REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 23, 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 Bates, Fifth District

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District

I N D E X

I. PRESENTATIONS/INTRODUCTIONS
Page 2
II. CONSENT CALENDAR (Items 1-36)
Page 2
III. DISCUSSION ITEMS (Items 37-60) Page 6

IV. PUBLIC HEARINGS (Item 61)
Page 8
V. RECESS & DISCUSSION (Item 62)
Page 8
VI. CLOSED SESSION (Items
CS-1-CS-3) Page 9
VI. PUBLIC, CEO, BOARD & EMAIL COMMENTS & ADJOURNMENT
Page 9

I. PRESENTATIONS/INTRODUCTIONS

Supervisor Nelson will welcome John Semcken, Vice President of Majestic Realty Co to provide a briefing on plans for a new NFL stadium/complex in Industry Hills

Chairman Campbell will recognize OC Crime Lab staff for achieving Breath Alcohol Calibration Laboratory accreditation

II. CONSENT CALENDAR (Items 1-36)

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 Campbell -** Assessment Appeals Board No. 2 - Appoint Claude Parrish, Tustin, to complete term ending 9/1/13
   Deleted

Supervisor Moorlach:

2. Assessment Appeals Board No. 2 - Reappoint Janine Heft, Laguna Hills, for term ending 8/31/14

3. Assessment Appeals Board No. 3 - Reappoint John W. Briscoe, Fountain Valley, for term ending 8/31/14

4. Assessment Appeals Board No. 4 - Reappoint Ben Selcho, Fountain Valley, for term ending 8/31/14

5. Assessment Appeals Board No. 5 - Reappoint Irene E. Ziebarth, Newport Beach, for term ending 8/31/14

ELECTED DEPARTMENT HEADS

District Attorney:

6. Adopt resolution approving FY 2010-11 Federal Equitable Sharing agreement and Certification Report - All Districts

7. Approve Real Estate Fraud Prosecution Annual Report, FY 2010-11 Pursuant to Government Code Section 27388 (d) (1) & (d) (2) - All Districts

Sheriff-Coroner:

8. Approve agreement 11112308 with State of California for Peace Officer Standards and Training (POST) Driving and Force Option Simulator courses, 7/1/11 - 6/30/12 ($158,000); and authorize Sheriff-Coroner or designee to execute - All Districts

9. Approve agreement MA-060-12010125 with Siemens Industry Inc. for maintenance of energy management system, Theo Lacy Facility, 9/1/11 - 8/31/12 ($49,292); renewable annually for three years ($50,624 year two; $51,536 year three; $52,928 year four); and authorize Purchasing Agent or deputy to execute agreement - District 3

10. Approve renewal of agreement MA-060-12010120 with Siemens Industry Inc. for maintenance and repairs of Coroner facility energy management system hardware and software, 9/13/11 - 9/12/12 ($17,988); and authorize Purchasing Agent or deputy to execute agreement - District 1

11. Approve FY 2010-11 Federal Equitable Sharing Agreements and Certification Reports for federally forfeited property or proceeds received for Sheriff-Coroner Department, Regional Narcotics Suppression Program and Orange County Pro-Active MethLab Investigative Task Force - All Districts

12. **Treasurer-Tax Collector -** Approve amendment 1 to agreement MA-074-10010576 with SalePoint for additional programming to J-Point Cashiering System ($33,600; new total $232,280); and authorize Purchasing Agent to execute agreement - All Districts

HEALTH CARE AGENCY

13. Approve agreement with Hospital Association of Southern California for administrative services for Medical Services Initiative Program, 9/1/11 - 6/30/12 ($293,555); authorize Director or designee to execute agreement - All Districts

14. Authorize Purchasing Agent or authorized deputy to execute amendment 6 to subordinate agreement DO-042-11011098 as master agreement MA-042-11012582 with Cellco Partnership dba Verizon Wireless for wireless services and equipment purchases, 10/1/11 - 9/30/12 ($400,000) - All Districts

15. Approve agreements with Community Action Partnership of Orange County for Network for a Healthy California - Children's Power Play! Campaign services ($140,000) and Latino Campaign services ($155,000), 10/1/11 - 9/30/12; and authorize Director or designee to execute agreements - All Districts

JOHN WAYNE AIRPORT

16. Adopt resolution approving Terminal C and Parking Structure C Opening Events Sponsor Program; authorize Airport Enterprise funds for food and beverages supporting the grand opening events; and make California Environmental Quality Act and other findings - District 2

17. Approve plans and specifications and set bid opening for 10/11/11, 2:00 p.m. for Bristol Street Slope Stabilization 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

18. Approve plans and specifications and set bid opening for 9/28/11, 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

