A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, March 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

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 Bates, Fifth District

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-10)

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

Sheriff-Coroner:

1. Approve amendment 1 to agreement MA-060-12011223 renewing as MA-060-13011222 with Computer Deductions, Inc. for Live Scan software programming and support, 3/10/13 - 3/9/14 ($87,510); and authorize Purchasing Agent to execute amendment - All Districts

2. Approve agreement MA-060-13011270 with Satellite Tracking of People, LLC for continuous GPS electronic monitoring services and equipment, 2/26/13 - 2/25/14 ($520,125); renewable for four additional one-year periods; and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts (Continued from 2/26/13, Item 8)

3. Approve Memorandum of Understanding (MOU) with Superior Court for electronic data exchange, 3/5/13 - 12/31/17; and authorize Sheriff-Coroner's Director of Support Services to execute MOU - All Districts

OC COMMUNITY RESOURCES

4. Approve grant of easement and agreement with Santa Margarita Water District to utilize portion of O'Neill Regional Park property for Upper Chiquita Reservoir and use of reservoir's perimeter road; and make California Environmental Quality Act findings - District 5

5. Approve amendment 2 to Newport Dunes Settlement agreement with City of Newport Beach, Waterfront Resort Properties L.P. and Newport Dunes Marina, LLC for continued redevelopment of Newport Dunes Waterfront Resort; and make California Environmental Quality Act findings - District 2

OC PUBLIC WORKS

6. Receive bids and award contract to AOS Inc. dba Superior Roofing for roofing services ($500,000); and make California Environmental Quality Act findings - All Districts

7. Adopt resolution initiating 2013 Weed Abatement Program; set public hearing for 4/16/13, 9:30 a.m., to consider assessment to private property for removal of weeds by County contractor; and make California Environmental Quality Act findings - All Districts

8. Approve agreement MA-080-13011186 with EnergyCAP, Inc. for Utility Billing Management System maintenance, 4/1/13 - 3/31/18 ($156,428); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

9. **Acting as the Orange County Flood Control District -** Approve plans and specifications and set bid opening for 4/24/13, 2:00 p.m., for the Trabuco Creek Channel Levee Protection Project, Phase VII; approve amendment 1 to agreement D10-037 with Moulton Niguel Water District and Santa Margarita Water District for removal and replacement of joint owned Plant 3A Effluent Transmission Main; and make California Environmental Quality Act findings - District 5

10. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve plans and specifications and set bid opening for 3/27/13, 2:00 p.m., for Collins Welding Shop Exhaust System Project; and make California Environmental Quality Act findings - District 3

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 11-24)

ELECTED DEPARTMENT HEADS

11. **Assessor Department** - Approve amendment 1 to agreement MA-002-12011886 with Napoleon Dogaru, dba Modern eConcepts for technical system services and application support of the Assessment Tax System, 7/1/12 - 6/30/13 ($73,600; new total $239,200); and 7/1/13 - 6/30/14 ($257,600; new total $423,200); renewable for one additional year; and authorize Purchasing Agent or authorized Deputy to execute agreement and exercise contingency contract increase not to exceed 10% - All Districts (Continued from 2/26/13, Item 34)
Continued to 3/19/13, 9:30 A.M.

Sheriff-Coroner:

12. Ratify and approve amendment 6 to agreement MA-060-11011620 with Randstad North America L.P. dba Randstad Technologies, L.P. for information technology services, effective 2/1/12, extending term to 4/7/14 ($1,100,000; new total $3,289,816); and authorize Purchasing Agent or authorized Deputy to execute amendment - All Districts

13. Accept Urban Areas Security Initiative funds from City of Anaheim, FY 2010, for purchase of computer technology ($24,000); and authorize Purchasing Agent or authorized Deputy to purchase related equipment - All Districts

OC DANA POINT HARBOR

14. Approve amendment 5 to agreement MA-108-10012441 with Project Dimensions, Inc. for project management services associated with Dana Point Harbor Revitalization Plan, extending term five years ($4.7 million); and authorize Director or designee to execute amendment - District 5 (Continued from 2/5/13, Item 18; 2/26/13, Item 41)
Continued to 3/19/13, 9:30 A.M.

