A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, January 29, 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 Moorlach, Second District

PLEDGE OF ALLEGIANCE: Supervisor Spitzer, Third District

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-40)

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.

ELECTED DEPARTMENT HEADS

Auditor-Controller:

1. Receive and file Fund/Budget Control Semi-Annual Report for 7/1/12 - 12/31/12 - All Districts

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

3. Approve schedule of County Capital Assets Physical Inventory Dates for calendar years 2013 and 2014 - All Districts

4. **Sheriff-Coroner -** Approve Memorandum of Understanding (MOU) for continued participation in Pro-Active Methamphetamine Laboratory Investigation Team, 10/1/12 - 11/30/17; and authorize Sheriff-Coroner, District Attorney and Chief Probation Officer or designees to execute MOU - All Districts

HEALTH CARE AGENCY

5. Approve amendment 4 to agreement with Western Pacific Re-hab for Narcotic Replacement Therapy Treatment services, 7/1/11 - 6/30/13 ($57,432; new total $683,260); and authorize Director or designee to execute agreement - All Districts

6. Approve agreement with The Regents of the University of California, on behalf of University of California, Irvine University Physicians & Surgeons for Primary Medical Care Physician services, 3/1/13 - 2/28/15 ($115,000 per year); and authorize Director or designee to execute agreement and exercise contingency contract cost increase not to exceed 10% - All Districts

7. Approve Public Beach Safety Program Grant agreement 12-044-250 with State Water Resources Control Board for Public Beach Safety Monitoring program, ending 11/1/13 ($210,644); and authorize Director or designee to execute agreement - All Districts

8. Approve amendment 3 to agreement with Behavioral Health Services, Inc. for Inpatient Substance Abuse Detoxification services, 7/1/11 - 6/30/13 ($27,000; new total $408,200); and authorize Director or designee to execute agreement - All Districts

9. Approve amendment 3 to lease agreement with Laguna United Methodist Church for non-exclusive parking spaces for Children and Youth Services Program, Laguna Beach, ($4,611.25 per month); and make California Environmental Quality Act findings - District 5

JOHN WAYNE AIRPORT

10. Approve purchase order for 1-ton dual wheel service body vehicle; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 2

11. Approve plans and specifications and set bid opening for 3/6/13, 2:00 p.m., for pavement maintenance and repairs project; authorize Director or designee to sign plans and specifications and extend bid opening, if required, up to 60 days; and make California Environmental Quality Act findings - District 2

12. Approve amendment 1 to agreement with ATI Architects and Engineers for changes in design engineering services, ($49,200; new total $192,200); and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

13. Approve plans and specifications and set bid opening for 3/13/13, 2:00 p.m., for Irvine Ranch Historic Park Campus Improvements; approve list of pre-qualified contractors; make California Environmental Quality Act findings; and approve amendment 1 to agreement OCP10-09 with Thirtieth Street Architects, Inc. for on-call architectural services, extending term to 3/30/15 ($50,000; new total $476,500) - District 3

14. Receive bids and award contract to Case & Sons Construction Inc. for beam replacement project, Costa Mesa Donald Dungan Library ($259,300) - District 2
Revised Title to read:
OC Community Resources - Deny bid from New Dimension General Construction and waive irregularity in bid from Case & Sons Constructiom Inc. as immaterial; receive bids and award contract to Case & Sons Construction Inc. for beam replacement project, Costa Mesa Donald Dungan Library ($259,300) - District 2

15. Approve agreement OCP 12-018 with AECOM Technical Services, Inc. for architect/engineer environmental and regulatory permitting services for support of OC Parks projects, three year term ($400,000); and make California Environmental Quality Act findings - All Districts

Acting as the Board of Supervisors and Housing Successor Agency:

16. Approve extension of previously approved Acquisition Loan and Permanent Loan commitment for Stonegate Apartment Homes for an additional twenty-four months; authorize Director or designee to execute related documents and extensions under certain conditions; and make California Environmental Quality Act and other findings - District 2

17. Approve extension of previously approved Acquisition Loan and Permanent Loan commitment for Stonegate Apartment Homes II for an additional twenty-four months; authorize Director or designee to execute related documents and extensions under certain conditions; and make California Environmental Quality Act findings - District 2

OC PUBLIC WORKS

18. Approve plans and specifications and set bid opening for 3/6/13, 2:00 p.m., for La Colina Drive Pavement Rehabilitation Project; approve agreements D12-012 with Orange County Sanitation District for adjustment of District manhole lids and D12-023 with City of Tustin for adjustment of City water valve can lids; and make California Environmental Quality Act findings - District 3

