REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, November 8, 2011

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

BILL CAMPBELL
CHAIRMAN
Third District

JOHN M. W. MOORLACH
VICE CHAIRMAN
Second District

JANET NGUYEN
SUPERVISOR
First District

SHAWN NELSON
SUPERVISOR
Fourth District

PATRICIA BATES
SUPERVISOR
Fifth District

COUNTY EXECUTIVE OFFICER	COUNTY COUNSEL	CLERK OF THE BOARD
Thomas G. Mauk	Nicholas S. Chrisos	Darlene J. Bloom

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 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, you may do so during the Public Comment period at the close 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, please 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 start of meeting.

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

9:30 A.M.

INVOCATION: Supervisor Nelson, Fourth District

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District

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I. PRESENTATIONS/INTRODUCTIONS

Chairman Campbell will present a Resolution proclaiming November 2011 as "Grand Jury Awareness Month"

Chairman Campbell will accept the Seven Seals Award being presented to the County by representatives of the California Employer Support of the Guard and Reserve.

II. CONSENT CALENDAR (Items 1-17)

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

Supervisor Campbell:

1. Public Financing Advisory Committee - Reappoint Carl Groner, Irvine, to complete term ending 5/1/14

2. Orange County Human Relations Commission - Reappoint Kenneth Inouye, Laguna Hills, for term ending 11/7/13

3. **Supervisor Moorlach -** State Council On Developmental Disabilities Area Board XI - Appoint Buddy Schreiber, Costa Mesa, for term ending 11/7/14

DEPARTMENT APPOINTMENTS

Health Care Agency:

4. Emergency Medical Services Quality Assurance Board - Appoint Dr. Alan Heilpern, Los Angeles, Janet Hewson, Santa Ana and Joelle Samsel, Fullerton to complete terms ending 6/30/13; reappoint Larry Grihalva, Mission Viejo and Catherine Ord, Fountain Valley to complete terms ending 6/30/13; and appoint Tammi McConnell as Health Care Agency Emergency Medical Services Program Manager for term concurrent with position - All Districts
Deleted

5. Alcohol & Drug Advisory Board - Appoint Arthur Amidon, Westminster, for term ending 10/28/14; Lorraine Martinez, Garden Grove, to complete term ending 10/18/12; Roy Richardson, Huntington Beach, for term ending 12/3/14; Lori Sanjuan, Garden Grove, for term ending 10/27/14; Elaine Werner-Hudson, Laguna Beach, to complete term ending 3/6/14; and reappoint Rolf Parkes, Irvine, for term ending 10/28/14; and Stephen Secord, Huntington Beach, to complete term ending 10/28/14 - All Districts

ELECTED DEPARTMENT HEADS

District Attorney:

6. Approve lease agreement renewals with Santa Ana Arts IV, Inc. for secure file and record storage space; and make California Environmental Quality Act findings - All Districts

7. Approve agreement PO-026-12011087 with LDV, Inc. for DNA Sample Collection and Emergency Response Command Center Vehicle ($329,852.92); and authorize Purchasing Agent or deputy to execute agreement - All Districts

Sheriff-Coroner:

8. Approve agreement MA-060-12010139 with Premier Computing Inc. for help desk support for commissary operations system, 11/8/11 - 11/7/13 ($48,000); renewable for three additional years ($24,000 annually); and authorize Purchasing Agent or deputy to execute agreement - All Districts

9. Approve amendment 6 to agreement MA-060-12010829 with Taser International, Inc. for repair and replacement of tasers and taser accessories, 11/18/11 - 11/17/12; and authorize Purchasing Agent or deputy to execute agreement - All Districts

HEALTH CARE AGENCY

10. Approve CalRecycle Enforcement Assistance grant agreement EA 22-11-66 for solid waste management, 7/1/11 - 10/28/12 ($43,659); and authorize Director or designee to execute agreement - All Districts

OC PUBLIC WORKS

11. Adopt proposed policy and procedure for emergency response and recovery work on private property; and make California Environmental Quality Act findings - All Districts (Continued from 10/4/11, Item 13)

12. Approve agreements MA-080-12010056 with SimplexGrinnell LP ($211,911) and MA-080-12010058 with Carter Brothers, Inc. ($146,274) for fire alarm system maintenance and repair, 12/1/11 - 11/30/12; renewable for four one-year periods; and make California Environmental Quality Act findings - Districts 1, 2, 3 and 5

