A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, April 23, 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

INTERIM COUNTY EXECUTIVE OFFICER	COUNTY COUNSEL	CLERK OF THE BOARD
Robert J. Franz	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 Spitzer, Third District

PLEDGE OF ALLEGIANCE: Supervisor Moorlach, Second District

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-17)

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. **Supervisor Moorlach -** Acting as the Orange County Housing Authority - Housing and Community Development Commission - Appoint Matt Moore, Newport Beach, to complete term ending 6/30/13

DEPARTMENT APPOINTMENTS

2. **OC Community Resources -** Orange County Workforce Investment Board - Appoint Barbara Mason, Huntington Beach, to complete term ending 12/31/15 - All Districts

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

3. Approve amendment 2 to agreement MA-060-11012291 renewing as MA-060-13011561 with Goodwill Industries of Orange County for packaging food and personal care items for jail commissary operations, 5/18/13 - 5/17/14 ($169,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

4. Receive bids and award contract to CJ PRO, Inc. for Americans with Disabilities Act (ADA) Accessibility Modifications to Tank P-13, Central Women's Jail ($175,700); and make California Environmental Quality Act findings - District 1

HEALTH CARE AGENCY

5. Approve agreement with State Department of Public Health for AIDS Drug Assistance Program, 7/1/12 - 6/30/15 ($291,258); and authorize Director or designee to execute agreement - All Districts

6. Approve renewal of master agreement MA-042-12011513 as MA-042-13011384 with Global Works Inc. dba Western Interpreting Network for sign language interpretation services, 7/1/13 - 6/30/14 ($145,000); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

OC COMMUNITY RESOURCES

7. Select various firms in ranked list for on-call architect/engineer and professional consultant services; authorize negotiation of agreements for Board approval; and make California Environmental Quality Act findings - All Districts

OC PUBLIC WORKS

8. Adopt resolution establishing standard plans and specifications with modifications, deletions and revisions for various public facilities; and authorize printing, distribution and sale of "OC Public Works Standard Plans, 2013 Edition"; and make California Environmental Quality Act findings - All Districts

9. Receive and file County of Orange General Plan Progress Report and authorize submittal to State Department of Housing and Community Development and Governor's Office of Planning and Research; and make California Environmental Quality Act findings - All Districts

10. Approve Memorandum of Understanding with San Diego Unified Port District and the Cities of San Diego and Oceanside for Regional Harbor Monitoring Program; authorize OC Public Works and OC Dana Point Harbor Directors or designees to execute Memorandum of Understanding; and make California Environmental Quality findings - District 5

11. Select Harris & Associates as primary and AndersonPenna Partners, Inc. as alternate firms for construction management services of Edinger Avenue Bridge Widening project; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 1

12. Select AECOM as primary and Harris & Associates, Inc. as alternate firms for construction management services of Lincoln Avenue Bridge Widening project; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 3

13. **Acting as the Orange County Flood Control District -** Approve agreement D11-063 with the City of Orange for pedestrian and bikeway improvements and maintenance, ten-year term with annual renewals; and make California Environmental Quality Act findings - District 3

OC WASTE & RECYCLING

14. Approve amendment 5 to Successor Refuse Gas Lease and agreement; approve amendment 7 to Site Lease agreement; approve assignment agreement with Gas Recovery Systems LLC assigning to Coyote Canyon Energy LLC; approve consent to collateral assignment agreement with Union Bank; accept continuing guaranty from Fortistar LLC for Coyote Landfill; authorize Director or designee to execute agreements and amendments; and make California Environmental Quality Act findings - District 2

PUBLIC PROTECTION

15. **Probation -** Approve agreement with Orange County Superintendent of Schools for personnel support services for programs conducted at Youth Guidance Center, Youth Leadership Academy and Juvenile Hall, 7/1/13 - 6/30/14 ($327,000); and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

16. **County Executive Office -** Receive and file charitable organizations actual income/expenses for 2012 and planned activities for 2013 - All Districts

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

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-36)

HEALTH CARE AGENCY

18. 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
Deleted - Item was continued from 2/26/13, Item 38 and subsequently heard on 4/9/13, Item 36

19. Approve master agreement with various providers for Socialization Program for isolated and older adults, 7/1/13 - 6/30/14 ($919,500); and authorize Director or designee to execute agreements - All Districts

20. Approve master agreement with various providers of Adult Mental Health Inpatient Services, 7/1/13 - 6/30/15 ($8,750,326); and authorize Director or designee to execute agreements - All Districts