19. Approve cooperative agreement C-2-1995 with Orange County Transportation Authority for the Pacific Park Drive/Oso Parkway Corridor Project as part of the Regional Traffic Signal Synchronization Program ($10,113); and make California Environmental Quality Act findings - District 5

20. Approve cooperative agreement C-2-1992 with Orange County Transportation Authority for the Bolsa Avenue/First Street Corridor Project as part of the Regional Traffic Signal Synchronization Program ($5,000); and make California Environmental Quality Act findings - District 1

21. Approve plans and specifications and set bid opening for 3/6/13, 2:00 p.m., for Edinger Avenue Bridge Widening; approve agreement D12-025 with Cities of Fountain Valley and Santa Ana; adopt resolutions declaring roadways within City of Santa Ana and Fountain Valley as County Highways for construction purposes; and make California Environmental Quality Act findings - District 1 (4/5 vote of the membership)

22. Approve plans and specifications and set bid opening for 2/20/13, 2:00 p.m., for Hall of Administration Transformer and Volt Distribution project; and make California Environmental Quality Act findings - District 1

23. Receive bids and award Job Order Contract to Sea Pac Engineering, Inc. for heating, ventilation and air-conditioning services ($2,000,000); and make California Environmental Quality Act findings - All Districts

24. Approve amendment 1 to Memorandum of Understanding C-1-2466 with Orange County Transportation Authority for Katella Avenue Corridor Traffic Light Synchronization Program Project, extending term to 6/30/13; and make California Environmental Quality Act findings - Districts 1, 2, 3 and 4

25. Approve plans and specifications and set bid opening for 3/13/13, 2:00 p.m., for Skyline Drive Reconstruction from Cowan Heights Drive to Apsley Road; and make California Environmental Quality Act findings - District 3

26. Approve plans and specifications and set bid opening for 3/13/13, 2:00 p.m., for Dale Street reconstruction from Orange County Flood Control District Channel to Orangewood Avenue; and make California Environmental Quality Act findings - Districts 1 and 2

27. Approve plans and specifications and set bid opening for 3/13/13, 2:00 p.m., for Midway City Street and Drainage Improvements Phase III Project; and make California Environmental Quality Act findings - District 1

28. Approve plans and specifications and set bid opening for 3/6/13, 2:00 p.m., for Lincoln Avenue Widening over Santa Ana River; and make California Environmental Quality Act findings - District 3

Acting as the Orange County Flood Control District:

29. Approve Rossmoor Storm Channel Improvement Project; authorize Orange County Flood Control District to develop final plans and seek permits; and make California Environmental Quality Act findings - District 2

30. Approve contract with State Department of Transportation for temporary construction easement over Orange County Flood Control District property in the City of Anaheim ($286,000); authorize Director or designee to execute easement deed and perform related services; and make California Environmental Quality Act and other findings - District 3

31. Approve agreement D12-083 with Geosyntec Consultants, Inc., for on-call architect-engineer services, three-year term ($400,000); and make California Environmental Quality Act findings - All Districts

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

32. Approve Memorandum of Agreement D12-051 with the U.S. Army Corps of Engineers for regulatory permitting process on flood, road and maintenance projects, term ending 12/31/16 ($400,000); and make California Environmental Quality Act findings - All Districts

33. Approve Coyote Creek Bikeway Project; authorize OC Public Works to develop final plans and seek permits; authorize OC Parks to expend project funds; and make California Environmental Quality Act findings - District 4

SOCIAL SERVICES AGENCY

34. Approve plans and specifications and set bid opening for 1/30/13, 2:00 p.m., for replacement of energy management system at Orangewood Children and Family Center; and make California Environmental Quality Act findings - District 3 (Continued from 11/20/12, Item 27; 12/4/12, Item 16)
CONTINUED TO 4/9/13, 9:30 A.M.

35. Approve amendment 1 to agreements CLC3311A with Aspiranet and CLC3211A with New Alternatives, Incorporated to expand Transitional Housing Program Plus services, Scattered Site Apartments, beginning 3/1/13 for contractual period of 7/1/11 - 6/30/14 - All Districts
Continued to 2/5/13, 9:30 a.m.

