REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, December 6, 2011
9:30A.M.

BOARD HEARING ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

BILL CAMPBELL
CHAIRMAN
Third District

JOHN M. W. MOORLACH
VICE CHAIRMAN
Second District

JANET NGUYEN
SUPERVISOR
First District

SHAWN NELSON
SUPERVISOR
Fourth District

PATRICIA BATES
SUPERVISOR
Fifth District

COUNTY EXECUTIVE OFFICER	COUNTY COUNSEL	CLERK OF THE BOARD
Thomas G. Mauk	Nicholas S. Chrisos	Darlene J. Bloom

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. This agenda contains a brief general description of each item to be considered. The Board of Supervisors encourages your participation. If you wish to speak on an item contained in the agenda, please complete a Speaker Form(s) identifying the item(s) and deposit it in the Speaker Form Return box located on the side of the podium. If you wish to speak on a matter which does not appear on the agenda, and is under the jurisdiction of the Board of Supervisors, you may do so during the Public Comments period at the end of the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda. 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, December 6, 2011
9:30A.M.

INVOCATION: Supervisor Moorlach, Second District

PLEDGE OF ALLEGIANCE: Supervisor Nelson, Fourth District

I N D E X

I. PRESENTATIONS/INTRODUCTIONS		Page #
II. CONSENT CALENDAR	(Items 1-14)	Page #
III. PUBLIC HEARINGS	(Items 15-16)	Page #
IV. DISCUSSION ITEMS	(Items 17-41)	Page #
V. CLOSED SESSION	(Items CS-1-CS-5)	Page #
VI. PUBLIC, CEO, BOARD & EMAIL COMMENTS & ADJOURNMENT		
Page #		

I. PRESENTATIONS/INTRODUCTIONS

Chairman Campbell will present a resolution commending Darlene J. Bloom, Clerk of the Board on her retirement

II. CONSENT CALENDAR (Items 1-14)

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 Campbell -** Board of Retirement, OCERS - Appoint Clyde Kendzierski, Cypress, to complete term ending 12/21/13
   Deleted

DEPARTMENT APPOINTMENTS

2. **Health Care Agency -** Emergency Medical Care Committee - Appoint Chuck Morse, Orange County Senior Citizens Advisory Council, to complete term ending 6/30/12 - All Districts
   Deleted

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

3. Approve agreement with the County of Mono for provision of autopsies, 2/1/12 - 1/31/17 - All Districts

4. Approve plans and specifications and set bid opening for 1/25/12, 2:00 p.m., for replacement of one washer extractor, James A. Musick Facility; and make California Environmental Quality Act findings - District 3

CHILD SUPPORT SERVICES

5. Approve Plan of Cooperation with Superior Court for coordination of respective efforts and delineation of responsibilities in relation to Child Support Enforcement Program under Title IV-D of Social Security Act, 1/1/12 - 12/31/12; renewable for one additional year; and authorize Director or designee to execute agreement - All Districts

HEALTH CARE AGENCY

6. Approve Standard Agreement ICHC-11017 and Contract Certification Clauses form with State Department of Corrections and Rehabilitation for claiming and reimbursement of inpatient services to prisoners, 7/1/11 - 6/30/14 - All Districts

OC COMMUNITY RESOURCES

7. Approve agreement MA-012-12010894 with Saint Colombe, LLC for tutor training for adult literacy services, 1/1/12 - 12/31/12 ($11,000); renewal for four additional one-year terms; and authorize Purchasing Agent or deputy to execute agreement - All Districts

8. **Acting as the Board of Supervisors and Orange County Development Agency** - Adopt Orange County Development Agency's FY 2011-12 Budget and Work Program - All Districts

OC PUBLIC WORKS

9. Select various firms in ranked lists for on-call watershed planning and engineering, water quality management plan implementation and environmental regulation; authorize negotiation of agreements for Board approval; and make California Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

Probation:

10. Accept grant award and ratify execution of agreement with State Department of Corrections and Rehabilitation, Corrections Standards Authority Division for Disproportionate Minority Contact-Technical Assistance Project II, 7/1/11 - 9/30/12 ($150,000); approve agreement with The W. Haywood Burns Institute for consulting services, term ending 9/30/12 ($75,000); and authorize Purchasing Agent to execute agreement - All Districts

11. Approve Memorandum of Understanding with State Franchise Tax Board for collection of unpaid court-ordered debts, including other specified fees, 1/1/12 - 12/31/14; and authorize Chief Probation Officer to execute agreement - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

12. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Capistrano-Laguna Beach Regional Occupational Program - All Districts

13. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Children and Families Commission of Orange County - All Districts

14. **County Executive Office** - Authorize Purchasing Agent, or designee to enter into contract negotiations with Civica Software as the primary and CivicPlus as the secondary for Countywide eGovernment Services and return to the Board for approval - All Districts

END OF CONSENT CALENDAR

III. PUBLIC HEARINGS (Items 15-16)

PUBLIC PROTECTION

15. **Probation -** Public Hearing to consider adopting resolution approving application and administrative fees for provision of continuous electronic monitoring services; and making California Environmental Quality Act and other findings - All Districts
Continued to 12/13/11, 9:30 a.m.