13. Revised Title to read:
OC Public Works - Approve plans and specifications and set bid opening for ~~11/23/11~~ *12/7/11*, 2:00 p.m., for Modjeska Canyon road storm drain improvement project; and make California Environmental Quality Act findings - District 3 (Continued from 10/25/11, Item 16)

14. Approve agreement 080-12010246 with HOV Services, Inc., for scanning, indexing and micrographic services, 11/8/11 - 11/7/12 ($357,124.67); renewable for four one-year periods; and make California Environmental Quality Act findings - All Districts

15. **Acting as the Orange County Flood Control District -** Approve agreement and Memorandum of Agreement with F-B Huntington, LLC and Huntington Coastal, LLC for continued access and staging support of Edinger Storm Channel improvements; authorize Director or designee to execute agreement and related documents and make minor modifications under certain conditions; authorize Auditor-Controller to make related payments; and make California Environmental Quality Act findings - District 2

GENERAL ADMINISTRATION

County Executive Office:

16. Receive and file Quarterly Information Technology Project Status Detail and Executive Summary Reports for July - September 2011 and Risk Assessment Report for July - September 2011 - All Districts

17. Approve amendment 3 to agreement MA-017-10011031 with ACS State & Local Solutions, Inc. for Foundry Network Equipment Maintenance, 12/1/11 - 11/30/12 ($137,687.20); authorize Purchasing Agent or designee to add or delete equipment within the established monetary limits - All Districts

END OF CONSENT CALENDAR

III. PUBLIC HEARINGS (Item 18)

HEALTH CARE AGENCY

18. Public Hearing to consider first reading of "An Ordinance of the County of Orange, California Amending Section 4-9-12 to the Codified Ordinances of the County of Orange Regarding Regulation of Provision of Ambulance Service"; and set second reading and adoption for 11/22/11, 9:30 a.m. - All Districts

IV. DISCUSSION ITEMS (Items 19-39)

ELECTED DEPARTMENT HEADS

19. **Assessor Department -** Oral Report - ATS Re-Engineering Project Quarterly Update - All Districts

Sheriff-Coroner:

20. Approve major reorganization; revised class specifications for Assistant Sheriff; and reallocation of four existing to executive management positions, effective 10/21/11 - All Districts (Continued from 10/25/11, Item 30)
Continued to 12/6/11, 9:30 a.m.

21. Approve agreement MA-060-12010532 with Computer Deductions, Inc. for software development, maintenance and support, 12/1/11 - 11/30/14 ($2,208,941 per year); renewable for two additional years; and authorize Purchasing Agent or deputy to execute agreement - All Districts

HEALTH CARE AGENCY

22. Response to 10/4/11 Board Directive regarding Presentation on CalOptima Board - All Districts (Continued from 10/18/11, Item 17; 10/25/11, Item 33)

23. Select appointment of one provider candidate to the CalOptima Board of Directors for term ending 9/30/15 - All Districts (Continued from 10/25/11, Item 32)

24. Approve agreement EPO 11-30 with State Department of Public Health that includes funding for Center for Disease Control Public Health Emergency Preparedness Grant, State General Fund Pandemic Influenza Grant, and Health and Human Services Hospital Preparedness Program, FY 2011-12 ($3,990,354) - All Districts

JOHN WAYNE AIRPORT

25. Approve amendment to Phase 2 Commercial Airline Access Plan and Regulation to provide capacity for commercial air carrier operations servicing international destinations; approve Air Service Development Incentive Program; approve User Fee Airport Memorandum of Agreement with U.S. Customs and Border Protection for inspectional services; authorize Director to execute future amendments under certain conditions; and make California Environmental Quality Act findings - District 2

OC PUBLIC WORKS

26. Approve agreements with Cities of Aliso Viejo, Dana Point, Laguna Hills, Laguna Niguel and Laguna Woods for distribution of Coastal Area Road Improvements and Traffic Signals Road Fee Program funds; authorize Auditor-Controller or designee to make related payments and budget adjustments; and make California Environmental Quality Act and other findings - District 5 (4/5 vote of the members present)

27. Approve agreement MA-080-12010736 with S. Groner Associates, Inc. for Stormwater Education and Outreach Campaign services, 11/9/11 - 11/8/12 ($500,000); renewable for four one-year periods; and make California Environmental Quality Act findings - All Districts