OC COMMUNITY RESOURCES

15. Receive bids and award Job Order Contracts (JOC) to Sea Pac Engineering, Inc. for JOC P010 (General Engineering) $1,000,000; Mackone Development, Inc. for JOC P011 (General Engineering) $1,000,000; PUB Construction, Inc. JOC P012 (General Building) $1,000,000; Vincor Construction, Inc. for JOC P013 (General Building) $1,000,000: FM & Sons, Inc. for JOC P014 (Earthwork & Paving) $1,000,000; and Excel Paving Company for JOC P015 (Earthwork & Paving) $1,000,000; and make California Environmental Quality Act findings - All Districts

OC PUBLIC WORKS

16. 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; 1/29/13, Item 48)
Revised Title to read:
OC Public Works - Authorize Director or designee to adjust Manchester Parking Facility parking rates effective 1/1/13 *7/1/13*; and make California Environmental Quality Act findings - District 3 (Continuedfrom 12/4/12, Item 27; 1/29/13, Item 48)

17. Receive bids and award contract to Roy Allan Slurry Seal, Inc. for slurry seal of various streets in Orange County ($1,296,953); and make California Environmental Quality Act findings - Districts 2 and 3
Revised Title to read:
OC Public Works - Receive bids and award contract to Roy Allan Slurry Seal, Inc. for slurry seal of various streets in Orange County ($1,296,953); and make California Environmental Quality Act findings - Districts *1*, 2 and 3

18. Approve amendment 1 to agreement D11-069 with Huitt-Zollars, Inc. for preparation of plans, specifications and cost estimates for La Pata Avenue/Camino Del Rio Extension Project ($450,000; new total $6,450,000); and make California Environmental Quality Act findings - District 5

OC WASTE & RECYCLING

19. Select Habitat West, Inc. as primary and Nature's Image, Inc. as alternate firms for landscape habitat maintenance services, South Region Landfills; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - Districts 3 & 5

GENERAL ADMINISTRATION

20. **Chairman Nelson** - Receive Slate of County Executive Officer candidates for interview; set date for Board of Supervisors Interview of County Executive Officer candidates; and provide additional direction to County Executive Office and Human Resource Services staff concerning the interview process - All Districts
Deleted

21. **Supervisor Spitzer** - Approve 2013 Affiliate Membership between the County of Orange and the Association of California Cities - Orange County, and authorize Interim County Executive Officer to sign the Affiliate Membership Agreement (Continued from 2/26/13, Item 48)

County Executive Office:

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

23. Approve amendment 4 to agreement C-9-0258 with Orange County Transportation Authority and City of Santa Ana for maintenance of restrooms in the former Santa Ana Transit Terminal extending term to 3/24/15 ($20,433.21 per year) - All Districts
Revised Title to read:
County Executive Office - Approve amendment 4 to agreement C-9-0258 with Orange County Transportation Authority and City of Santa Ana for maintenance of restrooms in the former Santa Ana Transit Terminal extending term to 3/24/15 ($20,433.21 per year) ; *and make California Environmental Quality Act findings* - All Districts

24. Provide in open session the recommended names for interview for position of Clerk-Recorder by the Board of Supervisors and select candidates and set date for final interview - All Districts (Continued RA 3 & 4 from 2/26/13, Item 51)
Deleted

SUPPLEMENTAL ITEM(S)

S24A. Chairman Nelson - Discussion of range of total compensation for the position of County Executive Officer

S23B. County Executive Office - Provide recommended names for interview for position of Clerk-Recorder candidates by the Board of Supervisors; select candidates and set date for final interview; and provide additional direction to County Executive Office and Human Resource Services - All Districts

S24C. Human Resource Services - Adopt resolution approving imposed unilaterally terms and conditions of employment for Orange County Attorney's Association - All Districts

IV. PUBLIC HEARINGS (None Scheduled)

V. CLOSED SESSION (Items CS-1-CS-3)

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

CS-1. **Chairman Nelson** - PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957:
Title: County Executive Officer

CS-2. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Cases: County of Orange, etc. v. Christopher Rayburn, etc., et al., Orange County Superior Court Case No. 30-2011-00531463; Christopher Rayburn, etc. v. County of Orange, et al., Orange County Superior Court Case No. 30-2011-00526044; Christopher Rayburn, etc. v. County of Orange, et al., United States District Court Case No. SACV 11-00287CJC (SHx)

CS-3. **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) 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:

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