A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 17, 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

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

This agenda contains a brief description of each item to be considered. Except as provided by law, no action shall be taken on any item not appearing in the agenda. To speak on an item, complete a Speaker Request Form(s) identifying the item(s) and deposit it in the box to the left of the podium. To speak on a matter not appearing in the agenda, but under the jurisdiction of the Board of Supervisors, you may do so during Public Comments at the end of the meeting. Speaker request forms must be deposited prior to the beginning of the consent calendar, the reading of the 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. Address the Board as a whole through the Chair. Comments to individual Supervisors or staff are not permitted. Speakers are limited to three (3) minutes per item with nine (9) minutes cumulative for the entire meeting. Power Point and video presentations must be requested in advance of the meeting through the Clerk.

Supporting documentation is available for review in the Clerk of the Board of Supervisors office in the Hall of Administration, 333 W. Santa Ana Blvd., Room 465, Santa Ana, 92701 8:00 am - 5:00 pm, Monday-Friday.
The Agenda is available online at: http://ocgov.com/gov/bos/agenda
Meetings are broadcast live at http://bos.ocgov.com/video/video.html

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In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the Clerk of the Board's Office 72 hours prior to the meeting at (714) 834-2206

INVOCATION: Supervisor Moorlach, Second District

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-35)

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

Supervisor Spitzer:

1. Assessment Appeals Board No. 1 - Appoint Kevin Rice, Tustin, to complete term ending 9/4/16

2. Assessment Appeals Board No. 2 - Appoint Danna Campbell, Orange, to complete term ending 9/4/16

3. **Supervisor Nguyen -** Waste Management Commission - Appoint Hoa Van Nguyen, Fountain Valley, to complete term ending 7/25/14

ELECTED DEPARTMENT HEADS

Auditor-Controller:

4. Authorize Auditor-Controller to delete dismantled, missing, obsolete, stolen and surplused equipment items from department capital asset inventories - All Districts

5. Receive and file Annual Report of Revolving Funds for FY 2012-13 - All Districts

6. Receive and file Annual Report of Cash Difference Funds, Overage Fund and Cash Losses for FY 2012-13 - All Districts

7. Receive and file Fund/Budget Control Semi-Annual Report for 1/1/13 - 6/30/13 - All Districts

8. Receive and file Report of Refunds for FY 2012-13 - All Districts

Sheriff-Coroner:

9. Approve amendment 1 to agreement MA-060-13010844 with Collaborative Testing Services, Inc. for forensic test samples, 10/1/13 - 9/30/14 ($2,500; new total $20,000); renewable for three additional years; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

10. Authorize Sheriff-Coroner to divert food waste from solid waste generated at Theo Lacy Facility to Standard Feed, Chino; and make related findings - All Districts

11. Authorize Sheriff-Coroner to donate excess produce grown from James A. Musick Jail Facility to Orange County Food Bank; and make related findings - All Districts

12. Accept grant award from U.S. Department of Justice for FY 2013 DNA Backlog Reduction Program ($418,184); and authorize Sheriff-Coroner to execute agreement and related documents - All Districts

13. Approve agreement MA-060-14010264 with Nusura, Inc. for Disabilities and Access and Functional Needs Planning Consultant services, 9/17/13 - 9/16/14 ($297,391); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

CHILD SUPPORT SERVICES

14. Approve agreement MA-027-13011727 with Orange County Superior Court of California for Family Law Facilitator services, one year period ($160,000); renewable for two additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute agreements - All Districts

HEALTH CARE AGENCY

15. Approve renewal of master agreement MA-042-12011804 as MA-042-14010212 with ImageTrend, Inc. for Orange County Medical Emergency Data System, 11/1/13 - 10/31/14 ($142,908); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

JOHN WAYNE AIRPORT

16. Approve plans and specifications and set bid opening for 10/23/13, 2:00 p.m., for Terminal C Baggage Handling System Checked Baggage Resolution Area Upgrades project; authorize Director or designee to sign plans and specifications and extend bid opening if required up to 90 days; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

17. Approve amendment 1 to agreement OCP10-027 with John M. Cruikshank Consultants, Inc. for on-call civil engineering services, extending term to 10/4/14; approve amendment 2 to agreement OCP10-014 with Harris and Associates for on-call project management/contract administration services, extending term to 10/18/14; and approve amendment 1 to agreement OCP10-028 with Nuvis Landscape Architecture & Planning for on-call landscape architecture services, extending term to 12/13/14; and make California Environmental Quality Act findings - All Districts

