/13 - 6/30/18 ($1,392,921 for 5/3/13 - 6/30/13); amend master position control to add 39 recommended positions; and authorize Sheriff-Coroner to execute amendments under certain conditions - District 3

OC DANA POINT HARBOR

19. Approve amendment 4 to agreement with URS Corporation for architect and engineering services for work associated with Dana Point Harbor Revitalization Plan, 9/28/12 - 9/28/15; authorize Director or designee to execute amendment; and make California Environmental Quality Act findings - District 5

OC COMMUNITY RESOURCES

20. Approve agreement MA-012-12012186 with Online Computer Library Center Inc. (OCLC) for provision of WorldShare Management services, 8/1/12 - 7/31/13 ($280,846); and authorize County Purchasing Agent or authorized Deputy to execute amendment and renew agreement for four additional one-year terms ($257,346 second year; $270,214 third year; $283,724 fourth year; $297,910 fifth year) - All Districts

21. **Acting as the Board of Supervisors and Orange County Housing Authority -** Consider first reading of "An Ordinance of the County of Orange, California, Amending Section 1-2-302 of the Codified Ordinances of the County of Orange to make changes to One Housing and Community Development Commission Appointing Body Pursuant to Government Code Section 50270", and set second reading and adoption for 7/31/12, 9:30 a.m.; and approve amended Housing and Community Bylaws - All Districts

OC PUBLIC WORKS

22. Receive bids and award contract to Bitech Construction Co. for Job Order Contract O&M 004, General Engineering - Road Projects, FY 2012-13 ($2,500,000); and make California Environmental Quality Act findings - All Districts

23. Deny bid protest of FM and Sons, Inc.; receive bids and award contract to Hardy and Harper, Inc. for Job Order Contract O&M 005, Earthwork and Paving-Road Projects, FY 2012-13 ($2,000,000); and make California Environmental Quality Act findings - All Districts

24. Approve and accept for recording quitclaim deed from Department of Navy for conveyance of real property, Warehouse 360, Marine Corps Air Station, El Toro; authorize Director to execute agreements with Families Forward and Community Action Partnership of Orange County; and make California Environmental Quality Act findings - District 3

25. Select Lowe Enterprise Inc. as primary and Shea Properties Management Company Inc. as alternate firms for master planning, pre-development activities and property management of 100 acre parcel at the former Marine Corps Air Station, El Toro; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 3

Acting as the Orange County Flood Control District:

26. Receive bids and award contract to Access Pacific for Job Order Contract O&M 006, General Engineering - Flood Projects FY 2012-13 ($2,500,000); and make California Environmental Quality Act findings - All Districts

27. Approve Contract Change Order 4 to agreement D11-048 with W.A. Rasic Construction Company, Inc. for removal and disposal of soil cement/rolled compacted concrete, Santa Ana River Interceptor Mainline ($158,000); and make California Environmental Quality Act and other findings - District 3

SOCIAL SERVICES AGENCY

28. Response to 7/17/12 Board Directive regarding welfare work requirements - All Districts

GENERAL ADMINISTRATION

County Executive Office:

29. Approve revised 2007 Contract Policy Manual; and authorize County Purchasing Agent to execute 2012 manual incorporating all revised policies - All Districts (Continued from 6/26/12, Item 72; 7/17/12, Item 27)

30. Approve proposed response to FY 2011-12 Grand Jury Report "Orange County Vector Control District-A Study in Little Known Services" - All Districts

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

32. Approve grant applications/awards submitted by Registrar of Voters in 7/24/12 grant report and other actions as recommended; adopt resolution approving agreement 12G27101 with Secretary of State for Help America Vote Act of 2002 (HAVA); authorize Registrar of Voters or designee to execute agreement and make non-monetary and non-material changes and to conduct negotiations with and submit all related documents to Secretary of State for completion of project - All Districts

33. Approve master agreement MA-017-12012280 for Risk Management Liability Defense Panel, 8/1/12 - 7/31/17; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

34. Acting as the Community Facilities Districts - Consider first reading of "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3727 Authorizing the Levy of a Special Tax Within Community Facilities District No. 86-1 (Rancho Santa Margarita) of the County of Orange"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3760 Authorizing the Levy of a Special Tax Within Community Facilities District No. 86-2 (Rancho Santa Margarita) of the County of Orange"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3902 Authorizing the Levy of a Special Tax Within Community Facilities District No. 86-2 (Rancho Santa Margarita) of the County of Orange Improvement Area No. 1"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 0-98-7 Authorizing the Levy of a Special Tax Within Community Facilities District No. 86-2 (Rancho Santa Margarita) of the County of Orange Improvement Area No. 2"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3696 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-1 of the County of Orange (Dimensions Business Park)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3714 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-2 of the County of Orange (Portola Hills)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3715 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-3 of the County of Orange (Mission Viejo)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3734 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-4 of the County of Orange (Foothill Ranch)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3738 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-5A of the County of Orange (Rancho Santa Margarita)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3739 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-5B of the County of Orange (Rancho Santa Margarita)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3740 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-5C of the County of Orange (Rancho Santa Margarita)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3741 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-5D of the County of Orange (Rancho Santa Margarita)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3882 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-5E of the County of Orange (Rancho Santa Margarita)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3735, as Amended by Ordinance No. 99-06 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-6 of the County of Orange (Baker Ranch)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3736 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-7 of the County of Orange (Los Alisos)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3733 Authorizing the Levy of a Special Tax Within Community Facilities District No. 87-8 of the County of Orange (Coto De Caza)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3737 Authorizing the Levy of A Special Tax Within Community Facilities District No. 87-9 of the County of Orange

