REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, January 24, 2012
9:30 A.M.

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

JOHN M. W. MOORLACH
CHAIRMAN
Second District

SHAWN NELSON
VICE CHAIRMAN
Fourth District

JANET NGUYEN
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

PATRICIA BATES
SUPERVISOR
Fifth District

COUNTY EXECUTIVE OFFICER	COUNTY COUNSEL	INTERIM CLERK OF THE BOARD
Thomas G. Mauk	Nicholas S. Chrisos	Susan Novak

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, January 24, 2012
9:30 A.M.

INVOCATION: Supervisor Nelson, Fourth District

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District

I N D E X

I. PRESENTATIONS/INTRODUCTIONS		Page #
II. CONSENT CALENDAR	(Items 1-23)	Page #
III. DISCUSSION ITEMS	(Items 24-50)	Page #
IV. PUBLIC HEARINGS	(Items 51-52)	Page #
V. CLOSED SESSION	(Items CS-1-CS-4)	Page #
VI. PUBLIC, CEO, BOARD & EMAIL COMMENTS & ADJOURNMENT		Page #

I. PRESENTATIONS/INTRODUCTIONS

Chairman Moorlach will be presenting his State of the County Address and Chairman's goals for 2012
Revised Title to read:
Chairman Moorlach will be presenting his State of the County Address ~~and Chairman's goals for 2012~~

Supervisor Nguyen will be presenting a proclamation to Alex Ruiz, the Good Samaritan who intervened in a convenience store robbery in Garden Grove
Deleted

II. CONSENT CALENDAR (Items 1-23)

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 Moorlach -** Law Library Board of Trustees - Reappoint Richard S. Price, II, Fullerton and Beatrice A. Trice, Irvine, for terms ending 12/31/12
   Revised Title to read:
   Chairman Moorlach - Law Library Board of Trustees - Reappoint Richard S. Price, II, Fullerton and Beatrice A. ~~Trice~~ *Tice*, Irvine, for terms ending 12/31/12

2. **Supervisor Nelson -** Buena Park Library District Board of Trustees - Appoint Mary Fuhrman, Buena Park, to complete term ending 12/2/14

ELECTED DEPARTMENT HEADS

Auditor-Controller:

3. Receive and file Fund/Budget Control Semi-Annual Report for 7/1/11 - 12/31/11 for new and closed funds - All Districts

4. Approve schedule of County Capital Assets Physical Inventory Dates for calendar years 2012 and 2013 - All Districts

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

District Attorney:

6. Approve agreement with District Attorney Fellows for Certified Law Student and Legal Services; Approve Memorandum of Understanding (MOU) and Cooperative agreement with participating Schools of Law for Orange County District Attorney Fellowship Program; and authorize District Attorney or designee to execute individual agreements and MOUs - All Districts (Continued from 1/10/12, Item 5)

7. Approve lease agreement DA-11-004 with CGJP-1, LLC for office space at West Court Annex, Westminster; and make California Environmental Quality Act findings - District 1

Sheriff-Coroner:

8. Approve agreement with the County of Inyo for provision of autopsies, 2/1/12 - 1/31/17 ($12,000); and authorize Sheriff-Coroner to update billing rate schedule as necessary - All Districts

9. Approve amendment 2 to agreement MA-060-10011712 renewing as MA-060-12010985 with Fujitec America, Inc. for elevator maintenance and repair services, 3/16/12 - 3/15/13 ($32,000); and authorize Purchasing Agent or authorized deputy to execute amendment - All Districts

10. **Treasurer-Tax Collector -** Authorize transfer of unclaimed money to County General Fund ($385,381.26), Superior Court Fund ($42,128.25), Probation Victim Restitution Fund ($17,653.03) and authorize transfer of funds from the County General Fund to Treasurer-Tax Collector Publication and Legal Notice Account ($18,762.28); and adopt Resolution authorizing Treasurer to escheat individual items in the amount of $5,000 or less and report to the County Auditor-Controller each act performed - All Districts (4/5 vote of members present)

HEALTH CARE AGENCY

11. Approve agreement MA-042-12010717 with Advanced Medical Management, Inc. for Fiscal Intermediary Services in support of HIV Clinic Specialty Care, 3/4/12 - 2/28/13 ($432,000); renewable for four additional years; and authorize Purchasing Agent or authorized deputy to execute agreement - All Districts

12. Approve agreement with State Department of Public Health for AIDS Drug Assistance Program, 7/1/11 - 6/30/12 ($48,993) - All Districts

