REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, March 4, 2014, 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: All Present

EXCUSED: None

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

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Vice Chair Bates, Fifth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-14)

21354 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 10 WHICH WAS CONTINUED TO 3/11/14, 9:30 A.M.; AND ITEMS 1 & 7 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Spitzer -** OC Parks Commission - Appoint Dave Hanson, Yorba Linda, for term concurrent with 3rd District Supervisor's term of office

31254 **APPROVED AS RECOMMENDED**

2. **Vice Chair Bates -** Senior Citizens Advisory Council - Reappoint Anthony Allevato, Mission Viejo, for term ending 12/31/15

COMMENDATIONS/PROCLAMATIONS/REPORTS

3. **Vice Chair Bates -** Adopt resolution declaring March 2014 as Prescription Drug Abuse Awareness Month
RESO: 14-021

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

4. Approve change order 2 to agreement with George Bryant Construction, Inc. for installation of leak detection system and secondary containment devices for underground storage tank, Theo Lacy Jail Facility ($10,596); authorize Sheriff-Coroner or designee to execute change order; and make California Environmental Quality Act findings - District 3

5. Ratify and approve amendment 2 to agreement MA-060-12010980 with Qiagen, Inc. for BioRobot System Maintenance, 1/1/14 - 12/31/14 ($24,581); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

6. Approve plans and specifications and set bid opening for 4/9/14, 2:00 p.m., for replacement of water softening system at Sheriff's Headquarters and Central Men's and Women's Jails; and make California Environmental Quality Act findings - District 1

7. Approve amendment 1 to agreement MA-060-13011270 with Satellite Tracking of People, LLC for continuous electronic monitoring services and equipment, 3/5/14 - 3/4/15 ($520,125); renewable for three additional one-year periods; authorize Purchasing Agent or authorized Deputy to execute amendment; and review and approve rules and regulations of Sheriff home detention monitoring programs for misdemeanor inmates per Resolution 12-137 - All Districts

25134 N **APPROVED RECOMMENDED ACTION 1**

45123 NN **APPROVED RECOMMENDED ACTION 2 AND DIRECTED COMMUNITY CORRECTIONS PARTNERSHIP (CCP) TO REVIEW THE RULES AND REGULATIONS AND RETURN TO THE BOARD AS APPROPRIATE WITH ANY RECOMMENDED CHANGES**

8. Ratify and approve amendment 1 to agreement MA-060-13010330 with Tecan US, Inc. for consumable supplies for EVO instruments, 9/15/12 - 9/14/13 ($4,600; new total $69,600); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

HEALTH CARE AGENCY

9. Approve master agreement MA-042-14010315 with CareFusion 203, Inc. for ventilator maintenance services, 4/1/14 - 3/31/15 ($196,972) renewable for two additional years; approve second year renewal, 4/1/15 - 3/31/16 ($224,330); and authorize Purchasing Agent or authorized Deputy to execute master agreement and renewal - All Districts

OC COMMUNITY RESOURCES

10. Approve agreement with Council on Aging - Orange County for health insurance counseling & advocacy program services under the Cal MediConnect demonstration, 3/4/14 - 6/30/14 ($47,370) renewable for one additional year; authorize Director or designee to execute agreement and exercise a cost contingency increase or decrease not to exceed 10% - All Districts

21354 **CONTINUED TO 3/11/14, 9:30 A.M.**

11. Accept donation from Friends of the Library to offset cost of new community room flooring, Aliso Viejo Branch Library ($14,962.95) - District 5

OC PUBLIC WORKS

12. Approve agreement with AECOM Technical Services, Inc. for Comprehensive Building Assessments project ($216,216); and make California Environmental Quality Act findings - Districts 1 and 3

13. Adopt resolution initiating 2014 Weed Abatement Program; set public hearing for 4/8/14, 9:30 a.m., to consider assessment to private property for removal of weeds by County contractor; and make California Environmental Quality Act findings - All Districts
RESO: 14-022

GENERAL ADMINISTRATION

14. **County Executive Office -** Approve master cooperative agreement and project specific cooperative agreement with Orange County Flood Control District for joint real estate projects; and authorize Chief Real Estate Officer or designee to execute project specific cooperative agreements on behalf of the County and authorize OC Public Works Director or designee to execute agreements on behalf of Flood Control District; and direct Chief Real Estate Officer or designee to submit an annual report to the Board summarizing specific joint real estate projects; and make California Environmental Quality Act findings - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 15-S23A)

HEALTH CARE AGENCY

15. Consider policy options for Basic Life Support ambulance transport Request for Proposal; and direct staff to incorporate policy direction into RFP and return to the Board for final review - All Districts
35124 **CONTINUED TO 3/25/14, 9:30 A.M. TO BE CONSIDERED IN CONJUNCTION WITH ENTIRE REQUEST FOR PROPOSAL PROCESS**

