A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 10, 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 Nguyen, First District

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-27)

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 Nelson -** Board of Retirement, OCERS - Reappoint Wayne Lindhom, Laguna Niguel, for term ending 12/31/15

Vice Chair Bates:

2. Assessment Appeals Board No. 2 - Reappoint Paula Cosenza, Laguna Niguel, for term ending 9/4/16

3. Coastal Greenbelt Authority - Appoint Thomas Maloney, Laguna Niguel, for term concurrent with 5th District Supervisor's term of office

4. **Supervisor Spitzer -** Airport Commission - Reappoint Bruce Junor, North Tustin, for term concurrent with 3rd District Supervisor's term of office

5. **Supervisor Moorlach -** Assessment Appeals Board No. 1 - Appoint Thomas Cole Edwards, Newport Beach, to complete term ending 9/6/15

6. **Supervisor Nguyen -** Acting as Orange County Housing Authority - Housing and Community Development Commission - Appoint Leslie K. Le, Santa Ana, to complete term ending 6/30/15

DEPARTMENT APPOINTMENTS

7. **Health Care Agency -** Emergency Medical Care Committee - Appoint Sharon Hoier (Gibson), Aliso Viejo, and reappoint Kenneth McFarland, Mission Viejo, Monica D. Ruzich, Huntington Beach, Dr. Michelle Tom, Dana Point for terms ending 6/30/15 - All Districts

ELECTED DEPARTMENT HEADS

8. **Auditor-Controller -** Adopt resolution approving property tax rates, delinquency/roll change/refund factors and reserve of disputed values for FY 2013-14 - All Districts

9. **District Attorney -** Approve lease agreement CEO/ALS/DA-12-032 with Cornerstone Partners, LLC for office space at 5000 Birch Street, 4th Floor, Newport Beach; and make California Environmental Quality Act findings - District 2

Sheriff-Coroner:

10. Ratify and approve agreement 13112445 with State of California for Peace Officer Standards and Training (POST) for provision of Supervisory Course, 7/1/13 - 6/30/14; accept reimbursement for training cost ($41,580); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

11. Approve agreement CT-060-14010022 with Life Technologies Corporation for purchase of genetic analyzer and operating software ($106,817); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

12. Approve amendment 1 to agreement MA-060-14010146 with Premier Computing, Inc. for maintenance of software license for Commissary inventory system, 9/26/13 - 9/25/14 ($25,000) and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

13. Approve amendment 2 to agreement MA-060-11012605 with SoCal Batteries, Inc., dba, Batteries Plus for batteries for Sheriff Department's Harbor Patrol Division, 9/21/13 - 9/20/14 ($3,000); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

14. Approve agreement MA-060-13011827 with Fisher Scientific Company dba Fisher Healthcare for purchase of laboratory chemicals and lab supplies, 9/10/13 - 9/9/14 ($28,500); renewable for four additional one-year periods ($28,500 per year); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

HEALTH CARE AGENCY

15. Approve agreement with State Department of Public Health for HIV/AIDS Expanded Testing Program, 7/1/13 - 12/31/13 ($197,238); and authorize Director or designee to execute agreement - All Districts

16. Approve CalRecycle Enforcement Assistance Grant agreement EA 24-13-0021 for solid waste management, 7/1/13 - 10/28/14 ($45,749); and authorize Director or designee to execute agreement and any subsequent non-monetary amendments - All Districts

17. Approve amendment to agreement with The Regents of the University of California, Irvine Child Development Center for School Based Behavioral Health Intervention and Support-Early Intervention services, 7/1/13 - 6/30/15; and authorize Director or designee to execute amendment - All Districts

OC COMMUNITY RESOURCES

18. Approve amendments with various providers for additional funds for Older Americans Act services, 7/1/13 - 9/30/13; authorize Director or designee to execute amendments and exercise contingency cost increase not to exceed 15% of individual agreements and make line item budget transfers - All Districts

OC PUBLIC WORKS

19. **Continued to 10/1/13, 9:30 a.m.** Approve Memorandum of Understanding with OneOC to provide service opportunities for participants in the County Court Referral Program - All Districts
Continued to 10/1/13, 9:30 a.m.