OC DANA POINT HARBOR

13. Approve amendment 3 to lease with Momilani's Island Traditions, Inc., to modify rent adjustment schedule; and make California Environmental Quality Act findings - District 5

OC COMMUNITY RESOURCES

14. **Acting as the Board of Supervisors and Orange County Development Agency -** Receive and file Orange County Development Agency's FY 2010-11 Annual Report - All Districts

OC PUBLIC WORKS

15. Approve agreement MA-080-10012857 with Konica Minolta for photocopier/multifunction machines, term ending 6/30/13 ($100,000); and make California Environmental Quality Act findings - All Districts

16. Receive bids and award contract to Harry H. Joh Construction, Inc. for roofing services for OC Public Works facilities maintenance projects ($500,000); and make California Environmental Quality Act findings - All Districts

17. Approve and accept for recording quitclaim deed from the City of Irvine for conveyance of three parcels totaling approximately 60 acres; and make California Environmental Quality Act findings - Districts 3 and 5
Continued to 2/28/12, 9:30 a.m.

18. **Acting as the Orange County Flood Control District -** Approve agreement D11-058 with Orange County Water District to establish the terms and conditions for development of Ball Road Basin; and make California Environmental Quality Act findings - District 3

19. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve plans and specifications and set bid opening for 3/21/12, 2:00 p.m., for Haster Basin and Recreational Field Project; and make California Environmental Quality Act and other findings - District 1

OC WASTE & RECYCLING

20. Approve plans and specifications and set bid opening for 3/7/12, 2:00 p.m., for Segunda Deshecha Pre-Mitigation Irrigation Supply project, Prima Deshecha Landfill; and make California Environmental Quality Act findings - District 5

GENERAL ADMINISTRATION

21. **County Executive Office -** Appoint Frank Ospino as Orange County Public Defender, effective 1/27/12 ($207,979.20) - All Districts
Continued to 2/7/12, 9:30 a.m.

22. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for December 2011 - All Districts

23. **Chairman Moorlach -** Approve amendment 5 to Memorandum of Agreement with Thomas G. Mauk, County Executive Officer (Continued from 12/13/11, Item 22)
Deleted

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 24-50)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

24. Approve agreement with City of Santa Ana for transfer or purchase of equipment/services or reimbursement of training costs for Urban Areas Security Initiative, FY 11; accept Urban Areas Security Initiative funds from Santa Ana, FY 11 ($1,256,745); authorize Purchasing Agent or authorized deputy to purchase related equipment; and authorize Sheriff-Coroner to execute agreement and amendments under certain conditions - All Districts

25. Accept 2011 Homeland Security Grant Program award from California Emergency Management Agency ($4,938,238); authorize Purchasing Agent or authorized deputy to purchase related equipment; approve related documents and authorize Sheriff-Coroner or designee to execute; and authorize Auditor-Controller to transfer funds or property to other entities under certain conditions - All Districts

HEALTH CARE AGENCY

26. Approve agreements with AIDS Services Foundation Orange County ($1,618,245), Delhi Center ($142,958), Laguna Beach Community Clinic, Inc. ($181,581) and Shanti Orange County ($178,413) for HIV services, 3/1/12 - 2/28/13; authorize Director or designee to exercise cost contingency increase for agreements not to exceed 10% under certain conditions; and authorize Director or designee to execute agreements - All Districts

27. Select and appoint one Board Member as primary and one as alternate to the CalOptima Board of Directors for terms ending 12/31/13 - All Districts

JOHN WAYNE AIRPORT

28. Approve agreement with Heritage Security Services for Armed Security Guard services, 1/11/12 - 1/31/13 ($756,490); renewable for four additional one-year periods; and authorize Purchasing Agent or authorized deputy to execute agreement; and make California Environmental Quality Act findings - District 2 (Continued from 1/10/12, Item 28)
Revised Title to read:
John Wayne Airport - Approve agreement with Heritage Security Services for Armed Security Guard services, ~~1/11/12~~ *1/25/12* - 1/31/13 (~~$756,490~~ *$766,448*); renewable for four additional one-year periods; and authorize Purchasing Agent or authorized deputy to execute agreement; and make California Environmental Quality Act findings - District 2 (Continued from 1/10/12, Item 28)