OC COMMUNITY RESOURCES

16. Declare emergency and make findings pursuant to Public Contract Code Sections 22035 and 22050(a)(1)(2); ratify purchasing agreement CT-012-14010413 with American Technologies, Inc., for emergency repairs at the Katie Wheeler Branch Library ($72,042.88); make California Environmental Quality Act findings and approve termination of emergency action - District 3 (4/5 vote of members present) (Continued from 1/28/14, Item 47)
35124 **APPROVED AS RECOMMENDED**

17. Approve agreements CPO13-011 with RBF Consulting, and COP13-012 with Chambers Group, Inc. for on-call architect/engineer environmental, regulatory & permitting services, three year terms ($400,000 each); and make California Environmental Quality Act findings - All Districts
24135 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

18. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreements D13-100 with URS Corporation and D13-101 with The Planning Center for on-call environmental document preparation services, three-year terms ($400,000 each); and make California Environmental Quality Act findings - All Districts
25134 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

19. **Probation -** Approve master agreement MA-057-14010529 with GEO Re-Entry Services, LLC for Day Reporting Services for select adult offenders on postrelease community supervision, 6/1/14 - 5/31/15 ($1,504,300); renewable for four additional one-year periods; authorize Chief Probation Officer or designee to execute agreement; and make California Environmental Quality Act findings - All Districts
24135 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

20. Approve grant applications/awards submitted by OC Community Resources/OC Animal Care in 3/4/14 grant report and authorize Director or designee to accept grant award- All Districts
12354 **APPROVED AS RECOMMENDED**

21. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
25134 **RECEIVED AND FILED**

22. Response to 2/25/14 Board Directive regarding options to provide Sheriff with resources to process large volume of carrying a concealed weapons (CCW) permit applications; direct CEO and Human Resource Services to approve addition of working retiree positions required for timely reduction of CCW backlog and for timely processing of new applications; and direct Sheriff to report back to the Board during FY 14-15 First Quarter Budget Report process on status of CCW backlog and to identify the need for change in resources, if any - All Districts

35124 **APPROVED AS RECOMMENDED**

23. Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Sections 4-11-11, 4-11-12, and 4-11-14 of the Codified Ordinances of the County of Orange Regarding the Orange County Health Authority - All Districts (Continued from 2/25/14, Item 41)

14235 N **APPROVED AS RECOMMENDED**

ORD: 14-002

PUBLIC PROTECTION

S23A. **Probation -** Orange County Juvenile Justice Coordinating Council - Appoint Kevin J. Raney, Garden Grove and Richard A. Martin, Santa Ana, for terms concurrent with their position - All Districts

14235 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-SCS4)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Jerry Davidson v. County of Orange, Worker's Compensation Appeal Board Case Nos. ADJ8583201 & ADJ3855560

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF JERRY DAVIDSON V. COUNTY OF ORANGE. 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-2. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: 334 S. Jennifer Lane, Orange, CA
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Parties: Guillermo Benitez and Enrique Puch
Under Negotiation: Terms and Value of Future Sale

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

CS-3. **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), Orange County Managers Association (OCMA) and other non-represented employees
RE: Terms and Conditions of Employment

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

SCS4. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):Name of Case: Scott Moody, etc. v. Neal Kelley, etc., et al., Orange County Superior Court Case No. 30-2014-00706426-CU-WM-CJC

B.O. **DELETED**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Michael Klubnikin - Oral Re: Internal Audit Reports; Public Guardian & fraud

Ilya & Robert Tseglin - Oral Re: Nate Tseglin, Regional Center

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:

Supervisor Spitzer - Oral Re: Visionary Leaders Conference on Friday, March 7, 2014 at Angel Stadium of Anaheim

Supervisor Spitzer - Oral Re: Five final designs for the Crime Victims Memorial are on display at the Old County Courthouse, Santa Ana; public may comment on the designs at the Old Courthouse or at www.ocparks.com

Supervisor Spitzer - Oral Re: Marsy's Law, the Victims' Bill of Rights Act, was overturned and not final

Supervisor Nguyen - Oral Re: CalOptima is ranked #4 out of 46 California health plans in California for overall Medi-Cal quality by the Department of Health Care Services, Medi-Cal Managed Care Performance Dashboard

ADJOURNED: 12:00 P.M.

14235 **Adjourned in memory of Mariam Mae Warne**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen	A. = Abstained
2. = Supervisor Moorlach	X. = Excused
3. = Supervisor Spitzer	N. = No
4. = Supervisor Nelson	BO = Board Order

5. = Supervisor Bates

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