20. Approve agreement MA-080-13012123 with Cal Building Systems, Inc. for fire alarm system maintenance and repair services, 12/2/13 - 11/30/14 ($106,361); renewable for two additional years; and make California Environmental Quality Act findings - Districts 1, 3 and 5

21. Adopt resolution authorizing expenditures and activities to recognize and encourage public participation in programs protecting stream, channel, and coastal water quality; and make California Environmental Quality Act findings - All Districts

22. Approve OC Waste & Recycling Records Control Schedule 365 to supersede Records Control Schedule 345A; and authorize continuing disposition of records described on new schedule - All Districts (4/5 vote of the members present)

23. Approve Bid Procedure, offer and agreement, and minimum bid amounts for the sale of Katella Avenue Smart Street surplus properties; authorize Auditor-Controller to make related payments; and make California Environmental Quality Act findings - District 4

24. Select various firms in ranked list for on-call planning and engineering services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

25. **Probation -** Approve agreement with The National Corrective Group, Inc. dba CorrectiveSolutions for provision of full case management supervised electronic confinement/home detention program services utilizing a Global Positioning Satellite System ($382,555 Revenue), 9/10/13 - 6/30/14 ($373, 593); renewable for four additional one-year periods - All Districts

26. **Public Defender -** Approve lease agreement with Cornerstone Partners IV, LLC for office space at 5000 Birch Street, 1st Floor, Newport Beach; and make California Environmental Quality Act findings - District 2

SOCIAL SERVICES AGENCY

27. Approve amendment 1 to agreement WMZ0211 with Abor E & T, LLC a subsidiary of ResCare Inc. for job service and employment support services, beginning 11/1/13 for contractual period of 7/1/11 - 6/30/14 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 28-44)

ELECTED DEPARTMENT HEADS

28. **District Attorney -** Accept grant award for investigation and prosecution of disability and healthcare insurance fraud cases, FY 2013-14 ($2,019,745); direct Auditor Controller to increase appropriations and revenues by $1,438,245; and direct Human Resources Director to amend master position control to add nine positions - All Districts

HEALTH CARE AGENCY

29. Approve master agreement with various providers of professional medical, dental, behavioral and other support services, 9/29/13 - 9/28/14; and authorize Director or designee to execute individual agreements - All Districts (Continued from 8/20/13, Item 16)

30. Approve amendment to agreement 12-78008-000 with State Department of State Hospitals for conditional release program, 7/1/12 - 12/31/13 ($1,708,210); and authorize Director or designee to execute amendment - All Districts

JOHN WAYNE AIRPORT

31. Approve amendment 2 to agreement with Flagship Airport Services for custodial maintenance services, 10/1/13 - 9/30/14 ($4,115,071); and make California Environmental Quality Act findings - District 2

32. Approve agreement with IDS Group, Inc. for bridging document preparation and construction administration services ($3,245,625); and find that Final Environmental Impact Report 582 and Addendum 582-1, as revised by Final Supplemental EIR 582, as certified on June 25, 2002, fully analyzed and disclosed the proposed project's environmental effects, and the proposed project would not have any environmental effects beyond those analyzed and disclosed in these environmental documents - District 2

33. Approve agreement with ENVIRON International Corporation for air quality analysis services ($200,000); approve agreement with Fehr & Peers for traffic and circulation analysis ($199,600); approve agreement with AECOM for aviation analysis services ($165,000); approve agreement with Landrum & Brown, Incorporated for noise analysis ($191,220); approve agreement with Bon Terra Consulting for Environmental Impact Report preparation services ($199,990); authorize Auditor Controller to transfer funds under certain conditions; and make California Environmental Quality Act findings - District 2

34. Approve agreement with AMEC Environmental and Infrastructural Inc. for environmental services ($2,400,000); renewable for two additional one year periods ($800,000 per year); and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

35. Approve agreements CPO13-001 with Stantec Consulting Services, Inc. for landscape architecture services and CPO13-002 with Noble Consultants, Inc. for engineering services, three -year terms ($400,000 each); and make California Environmental Quality Act findings - All Districts

OC WASTE & RECYCLING

36. Approve agreement MA-299-14010200 with Tetra Tech BAS, Inc. for landfill gas services for Central Region Landfills, 10/1/13 - 9/30/16 ($6,000,000); renewable for two additional one-year periods; authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - Districts 2 and 3