OC COMMUNITY RESOURCES

29. Receive bids and award Job Order Contracts (JOC) to Mackone Development, Inc. for JOC P005 (General Engineering) $1,000,000; Intelog Hym Engineering for JOC P006 (General Engineering) $1,000,000; Exbon Development, Inc. for JOC P007 (General Building) $750,000; MW Services, Inc. for JOC P008 (General Building) $750,000; and National Demolition Contractors for JOC P009 (Earthwork & Paving) $1,000,000 - All Districts

30. Approve Concept Plan for Regional Park at former Marine Corps Air Station (MCAS) Tustin for preparation of a General Development Plan; authorize OC Parks Director or designee to submit Concept Plan to the National Park Service as Program of Utilization for conveyance of park property from the Federal Government to the County; authorize OC Parks Director or designee to negotiate an agreement with Orange County Sports Foundation to enable development and operation of a water polo/ice hockey complex within the Regional Park; and authorize CEO/Public Finance to develop a financing plan for the Regional Park with no impact on the General Fund; and make California Environmental Quality Act and other findings - District 3
Continued to 2/7/12, 9:30 a.m.

31. Approve final Ten Year Plan to End Homelessness and Commission to End Homelessness Bylaws; receive and file Ten-Year Plan to End Homelessness Quarterly Report and approve Policy Recommendations for Year-Round Emergency Shelter; and direct OC Community Services to develop a Funding Allocation Policy and Process (FAPP) for year-round emergency shelter and return to the Board for approval - All Districts

32. Response to 1/10/12 Board Directive regarding Redevelopment Agencies - All Districts
Revised Title to read:
OC Community Resources - *Acting as the Board of Supervisors and the Orange County Development Agency* - Response to 1/10/12 Board Directive ~~regarding Redevelopment Agencies~~; *adopt amended enforceable obligation payment schedule; select option for Housing Successor Agency; adopt resolutions declaring Agency has not forgiven any loan, advance or indebtedness; delegate OCCR to act on behalf of County in all administrative matters in elimination of the Orange County Development Agency, and provide necessary administrative support to Successor Agency; provide direction to staff regarding appointment process for Oversight Boards* - All Districts

OC PUBLIC WORKS

33. Adopt resolution approving State Coastal Conservancy grant agreement 11-017 for State Proposition 84 funds (up to $2,000,000) for Santa Ana River Parkway Project; authorizing Director of OC Public Works or designee to execute agreement and make amendments under certain conditions; authorizing Director of OC Community Resources to execute and submit forms and documentation as required by the State; and make California Environmental Quality Act findings - District 3

OC WASTE & RECYCLING

34. Select Geosyntec Consultants as primary and Advanced Earth Sciences, Inc. as alternate firms for construction management, quality assurance/quality control and archaeological /paleontological services, South Regional Landfills; and authorize negotiation of agreement for Board approval - District 5

SOCIAL SERVICES AGENCY

35. Approve agreement CMJ0512 with Orangewood Children's Foundation for Annual Report on Conditions of Children in Orange County, 3/1/12 - 2/28/13 ($113,400) - All Districts

36. Approve agreement MA-063-12010270 with ANI Acquisition Sub, Inc. subsidiary of DocuLynx, Inc. for pilot project for up-front imaging with document preparation services, 2/1/12 - 12/31/12 ($1,131,292); renewable for one additional; and authorize Purchasing Agent or authorized deputy to execute agreement - All Districts

37. Approve amended agreement MA-063-10013057 to renew as MA 063-12011048 with SBC Global Services, Inc. DBA AT&T Global Services for Automated Call Distribution services, 2/1/12 - 1/29/13 ($830,663); and authorize Purchasing Agent or authorized deputy to execute agreement - All Districts

38. Approve amendment 2 to lease with MICK, a California Limited Partnership to extend existing lease for an additional six years ($19,000 reduction on monthly rental rate), 1240 S. State College Boulevard, Anaheim; and make California Environmental Quality Act findings - District 4

GENERAL ADMINISTRATION

County Executive Office:

39. Approve settlement agreement with Administrative Office of the Courts (AOC); authorize acceptance of $865,379 reimbursement for Workers' Compensation claim payments and administrative costs - All Districts

40. Select and approve agreement 12-002HA with National Homebuyers Fund, Inc. as Mortgage Credit Certificate Program administrator; and authorize Public Finance Director to execute agreement - All Districts

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

42. Adopt resolution authorizing issuance and delivery of Multifamily Housing Revenue Bonds (San Clemente Senior Apartments Project) Series 2012A, in an aggregate principal amount not to exceed $17,600,000; approval of Bond Issuance; approve all other documents as necessary - All Districts

43. Approve recommended grant applications submitted by Health Care Agency and OC Public Works in 1/24/12 grant report and other actions as recommended - All Districts

44. Response to 10/18/11 Board Directive - Direct County Executive Office and Sheriff-Coroner to pursue options for establishing long-term law enforcement services contracts; and direct CEO to pursue options for legislative solutions - All Districts
Continued to 2/7/12, 9:30 a.m.

