REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, April 9, 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: Supervisors Nguyen, Moorlach, Spitzer & Bates

EXCUSED: Chairman Nelson

PRESENT:	INTERIM COUNTY EXECUTIVE OFFICER	Robert J. Franz
	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 1-33)

12354 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 16 & 33 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Moorlach -** Waste Management Commission - Reappoint Daniel L. Worthington, Costa Mesa, for term ending 1/31/15; and James A. Wahner, Costa Mesa, for term ending 1/2/15

2 **Supervisor Bates -**

. mainlist.asp?docid=00000002&docname=Agenda04_09_2013.htm&meetdate=04_09_2013&pagendatypeid=1&pisagenda=0Development Processing Review Committee - Appoint Jeffrey T. Okamoto, Rancho Santa Margarita, for term concurrent with 5th District Supervisor's term of office

Supervisor Nguyen:

3. Oversight Board of the Successor to the City Redevelopment Agencies, Westminster - Appoint Sandy J. Hemphill (Continued from 3/19/13, Item 1)

4. Animal Care Community Outreach Committee - Reappoint Dr. Leslie Malo, Garden Grove, to complete term ending 3/31/15

5. **Supervisor Nelson -** Placentia Library District Board of Trustees - Appoint Jo-Anne W. Martin, Placentia, to complete term ending 12/1/14

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

6. Authorize use of County vehicle and staff for transportation of Foothill High School students and chaperones participating in "Every 15 Minutes" drinking and driving awareness program, 4/24/13 - 4/25/13; and make appropriate findings - District 3

7. Approve agreement CT-060-13010644 with Impex Technologies, Inc. for replacement, maintenance and support of data storage system, 4/15/13 - 4/14/18 ($551,585); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

8. Approve amendment 2 to agreement MA-060-11011735 renewing as MA-060-13011345 with Siemens Industry, Incorporated for preventive maintenance, certification and full parts coverage of energy management system/fume hoods, 4/23/13 - 4/22/14 ($31,673); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

9. Approve agreement with City of Anaheim for transfer or purchase of equipment/services and reimbursement of training costs regarding FY12 Urban Areas Security Initiative (UASI); authorize Sheriff-Coroner to execute agreement and amendments under certain conditions - All Districts

10. Approve amendment 2 to agreement with J.C. Chang & Associates Inc. for design of James A. Musick Facility ICE Modular Buildings project ($24,387; new total $239,127); and make California Environmental Quality Act findings - District 3

11. Approve amendment 2 to agreement MA-060-12011124 renewing as MA-060-13011472 with California Forensic Phlebotomy, Inc. for phlebotomy services related to blood alcohol testing, 4/18/13 - 4/17/14 ($225,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

12. Approve agreement MA-060-13011549 with Traditional Funeral Services Inc. for body transportation services, 4/15/13 - 4/14/14 ($300,000); renewable for four additional one year periods; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

13. Approve amendment 1 to agreement MA-060-13011246 with TriTech Software Systems for software support and software licenses, 4/23/13 - 11/14/13 ($6,993; new total $249,884); renewable for four additional one-year periods ($330,848 per year); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

14. Ratify and approve amendment 1 to 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; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

HEALTH CARE AGENCY

15. Ratify amendment 1 to agreement C-117608 with City of Los Angeles for Regional Catastrophic Preparedness Grant Program, extending term to 4/30/12 ($113,661.86 decrease; new total $66,338.14); approve master agreement with various providers for point of dispensing site services, 7/1/13 - 6/30/14 ($250,000); and authorize Director or designee to execute agreements - All Districts

16. Approve master agreement MA-042-13011113 with California Institute for Mental Health for training and technical assistance services, 5/7/13 - 5/6/15 ($122,875); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

23154 **APPROVED AS RECOMMENDED**
X

JOHN WAYNE AIRPORT

17. Approve agreement with RedRock Security and Cabling, Inc. for installation of In-Building Bi-Directional Amplifier, ($379,635); authorize Purchasing Agent or authorized Deputy to execute agreement and exercise contingency contract cost increase not to exceed 5%; and make California Environmental Quality Act findings - District 2

OC DANA POINT HARBOR

18. Approve consent to assignment of interest in lease agreement from Momilani's to Goldeegal, Inc. to combine two adjoining retail spaces; approve amendment 4 to lease agreement with Goldeegal, Inc.; authorize Director or designee to execute amendment and related documents; and make California Environmental Quality Act findings - District 5

