A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, November 5, 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

COUNTY EXECUTIVE OFFICER	COUNTY COUNSEL	CLERK OF THE BOARD
Michael B. Giancola	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 Moorlach, Second District

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-21)

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 Spitzer -** Waste Management Commission - Appoint Steve Chavez Lodge, Anaheim, to complete term ending 1/18/14

COMMENDATIONS/PROCLAMATIONS/REPORTS

2. **Supervisor Nguyen -** Adopt resolution declaring November as "Purple Heart Month"

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

3. Accept Urban Areas Security Initiative funds from City of Anaheim, FY 2012, for purchase of grant funded equipment and services ($178,885); and authorize Purchasing Agent or authorized Deputy to purchase related equipment and services - All Districts

4. Approve amendment 2 to agreement MA-060-14010456 with TriTech Software Systems for software support for Computer Aided Dispatch, Records Management System, 11/15/13 - 11/14/14 ($300,531); and make related findings (Board Directive 2/5/13) - All Districts

5. Approve agreement GA 1227-72-1 with Signature Combs, Inc. for Air Support Unit's use of two hangars at John Wayne Airport, commencing 12/1/13 ($112,800 per year); and make California Environmental Quality Act findings - District 2

6. Accept donation from Drug Use Is Life Abuse to fund one Deputy Sheriff I position for one year ($150,000) - All Districts

7. Approve amendment 1 to agreement with TMAD, Taylor & Gaines for design to connect electrical components in the closed circuit television room to an emergency power source, Theo Lacy Facility ($6,650; new total $85,550); authorize Sheriff-Coroner or designee to execute amendment; and make California Environmental Quality Act findings - District 3

8. Ratify and approve amendment 1 to agreement CT-060-13010898 with Incident Management Training Consortium, LLC for hazards incident management training, extending term to 8/31/13 ($65,720); authorize Purchasing Agent or authorized Deputy to execute amendment; and authorize Auditor-Controller to make related payments - All Districts

9. **Treasurer-Tax Collector -** Adopt resolution approving public auction sale #1385 of tax-defaulted real property - All Districts

OC COMMUNITY RESOURCES

10. Adopt resolution of intent to abandon Parcel PR70T-302.1, Aliso and Wood Canyon Wilderness Park; and set public hearing for 1/28/14, 9:30 a.m. - District 5 (unanimous vote)
Deleted

11. Approve Memorandum of Understanding 13HMOU22 and license 13-070 with State Department of Veterans Affairs for term effective upon execution of agreement; and authorize Director or designee to execute agreement and related documents - All Districts

12. Receive and file Developer Fee Deposit Balance Reports, FY 2011-12 and 2012-13; and make related findings - All Districts

13. Approve acceptance of $40,000 from the City of Anaheim and $40,000 from the City of Fullerton for the Fullerton Armory Emergency Shelter to open for an additional 18 days; and authorize Director or designee to execute agreements and to amend agreement with Mercy House Living Centers, Inc. - District 4

OC PUBLIC WORKS

Acting as the Orange County Flood Control District:

14. Approve in concept Glassell Campus Low-Impact Development Retrofit project; and make California Environmental Quality Act findings - District 3

15. Relying upon Mitigated Negative Declaration IP 11-189 as compliance under the California Environmental Quality Act, approve plans and specifications and set bid opening for 12/11/13, 2:00 p.m., for the Rossmoor Channel Improvement Project between Los Alamitos Boulevard to Rochelle Street; and make other findings - District 2

16. Approve amendment 1 to agreements D10-064 with RBF Consulting, Inc., D10-065 with Pacific Advanced Civil Engineering, Inc., and D10-082 with Tetra Tech, Inc., for on-call technical support services, extending terms two additional years; and make California Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

17. **Probation -** Approve lease agreement GA 1214-29-4 with Sycamore Plaza, Ltd for office space at 32118 Paseo Adelanto, Suites 1A and 2A, San Juan Capistrano, 12/1/13 - 11/30/16; and make California Environmental Quality Act findings - District 5

GENERAL ADMINISTRATION

Clerk of the Board:

18. Approve 2014 Board of Supervisors Meeting Schedule - All Districts

19. Approve proposed amendments to the County's Conflict of Interest Code Designated Filers Exhibits for OC Public Works - All Districts

20. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the South Orange County Community College District - District 5

21. **County Executive Office** - Receive and file Quarterly Information Technology Project Status Detail, Executive Summary and Risk Assessment Reports for July - September 2013 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 22-41)

GENERAL ADMINISTRATION

22. **Supervisor Spitzer -** Consider first reading of "An Ordinance of the County of Orange, California, Adding Title 3, Division 19 to the Codified Ordinances of the County of Orange Establishing Social Host Liability for the Consumption or Possession of Alcohol by Persons Under Age 21 at Gatherings"; and set second reading and adoption for 11/19/13, 8:00 a.m.