45. Response to 1/10/12 Board Directive regarding Auditor-Controller Appointment Process - All Districts

46. Approve 2011 Strategic Financial Plan - All Districts

47. Adopt resolution authorizing County Treasurer to make Bridge Transfers to K-12 School Districts; and adopt resolution authorizing Auditor-Controller to reimburse K-12 School Districts for any interest costs related to transfers; and make related findings - All Districts

48. **Chairman Moorlach -** Approve 2012 Chairman appointments of Board Members to various Boards, Commission and Committees
Revised Title to read:
Chairman Moorlach - Approve 2012 Chairman appointments of Board Members *and staff* to various Boards, Commission and Committees*; adopt resolutions for appointment of Directors and alternate to the Orange County Fire Authority and establish the term of appointment as one year for the Board of Supervisors' representative and alternate on the Orange County Juvenile Justice Coordinating Council and add to the Chairman's annual appointments*

Office of the Performance Audit Director:

49. Receive and file Follow-up Audit of HCA/Correctional Medical Services report - All Districts

50. Receive and file the Performance Audit of CEO/Risk Management Report - All Districts

S u p p l e m e n t a l I t e m (s)

DISCUSSION

S50A. **Human Resources Department** - Approve agreement MA-054-12011245 with Liebert Cassidy Whitmore for labor negotiations services, 1/25/12 – 1/24/14; renewable for one additional year ($500,000); and authorize Purchasing Agent or authorized deputy to execute agreement; and make budget adjustments - All Districts *(RA #2 4/5 vote of members present)*

S50B. **OC Public Works** - Acting as the Orange County Flood Control District – Approve Contract Change Order No. 32 to agreement D07-061 with SSC Construction, Inc. for construction of Los Alamitos Pump Station ($331,643,66); and make California Environmental Quality Act findings - District 2

IV. PUBLIC HEARINGS (Items 51-52)

HEALTH CARE AGENCY

51. Public Hearing to consider adopting resolution updating Adult Immunization Program Fee Schedule, effective 2/1/12, 7/1/12 and 7/1/13; rescinding Resolution 06-033; and delegate authority to Director or designee to reduce or waive vaccine administration fee if there is an event or circumstance for which it is determined to be in best interest of public health; and make California Environmental Quality Act and other findings - All Districts

PUBLIC PROTECTION

52. **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 from 12/6/11, Item 15; 12/13/11, Item 25)
Continued to 2/7/12, 9:30 a.m.

V. CLOSED SESSION (Items CS-1-CS-4)

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 - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Morrison Pump Company, Inc. v. SSC Construction, Inc., et al., Orange County Superior Court Case No. 30-2010 00365657

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Scott Nelson v. Deborah A. Kwast, etc., et al., Orange County Superior Court Case No. 30-2011-00467962

CS-4. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Locations: Various locations, including - County-owned Civic Center Property, Santa Ana, CA; 1770 North Broadway, Santa Ana, CA; 405 W. 5th Street, Santa Ana, CA; 200 Santa Ana Blvd., Santa Ana, CA; 801 W. Civic Center Drive, Santa Ana, CA; County-Owned Fruit Street Complex, Santa Ana, CA; County-Owned Property Alton Parcels, Irvine, CA; Former South Court Justice Center, Laguna Niguel, CA; Orange County Flood Control District Property, Costa Mesa, CA; 3320 E. La Palma Avenue, Anaheim, CA; Santa Ana Transit Terminal
County Negotiator: Thomas G. Mauk
Negotiating Party: Purchasers and sellers of buildings
Under Negotiation: Terms and value of future sale(s) and acquisition(s)
(Response from 9/6/11 Board Directive) (Continued from 12/13/11, Item CS-4; 1/10/12, Item CS-2)

SCS-5. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case

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:

January 31, 2012	**No Meeting Scheduled**
February 7, 2012	**Regular Meeting**
February 14, 2012	**No Meeting Scheduled**