REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 31, 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 31, 2012
9:30 A.M.

INVOCATION: Supervisor Nguyen, First District

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District

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I. PRESENTATIONS/INTRODUCTIONS

Chairman Moorlach will be presenting a resolution proclaiming August 5-11, 2012 as "National Health Center Week"

II. CONSENT CALENDAR (Items 1-11)

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 from 7/24/12, Item 1)
   Revised Tile to read:
   Chairman Moorlach - State Council on Developmental Disabilities Area Board XI - Appoint Buddy Schreiber, Costa Mesa ~~and Michael Rillera, Irvine~~, for term~~s~~ ending 7/23/15 (Continued from 7/24/12, Item 1)

DEPARTMENT APPOINTMENTS

2. **OC Community Resources -** Acting as Board of Supervisors and Orange County Housing Authority - Housing and Community Development Commission - Reappoint Ron Garcia, Brea and appoint Jan Horton, Yorba Linda as Member-At-Large representatives; reappoint Helen Smith-Gardner, Mission Viejo and appoint Phan Vu, Westminster as Tenant Commission Member representatives; and reappoint Kathryn McCullough, Lake Forest as designated by City Selection Committee for terms ending 6/30/14 - All Districts

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

3. Approve amendment 2 to agreement MA-060-12012115 with Siemens Industry Inc. for preventive maintenance and repairs to Coroner facility energy management system hardware and software, 9/13/12 - 9/12/13 ($18,516); and authorize Purchasing Agent or authorized Deputy to execute amendment - District 1

4. Approve amendment 1 to agreement MA-060-12012125 with Siemens Industry Inc. for preventive maintenance and repairs to Theo Lacy facility energy management system hardware and software, 9/1/12 - 8/31/13 ($50,624); and authorize Purchasing Agent or authorized Deputy to execute amendment - District 3

5. Adopt resolution accepting grant award from the Department of Alcoholic Beverage Control for local law enforcement project ($100,000); and authorize Sheriff-Coroner to execute agreement and related documents - All Districts

6. Approve five year agreement with Rancho Santiago Community College District for coroner courses, 8/1/12 - 7/31/17 ($25,000 reimbursement per year); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

OC COMMUNITY RESOURCES

7. Adopt resolution authorizing Director or designee to sign required certification forms to receive subvention and Medi-Cal cost avoidance funding from State Department of Veterans Affairs - All Districts

OC PUBLIC WORKS

8. Approve agreement MA-080-13010051 with SIX Payment Services (USA) Corp for credit card transaction gateway services at Santa Ana Civic Center and Manchester Parking Complex Facilities, 5 year term ($75,000); and make California Environmental Quality Act findings - Districts 1 & 3

9. **Acting as the Orange County Flood Control District -** Approve Purchase and Sale Agreement for Acquisition of Real Property and Joint Escrow Instructions and related documents for conveyance of certain parcels to Orange County Transportation Authority for Orangethorpe Railroad Grade Separation Project ($208,703); authorize Director or designee to accept easement deeds and to execute an access license with Burlington Northern Santa Fe Railway; and make California Environmental Quality Act and other findings - District 3

PUBLIC PROTECTION

10. **Probation -** Approve amendment 1 to agreement MA-057-12011052 with Intratek Computer, Inc. for information technology professional support services, 12/5/11 - 12/4/12 ($46,000; new total $143,000); authorize Purchasing Agent or authorized Deputy to execute amendment; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

11. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for June 2012 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 12-30)

HEALTH CARE AGENCY

12. Approve agreement 11-73031-000 with State Departments of Mental Health and Health Care Services for Consolidated Medi-Cal Mental Health services, 4/1/12 - 12/31/12 ($72,432,606); and authorize Director or designee to execute agreement - All Districts

13. Approve amendment 3 to agreement 10-NNA30 with State Department of Alcohol and Drug Programs for alcohol and drug abuse treatment and prevention services, FY 2011-12 ($116,157 decrease; new total $19,233,056); and authorize Director or designee to execute amendment - All Districts

OC COMMUNITY RESOURCES

14. Approve grant deed to United States Department of Agriculture - Forest Service for transfer of Santiago Truck Trail Property for public access to Cleveland National Forest; authorize Director or designee to execute grant deed and related documents; and make California Environmental Quality Act and other findings - All Districts (4/5 vote of members present) (Continued from 5/22/12, Item 70; 6/26/12, Item 58)
Continued to 8/21/12, 9:30 a.m.

