REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 25, 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

ATTENDANCE: Supervisors Nguyen, Moorlach, Campbell & Nelson

EXCUSED: Supervisor Bates

PRESENT:	INTERIM COUNTY EXECUTIVE OFFICER	Robert J. Franz
	COUNTY COUNSEL	Nicholas S. Chrisos
	CLERK OF THE BOARD	Susan Novak

INVOCATION: Supervisor Nelson, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Supervisor Nguyen presented a resolution commending Leah Cecil on becoming Miss California 2012

II. CONSENT CALENDAR (Items 1-25)

43152 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 4, 5 & 25 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; ITEM 18 WHICH WAS DELETED; ITEM 3 WHICH WAS CONTINUED TO 10/16/12, 9:30 A.M. AND ITEM 20 WHICH WAS CONTINUED TO 10/2/12, 9:30 A.M.**

DEPARTMENT APPOINTMENTS

Health Care Agency:

1. Mental Health Board - Reappoint Judith Lewis, Huntington Beach, for term ending 7/20/15 and Brian Jacobs, Orange, for term ending 10/20/15 - All Districts

2. Alcohol and Drug Advisory Board - Reappoint Stacy Deeble-Reynolds, Long Beach, for term ending 6/3/15; and appoint Keith Gotts, Santa Ana, to complete term ending 11/16/13 - All Districts

ELECTED DEPARTMENT HEADS

Auditor-Controller:

3. Authorize Auditor-Controller to delete dismantled, missing, obsolete, stolen and surplused equipment items from department capital asset inventories - All Districts
43152 **CONTINUED TO 10/16/12, 9:30 A.M.**
X

4. Receive and file Report of Refunds for FY 2011-12 - All Districts
34152 **APPROVED AS RECOMMENDED**
X

5. Receive and file Annual Report of Revolving Funds for FY 2011-12 - All Districts
43152 **APPROVED AS RECOMMENDED**
X

6. Receive and file Fund/Budget Control Semi-Annual Report for 1/1/12 - 6/30/12 for new and closed funds - All Districts

7. Receive and file Annual Report of Cash Difference Funds, Overage Fund and Cash Losses for FY 2011-12 - All Districts

8. Receive and file report of cash losses of $1,000 or more for FY 2012-13 - All Districts

9. Approve agreement MA-003-13010450 with Datawatch Corporation for software upgrade and maintenance support to Monarch version 11.0, 9/25/12 - 9/24/13 ($122,719.80); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

10. Adopt resolution approving property tax rates, delinquency/roll change/refund factors and reserve of disputed values for FY 2012/13 - All Districts
RESO: 12-136

Sheriff-Coroner:

11. Approve license agreement with FTF Tactics, LLC for rental of Katella Training Facility for training purposes, Orange, 9/25/12 - 9/24/17; and make California Environmental Quality Act findings - District 3

12. Accept grant award from State Office of Traffic Safety for Avoid DUI Program, 10/1/12

- 9/30/13 ($120,000); and authorize Sheriff-Coroner to execute grant award agreement - All Districts

13. Approve agreement PO-060-13010057 with Harold M. Patterson dba HP Custom for shotgun refinishing services ($3,885); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

14. Accept grant award from State Office of Traffic Safety for Selective Traffic Enforcement Program, 10/1/12 - 9/30/13 ($131,439); and authorize Sheriff-Coroner to execute grant award agreement - All Districts

15. Adopt resolution adopting rules and regulations for supervised electronic monitoring programs and designating the Sheriff as County's Correctional Administrator - All Districts
RESO: 12-137

HEALTH CARE AGENCY

16. Recognize Holiday Hope as a County program and designate HCA to coordinate employee donation drive; and authorize Director or designee to establish and maintain operating policies and procedures - All Districts

17. Approve renewal of master agreement MA-042-12010156 as MA-042-13010136 with Matrix Imaging Products, Inc. for Data Conversion services in support of Behavioral Health Program, Correctional Mental Health Program and Employee Health Program, 11/1/12 - 10/31/13 ($250,000); authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

18. Approve renewal of master agreement MA-042-12010268 as MA-042-13010056 with UMS, Inc. dba United Maintenance Systems for janitorial services, 11/1/12 - 10/31/13 ($171,000); renewable for two additional years; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

