REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, March 11, 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: Vice Chair Bates, Fifth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-9)

23154 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 7 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

DEPARTMENT APPOINTMENTS

1. **Health Care Agency** - Well Standards Advisory Board - Appoint Jian Peng, Orange and reappoint John Gregg, Signal Hill; Roy L. Herndon, Fountain Valley; Robert McVicker, Anaheim; and Nabil Saba, Santa Ana, for terms ending 1/2/17 - All Districts

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

2. Approve amendment 3 to agreement MA-060-12011124 renewing as MA-060-14011048 with California Forensic Phlebotomy, Inc. for phlebotomy services related to blood alcohol testing, 4/18/14 - 4/17/15 ($225,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

3. Approve amendment 1 to agreement MA-060-14011193 with EZ Card and Kiosk LLC for jail kiosk services, 3/20/14 - 3/19/15; renewable for two additional one year periods; and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

4. Approve amendment 2 to agreement MA-060-13010733 with Ted Vance Wheeler dba TNTJ Customs for shotgun refinishing ($37,309; new total $89,809); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

HEALTH CARE AGENCY

5. Approve amendment 1 to agreement 12-044-250 with State Water Resources Control Board for Ocean Water Quality Monitoring and Public Notification, extending term to 8/1/14 ($344,644; new total $555,288); and authorize Director or designee to execute amendment - All Districts

OC COMMUNITY RESOURCES

6. Approve memorandum of understanding and cooperative agreement OCP14-002 with Orange County Fire Authority (OCFA) for managing hazardous vegetation and use of OCFA hand crew services in County parks and nature preserves, 3/12/14 - 3/11/15 ($200,000); renewable for three additional one-year periods; and make California Environmental Quality Act findings - All Districts

7. 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 (Continued from 3/4/14, Item 10)

14235 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

8. Receive bids and award contract to Ben's Asphalt, Inc. for annual asphalt concrete pavement maintenance, 3/11/14 - 3/10/15 ($720,000); renewable for four additional years - All Districts

9. **Acting as the Board of Supervisors and Orange County Flood Control District -** Select various firms in ranked list for on-call regulatory permitting, environmental and Habitat Creation/Restoration/Enhancement services; authorize negotiation of agreements for Board approval; and make California Environmental Quality Act findings - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 10-17)

HEALTH CARE AGENCY

10. Approve amendment 2 to agreement 12-78008-000 with California Department of State Hospitals for conditional release program, 7/1/12 - 6/30/15 ($1,880,318; new total $3,588,528); and authorize Director or designee to execute amendment - All Districts
15234 **APPROVED AS RECOMMENDED**

11. Approve amendment 1 to agreement with Community Service Programs, Inc. for Children's Crisis Residential services, 7/1/12 - 6/30/15 ($4,276,066; new total $6,860,998); and authorize Director or designee to execute amendment - All Districts
B.O. **CONTINUED TO 3/25/14, 9:30 A.M.**

OC COMMUNITY RESOURCES

12. Approve master agreement MA-012-14011241 with AquaTechnex for OC Parks lake management and lake water quality maintenance services, 3/11/14 - 3/10/15 ($550,000); renewable for four one-year periods; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts
32154 **APPROVED AS RECOMMENDED**

13. Approve plans and specifications and set bid opening for 4/16/14, 2:00 p.m., for Job Order Contracts JOC P016 - JOC P022; and make California Environmental Quality Act findings - All Districts
23154 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

14. Receive bids and award Job Order Contract to Exbon Development, Inc. for roofing services ($1,800,000); and make California Environmental Quality Act findings - All Districts
25134 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

15. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
24135 **RECEIVED AND FILED**

16. Approve grant applications/awards submitted by Sheriff Department and Probation Department in 3/11/14 grant report and other actions as recommended; authorize Chief Probation Officer or authorize designee to accept grant award - All Districts
31254 **APPROVED AS RECOMMENDED**

17. Approve lease agreement with Xerox State & Local Solutions, Inc. for office space at Data Center, 3/17/14 - 3/16/15; renewable for two additional one year periods; and make California Environmental Quality Act findings - All Districts
24135 **APPROVED AS RECOMMENDED**
N

IV. PUBLIC HEARINGS (Item S17A)

GENERAL ADMINISTRATION

S17A. **Chairman Nelson -** Housing and Community Development Commission - Acting as the Orange County Housing Authority - Appoint Denis R. Bilodeau, PE, Orange, to complete term ending 6/30/15

43125 A **APPROVED AS RECOMMENDED**

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: Foothill Communities Coalition v. County of Orange, et al., Orange County Superior Court Case Number 30-2011-00467132
(Continued from 2/25/14, Item CS-1)

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

Human Resource Services:

CS-2. 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**

SCS3. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE - Pursuant to Government Code Section 54957(b):
Title: Public Guardian

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

SCS4. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b):
Title: Interim Public Guardian

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPOINTED KEVIN SMITH INTERIM PUBLIC GUARDIAN, EFFECTIVE IMMEDIATELY.**

VI. PUBLIC, CEO, BOARD COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Michael Klubnikin - Oral Re: Fraudulent sale of property; Ilya Tseglin

Dan Maniaci - Oral Re: Morale and personnel issues at OC Animal Care

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Supervisor Nguyen - Oral Re: Directed CEO/Legislation to include an oppose position to SCA5 on Legislative Bulletin for 3/25/14 meeting

Supervisor Moorlach - Oral Re: Directed CEO to provide the Board with a proposed policy to address a current County vendor that is fined by a government oversight agency, including what has been done in the past and what is proposed for the future.

ADJOURNED: 1:28 P.M.
54123 **Adjourned in memory of Dr. Alison Clarke-Stewart**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Spitzer
4. = Supervisor Nelson
5. = Supervisor Bates

A. = Abstained
X. = Excused
N. = No
BO = Board Order

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