GENERAL ADMINISTRATION

16. **County Counsel -** Acting as the Orange County Flood Control District - Public Hearing to consider adopting Resolution of Necessity acquiring by eminent domain real property for the Santa Ana River/Prado Dam Project; authorizing County Counsel or litigation counsel to take steps to initiate and facilitate the condemnation action; authorizing Auditor-Controller to make related payments; and making California Environmental Quality Act and other findings - All Districts (2/3 vote of membership) (Continued from 10/25/11, Item 44; 11/22/11, Item 14)

IV. DISCUSSION ITEMS (Items 17-41)

ELECTED DEPARTMENT HEADS

17. **Assessor Department -** Approve amendment 4 to price agreement MA-002-11012392 with ACS State and Local Solutions Inc., for technical IT support staff, ATS Re-Engineering Project 7/1/11 - 6/24/12 ($1,200,000; new total $14,929,039); authorize Purchasing Agent or designee to exercise contingency contract increase not to exceed 10%; and make related budget adjustments - All Districts (4/5 vote of members present)

18. **Auditor-Controller -** Response to 11/8/11 Board Directive regarding Property Tax Management System Project update - All Districts

Sheriff-Coroner:

19. Approve major reorganization; revised class specifications for Assistant Sheriff; and reallocation of four existing to executive management positions, effective 10/21/11 - All Districts (Continued from 10/25/11, Item 30; 11/8/11, Item 20)
Revised Title to read:
Sheriff-Coroner - Approve major reorganization; *approve* revised class specifications for Assistant Sheriff; *approve new class specifications for Commander;* ~~and~~ *approve* reallocation of ~~four existing to executive management positions, effective 10/21/11~~ *three Captain positions to Commander, one Lieutenant position and one Assistant Sheriff position to Executive Managers* - All Districts (Continued from 10/25/11, Item 30; 11/8/11, Item 20)

20. Approve amendment 3 to agreement MA-060-12010823 with Computer Deductions, Inc. for Unisys Dorado 4080 mainframe computer hardware/software license, maintenance and support, 12/14/11 - 12/13/12 ($333,987); and authorize Purchasing Agent or deputy to execute amendment - All Districts

21. Adopt resolution approving request for application to State Department of Corrections and Rehabilitation, Corrections Standards Authority, for AB 900 Phase II funds for jail construction ($100,000,000); authorizing Sheriff-Coroner or designee to execute Request for Application designating Orange County Sheriff's Department staff members to act in specific capacities; and make California Environmental Quality Act and other findings - District 3

22. **Treasurer-Tax Collector** - Adopt resolution authorizing issuance of Savanna Elementary School District General Obligation Bonds, 2008 Election, Series B, accepting District obligation for payment of County costs incurred in conjunction with the School District's bond sale ($17,435,278.55) - Districts 3 & 4

JOHN WAYNE AIRPORT

23. Approve leases with American and United Airlines for Airline Club Room operations; and make California Environmental Quality Act findings (4/5 vote of members present) - District 2)

24. Approve Certificated Passenger Airline Operating License with Compass Airline, LLC; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

25. Adopt Resolution of Intent to Abandon park parcel, Laguna Beach; and set public hearing for 2/7/12, 9:30 a.m.; and make California Environmental Quality Act findings - District 5 (unanimous vote)

26. Approve amendment 2 to agreement C-9-0647 with Orange County Transportation Authority (OCTA) for Federal New Freedom funding ($965,000; new total $1,965,000) extending term to 9/30/13; and authorize Director or designee to execute agreement and exercise a cost contingency increase or decrease not exceed 10% - All Districts

OC PUBLIC WORKS

27. Approve agreement MA-080-12010821 with De Par Inc. dba Associated Laboratories, Physis Environmental Laboratories Inc., Truesdail Laboratories Inc. and Weck Analytical Environmental Services Inc. for water quality analytical services, one-year term ($979,500); renewable for four additional one-year terms; and make California Environmental Quality Act findings - All Districts

28. Rescind Resolution 03-293; adopt resolution approving revised OC Landbase fee schedule and agreements for licensing and usage of OC Landbase; authorize Director or designee to execute agreements; and make California Environmental Quality Act and other findings - All Districts Continued to 12/13/11, 9:30 a.m.