19. Approve early termination of lease with Nevine Sidhom dba Chez Navine; authorize Director or designee to execute related documents; and make California Environmental Quality Act findings - District 5

20. Approve amendment 5 to lease agreement with Goldeegal, Inc. dba DaVine Food & Wine to modify two adjoining retail spaces; authorize Director or designee to execute amendment; and make California Environmental Quality Act findings - District 5

OC COMMUNITY RESOURCES

21. Approve plans and specifications and set bid opening for 5/8/13, 2:00 p.m., for upgrade and modernization of the Heating, Ventilating, and Air Conditioning system at Los Alamitos

Rossmoor Library; and make California Environmental Quality Act findings - District 2

22. Approve amendment 4 to agreement D78-012 with Cities of Buena Park and Fullerton for additional time to evaluate future use of softball complex, Ralph B. Clark Regional Park; and make California Environmental Quality Act findings - District 4

OC PUBLIC WORKS

23. Approve plans and specifications and set bid opening for 5/15/13, 2:00 p.m., for Central Utility Facility Cooling Tower Removal and Condensate Piping Upgrade project; and make California Environmental Quality Act findings - District 1

24. Approve Tract Map 17065, RMV Community Development, LLC and Mission Viejo P8, L.P.; accept dedication for street purposes and vehicular access rights; accept easements for streets, street lights, sewer, water and survey monumentation; approve agreement S1112-171 and accept bonds guaranteeing construction improvements; and make California Environmental Quality Act findings - District 5

25. Approve Tract Map 17064, RMV Community Development, LLC and Mission Viejo P8, L.P.; accept dedication for street purposes and vehicular access rights; accept easements for streets, street lights, sewer, water and survey monumentation; approve agreement S1112-170 and accept bonds guaranteeing construction improvements; and make California Environmental Quality Act findings - District 5

26. Approve Tract Map 17063, RMV Community Development, LLC and Standard Pacific Corp.; accept dedication for street purposes and vehicular access rights; accept easements for streets, street lights, sewer, water and survey monumentation; approve agreement S1112-169 and accept bonds guaranteeing construction improvements; and make California Environmental Quality Act findings - District 5

27. Approve Tract Map 17057, RMV Community Development, LLC and Meritage Homes; accept dedication for street purposes and vehicular access rights; accept easements for streets, street lights, sewer, water and survey monumentation; approve agreement S1212-172 and accept bonds guaranteeing construction improvements; and make California Environmental Quality Act findings - District 5

28. Approve agreement MA-080-13011265 with Geosyntec Consultants, Inc. for on-call architect engineering support services for Watershed Planning and Engineering, 4/9/13 - 4/8/16 ($400,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

29. Adopt resolution authorizing Director or designee to execute future State matching transportation funds agreements under certain conditions for public safety and traffic congestion within unincorporated areas of Orange County; and make California Environmental Quality Act findings - All Districts
RESO: 13-020

30. Approve agreement MA-080-13011258 with Brock Barrett Bernstein for on-call architect engineering support services for environmental regulation, 4/9/13 - 4/8/16 ($400,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

31. **Acting as the Board of Supervisors and Orange County Flood Control District -** Select various firms in ranked list for on-call land surveying services; authorize negotiation of agreements for Board approval; and make California Environmental Quality Act findings - All Districts

OC PUBLIC WORKS AND SOCIAL SERVICES AGENCY

32. Approve plans and specifications and set bid opening for 5/15/13, 2:00 p.m., for replacement of energy management system at Orangewood Children and Family Center; and make California Environmental Quality Act findings - District 3 (Continued from 11/20/12, Item 27; 12/4/12, Item 16; 1/29/13, Item 34)

PUBLIC PROTECTION

33. **Probation -** Approve agreement with Redwood Toxicology Laboratory, Inc. for urinalysis, oral fluids and ethyl glucuronide laboratory testing services, 5/1/13 - 4/30/14 ($400,000); renewable for four additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

23154 **APPROVED AS RECOMMENDED**
X

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 34-52)

ELECTED DEPARTMENT HEADS

34. **Sheriff-Coroner -** Approve amendment 3 to agreement MA-060-12011706 with Blackboard Connect, Inc. for public mass notification system services, 5/6/13 - 7/5/13 ($63,334; new total $443,334); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