37. Select Tetra Tech BAS, Inc. as primary and Advanced Earth Sciences as alternate firms for geotechnical investigation and design of Zone 1, Phase D Groundwater Protection Composite Liner, Prima Deshecha Landfill; authorize negotiation of agreements for Board approval; 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

38. Approve agreement MA-299-14010179 with SWT Engineering for design of East Canyon Landslide Mitigation Measures, Frank R. Bowerman Landfill, effective 10/1/13 ($2,000,000); and find that Final Environmental Impact Report 604, RELOC Strategic Plan, previously certified by the Board of Supervisors on August 15, 2006, in combination with Addendum 604-3, 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 3

SOCIAL SERVICES AGENCY

39. Direct Human Resources Services to amend master position control to add 90 full-time, regular positions and conversion of 54 existing extra help positions to regular status for Affordable Care Act implementation - All Districts

GENERAL ADMINISTRATION

40. **County Counsel -** Select law/investigative firms of Reilly & Associates, Bickmore Risk Services, Scott & Whitehead, and Woodruff Spradlin & Smart to provide employment investigation services on an as needed basis; and authorize County Counsel to execute agreement for professional investigative services with each of the selected firms and to negotiate adjusted insurance provisions to the standard agreement - All Districts (Continued from 8/20/13, Item 21)

County Executive Office:

41. Approve master services agreement MA-017-13012100 for five years with option for two one-year renewals with Xerox State & Local Solutions, Inc., for voice and data network services (Scope 2) (FY 2013-2014 cost $10,114,072; five year cost $132,409,160); and authorize Chief Information Officer or designee to execute master services agreement; authorize the County Chief Information Officer or his designees to extend the Term of the Information Technology and Telecommunications Services Agreement (#N10000003198) with Xerox State and Local Solutions, Inc., and increase the contract by a not to exceed amount of $8,125,160 beginning September 11, 2013 and no later than March 16, 2014 in the form of Amendment No. 21; approve Amendment #1 to Master Services Agreement (MA-017-13011864) between the County of Orange and Science Applications International Corporation (SAIC) for $243,328 for additional transition activities beyond the 120 day transition originally approved in the Agreement, and authorize and direct the County Chief Information Officer or designee to execute the amendment on behalf of the County; and make California Environmental Quality Act findings - All Districts (Continued from 7/23/13, Item 32; 7/30/13, Item 24)

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

43. Approve grant applications/awards submitted by OC Community Resources/OC Public Libraries, the District Attorney and John Wayne Airport in the 9/10/13 grant report and other actions as recommended; and authorize John Wayne Airport Director to execute a grant agreement with the Federal Aviation Administration, FY 2013/14 ($1,365,285) - All Districts

44. Approve proposed response to FY 2012-13 Grand Jury Report "To Protect And To Serve: A Look at Tools to Assist Law Enforcement in Achieving Positive Outcomes with the Homeless Mentally Ill" - All Districts

Supplemental Item(s)

S44A. **Chairman Nelson** - Board of Retirement, OCERS - Appoint David L. Ball, Newport Beach for term ending 12/31/13

IV. PUBLIC HEARINGS (Item 45)

HEALTH CARE AGENCY

45. Public Hearing to consider adopting resolution approving update of maximum 911 emergency basic life support ground ambulance rates and Orange County Fire Authority advanced life support paramedic assessment and transportation rates, effective 7/1/13; supersedes and rescinds Resolution 12-092; and make California Environmental Quality Act findings - All Districts

V. CLOSED SESSION (Items CS-1-CS-6)

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: California Department of Finance, et al. v. Jan Grimes, etc., OCSC Case No. 30-2012-00559592-CU-WM-CJC

CS-2. 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-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Emilia Ruiz v. Jian Peng, County of Orange, et al., Orange County Superior Court Case No. 30-2012 00584870

CS-5. **County Executive Office** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: 405 West Fifth Street, Santa Ana
County Negotiator: Scott D. Mayer, Chief Real Estate Officer
Negotiating Party: 405 West Fifth Street Holdings, LLC
Under Negotiations: Exercise of option to purchase air space rights

CS-6. **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:

September 17, 2013	**Regular Meeting**
September 24, 2013	**No Meeting Scheduled**
October 1, 2013	**Regular Meeting**