43152 X **DELETED**

19. Designate Mary R. Hale, M.S., as Local Mental Health Director in accordance with Welfare and Institutions Code, Section 5607 - All Districts

OC PUBLIC WORKS

20. Adopt resolution vacating reserved utility easement located on Collins Avenue, Anaheim; and make California Environmental Quality Act and other findings - District 4

43152 X **CONTINUED TO 10/2/12, 9:30 A.M.**

21. Receive and file Report of Real Property Interests under delegated authority, 7/1/11 - 6/30/12; and make California Environmental Quality Act findings - All Districts

22. **Acting as the Orange County Flood Control District** - Approve agreement D12-015 with City of Santa Ana to construct and maintain bikeway and pedestrian trail improvements, ten-year term; renewable for 50 additional one-year terms; and make California Environmental

Quality Act findings - District 1

OC WASTE & RECYCLING

23. Approve agreement MA-299-11010941 with Ron Dietz, Inc., dba Dietz Hydroseeding Company for landfill hydroseeding services, 11/23/12 - 11/22/13 ($270,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - Districts 2, 3, 4 & 5

GENERAL ADMINISTRATION

24. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Midway City Sanitary District, Fountain Valley School District, Saddleback Valley Unified School District and Office of the Performance Audit Director - All Districts

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

13452 **APPROVED AS RECOMMENDED**
X

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 26-42)

DEPARTMENT APPOINTMENTS

26. **Health Care Agency -** CalOptima Board of Directors - Select and appoint one candidate to serve as community clinic representative and one candidate to serve as for-profit business representative, for terms ending 9/30/16 - All Districts

B.O. **CONTINUED TO 10/2/12, 9:30 A.M.**

ELECTED DEPARTMENT HEADS

27. **District Attorney -** Direct Human Resources Director to amend master position control to add seven positions to the Special Prosecutions/Special Assignments Units - All Districts (Continued from 9/11/12, Item 34)

43152 **APPROVED AS RECOMMENDED**
X

Sheriff-Coroner:

28. Approve amendment 5 to agreement MA-060-11011620 with Randstad North America L.P. dba Randstad Technologies, L.P. for information technology services, 10/8/12 - 4/7/13 ($547,816; new total $2,189,816); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

41352 **APPROVED AS RECOMMENDED**
X

29. Approve amendment 4 to agreement MA-060-12010141 renewing as MA-060-13010374 with Computer Deductions, Inc. to manage, supervise and operate the Unisys mainframe computer and all Sheriff's Data Center operations, 11/1/12 - 10/31/13 ($650,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

43152 **APPROVED AS RECOMMENDED**
X

HEALTH CARE AGENCY

30. Approve amendment 1 to agreement 11-10241 with State Department of Public Health for Network for Healthy California Regional Grant, 10/1/11 - 9/30/13 ($820,000; new total $1,640,000); and authorize Director or designee to execute Contractor's Release form upon submission of final invoices - All Districts

41352 **APPROVED AS RECOMMENDED**
X

31. Approve agreement 12-10189 with State Department of Public Health for Network for a Healthy California Local Health Department Award, 10/1/12 - 9/30/16 ($11,145,359); and authorize Director or designee to execute Contractor's Release form upon submission of final invoices - All Districts

13452 **APPROVED AS RECOMMENDED**
X

32. Approve selection of and agreement with Boys Town California, Inc. for Family Support

services, 10/1/12 - 6/30/13 ($558,601) and 7/1/13 - 6/30/14 ($718,468); and authorize Director or designee to execute agreement - All Districts

13452 **APPROVED AS RECOMMENDED**
X

33. Approve master agreement with various providers of sober living services, 10/1/12 - 6/30/14 ($1,000,000 per year); and authorize Director or designee to execute agreements - All Districts

41352 **APPROVED AS RECOMMENDED**
X

34. Approve amendment 1 to agreements with California Hispanic Commission on Alcohol and Drug Abuse Inc., 7/1/12 - 6/30/13 ($29,558; new total $1,059,095) and 7/1/13 - 6/30/14 ($39,519; new total $1,069,056), Roque Center Inc., 7/1/12 - 6/30/13 ($53,453; new total $1,384,646) and 7/1/13 - 6/30/14 ($71,467; new total $1,402,660) and Woodglen Recovery Junction, Inc., 7/1/12 - 6/30/13 ($23,017; new total $448,271) and 7/1/13 - 6/30/14 ($30,773; new total $456,027) for Substance Use Disorder Residential Recovery and Detoxification services; and authorize Director or designee to execute agreements; and to exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