32154 **APPROVED AS RECOMMENDED**
X

CHILD SUPPORT SERVICES

35. Approve agreement MA-027-13011154 with ABC Legal Services, Inc. for legal process services, 5/6/13 - 5/5/14 ($350,000); renewable for four additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

31254 **APPROVED AS RECOMMENDED**
X

HEALTH CARE AGENCY

36. Approve amendment 1 to master agreement with various providers for adult mental health inpatient services, 7/1/12 - 6/30/13 ($101,743; new total $4,375,163); and authorize Director or designee to execute amendments - All Districts (Originally continued to 4/23/13)

32154 **APPROVED AS RECOMMENDED**
X

JOHN WAYNE AIRPORT

37. Select IDS Group, Inc. as primary and Atkins North America, Inc. as alternate firms for bridging design documents and construction administration services for Thomas F. Riley Terminal Complex Improvements project; authorize Director or designee to negotiate agreements for Board approval; and make California Environmental Quality Act findings - District 2

23154 **APPROVED AS RECOMMENDED**
X

OC DANA POINT HARBOR

38. Approve amendment 5 to agreement MA-108-10012441 with Project Dimensions, Inc. for project management services associated with Dana Point Harbor Revitalization Plan, extending term five years ($4.4 million); and authorize Director or designee to execute amendment - District 5 (Continued from 2/5/13, Item 18; 2/26/13, Item 41; 3/5/13, Item 14; 3/19/13, Item 23)

B.O. **CONTINUED TO 4/16/13, 9:30 A.M.**

OC PUBLIC WORKS

39. Approve agreement MA-080-13011337 with Quality Fence Company, Inc. for fence and gate repair/maintenance, 4/9/13 - 4/8/14 ($155,000); renewable for four additional years; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

31254 **APPROVED AS RECOMMENDED**
X

40. Approve agreement D13-018 with Rancho Mission Viejo, LLC for construction of Cow Camp Road, term ending 6/30/15 ($8,300,000); and make California Environmental Quality Act findings - District 5
53124 **APPROVED AS RECOMMENDED**
X

41. Approve agreement MA-080-13011335 with Carvajal Trucking & Tractor, Inc. DBA CT&T, Inc. for portland cement concrete maintenance and repair services, 4/9/13 - 4/8/14 ($250,000); renewable for four additional years; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts
32154 **APPROVED AS RECOMMENDED**
X

42. Approve amendment 1 to agreement CT-080-12010108 with LSA Associates, Inc. for preparation of National Environmental Policy Act documents for La Pata Avenue and Camino Del Rio extension project, 9/13/11 - 9/12/13 ($280,000; new total $920,000); and make California Environmental Quality Act findings - District 5
52134 **APPROVED AS RECOMMENDED**
X

SOCIAL SERVICES AGENCY

43. Approve increase of $3,323,399 to Orange County's allocation for Information and Technology (IT) agreement 0530-95 with HP Enterprise Services, LLC, 7/1/12 - 6/30/13; approve amendment 3 to IT agreement 0530-95 with HP Enterprise Services, LLC for CalWIN to continue benefits to eligible clients, 8/1/13 - 7/31/15 ($124,218,402; new total $806,380,443); and authorize Director or designee to execute amendments and related documents - All Districts
12354 **APPROVED AS RECOMMENDED**
X

44. Approve amendment 1 to agreement WAM0811A with City of Santa Ana for vocational training activities and work experience, 7/1/12 - 6/30/13 ($200,00; new total $800,000) - District 1
13254 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

45. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
23154 **APPROVED AS RECOMMENDED**
X

46. Approve grant applications/awards submitted by District Attorney, OC Public Works in 4/9/13 grant report and other actions recommended; and adopt resolution authorizing

OC Public Works Director or designee to negotiate and execute agreement and amendments with State Department of Water Resources Control Board for Prop 84 Glassell Yard Campus Stormwater Low Impact Development retrofit Project - All Districts

35124 X **APPROVED AS RECOMMENDED**

RESO: 13-021

47. Approve qualified panel of underwriter firms to assist formulating and executing future capital projects and financings; and direct CEO staff to complete a new request for qualifications for underwriter firms in two years - All Districts