OC COMMUNITY RESOURCES

19. Approve easement agreement with T-Mobile West Corporation for utility line purposes , O'Neill Regional Park; and make California Environmental Quality Act findings - District 5

20. Approve Declaration of Restrictions for 14.1 acres of coastal sage scrub habitat at Clark Regional Park; and make California Environmental Quality Act findings - District 4

21. Approve Master Agreement with various providers for veterinary services at OC Animal Care shelter, 9/29/11 - 9/28/13 ($232,000 per year with an aggregate amount not to exceed $464,000); and authorize Director or designee to execute agreements - All Districts

22. Accept donation of $10,500 from Friends of El Toro Library to purchase library books and materials for El Toro Branch Library - District 5

23. Receive bids and award contract to Roofing Standards, Inc. for replacement of roof, OC Public Libraries Headquarters ($168,000) - District 1

24. **Acting as the Orange County Housing Authority** - Authorize Executive Director or designee to sign Section 8 Management Assessment Program Certification and related documents for monitoring key areas of performance of Section 8 Housing Choice Voucher Program - All Districts

OC PUBLIC WORKS

25. Approve agreement D11-013 with State Department of Transportation for documentation of State Route 241 traffic circulation; and make California Environmental Quality Act findings - Districts 3 & 5 (Continued from 5/24/11, Item 28; 6/28/11, Item 18)
Deleted

26. Authorize Purchasing Agent or designee to execute amendment 1 to agreement MA-080-11010082 with Webco, LB LLC, for annual North County street sweeping services, 9/15/11 - 9/14/12 ($180,544); and make California Environmental Quality Act findings - Districts 2, 3, 4 & 5

27. Receive and file Traffic Committee Report dated 6/16/11; approve recommendations and adopt necessary resolution; rescind resolution 01-194; and make California Environmental Quality Act findings - District 5
Continued to 9/13/11, 9:30 a.m.

28. Approve contract CT-080-1210053 with Curiosity Quest for sponsorship of television programming concerning pollution clean-up and pollution prevention, 8/23/11 - 8/22/12 ($150,000); and make California Environmental Quality Act findings - All Districts
Revised Title to read:
OC Public Works - Approve contract CT-080-12*0*10053 with Curiosity Quest for sponsorship of television programming concerning pollution clean-up and pollution prevention, 8/23/11 - 8/22/12 ($150,000); and make California Environmental Quality Act findings - All Districts

29. **Acting as the Orange County Flood Control District** - Approve agreement D11-002 with Riverside County Flood Control and Water Conservation District, and Riverside County Transportation Commission for cost-sharing of design and construction of permanent bridge and driveway, temporary bikeway detour and various utility relocations for Santa Ana River Mainstem Reach 9 Phase 2B Project; and make California Environmental Quality Act findings - District 3

PUBLIC PROTECTION

Probation:

30. Approve Federal Equitable Sharing agreement, 10/1/11 - 9/30/12 and Federal Annual Certification Report, FY 2010 - 11; authorize Chief Probation Officer to execute agreement and report; and make California Environmental Quality Act findings - All Districts

31. Approve agreement with Orange County Superintendent of Schools for provision of Probation Officer and support services for Community School Program, 9/1/11 - 8/31/12 ($389,885) - All Districts

32. Approve agreement MA-057-12010326 with North Orange County Regional Occupational Program for personnel support services, Youth Guidance Center and Youth Leadership Academy, 9/1/11 - 8/31/12 ($160,000); renewable for one year; authorize Purchasing Agent or designee to execute; and make California Environmental Quality Act findings - Districts 1 & 3

GENERAL ADMINISTRATION

33. **Clerk of the Board** - Approve agreement MA-011-10210155 with SouthTech Systems, Inc. for licensing, software maintenance and technical support of agenda automation software, 9/1/11 - 8/31/14 ($163,425) - All Districts

34. **County Executive Office** - Authorize retroactive payment to William Mahoney for oversight and evaluation of Public Administrator/Public Guardian Office from 4/4/11 - 4/15/11 ($13,345) and 7/25/11 - 7/29/11 ($7,735) - All Districts (Continued from 8/9/11, Item 23)

35. **Human Resources Department -** Approve agreements with Alliance of Orange County Workers (AOCW), American Federation of State, Municipal and County Employees (AFSCME), International Union of Operating Engineers (IUOE) and Orange County Employees Association (OCEA) for 2011 Salary Reopener - All Districts (Continued from 7/19/11, Item 11) Deleted

36. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for July 2011 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 37-60)

At this time, members of the public may ask the Board to be heard on the following items as those items are called.