OC WASTE & RECYCLING

29. Approve landfill gas rights and production facilities agreement and option agreement with Flex OC Renewables, LLC to install and operate landfill gas utilization project, Santiago Canyon Landfill; and authorize Director to execute agreements and make minor modifications to license under certain conditions - District 3

PUBLIC PROTECTION

30. **Probation -** Approve agreement DO-057-12014892 with Sprint Solutions, Inc. for wireless services and equipment, 1/1/12 - 9/30/12 ($180,000); authorize Purchasing Agent or deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

County Executive Office:

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

32. Approve recommended grant applications submitted by District Attorney, OC Public Works and Registrar of Voters in 12/6/11 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 Vertical Prosecution Block Grant Program ($25,044; new total $1,694,549); adopt resolution ratifying the grant application submitted to the Orange County Transportation Authority for Measure M2 Regional Traffic Signal Synchronization Program; and authorize Director, OC Public Works, or designee to sign related documents - All Districts

33. Approve in concept economic refunding of Orange County Public Financing Authority Juvenile Justice Center Facilities Lease Revenue Bonds, Series 2002; select Public Resources Advisory Group as financial advisor and Stradling Yocca Carlson & Rauth as bond and disclosure counsel; authorize negotiation of agreements for Board approval; and select Citigroup Global Markets as underwriter - All Districts

34. Approve amendment 6 to agreement N1000008416 with Pacific Bell Telephone Company dba AT&T California for wide area network services, 12/31/11 - 12/30/12 ($300,000) - All Districts

35. Continued item from FY 2011-12 First Quarter Budget Report to approve transfer of $1.3 million from Strategic Plan Reserves to increase Appropriations for Contingencies in Miscellaneous Fund 004 for Board approved payments regarding 3% @ 50 Lawsuit Settlement Agreement – All Districts (4/5 vote of members present) (Continued from 11/22/11, Item 26)

Human Resources Department:

36. Approve Pay for Performance Pool Funding of two and one-half percent of Law Enforcement Management salaries and two and one-half percent increase to top Law Enforcement Management salary range, effective 1/13/12; and approve Personnel and Salary Resolution (PSR) amendment eliminating current Performance Based Pay and Market Equity Adjustment provision for ACLEM and update Salary on Promotion provisions - All Districts

37. Receive and file progress report on implementation of Performance Audit recommendations; and direct Department to provide quarterly updates - All Districts

38. **Registrar of Voters -** Response to 6/14/11 Board Directive - Receive and file Orange County Impacts of Redistricting Presentation - All Districts (Continued from 9/20/11, Item 51; 10/18/11, Item 28)

39. **Supervisor Moorlach -** Consider directing Registrar of Voters to place on ballot "An Ordinance of the County of Orange, California, Amending Section 103 of Article 1 of the Charter of Orange County to Add An All-Mailed Ballot Election Alternative for Filling Vacancies on the Board of Supervisors"; delete specific reference to March primary; and directing County Counsel to prepare the ballot language and impartial analysis of Ordinance

40. **Supervisor Nguyen -** Consider first reading of "An Ordinance of the County of Orange, California, Amending Sections 4-11-11, 4-11-12 and 4-11-16 to the Codified Ordinances of the County of Orange Regarding the Orange County Health Authority"; and set second reading and adoption for 12/13/11, 9:30 a.m. (Continued from 11/22/11, Item 28)

41. **Supervisor Nelson and Supervisor Bates -** Consider approving additional subcommittee recommendations or other options regarding the Performance Audit of the Human Resources Department - All Districts (Continued RA # 2 & 4 from 11/8/11, Item 39)
Continued to 12/13/11, 9:30 a.m.

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 - 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: Jason Deats v. County of Orange, et al. United States District Court No. CV 09-6322 PSG (CTx)

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: George Jaramillo v. County of Orange, et al. Orange County Superior Court Case No. 05CCO0422

CS-4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case
Revised Title to read:
County Counsel - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: ~~One~~ *Two* Cases

CS-5. **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 potential future sale(s) and acquisition(s)
Continued to 12/13/11, 9:30 a.m.

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:

December 13, 2011	**Regular Meeting**
December 20, 2011	**Regular Meeting**
December 27, 2011	**No Meeting Scheduled**