ELECTED DEPARTMENT HEADS

23. **Treasurer-Tax Collector -** Adopt resolution authorizing Saddleback Valley Unified School District to issue Saddleback Valley Unified School District General Obligation Bonds, Election 2004, Series 2013A; and authorizing acceptance of District Obligation for payment of County costs and necessary documents and other related actions - Districts 3 & 5 (Continued from 10/22/13, Item 24) DELETED

HEALTH CARE AGENCY

24. Approve selection of and agreement with Occupational Health Centers of California, dba Concentra Medical Centers for physical examination services, 1/1/14 - 6/30/16; authorize Director or designee to execute agreement; and authorize Auditor Controller to pay invoices - All Districts

25. Approve agreements with State Department of Public Health for HIV Prevention Program, 7/1/13 - 12/31/13 ($508,150) and HIV Care Program, 7/1/13 - 3/31/14 ($963,751); and authorize Director or designee to execute agreements and Contractor's Release Form upon end of the agreement - All Districts

26. Approve lease agreement with Town & Country Partners for office space for Behavioral Health Prevention and Intervention programs, ten year term; and make California Environmental Quality Act findings - District 3

27. Approve grant agreement 13-20487 with State Department of Public Heath to accept award for Supplemental Nutrition Assistance Program - Education project, 10/1/13 - 9/30/16 ($4,096,008 annually) - All Districts

JOHN WAYNE AIRPORT

28. Approve amendment 1 to agreement MA-280-12010686 with Universal Protection Service, LP for unarmed guard services, 1/1/14 - 1/31/14 ($34,509); approve amendment 2 to agreement MA-280-12010686 with Universal Protection Service, LP for renewal of agreement, 2/1/14 - 1/31/15 ($404,062; new total $1,352,960); authorize Purchasing Agent or authorized Deputy to execute amendments; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

29. Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Sections 4-1-23 and 4-1-95 of the Codified Ordinances of the County of Orange to Amend the Definitions of "Vicious Dog" and "Potentially Dangerous Dog" and Make Various Other Amendments to Facilitate the Implementation of Safety Restrictions on Vicious and Potentially Dangerous Dogs" - All Districts (Continued from 9/17/13, Item 40; 10/1/13, Item 23)
Continued to 12/17/13, 9:30 a.m.

OC PUBLIC WORKS

30. Approve assignment, novation, and consent agreement and amendments and renewal to agreement MA-080-11011082 with Omni Enterprise, Inc. and ABM Services, Inc. for janitorial services at various County facilities 3/1/13 - 2/28/14; renewable for one additional year, 3/1/14 - 2/28/15 ($366,192); and make California Environmental Quality Act findings - Districts 1 and 3

31. Approve agreement MA-080-14010479 with HR Green California, Inc., Atkins North America, Inc., Bureau Veritas North America, Inc., Tait and Associates, Inc., and Willdan Engineering for on-call architect-engineer services, 11/10/13 - 11/9/16 ($10,500,000); and make California Environmental Quality Act findings - All Districts

Acting as the Board of Supervisors and Orange County Flood Control District:

32. Approve agreements D13-034 with RBF Consulting, Inc., D13-035 with Johnson-Frank & Associates, Inc. and D13-036 with Huitt-Zollars, Inc. for on-call land surveying services, three-year terms ($600,000 each); and make California Environmental Quality Act findings - All Districts

33. Approve agreement D13-092 with City of Irvine, City of Tustin, Irvine Ranch Water District and State Department of Transportation for design, operation and construction of Peters Canyon Pipeline project ($1,173,222); and make California Environmental Quality Act findings - Districts 1, 2, 3 and 5

OC WASTE & RECYCLING

34. Approve agreement MA-299-14010492 with Tetra Tech BAS, Inc. for geotechnical investigation and design of Zone 1, Phase D Groundwater Protection Composite Liner, Prima Deshecha Landfill, commencing 11/5/13 ($1,000,000); and find that Final Environmental Impact Report 575 previously certified by the Board of Supervisors on November 6, 2001 reflects the independent judgment of the County of Orange and satisfies the requirements of California Environmental Quality Act for the proposed project, which is a necessarily included element contemplated as part of this action - District 5