18. Approve ranked lists of firms for on-call professional consultant services for capital improvement, repair and maintenance projects; authorize negotiation of agreements as needed for Board approval; and make California Environmental Quality Act findings - All Districts

19. Approve restated amendment 2 to agreement D06-085 with West Cities Police Communications Center Joint Powers Authority for radio communication and dispatch services for County Park Rangers - All Districts

OC PUBLIC WORKS

20. Approve plans and specifications and set bid opening for 10/16/13, 2:00 p.m., for Cerritos Avenue Reconstruction and Sewer Improvements Project; and make California Environmental Quality Act findings - District 4

21. Adopt resolution updating South Orange County Integrated Regional Watershed Management Plan; authorizing Director or designee to accept amendments and approve minor modifications; and make California Environmental Quality Act findings - District 5

22. Approve agreement D13-081 with the City of Newport Beach for asphalt overlay of Irvine Avenue from University Drive to Monte Vista Avenue ($150,832); adopt resolution declaring City of Newport project area to be a County highway; and make California Environmental Quality Act findings - District 2

23. Approve amendment 3 to agreement MA-080-12010056 with Tyco dba SimplexGrinnell LP for fire alarm system maintenance and repair services, 12/1/13 - 11/30/14 ($211,911); and make California Environmental Quality Act findings - Districts 1, 2, 3 and 5

24. Receive and file Traffic Committee Report dated 7/18/13; approve recommendations and adopt necessary resolutions; rescind Resolutions 85-1164 and 02-051; and make California Environmental Quality Act findings - Districts 3, 4 and 5

25. Approve Tract Map 17061, RMV Community Development, LLC; accept dedication for vehicular access rights; accept easements for streets, street lights, sewer, water and survey monumentation; approve agreement S1112-164 and accept bonds guaranteeing construction improvements; and find Final EIR 589 previously certified 11/8/04 with Addendum 1.0 and 1.1, reflects the independent judgement of the County of Orange and satisfies requirements of California Environmental Quality Act - District 5

26. Adopt resolution vacating Tract 15105 fire and fuel modification access easements affecting property in Newport Coast, City of Newport Beach; and make California Environmental Quality Act findings - District 2

Revised Title to read:

OC Public Works - Adopt resolution vacating Tract 15105 fire and fuel modification access easements affecting property in Newport Coast, City of Newport Beach; and make California Environmental Quality Act *and other* findings - District 2

Acting as the Orange County Flood Control District:

27. Approve easement deeds with Christ Catholic Cathedral Facilities Corporation for conveyance of property for parking and landscaping purposes; authorize Director or designee to perform related actions; and make California Environmental Quality Act and other findings - District 1

28. Based upon Final Mitigated Negative Declaration IP 11-424 as compliance under the California Environmental Quality Act, approve amendment 1 to lease PRC 7312.9 with the State Lands Commission for Talbert Channel Ocean Outlet operation and maintenance - District 2

OC WASTE & RECYCLING

29. Approve plans and specifications and set bid opening for 10/23/13, 2:00 p.m., for Northern Access Road project, Prima Deshecha Landfill; and find that Final Environmental Impact Report 575 originally certified November 6, 2001, reflects the independent judgment of the County and satisfies requirements of California Environmental Quality Act - District 5

30. Approve agreement MA-299-14010260 with Adam's Falconry Service, Airstrike Bird Control, LLC and Avian Entertainment for bird abatement services, North, Central and South Region Landfills, 9/20/13 - 9/19/14 ($380,000); renewable for four additional one-year periods; authorize Purchasing Agent or authorized Deputy to execute agreements; and find that Final Environmental Impact Report 588, RELOOC Strategic Plan, previously certified by the Board of Supervisors on April 17, 2007, Final Environmental Impact Report 604, previously certified by the Board of Supervisors on 8/15/06, and Final Environmental Impact Report 575, previously certified by the Board of Supervisors on 11/6/01 reflect the independent judgment of the County of Orange and satisfy the requirements of California Environment Quality Act for the proposed project, which is a necessarily included element contemplated as part of this action - Districts 3, 4 & 5

GENERAL ADMINISTRATION

31. **Clerk of the Board -** Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Capistrano Unified School District and the South Orange County Community College District - District 5