21. Approve master agreement with various providers of Post Custody Re-Entry services, 7/1/13 - 6/30/16 ($836,049); and authorize Director or designee to execute agreements and exercise contingency contract increase not to exceed 10% - All Districts

JOHN WAYNE AIRPORT

22. Approve agreements with Jeff Oviedo & Associates, Inc. dba JOA Group ($1,050,000), Faithful+Gould, Inc. ($750,000) and Butier Engineering, Inc. ($750,000) for project management services, Capital Improvement Program, effective for three year period; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

23. Approve amended Workforce Investment Act (WIA) Youth Cost Reimbursement agreement with Orange County Conservation Corps, 4/23/13 - 6/30/13 ($589,545 decrease; new total $1,300,000); and authorize Director or designee to execute amended agreements, exercise a cost contingency increase or decrease not to exceed 10% and make line item budget transfers under certain conditions - All Districts

OC PUBLIC WORKS

24. Receive bids and award contract to Powell Constructors, Inc. for Edinger Avenue Bridge widening over Santa Ana River from East of Harbor Boulevard to West of Fairview Street ($5,460,789.46); and make California Environmental Quality Act findings - District 1

25. Approve amended agreement MA-080-11010824 with Atkins North America, Inc., Bureau Veritas North America, Inc., Tait and Associates, Inc. and Willdan Engineering for land use planning and engineering services ($2,150,000; new total $5,150,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

26. Receive bids and award contract to PALP, Inc. dba Excel Paving Company for construction of the La Colina Drive Pavement Rehabilitation project, North Tustin area ($1,332,284.30); accept Proposition 1B State-Local Partnership Program funds ($764,000); and make California Environmental Quality Act findings - District 3

27. Receive bids and award contract to KEC Engineering for construction of Midway City Street and Drainage Improvements Phase III ($6,269,618.20); approve agreement D13-022 with Midway City Sanitary District for reimbursement costs to relocate conflicting sewer lines and adjustment of existing sewer facilities within project limits; and make California Environmental Quality Act findings - District 1

OC WASTE & RECYCLING

28. Approve agreement MA-299-13011641 with Habitat West, Inc. for native plant habitat management and landscape maintenance services, South Region Landfills, 5/1/13 - 4/30/16 ($1,800,000); renewable for two additional one-year periods ($600,000 per year); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - Districts 2 & 5

SOCIAL SERVICES AGENCY

29. Approve master agreement CRR0213-00 with various state licensed group home providers for certified residential care and support services to dependent children, 7/1/13 - 6/30/16; and authorize Director or designee to execute agreements - All Districts

GENERAL ADMINISTRATION

30. **Clerk of the Board -** Children and Families Commission - Approve selection of one individual to the Education Category (annual alternating category); one individual to the Education Category; and one individual to the Health Category, for terms ending 3/31/15 - All Districts

County Executive Office:

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

32. Approve grant application/awards submitted by OC Community Resources in 4/23/13 grant report and other actions recommended; authorize OC Community Resources Director or designee to execute agreement with Orange County Workforce Investment Board and South Bay Workforce Investment Board ($1,344,530) - All Districts
Revised Title to read:
County Executive Office - Approve grant applications/awards submitted by OC Community Resources and *John Wayne Airport* in 4/23/13 grant report and other actions as recommended; authorize OC Community Resources Director or designee to execute agreement with Orange County Workforce Investment Board and South Bay Workforce Investment Board ($1,344,530) - All Districts

33. Receive and file Quarterly Information Technology Project Status Detail, Executive Summary and Risk Assessment Reports for January - March 2013

34. Approve in concept refunding of Orange County Development Agency Tax Allocation Refunding Bonds, Santa Ana Heights, Series 2003; and approve selection of KNN Public Finance as Financial Advisor, Stradling Yocca Carlson and Rauth as bond and disclosure counsel and E.J. De La Rosa & Co. as underwriter - All Districts
Revised Title to read:
County Executive Office - Approve in concept refunding of Orange County Development Agency Tax Allocation Refunding Bonds, Santa Ana Heights, Series 2003; and approve selection of KNN Public Finance as Financial Advisor, Stradling Yocca Carlson and Rauth as bond and disclosure counsel and E.J. De La Rosa & Co. as underwriter *issuance of Tax and Revenue Anticipation Notes for financing general fund cash flow needs for FY 2013-14; and approve selection of Orrick, Herrington & Sutcliffe LLP as note and disclosure counsel and KNN Public Finance as financial advisor* - All Districts