SOCIAL SERVICES AGENCY

35. Approve agreement MA-063-14010321 with ANI Acquisition Sub a subsidiary of DocuLynx, Inc. for scanning, indexing and imaging services, 1/1/14 - 5/6/14 ($615,371); renewable for one-year term, not to exceed $1,388,880; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

GENERAL ADMINISTRATION

County Executive Office:

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

37. Approve grant applications/awards submitted by Sheriff-Coroner and Social Services Agency in 11/5/13 grant report and other actions as recommended - All District

38. Approve amendment 9 to agreement N1000008297 as MA-017-10011150 with TW Telcom Holdings, Inc. for wide area network services, 11/14/13 - 11/13/14 ($422,400; new total $3,606,926.34); authorize Purchasing Agent or authorized Deputy to execute agreement and to add or delete services in an amount not to exceed 10% of the agreement total without further Board action - All Districts

Supervisor Spitzer:

39. Revise Personnel and Salary Resolution to eliminate County pick-ups of required member pension contributions for members of Board of Supervisors, effective 11/5/13
Revised Title to read:
Supervisor Spitzer and *Supervisor Nguyen*: Revise Personnel and Salary Resolution to eliminate County pick-ups of required member pension contributions for members of Board of Supervisors,effective 11/5/13

40. Direct the Registrar of Voters to place "An Ordinance of the County of Orange, Adding Article V, Section 501 to the Charter of Orange County to Prevent the County of Orange from Paying Required Employee Contributions for Members of the Board of Supervisors and Other County Elected Officials Who Begin a Term on or After January 1, 2015", on the ballot for 6/3/14 election; and direct County Counsel to prepare the ballot title and summary and impartial analysis of the Ordinance
Revised Title to read:
Supervisor Spitzer and *Supervisor Nguyen:* Direct the Registrar of Voters to place "An Ordinance ofthe County of Orange, Adding Article V, Section 501 to the Charter of Orange County to Prevent theCounty of Orange from Paying Required Employee Contributions for Members of the Board ofSupervisors and Other County Elected Officials Who Begin a Term on or After January 1, 2015", on theballot for 6/3/14 election; and direct County Counsel to prepare the ballot title and summary and impartial analysis of the Ordinance

41. **Office of the Performance Audit Director -** Receive and file Performance Audit CEO/Office of Information Technology Recommendations Follow-up report - All Districts

IV. PUBLIC HEARINGS (Item 42)

OC PUBLIC WORKS

42. Relying upon Mitigated Negative Declaration IP 08-048 and Addendum IP 12-010 as compliance under the California Environmental Quality Act, conduct public hearing to consider reading and adoption of "An Ordinance of the County of Orange, California Adding Section 7-1-2 of the Codified Ordinances of the County of Orange Related to Reasonable Accommodation", "An Ordinance of the County of Orange, California Amending Sections 7-9-24, 7-9-26, 7-9-40 and 7-9-41 of the Codified Ordinances of the County of Orange Related to Definitions of Community Care Facility, Emergency Shelter, Supportive Housing and Transitional Housing", "An Ordinance of the County of Orange, California Amending Section 7-9-34 and Section 7-9-148, ET. SEQ., of the Codified Ordinances of the County of Orange Related to the Definition of Multi-Service Center for the Homeless, Housing Opportunities Overlay Regulations and Emergency Shelter/Multi-Service Center for the Homeless Site Development Standards and Operational Requirements", "An Ordinance of the County of Orange, California Amending Section 7-9-40 and Section 7-9-140 of the Codified Ordinances of the County of Orange Related to the Definition of Senior Citizen and Senior Citizen Housing, and Density Bonus Regulations" and "An Ordinance of the County of Orange, California Adding Section 7-9-148.7 (c) of the Codified Ordinances of the County of Orange Related to Graduated Density Zoning" - All Districts (Continued from 10/8/13, Item 17; 10/22/13, Item 38)
Continued to 12/10/13, 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(d)(2):
Number of Cases: One Case

CS-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Saddleback Canyons Conservancy, et al., v. County of Orange, et al., (Rutter Santiago LP, Real Party in Interest), Orange County Superior Court Case Nos. 20-2012-00609766 and 20-2013-00625000

CS-4. **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) and other non-represented employees
RE: Terms and Conditions of Employment

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:

November 12, 2013	**No Scheduled Meeting**
November 19, 2013	**Regular Meeting**
November 26, 2013	**No Scheduled Meeting**