County Executive Office:

32. Receive and file annual Report of Real Property actions taken under Delegated Authority for period of 7/1/12 - 6/30/13; and make California Environmental Quality Act findings - All Districts

33. Acting as the Orange County Flood Control District - Approve selection of proposals submitted by Ganahl Lumber Company, R.D. Olson Development, Lyon-NCA Bristol Venture, LCC, and Clearview Hotel Capital, LLC as finalists in response to Request for Proposals for leasing and development of 1100 S.E. Bristol Street, Costa Mesa; authorize Chief Real Estate Officer or designee to negotiate proposal modifications and lease options and return to the Board with successful respondent; and make California Environmental Quality Act findings - District 2

34. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for August 2013 - All Districts

35. **Supervisor Nguyen -** Adopt resolution declaring September 2013 as Hunger Awareness Month

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 36-53)

ELECTED DEPARTMENT HEADS

36. **Sheriff-Coroner -** Accept 2012 Homeland Security Grant Program award from California Emergency Management Agency ($2,352,421); authorize Purchasing Agent or authorized Deputy to purchase related equipment; approve related documents and authorize Sheriff-Coroner or designee to execute agreement; and authorize Auditor-Controller to transfer funds or property to other entities under certain conditions - All Districts

37. **Treasurer-Tax Collector -** Adopt resolution authorizing issuance and sale of Garden Grove Unified School District General Obligation Bonds, Election 2010, Series C ($119,999,840); and authorizing execution of necessary documents and other related actions; and adopt FY 2013-14 property tax rate of .00718 for each $100 of assessed value for Garden Grove Unified School District Obligation Bonds, Election 2010, Series C - Districts 1 & 2

HEALTH CARE AGENCY

38. Approve agreement EPO 13-32 with State Department of Public Health for Center for Disease Control Public Health Emergency Preparedness Grant, State General Fund Pandemic Influenza Grant, and Health and Human Services Hospital Preparedness Program funds, FY 2013-14 ($3,650,707) - All Districts

39. Approve amendment to agreement 12-78008-000 with State Department of State Hospitals for conditional release program, 7/1/12 - 12/31/13 ($1,708,210); and authorize Director or designee to execute amendment - All Districts (Continued to 9/17/13, Item 30)

OC COMMUNITY RESOURCES

40. Consider first reading of "An Ordinance of the County of Orange, California Amending Sections 4-1-23 and 4-1-95 of the Codified Ordinances of the County of Orange to Amend the Definitions of "Vicious Dog" and "Potentially Dangerous Dog" and Make Various Other Amendments to Facilitate the Implementation of Safety Restrictions on Vicious and Potentially Dangerous Dogs"; and set second reading and adoption for 10/1/13, 9:30 a.m. - All Districts

Revised Title to read:

OC Community Resources - Consider first reading of "An Ordinance of the County of Orange, California Amending Sections 4-1-23 and 4-1-95 of the Codified Ordinances of the County of Orange to Amend the Definitions of "Vicious Dog" and "Potentially Dangerous Dog" and Make Various Other Amendments to Facilitate the Implementation of Safety Restrictions on Vicious and Potentially Dangerous Dogs"; and set second reading and adoption for 10/1/13, 9:30 a.m.; and authorize Director of OC Animal Care to establish a website, accessible to the public, listing the address of each dog that has been declared vicious or potentially dangerous under Section 4-1-95 - All Districts

41. Approve amendment 1 to Workforce Investment Act Training Account Master agreement with training providers ($6,500 per person) to include California Work Opportunity and Responsibility to Kids Welfare-to-Work Vocational Training funding, 7/1/13 - 6/30/14 ($162,000; new total $2,662,000 aggregate amount); and authorize Director or designee to execute amendments - All Districts

42. Authorize OC Community Resources to receive funds up to $400,000 from State Employment Development for Veterans' Employment-Related Assistance Program, 6/1/13 - 3/31/15; approve Workforce Investment Act Master Cost Reimbursement agreements with Pacific Gateway Workforce Investment Network/City of Long Beach ($180,000) and Arbor E&T, LLC dba ResCare Workforces Services ($155,000), 8/1/13 - 2/28/15; and authorize Director or designee to exercise contingency cost increase or decrease not to exceed 10%, make line item budget transfers and amend service levels should funding levels change - All Districts

