REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, May 14, 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

ATTENDANCE: All Present

EXCUSED: None

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

INVOCATION: Supervisor Nguyen, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-24)

15234 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 15 WHICH WAS CONTINUED TO 6/18/13, 9:30 A.M.; AND ITEMS 11, 18 & 19 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Spitzer -** North Tustin Advisory Committee - Reappoint Manuel Padilla, North Tustin, for term ending 3/31/16

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

2. Adopt resolution approving lease agreement with State Department of Forestry and Fire Protection to provide intermittent, call-when-needed helicopter services; authorize Sheriff-Coroner or designee to execute related documents and subsequent agreements under certain conditions - All Districts
RESO: 13-030

3. Receive bids and award contract to ISI Detention Contracting Group, Inc. for overhaul of electric sliding doors, Central Men's and Women's Jails Phase III project ($415,541); and make California Environmental Quality Act findings - District 1

HEALTH CARE AGENCY

4. Approve selection of and agreement with Orange County Child Abuse Prevention Center, Inc. dba Child Abuse Prevention Center for School Readiness services, 5/15/13 - 6/30/14 ($709,536); and authorize Director or designee to execute agreement - All Districts

5. Approve master agreement with various providers of Certification Review Hearing Officer services, 7/1/13 - 6/30/16 ($139,500); and authorize Director or designee to execute individual agreements - All Districts

6. Approve amendment 1 to master agreement MA-042-12011563 as MA-042-13011439 with Pacific Bell Telephone Company dba AT&T DataComm for network equipment maintenance, 7/1/13 - 6/30/14 ($218,296); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

7. Approve amendment 4 to master agreement MA-042-12012123 with The Alpha & Omega Group Security Services, Inc. for unarmed security guard services, 7/1/12 - 6/30/13 ($15,000; new total $130,000); renewable for one additional year ($150,000); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

8. Approve agreement with Orange County Department of Education for youth-focused alcohol and other drug prevention services, 7/1/13 - 6/30/15 ($700,000); and authorize Director or designee to execute agreement - All Districts

OC DANA POINT HARBOR

9. Approve consent to assignment of interest in lease agreement from Magdy Fadel Siam to The Country Fox adding Christian Karam as general partner; authorize Director or designee to execute agreement and related documents; and make California Environmental Quality Act findings - District 5

10. Approve amendment 13 to agreement D91-139 with Dana Point Harbor Association for cost sharing for promotional activities, 7/1/13 - 6/30/15 ($145,800); and authorize Director or designee to execute agreement and exercise cost contingency increase not to exceed 5% - District 5

OC COMMUNITY RESOURCES

11. Approve master agreement with various providers of veterinary services, 7/1/13 - 6/30/15

($600,000); and authorize Director or designee to execute agreements and exercise contingency contract increase not to exceed 10% - All Districts (Continued from 4/16/13, Item 4)

25134 **APPROVED AS RECOMMENDED**

12. Approve amendment 4 to agreement MA-012-10012969 with OC Partnership for technical assistance to Continuum of Care Homeless Assistance Programs, 6/1/13 - 5/31/14 ($280,500); renewable for one additional one-year period ($280,500); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

OC PUBLIC WORKS

13. Approve grant deed from RMV Community Development, LLC and DMB San Juan Investment North, LLC for Cow Camp Road construction funding; authorize Director or designee to accept minor interest in real estate and related deeds under certain conditions; and make California Environmental Quality Act findings - District 5

14. Affirm County ownership of existing right-of-way for construction of La Pata Avenue within Prima Deshecha Landfill boundary; and make California Environmental Quality Act findings - District 5

15. Approve plans and specifications and set bid opening for 6/5/13, 2:00 p.m., for asbestos removal and decontamination services Job Order Contract; and make California Environmental Quality Act findings - All Districts (Continued from 4/16/13, Item 11; 5/7/13, Item 18)

15234 **CONTINUED TO 6/18/13, 9:30 A.M.**

16. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreement with The Gas Company for natural gas meter and pipeline for the Haster Pump Station project ($74,807.46); and make California Environmental Quality Act findings - District 1

OC WASTE & RECYCLING

17. Receive bids and award contract to All American Asphalt for Pavement Rehabilitation project, Olinda Alpha Landfill ($374,000); and make California Environmental Quality Act findings - District 4

18. Approve agreement with County Sanitation District No. 2 of Los Angeles County for solid waste importation to generate revenue to offset cost of landfill operations and expansion; authorize Director or designee to execute agreement; and make California Environmental Quality Act findings - Districts 3, 4 & 5

52134 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Probation:

19. Approve agreement with 3Di Inc. for information technology professional support services, 6/1/13 - 12/31/14 ($708,750); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