36. Approve Memorandum of Understanding CTM0813/FCI-SSA-11 with Children and Families Commission of Orange County and accept $25,000 per fiscal year for production of the 18th and 19th Annual Report on the Conditions of Children in Orange County, 2/1/13 - 2/28/14; approve agreement CTM0413 with Orangewood Children's Foundation for production of the 19th Annual Report on Conditions of Children in Orange County, 3/1/13 - 2/28/14 ($113,400); and authorize Director or designee to extend term of agreement CTM0413 for twelve additional months under same terms and conditions - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

37. Approve proposed amendments to the Conflict of Interest Code Designated Filers Exhibits for County Counsel, OC Public Works, Probation and Social Services Agency - All Districts
Continued amendment to the Probation Department Conflict of Interest Code to 2/5/13, 9:30 a.m.

38. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for CalOptima, Orange County Transportation Authority, Orange County Water District, Buena Park School District, Centralia School District, Magnolia School District, Moulton Niguel Water District, Santa Margarita Water District, Serrano Water District and SWD Recreation, Inc. - All Districts

39. Approve re-adoption of the State's Model Code by reference and modifications to Designated Filer Positions and Disclosure Categories Exhibits A & B for Capistrano Bay Community Services District and Huntington Beach City School District - All Districts

40. **Internal Audit -** Receive and file Internal Audit Department Monthly Activity Status Report for December 2012 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 41-57)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

41. Approve amendment 3 to agreement with Orange County Transportation Authority (OCTA) for rental of vehicles for addition of premium pay and related costs for two canine handlers, 8/31/12 - 6/30/13; and approve amended FY 2012-13 charges with OCTA for law enforcement, special and supplemental services, 7/1/12 - 6/30/13 ($40,412; new total $5,729,304) - All Districts

42. Approve amendment 2 to agreement MA-060-13011062 with Juguilon Medical Corporation for forensic pathology/autopsy services, 2/1/13 - 1/31/14 ($1,800,445); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

43. Approve amendment 5 to agreement MA-060-12011079 renewing as MA-060-13010977 with Enterprise Rent-A-Car of Los Angeles, LLC for rental of vehicles for undercover surveillance work, 3/1/13 - 2/28/14 ($1,086,100); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

HEALTH CARE AGENCY

44. Approve agreements with AIDS Services Foundation Orange County, 3/1/13 - 2/28/15 ($1,717,109 per year); Delhi Center, 3/1/13 - 2/28/15 ($142,958 per year); Laguna Beach Community Clinic, Inc, 3/1/13 - 2/28/14 ($241,581); and Shanti Orange County, 3/1/13 - 2/28/15 ($195,413 per year) for HIV services; and authorize Director or designee to exercise cost contingency increase of agreement not to exceed 10% under certain conditions and to execute agreement - All Districts

JOHN WAYNE AIRPORT

45. Select three primary and one alternate firms from ranked list for project management services; authorize Director or designee to negotiate agreements for Board approval; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

46. Affordable Housing Ad Hoc Committee Recommendations - Approve creation of Single Family Affordable Rental Housing Program ($2,500,000) and Tenant-Based Rental Assistance Program ($500,000) for acquisition/rehabilitation of single family housing and to provide move-in and/or rental assistance to low income families, seniors and/or special needs populations; authorize issuance of Notice of Funding Availability for Single Family Affordable Rental Housing Program to distribute HOME and/or Housing Successor Agency funding and Project Based Vouchers on a first-come, first-served basis to qualified non-profits and for-profit developers; authorize Director or designee to execute standard set of loan documents, restrictive covenants and necessary documents to incorporate business and financial terms; and authorize utilization of Project Based Vouchers (PBV) for the Single Family Affordable Rental Housing Program and previously approved Neighborhood Stabilization Program - All Districts (Continued from 12/18/12, Item 44)

47. Receive bids and award contract to Adams Mallory Construction for construction of the Mile Square Regional Park Archery Range Project ($2,435,820); approve memorandum of understanding with Ugalde Trucking Co., Inc. for delivery and acceptance of donation of stockpile fill dirt ($400,000); and make California Environmental Quality Act findings - District 1

OC PUBLIC WORKS

48. Authorize Director or designee to adjust Manchester Parking Facility parking rates effective 1/1/13; and make California Environmental Quality Act findings - District 3 (Continued from 12/4/12, Item 27)
Continued to 3/5/13, 9:30 a.m.