23154 X **APPROVED AS RECOMMENDED**

48. **Human Resource Services -** Approve agreement with Orange County Managers Association requiring all employees hired on or after 1/1/13 to pay for increased cost associated with the 2.7% @ 55 retirement formula provided to certain County employees and commonly referred to as the "Reverse Pick-up", effective 4/5/13 - All Districts

25134 NX **APPROVED AS RECOMMENDED**

49. **Registrar of Voters -** Find bid of EIDIM Group, Inc. dba EIDIM AV Technology to be non-responsive, approve agreement MA-031-13011642 with JEC Integration Systems, Inc. for purchase and installation of graphic video displays ($59,104); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

35124 X **APPROVED AS RECOMMENDED**

Supervisor Spitzer:

50. Receive update from CEO/IT on IT sourcing contracts, as to both Scopes 1 and 2 and provide additional direction to CEO/IT as needed

DISCUSSED

51. Approve the designation of the Orange County Crime Victims' Memorial at Mason Park, Irvine; approve the design competition in concept and discuss nomination of two judges by each Supervisorial District; and support April 24, 2013 Crime Victims' Memorial Program and Candlelight Vigil at Mason Park

35124 X **APPROVED AS RECOMMENDED**

52. Discuss appointment of two members of the Board of Supervisors as members of the larger Community Corrections Partnership (CCP) Committee; request update, within 30 days of next regularly scheduled CCP meeting, from Probation Department to provide update regarding AB 109 statistics, results, and implementation

32154 X **APPROVED AS RECOMMENDED WITH AMENDED R.A. 1 TO INDICATE THE VICE CHAIRMAN OF OCCJCC WILL BE ALTERNATE AND NOT A SECOND BOARD MEMBER TO CCP**

IV. PUBLIC HEARINGS (Item 53)

OC COMMUNITY RESOURCES

53. **Acting as the Board of Supervisors and Orange County Housing Authority -** Public Hearing to consider approving Orange County Housing Authority Annual Public Housing Agency Plan (PHA), FY 2013-14; and authorize Executive Director of OCHA or designee to execute related documents and to submit Plan to U.S. Department of Housing and Urban Development - All Districts

B.O. **CLOSED PUBLIC HEARING**

21354 **APPROVED AS RECOMMENDED**
X X

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

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases: Test Claim with the Commission on State Mandates, TC #09-TC-03, Santa Ana Regional Water Permit, California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2009-0030 (Claimant: County of Orange, Orange County Flood Control District & various cities); and Test Claim with the Commission on State Mandates, TC #10-TC-11,m San Diego Region Water Permit, California Water Quality Control Board, San Diego Region, Order No. R9-2009-0002 (Claimant: County of Orange, Orange County Flood Control District & various cities)

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

CS-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

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

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Jill Randall v. County of Orange, City of Huntington Beach, Jake Michel, Irma Salzar-Allen, Myeshia Hammond, District Court Case No. SACV11-01740 CJC

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

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Ronald P. Reese v. County of Orange, WCAB Case No. ADJ770970

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, SUPERVISOR NELSON BEING ABSENT, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF RONALD P. REESE V. COUNTY OF ORANGE, ET AL. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE**

IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

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 other non-represented employees
RE: Terms and Conditions of Employment

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

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Michael Klubnikin - Oral Re: CEO recruitment, court action on Mother's properties, Nate Tseglin and Clerk-Recorder appointment

Ilya Tseglin and Robert Tseglin - Oral Re: Nate Tseglin

Shelley Ziliak - Oral Re: proposed Fullerton homeless shelter

Opinion Online Comments

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:

Supervisor Nguyen - Oral Re: AB 1234 trip report to Sacramento to meet with Legislators and staff in support of AB 1187; thanked OC Workforce Investment Board, the city of Fountain Valley, County and her own staff for their efforts in putting on the Central County Job Fair; and asked that all keep the city of Westminster in their thoughts and prayers during their current hard times.

Supervisor Moorlach - Oral Re: reminder that April 10 is the deadline for 2nd installment of property taxes; clarified that the CCP was in compliance as a representative from the CEO attended the meetings; and the Vehicle License Fee court case was continued to July 8, 2013.

ADJOURNED: 12:30 P.M.

51234 **Adjourned in memory of Helen Hannah Campbell**
X

*** 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