(Santa Teresita)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3716 Authorizing the Levy of a Special Tax Within Community Facilities District No. 88-1 of the County of Orange (Aliso Viejo)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 3730 Authorizing the Levy of a Special Tax Within Community Facilities District No. 88-2 of the County of Orange (Lomas Laguna)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 99-09 Authorizing the Levy of a Special Tax Within Community Facilities District No. 99-1 of the County of Orange (Ladera Ranch)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 00-9 Authorizing the Levy of a Special Tax Within Community Facilities District No. 2000-1 of the County of Orange (Ladera Ranch)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 01-007 Authorizing the Levy of a Special Tax Within Community Facilities District No. 2001-1 of the County of Orange (Ladera Ranch)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 02-013 Authorizing the Levy of a Special Tax Within Community Facilities District No. 2002-1 of the County of Orange (Ladera Ranch)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 03-016 Authorizing the Levy of a Special Tax Within Community Facilities District No. 2003-1 of the County of Orange (Ladera Ranch)"; "An Ordinance of the Board of Supervisors of Orange County Amending and Restating Ordinance No. 04-012 Authorizing the Levy of a Special Tax Within Community Facilities District No. 2004-1 of the County of Orange (Ladera Ranch)"; and set second reading and adoption for 7/31/12, 9:30 a.m. - Districts 3 & 5
Continued to 7/31/12, 9:30 a.m.

Human Resources Department:

35. Adopt Employee Health Plan Rate Table with Cigna and Kaiser Health Plans for 2013; and authorize Director or designee to sign Group Service Policies with Cigna and Kaiser after approval by State Department of Managed Care - All Districts
Continued to 7/31/12, 9:30 a.m.

36. Adopt Retiree Insured Health Plan Rates for 2013; and authorize Director or designee to sign Group Benefit/Service Policies with Anthem Blue Cross, Kaiser Permanente Health Plan, Inc. and SCAN after approval by State Department of Managed Care or Centers of Medicare and Medicaid services - All Districts
Continued to 7/31/12, 9:30 a.m.

37. Adopt Employee Rate Tables for Self-funded PPO Premier Wellwise and Premier Sharewell Health Plans for 2013; approve amendment 4 to agreement with California Physician Services, Inc. dba Blue Shield of California for claims administration, cost management services and preferred provider organization network for Self-Funded PPO Health Plans and Management and Attorney Dental Plan and amendment 5 to agreement with Catalyst Rx Health Initiatives, Inc. for administration of prescription drug card and mail order program, 1/1/13 - 12/31/13; and authorize Purchasing Agent to execute amendments - All Districts
Continued to 7/31/12, 9:30 a.m.

38. Adopt Retiree Self-funded PPO Health Plan Rates for Wellwise and Sharewell for 2013; and authorize Director or designee to continue to apply for federal subsidy under Medicare Prescription Drug, Improvement and Modernization Act of 2003 for Wellwise Retiree health plan - All Districts
Continued to 7/31/12, 9:30 a.m.

IV. PUBLIC HEARINGS (Items 39-42)

ELECTED DEPARTMENT HEADS

39. **Treasurer-Tax Collector -** Public Hearing to consider adopting resolution approving use of credit and debit cards as permitted under State Statute and reduction of convenience fees for Internet transactions for tax payments paid by credit and debit card; approving agreement MA074-12012200 with Official Payments Corp. for processing payments; authorizing the Treasurer-Tax Collector to execute agreement; and make California Environmental Quality Act findings - All Districts (Continued from 7/17/12, Item 33)

HEALTH CARE AGENCY

40. Public Hearing to consider adopting resolution approving recommended methodology for calculation and application of future annual adjustments for 911 emergency Basic Life Support maximum ambulance rates, effective July 1st of each year; and updating maximum Basic Life Support Ambulance and Orange County Fire Authority's advanced life support paramedic assessment and transportation rates; rescinding Resolution 08-075, effective 7/1/12 - All Districts (Continued from 6/26/12, Item 75; 7/17/12, Item 34)

OC PUBLIC WORKS

41. Public Hearing to consider adopting resolution approving FY 2011-12 Weed Abatement Cost Report and special assessments on identified properties; and make California Environmental Quality Act findings - All Districts

42. Public Hearing to consider adopting resolution approving fee report for La Mirada County Service Area No. 13 sewer services; and make California Environmental Quality Act findings - District 4 (2/3 vote of membership)

V. CLOSED SESSION (Items CS-1-CS-4)

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. **Chairman Moorlach -** PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:
Title: County Executive Officer
(Continued from Special Meeting 7/6/12, Item CS-1)

County Counsel:

CS-2. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):
Number of Cases: Three cases

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Foothill Communities Coalition v. County of Orange, Orange County Superior Court Case No. 30-2011-00467132

CS-4. **Human Resources Department** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
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), 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

SCS5. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Name of Cases: One Case

SCS6. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Name 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:

July 31, 2012	**Regular Meeting**
August 7, 2012	**No Scheduled Meeting**
August 14, 2012	**Regular Meeting**