14352 **APPROVED AS RECOMMENDED**
X

OC COMMUNITY RESOURCES

35. Approve amendment 6 to agreements NF-118 with St. Anselm's Cross-Cultural Community Center ($95,952; new total $508,648), NF-116 with Age Well Senior Services, Inc. ($90,835; new total $481,525), NF-119 with Abrazar, Inc. ($127,088; new total $673,702), for Senior Non-Emergency Medical Transportation, 10/1/12 - 6/30/13; and authorize Director or designee to execute amendments and exercise cost contingency increase or decrease not to exceed 10%; and make line item budget transfers under certain conditions - All Districts

31452 **APPROVED AS RECOMMENDED**
X

OC PUBLIC WORKS

36. Approve agreement MA-080-13010363 with Great Cleaning Services for janitorial services at various County facilities, 10/1/12 - 9/31/13 ($136,476); renewable for four additional one-year periods; and make California Environmental Quality Act findings - Districts 1, 3 & 5

B.O. **DELETED**

SOCIAL SERVICES AGENCY

37. Approve acceptance of Governor's California Emergency Management Agency's Child Abuse Treatment Program grant funds to provide comprehensive treatment services to child victims of abuse and neglect, Corbin Family Resource Center in Santa Ana, 10/1/12 - 9/30/13 ($226,958); and authorize Director or designee to execute all documents and amendments related to the acceptance and administration of grant funds - All Districts

13452 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

38. Approve proposed response to FY 2011-12 Grand Jury Report "AB109: Public Safety Realignment: A Paradigm Change" - All Districts
43152 **APPROVED AS RECOMMENDED**
X

39. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
31452 **RECEIVE & FILE**
X

40. Approve grant applications/awards submitted by OC Public Works, District Attorney and Health Care Agency in 9/25/12 grant report and other actions as recommended; adopt resolution authorizing District Attorney or designee to execute grant award agreement and amendments with State Emergency Management Agency (CalEMA) for Violence Against Women Vertical Prosecution Program, 7/1/12 - 6/30/13 ($245,651); and adopt resolution authorizing District Attorney or designee to submit and execute grant agreement and amendments with State Department of Insurance (CDI) for Life and Annuity Consumer Protection Program, 7/1/12 - 6/30/13 ($175,000) - All Districts
13452 **APPROVED AS RECOMMENDED**
X

RESO: 12-138 - 12-139

41. Approve FY 2011-12 Fourth Quarter Budget Report and related budget adjustments and reserve changes; and approve AB 109 FY 12-13 funding allocation as recommended by the Orange County Community Corrections Partnership - All Districts (R.A. 1 & 2, 4/5 vote)
31452 **APPROVED AS RECOMMENDED**
X

42. Authorize a 5.5% increase in salary for Interim County Executive Officer, effective 9/7/12 - All Districts
31452 **APPROVED AS RECOMMENDED**
NX

IV. PUBLIC HEARINGS (None)

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

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING 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
B.O. **HELD, NO REPORTABLE ACTION**

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to

Government Code Section 54956.9(a):
Name of Case: Orange County Flood Control District v. Altfillisch Construction Co., Riverside County Superior Court Case No. RIC 10013337

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

CS-3. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: 301 S. State College, Fullerton, California
County Negotiator: Robert J. Franz
Negotiating Party: 301 S. State College, Fullerton, California LLC
Under Negotiation: Terms and Value of Purchase

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

CS-4. **Human Resources Department -** 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)
RE: Terms and Conditions of Employment

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

VI. PUBLIC, CEO, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:
Michael Klubnikin - Oral Re: Brown Act & fraudulent activities

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Supervisor Campbell - Oral Re: farewell reception held for Tom Mauk

Supervisor Nguyen - Oral Re: update on Affordable Housing Ad Hoc Committee

ADJOURNED: 10:53 A.M.

12345 **Adjourned in memory of Eustaquio Pelayo**
X

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach

A. = Abstained
X. = Excused

3. = Supervisor Campbell
4. = Supervisor Nelson
5. = Supervisor Bates

N. = No
BO = Board Order

ORD. = Ordinance
RESO. = Resolution

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