15. Approve cooperative agreement OCP12-001 with City of Newport Beach for funding of maintenance dredging of Lower Newport Bay; and make California Environmental Quality Act findings - District 2

16. Acting as the Housing Successor Agency to the Orange County Development Agency - Approve Affordable Housing Asset List; direct staff to submit list to Department of Finance; and direct staff to notify Board of any changes made by Department of Finance - All Districts

17. **Acting as the Board of Supervisors and Orange County Housing Authority** - Consider second reading and adoption 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 approve amended Housing and Community Bylaws - All Districts (Continued from 7/24/12, Item 21)

OC PUBLIC WORKS

18. Approve lease with Wild Rivers Irvine, LLC for development and operation of waterpark on approximately 17 acres of County's El Toro 100 acre parcel; authorize Director or designee to execute lease and related documents; and make California Environmental Quality Act findings - District 3

OC WASTE & RECYCLING

19. Select Geosyntec Consultants and Advanced Earth Sciences, Inc. as primary and Tetra Tech BAS as alternate firms for environmental multi-discipline engineering support services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - All Districts

20. Select Tetra Tech BAS, Inc. as primary and SCS Field Services as alternate firms for landfill gas services, South Region Landfills; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - Districts 3 & 5

21. Select Natures Image, Inc. as primary and Habitat West, Inc. as alternate firms for landscape habitat maintenance services, South Region Landfills; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 5
Deleted

GENERAL ADMINISTRATION

County Executive Office:

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

23. Approve grant applications/awards submitted by Social Services Agency, District Attorney and Health Care Agency in 7/31/12 grant report and other actions as recommended; adopt resolution authorizing District Attorney or designee to execute agreement 12-0299-SA and amendments with State Department of Food and Agriculture for Inedible Kitchen Grease Targeted Prosecution Program, 7/1/12 - 6/30/13 ($50,000); and make California Environmental Quality Act and other findings - All Districts

24. 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 8/14/12, 9:30 a.m. - Districts 3 & 5 (Continued from 7/24/12, Item 34)

25. Receive and file Quarterly Information Technology (IT) Project Status Detail and Executive Summary and Risk Assessment Reports for April - June 2012 - All Districts

26. Acting as the Community Facilities Districts 86-1, 86-2, 87-5A, 87-5B, 87-5C, 87-5D, 87-5E (Rancho Santa Margarita); 87-1 (Dimensions Business Park); 87-2 (Portola Hills); 87-3 (Mission Viejo); 87-4 (Foothill Ranch); 87-6 (Baker Ranch); 87-7 (Los Alisos); 87-8 (Coto de Caza); 87-9 (Santa Teresita); 88-1 (Aliso Viejo) and 99-1, 2000-1, 2001-1, 2002-1, 2003-1, 2004-1 (Ladera Ranch) - Adopt resolutions levying special taxes for Community Facilities Districts, FY 2012-13 - Districts 3 & 5

Human Resources Department:

27. 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 from 7/24/12, Item 35)

28. 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 from 7/24/12, Item 36)

29. 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 from 7/24/12, Item 37)

30. 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 from 7/24/12, Item 38)

IV. PUBLIC HEARINGS (None Scheduled)

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

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):
Number of Cases: One case

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: County of Orange v. Eastcom Corp., etc., et al., OCSC Case No. 30-2011-00526759

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITITGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: William D. Fitzgerald v. Orange County, et al., United States District Court Case No. SACV 11-01355
County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING ~~LITITGATION~~ *LITIGATION* - Pursuant to Government Code Section 54956.9(a):
Name of Case: William D. Fitzgerald v. Orange County, et al., United States District Court Case No. SACV 11-01355

CS-4. **Human Resources Department** - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:
Title: County Counsel

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

CLOSED SESSION

SCS5. **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

SCS6. **County Executive Office** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Pursuant to Government Code Section 54956.8:

Property Location: 7531 Santiago Canyon Road, Unincorporated County of Orange

County Negotiator: Thomas G. Mauk

Negotiating Party: Orange Unified School District

Under Negotiation: Terms and Value of Possible Purchase

SCS7. **Chairman Moorlach** - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957:

Title: Interim County Executive Officer

SCS8. **County Executive Office** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:

Property Location: Various Locations

County Negotiator: Thomas G. Mauk

Negotiating Party: Purchasers and sellers of buildings

Under Negotiation: Terms and Value of future sale(s) and acquisitions(s), including – County owned property in Santa Ana Civic Center; 801 W. Civic

Center Drive, Santa Ana, CA; 405 W. 5th Street, Santa Ana, CA; 200 Santa Ana Blvd., Santa Ana, CA

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:

August 7, 2012	**No Scheduled Meeting**
August 14, 2012	**Regular Meeting**
August 21, 2012	**Regular Meeting**