49. Approve amendment 1 to agreement MA-080-11011082 with Dante Perez dba Omniclean and ABM Services for janitorial services at various County facilities, 3/1/13 - 2/28/14 ($366,192); renewable for two additional years; and make California Environmental Quality Act findings - Districts 1 and 3

OC WASTE & RECYCLING

50. Approve relief of bid to Papich Construction Co., Inc.; receive bids and award contract to Sukut Construction Inc. for West Channel Realignment/South Basin/Wetlands Area Construction project, Frank R. Bowerman Landfill ($5,064,519); and make California Environmental Quality Act findings - District 3

51. Declare bid of Papich Construction Co. to be non-responsive; receive bids and award contract to Sukut Construction Inc. for Phase VIII-C Groundwater Protection project, Frank R. Bowerman Landfill ($13,588,577); and make California Environmental Quality Act findings - District 3

GENERAL ADMINISTRATION

52. **County Counsel -** Consider first reading of "An Ordinance of the County of Orange, California Amending Sections 1-6-5 and 1-6-6 of the Codified Ordinances of the County of Orange Adjusting the Limitations on Campaign Contributions"; and set second reading and adoption for 2/5/13, 9:30 a.m. - All Districts

County Executive Office:

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

54. Approve grant applications/awards submitted by Health Care Agency, OC Community Resources, Orange County Sheriff-Coroner and OC Waste & Recycling in 1/29/13 grant report and other actions as recommended; and adopt resolution approving grant agreement with State Department of Boating and Waterways Public Beach Restoration Program for Orange County Sand Compatibility Opportunistic Use Program ($300,000) - All Districts
Revised Title to read:
County Executive Office - Approve grant applications/awards submitted by Health Care Agency, OC Community Resources, Orange County Sheriff-Coroner, and OC Waste & Recycling *and Probation* in 1/29/13 grant report and other actions as recommended; and adopt resolution approving grant agreement with State Department of Boating and Waterways Public Beach Restoration Program for Orange County Sand Compatibility Opportunistic Use Program ($300,000) - All Districts

55. Adopt resolution authorizing the issuance of additional County of Orange Teeter Plan Obligations, and authorizing the execution and delivery of a Fifth Supplemental Trust Agreement, a Note Purchase and Reimbursement Agreement, a Fee and Interest Rate Agreement and other documents as necessary; and making related findings - All Districts

56. Adopt resolution authorizing release of Request for Statement of Qualifications for lease and development of the former South County Justice Center site; return to the Board with ranked slate of qualified lessees-developers; and make California Environmental Quality Act and other findings - District 5 (4/5 vote of the members present)

57. **Chairman Nelson -** Approve 2013 Chairman appointments of Board Members to various Boards, Commission and Committees
Revised Title to read:
Chairman Nelson - Approve 2013 Chairman appointments of Board Members to various Boards, Commission and Committees; adopt California Form 806 – Agency Report of Public Official Appointment; and adopt resolutions appointing Board Members to Orange County Fire Authority Board of Directors

IV. PUBLIC HEARINGS (Items 58-59)

OC PUBLIC WORKS

58. Public Hearing to consider reading and adopting "An Ordinance of the County of Orange, California Approving the First Amendment to the Tonner Hills Development Agreement with the Shea Tonner Hills, LLC"; and make California Environmental Quality Act findings - District 4

59. Public Hearing to consider upholding Planning Commission approval of Area Plan PA090009 to facilitate subdivision of a 4-acre project site within the Silverado Modjeska Specific Plan area; receive and file staff report; and make California Environmental Quality Act findings - District 3

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 - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: County of Orange v. Asfour Family Corporation, et al., Orange County Superior Court Case No. 30-2012 00542187

CS-2. 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, Orange County Superior Court Case No. 30-2011-00467132

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases: Jeanette Christensen v. County of Orange, et al., Orange County Superior Court Case No. 30-2009 00326985; and Jeanette Christensen v. County of Orange, Workers' Compensation Appeals Board Case No. ADJ 6622599

CS-4. **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), Orange County Managers Association (OCMA) and other non-represented employees
RE: Terms and Conditions of Employment

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

SCS5. **Human Resources Services** - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957: Title: Performance Audit Director

SCS6. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1): Name of Case: California Department of Finance, et al. v. Jan Grimes, etc., OCSC Case No. 30-2012-
00559592-CU-WM-CJC

SCS7. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Pursuant to Government Code Section 54956.8: Property Location: 801 W. Civic Center Drive, Santa Ana, CA, 405 W. 5th Street, Santa Ana, CA, 200 Santa Ana Blvd., Santa Ana, CA
County Negotiator: Robert Franz
Negotiating Party: 405 West Fifth Street Holdings, LLC, CW Capital Asset Management
Under Negotiation: Terms and value of lease and acquisition

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:

February 5, 2013	**Regular Meeting**
February 12, 2013	**No Scheduled Meeting**
February 19, 2013	**No Scheduled Meeting**