43. Based upon Final Mitigated Negative Declaration IP 08-537 as compliance under the California Environmental Quality Act, approve amendment 1 to agreement OCP 12-016 with Orange County Conservation Corps to support long term ecological and resource protection benefits to Aliso Creek watershed ($82,000; new total $897,000) - District 5

44. Find that Final Environmental Impact Report 557 previously certified by the Board of Supervisors on 5/2/95, and Addendum IP 10-26, together reflect the independent judgement of County and satisfy the requirements of California Environmental Quality Act; and receive bids and award contract to Spectra Company for Irvine Ranch Historic Park Campus Improvements project ($5,844,720) - District 3

45. Approve agreement MA 012-14010024 with Parking Concepts, Inc. for parking management services, 10/1/13 - 12/31/14; renewable for four one-year periods; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

OC WASTE & RECYCLING

46. Approve agreement MA-299-14010178 with Simplus Management Corporation for construction management, quality assurance/quality control, and support services, North Region Landfills, 9/17/13 - 9/16/16 ($1,200,000); and make California Environmental Quality Act findings - Districts 3 & 4

SOCIAL SERVICES AGENCY

47. Accept Governor's California Office of Emergency Services Child Abuse Treatment Program grant funds for comprehensive treatment services to child victims of abuse and neglect, 10/1/13 - 9/30/14 ($255,033) - All Districts

GENERAL ADMINISTRATION

County Executive Office:

48. Approve proposed response to FY 2012-13 Grand Jury Report "The Goal of Equal Employment Opportunity: NO VICTIMS" - All Districts

49. Acting as the legislative body of Community Facilities Districts Nos. 2002-1, 2003-1 and 2004-1 (Ladera Ranch) - Approve in concept proposed refunding of CFD No. 2002-1, Series A of 2002 Special Tax Bonds; CFD No. 2003-1, Series A of 2003 Special Tax Bonds and CFD No. 2004-1, Series A of 2004 Special Tax Bonds; approve selection of and agreements 13-004FA with Fieldman, Rolapp & Associates as financial advisor, term ending 9/30/14 ($60,000); renewable for one additional year and 13-005BC with Stradling Yocca Carlson & Rauth for bond and disclosure counsel ($85,000), term ending 9/30/14; and select Piper Jaffray and Company as underwriter for proposed refunding; and authorize Public Finance Manager to execute agreements - District 5

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

51. Approve grant applications/awards submitted by Health Care Agency, OC Public Works and OC Community Resources/OC Parks in 9/17/13 grant report and other actions as recommended; adopt resolution authorizing HCA Director or designee to submit grant applications for continued funding of various department programs and directing annual submittal of a list of routine continued funding grant applications for Board approval; adopt resolutions authorizing HCA Director or designee to submit and execute applications, related documents and amendments to State Department of Resources Recycling and Recovery (CalRecycle) for Local Enforcement Agency grant, Used Oil Payment Program and Waste Tire Enforcement grant; adopt resolution authorizing OC Public Works Director or designee to submit and execute application and amendments for Bicycle Corridor Improvement Program for Lambert Road Bikeway Project and to invoice Orange County Transportation Authority for payment; and adopt resolution authorizing OC Community Resources Director or designee to submit and execute application with Orange County Transportation Authority and related documents for Environmental Cleanup Tier 2 Grant Program for Wagon Wheel Creek Restoration and Stormwater Management within San Juan Creek Watershed; and make California Environmental Quality Act findings - All Districts

52. Approve FY 2012-13 Fourth Quarter Budget Report and related budget adjustments, amend master position control and reserve changes - All Districts (R.A. 1, 2, & 3, 4/5 vote of the members present)

53. **Chairman Nelson -** Board of Retirement, OCERS - Appoint David L. Ball, Newport Beach for term ending 12/31/13 (Continued from 9/10/13, Item S44A)

IV. PUBLIC HEARINGS (None Scheduled)

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

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 - 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

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

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: County of Orange v. Tata Consultancy Services Ltd., et al., United States District Court Case No. SACV13-683 JST (JCx)

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Eric Johnson Peacock v. County of Orange, et al., Orange County Superior Court Case No. 00CC08681

CS-5. **Human Resource Services** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Steve Danley
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

VI. PUBLIC, CEO, BOARD 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:

September 24, 2013	**No Meeting Scheduled**
October 1, 2013	**Regular Meeting**
October 8, 2013	**Regular Meeting**