32154 **APPROVED AS RECOMMENDED**

20. Approve agreement with Orange County Superintendent of Schools for Drug/Alcohol & Mental Health Counseling services for Youth Guidance Center, Joplin Youth Center, Juvenile Hall and Youth Leadership Academy, 7/1/13 - 6/30/14 ($503,467) - All Districts

SOCIAL SERVICES AGENCY

21. Approve master agreement CDA0613-00 with various providers of Transitional Housing Program Plus Host Family services, 7/1/13 - 6/30/16; and authorize Director or designee to execute individual agreements - All Districts

22. Approve agreement CDA0913 and license GA 1213-200-3 with Olive Crest for Sibling Residential Homes Services at Tustin Family Campus, 7/1/13 - 6/30/14; and make California Environmental Quality Act findings - All Districts

23. Approve agreement CDA1013 and license GA1213-203-1 with Rite of Passage, Adolescent Treatment Centers and Schools, Inc. for Tustin Family Campus High Needs Youth services, 7/1/13 - 6/30/14; and make California Environmental Quality Act findings - All Districts

24. Approve Orange County Child Care and Development Planning Council's "Local Planning Council County Priorities Report FY 2013-2014" for submittal to State Department of Education - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 25-42)

HEALTH CARE AGENCY

25. Approve agreement with Horizon Cross Cultural Community Center for adult and older adult peer mentoring services, 7/1/13 - 6/30/14 ($1,124,888); and authorize Director or designee to execute agreement - All Districts
35124 **APPROVED AS RECOMMENDED**

26. Approve agreements with Providence Community Services, LLC for children's full-service partnership/wraparound services ($6,580,000) and transitional age youth full-service partnership/wraparound services ($8,426,000); approve agreement with Orange County Asian and Pacific Islander Community Alliance for children and transitional age youth full-service partnership/wraparound services ($2,000,000), 7/1/13 - 6/30/15; and authorize Director or designee to execute agreements - All Districts
31254 **APPROVED AS RECOMMENDED**

27. Approve agreement with AIDS Services Foundation Orange County for HIV Housing services, 7/1/13 - 6/30/15 ($903,288); and authorize Director or designee to execute agreement and exercise cost contingency increase not to exceed 10% - All Districts
23154 **APPROVED AS RECOMMENDED**

28. Approve agreement 12-89382 with State Department of Health Care Services for consolidated Medi-Cal mental health services, 5/1/13 - 6/30/18; and authorize Director or designee to execute agreement - All Districts
13254 **APPROVED AS RECOMMENDED**

29. Approve amendment 1 to agreements with AHMC Anaheim Regional Medical Center and Nhan Hoa Comprehensive Health Care Clinic for tobacco cessation services, 7/1/12 - 6/30/14 ($75,000; new total $477,494 each); and authorize Director or designee to execute agreements - All Districts
15234 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

30. Approve agreement for purchase and sale and joint escrow instructions with Orange Unified School District for purchase of 11.116 acres of property to provide amenities for the residents of the unincorporated canyon communities; authorize Director or designee to execute escrow documents; and accept grant deed; authorize Director to execute lease with Silverado and Modjeska Recreation and Park District for Silverado Children's Center and communications site license with AT&T; authorize Auditor-Controller to make related payments; and make California Environmental Quality Act findings ($2,100,000) - District 3
35124 **APPROVED AS RECOMMENDED**
N

31. **Acting as the Successor Agency to the Orange County Development Agency** - Authorize transfer of $2,300,623 from OC Parks Fund 406 to County Successor Agency Fund 16C and transfer of Saddleback Vineyards property to OC Parks; authorize Director or designee to return with a plan for disposition of property; and make California Environmental Quality Act findings (4/5 vote of members present) - All Districts
B.O. **DELETED**

OC WASTE & RECYCLING

32. Receive bids and award contract to Wood Bros. Inc. for East Flank Landslide Remediation project, Frank R. Bowerman Landfill ($29,496,185); and make California Environmental Quality Act findings - District 3
35124 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

33. Select Goodwill Industries of Orange County California and approve agreement MEH0216 for sign language interpretation services, 7/1/13 - 6/30/16 ($120,000); and authorize Director or designee to extend term of agreement for up to twelve additional months under same terms and conditions - All Districts
52134 **APPROVED AS RECOMMENDED**

34. Approve agreement WMC0213 with Family Support Network for Wraparound Orange County Support services, 7/1/13 - 6/30/16 ($495,000); and authorize Director or designee to extend term of agreement for up to twelve additional months under same terms and conditions - All Districts
13254 **APPROVED AS RECOMMENDED**

35. Approve agreement CDB1213 with Orange County Superintendent of Schools for educational support services for foster youth, 7/1/13 - 6/30/14 ($813,099); and authorize Director or designee to exercise contingency cost increase not to exceed 10% under certain conditions - All Districts
21354 **APPROVED AS RECOMMENDED**