28. Approve agreement D11-069 with Huitt-Zollars, Inc. for preparation of plans, specifications and cost estimates for La Pata Avenue/Camino Del Rio Extension project, two-year term ($6,000,000); authorize Auditor-Controller to make related budget adjustments; approve reallocation of Proposition 1B Funds from Antonio Parkway Widening Project ($1,600,000); and make California Environmental Quality Act findings - District 5 (4/5 vote of the members present)

29. Receive and file El Toro Development Strategy Presentation directing OC Public Works to explore viable development options for County parcels at El Toro MCAS; and make California Environmental Quality Act findings - District 3

30. **Acting as the Orange County Flood Control District -** Adopt resolution requiring County to annually appropriate revenue for management of habitat restoration measures, San Diego Creek Reach II; approving agreement D11-064 with State Department of Fish and Game for transfer of funds to Escrow Account 203 ($262,405); and make California Environmental Quality Act findings - District 3

OC WASTE & RECYCLING

31. Approve master agreement MA-299-12010620 with Quinn Company for heavy equipment maintenance and repair services for North, Central and South Region Landfills, 12/1/11 - 11/30/14 ($22,500,000); renewable for two additional one-year periods ($7,500,000 annually); and authorize Purchasing Agent or deputy to execute agreement - Districts 3, 4 & 5

32. Approve Second Amended and Restated Landfill Gas Rights & Production Facilities agreement with Bowerman Power, LLC for gas disposal system, Frank R. Bowerman Landfill; authorize Director to execute agreement and to make minor modifications to license; accept ownership of landfill gas collection and control system; authorize Auditor-Controller to make related payment; and make California Environmental Quality Act findings - District 3

PUBLIC PROTECTION

33. **Probation -** Approve renewal of agreement with Satellite Tracking of People, LLC for GPS electronic monitoring services, 12/15/11 - 12/14/12 ($700,000); and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

County Executive Office:

34. Approve proposed follow-up response to pending recommendation for FY 2010-11 Grand Jury Report entitled Child Abuse Emergency Response Effectiveness - All Districts

35. Consider second reading and adoption of "An Ordinance of the County of Orange, California, Adding Section 3-3-200 of the Codified Ordinances of the County of Orange to Assume Responsibility for Fire Protection in State Responsibility Areas" - All Districts (Continued from 10/25/11, Item 42)

36. Approve 2012 County of Orange Legislative Platform and consider other legislative subject matters - All Districts

37. Approve recommended grant applications submitted by OC Waste & Recycling and OC Community Resources/OC Community Services in 11/8/11 grant report and other actions as recommended; adopt resolution authorizing Director of OC Waste & Recycling or designee to submit, and execute agreement and amendments with State Department of Resources Recycling and Recovery (CalRecycle) for funding Rubberized Pavement Grant Program for resurfacing landfill access road at Frank R. Bowerman Landfill with Rubberized Asphalt Concrete - All Districts

38. Approve amendment 5 to agreement N1000011088 with Teogas, Inc., dba Advanced Systems Group for AIX Operating Software and Software Maintenance, 12/30/10 - 12/29/11 ($132,557.19); authorize Purchasing Agent or designee to execute agreement - All Districts

39. Revised Title to read:
Supervisor Nelson and Supervisor Bates - Approve additional subcommittee recommendations *or other options* regarding the Performance Audit of the Human Resources Department - All Districts

V. CLOSED SESSION (Items CS-1-CS-7)

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(a):
Name of Case: Sarkis Nargizian v. County of Orange, WCAB Case: ADJ3196920

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: GMC Engineering, Inc., etc. v. Orange County Public Works, etc., et al., Orange County Superior Court Case No. 30-2010-00420598

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

CS-4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:
Number of Cases: One Case

CS-5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Marley and Fred Knox v. County of Orange, et al. Orange County Superior Court Case No. 30-2010 00414270

Human Resources Department:

CS-6. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:
Title: County Executive Officer

CS-7. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organization: Association of County Law Enforcement Management (ACLEM), Orange County Attorneys Association (OCAA) and Orange County Managers Association (OCMA)
RE: Terms and Conditions of Employment

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:

November 15, 2011	**No Meeting Scheduled**
November 22, 2011	**Regular Meeting**
November 29, 2011	**No Meeting Scheduled**