35. Approve agreement 13-002FA with KNN Public Finance for general financial advisory services ($75,000 annually) and services related to issuance of Tax and Revenue Anticipation Notes (compensation not to exceed $40,000, plus not to exceed $2,500 in expenses) and services related to refunding of Tax Allocation Bonds (not to exceed $55,000 plus $2,500 in expenses); approve agreement 13-001FA with C.M. de Crinis & Company, Inc. for general financial services ($75,000 annually) and services related to Tax Allocation Bonds (not to exceed $47,500 annually); approve agreement 13-003FA with Montague DeRose and Associates, LLC for general financial advisory services ($75,000 annually); and authorize Public Finance Manager to execute agreements - All Districts

36. Approve agreements 13-001BC with Orrick, Herrington & Sutcliffe LLP for general legal services (not to exceed $75,000 annually) and bond and disclosure counsel services related to Tax and Revenue Anticipation Notes ($62,500 plus not to exceed $25,000 in expenses); approve agreement 13-002BC with Stradling Yocca Carlson & Rauth for general legal services ($75,000 annually) and bond and disclosure counsel services ($75,000) related to Tax Allocation Bonds; approve agreement 13-003BC with Polsinelli Shughart LLP for general legal services ($75,000 annually); and authorize Public Finance Manager to execute agreements - All Districts

Supplemental Item(s)

Note: *This supplemental agenda is updated daily showing items that have been added, continued, deleted or modified. No new supplemental items will be added to the agenda following close of business on Friday*.

S36A. **Human Resources Services** - Approve amendment 1 to agreement with Great-West Retirement Services for County's Internal Revenue Code Section 457 defined contribution plan, Section 401 (a) Retirement Plan and Section 3121 plan for extra-help employees; approve adoption of agreements amending 457 defined contribution plan and 401 (a) retirement plan; and authorize Director or designee, as Plan Administrator to administer plans, negotiate and execute underlying agreements necessary for proper function and to make changes under certain conditions - All Districts (Continued from 4/16/13, Item 20)

S36B. **Sheriff-Coroner** - Declare Emergency and make finding pursuant to Public Contract Code Section 22050(a)(1)(2); authorize Sheriff-Coroner Research and Development

Director or designee to negotiate and award an agreement with Trane U.S. Inc. for replacement of 300 Ton Centrifugal Chiller, Theo Lacy Jail Facility ($425,000); set review to determine continuing need for emergency action for 5/7/13, 9:30 a.m. and every 14 days thereafter; and make California Environmental Quality Act findings - District 3

(*4/5 vote of members present and voting*)

IV. PUBLIC HEARINGS (Item 37)

GENERAL ADMINISTRATION

37. **County Executive Office -** Public Hearing to consider first reading and adoption of "An Ordinance of the County of Orange, California Approving a Public/Private Partnership with Related/Griffin for the Assessment and Construction of an Office Building for Governmental and Commercial Uses in the Santa Ana Civic Center"; approve agreement CT-080-13010515 with Griffin Structures, Inc. for Building 16/Civic Center Master Plan Study, 4/16/2013 - 4/15/2014 ($459,450); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 1 (4/5 vote of membership) (Continued from 2/26/13, Item 52; 3/12/13, Item 19; 3/19/13, Item 34; 4/16/13, Item 35)

V. CLOSED SESSION (Items CS-1-CS-6)

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: Phoebe Loggins, et al. v. County of Orange, et al., United States District Court Case No. SACV12-691 JVS (MLGx) (Continued from 4/1613, Item CS-4)

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Juvenal Carrasco, Plaintiff, and Tower Insurance Company of New York, a New York insurance company, Intervenor v. County of Orange, Orange County Superior Case No. 30-2011-004608175

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: William J. Hunt v. County Of Orange, et al., Orange County Superior Court NO. 30-2009 00313239

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Voice of Orange County.org, et al. v. County of Orange, Orange County Superior Court Case No. 30-2012-00585774

CS-5. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Various locations
County Negotiator: Robert J. Franz
Negotiating Party: Purchasing and sellers of buildings
Under Negotiations: Terms and value of Futures sale(s) and acquisition(s), including -
801 W. Civic Center Drive, Santa Ana, CA;
405 W. 5th Street, Santa Ana, CA;
200 W. Santa Ana Blvd., Santa Ana, CA

CS-6. **Human Resource Services -** 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

SCS7. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases: One Case

SCS8. **Chairman Nelson** - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957: Title: County Executive Officer

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:

April 30, 2013	**No Scheduled Meeting**
May 7, 2013	**Regular Meeting**
May 14, 2013	**Regular Meeting**