36. Approve master agreement WGG1013 with various providers of Wraparound Orange County Provider Network Program services, 7/1/13 - 6/30/18 ($400,000 per FY; total $2,000,000); authorize Director or designee to execute individual agreements; and approve expenditures for services provided under master agreement, 7/1/13 - 6/30/18 ($400,000 per FY) - All Districts
23154 **APPROVED AS RECOMMENDED**

37. Select and approve agreement CCM1713 with New Alternatives, Inc. for respite care services, 7/1/13 - 6/30/16 ($496,227); and authorize Director or designee to extend term of agreement for up to twelve additional months under same terms and conditions - All Districts
21354 **CONTINUED TO 5/21/13, 9:30 A.M.**

38. Approve master agreement CRR0213-00 with various state licensed group home providers for certified residential care and support services to dependent children, 7/1/13 - 6/30/16; and authorize Director or designee to execute agreements - All Districts (Continued from 4/23/13, Item 29; 5/7/13, Item 43)
32154 **APPROVED WITH MODIFICATION TO MASTER CONTRACT REQUIRING PROVIDERS TO NOTIFY SSA OF ANY LAW ENFORCEMENT CALLS MADE TO GROUP HOMES**

GENERAL ADMINISTRATION

County Executive Office:

39. Approve in concept refunding of Orange County Development Agency Tax Allocation Refunding Bonds, Santa Ana Heights, Series 2003; and approve selection of KNN Public Finance as Financial Advisor, Stradling Yocca Carlson and Rauth as bond and disclosure counsel and E.J. De La Rosa & Co. as underwriter - All Districts

B.O. **CONTINUED TO 5/21/13, 9:30 A.M.**

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

25134 **APPROVED AS RECOMMENDED**

41. Approve grant application/awards submitted by OC Public Works 5/14/13 grant report; adopt resolution authorizing OC Public Works Director or designee to submit and execute application for Renewed Measure M (M2) Environmental Clean up Tier 1 and to invoice Orange County Transportation Authority for payment - All Districts

51234 **APPROVED AS RECOMMENDED**
RESO: 13-029

42. Approve master services agreement MA-017-13011864 with Science Applications International Corporation for Information Technology services; authorize Chief Information Officer or designee to execute agreement; and make California Environmental Quality Act findings - All Districts

25134 N **APPROVED WITH MODIFICATION TO CONTRACT REQUIRING FOR THE TERM THAT A FEDERAL MONITOR IS ASSIGNED TO SCIENCE APPLICATIONS INTERNATIONAL CORPORATION, THE MONITOR WILL PROVIDE QUARTERLY CLEAN BILL OF HEALTH REPORTS TO THE CEO/CHIEF INFORMATION OFFICER WITH COPIES TO THE BOARD OF SUPERVISORS AND THAT THE REPORTS WILL HAVE NO DISCLOSURES MATERIAL TO THE COUNTY**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-SCS4)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):Name of Case: William D. Fitzgerald v. County of Orange, et al., United States District Court Case No. 11-01355; and 9th Circuit Court Case No. 12-56773

B.O. **DELETED**

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: People of the State of California v. Nicolas Cendoya, Orange County Superior Court Case No. 13CF1410

B.O. **HELD, NO REPORTABLE ACTION**

CS-3. **Human Resource Services -** 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

B.O. **HELD, NO REPORTABLE ACTION**

SCS4. **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

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, AUTHORIZED THE FILING OF AN APPEAL IN THE CASE OF CALIFORNIA DEPARTMENT OF FINANCE, ET AL. V. JAN GRIMES, ETC.**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Tom Hetzel - Oral Re: public access to navigable waterways

Michael Klubnikin - Oral Re: fraud, appointments of CEO, Clerk-Recorder and Auditor-Controller

Ilya and Robert Tseglin - Oral Re: Nate Tseglin and charges against Tseglin family members

Darrell Nolta - Oral Re: Supervisor Nguyen's no vote on IT Sourcing contract, pay and working schedule of Board Executive Assistants and appointment of CEO

Scott Hess - handout and written comments

Opinion Online

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Supervisor Moorlach - Oral Re: directed Clerk of the Board to add an item to the 5/21/13 meeting agenda regarding County participation with CSAC on education of the Brown administration, the Legislature and the public on the impacts of the Federal Affordable Care Act on Counties Healthcare Safety Net

ADJOURNED: 3:30 P.M.

24135 **Adjourned in memory of Carmella Cotton**

54123 **Adjourned in memory of Dean H. Forsgren**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Spitzer
4. = Supervisor Nelson
5. = Supervisor Bates
ORD. = Ordinance
RESO. = Resolution

A. = Abstained
X. = Excused
N. = No
BO = Board Order

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

Chair, Orange County Board of Supervisors

Orange County Clerk of the Board