HEALTH CARE AGENCY

37. Approve master agreement with various providers of professional medical, dental, behavioral and other support services, 9/29/11 - 9/28/12; and authorize Director or designee to execute agreements - All Districts

JOHN WAYNE AIRPORT

38. Approve agreement with Flagship Airport Services, Inc. for janitorial services, 10/1/11 - 9/30/12 ($4,115,071); renewable for four additional one-year periods with Board approval beyond second year; authorize Purchasing Agent or designee to execute agreement and exercise contingency contract cost increase not to exceed 1.5% and $306,065 for carpet cleaning contingency without further Board action; and make California Environmental Quality Act findings - District 2

39. Receive bids and award contract to SEMA Construction, Inc. for Seismic Remediation Elevated Roadway project ($4,762,425.35); and make California Environmental Quality Act findings - District 2

40. Approve amendment 1 to agreement with Butier Engineering, Inc. for project management services ($773,853; new total $2,273,853); and make California Environmental Quality Act findings - District 2

41. Approve amendment 1 to agreement MA-280-CVPAN1000010024 with International Business Machines (IBM) for Information Systems Security Outsourcing, 7/1/08 - 6/30/13 ($71,962; new total $858,966); authorize Purchasing Agent or deputy to execute; and make California Environmental Quality Act findings - District 2

42. Approve amendment 4 to agreement with Orange County Fire Authority for aircraft rescue fire fighting services, 9/1/11 - 11/30/11 ($1,186,391); authorize Purchasing Agent or deputy to execute; and make California Environmental Quality Act findings - District 2

OC DANA POINT HARBOR

43. Select various firms in ranked lists for on-call professional Coastal Engineering, Environmental Engineering, General Engineering, Geotechnical Engineering and Architectural services; authorize negotiation of agreements for Board approval; and make California Environmental Quality Act findings - All Districts

OC COMMUNITY RESOURCES

44. Approve agreement for purchase and sale and joint escrow instructions with Saddleback Vineyards,100, LLC for purchase of 100 acres to enhance recreational opportunities by providing permanent trail access to Cleveland National Forest from Modjeska Grade Road ($2,300,000); authorize Director or designee to sign escrow documents; authorize Auditor-Controller to make related payments; and make California Environmental Quality Act findings - District 3

45. Approve agreement MA-012-12010099 with Merchants Landscape Services, Inc. for landscape maintenance services at five regional parks, 9/1/11 - 8/31/12 ($1,642,869); renewable for four one-year periods; make California Environmental Quality Act findings; and authorize Purchasing Agent or designee to execute agreement - All Districts

46. **Acting as the Board of Supervisors and Orange County Development Agency** - Consider second reading and adoption of "An Ordinance of the County of Orange, California, Determining It Will Comply With the Voluntary Alternative Redevelopment Program Pursuant To Part 1.9 of Division 24 of the California Health and Safety Code In Order To Permit the Continued Existence and Operation of the Orange County Development Agency" - All Districts (Continued from 8/9/11, Item 31)
Revised Title to read:
OC Community Resources - Acting as the Board of Supervisors and Orange County Development Agency - Consider second reading and adoption of "An Ordinance of the County of Orange, California, Determining It Will Comply With the Voluntary Alternative Redevelopment Program Pursuant To Part 1.9 of Division 24 of the California Health and Safety Code In Order To Permit the Continued Existence and Operation of the Orange County Development Agency"*; adopt Enforceable Obligation Payment Schedule as required by AB 1X 26; and approve Transfer agreement with Orange County Development Agency authorizing County Executive Officer or designee to execute on behalf of the Orange County Development Agency* - All Districts (Continued from 8/9/11, Item 31)

SOCIAL SERVICES AGENCY

47. Approve agreement RTM0311 with ACCESS California Services and Vietnamese Community of Orange County, Inc. to provide, employment, support, mentoring, and citizenship and naturalization services for refugees, 10/1/11 - 9/30/14 ($356,126 per year; new total $1,068,378); authorize Director or designee to extend term for twelve additional months under certain conditions and to exercise contingency increase not to exceed 10% - All Districts

GENERAL ADMINISTRATION

48. **County Counsel -** Response to 8/9/11 Board Directive - Human Resources Department Audit Subcommittee Report - classification study of Executive Management position 67 - All Districts
Continued to 9/13/11, 9:30 a.m.

County Executive Office:

49. Consider directing staff to develop legislative proposals to implement options for New Elected Members of the Board of Supervisors Retirement Plan - All Districts
(Continued from 6/21/11, Item 55; 7/19/11, Item 24)
CONTINUED TO 9/13/11, 9:30 A.M.
Continued to 9/13/11, 9:30 a.m.

50. Consider first reading of "An Ordinance of the County of Orange, California, Approving and Adopting a Boundary Change Between the County of Orange and the County of Los Angeles" along Coyote Creek Channel near the cities of Seal Beach and Los Alamitos; and set second reading and adoption for 9/13/11, 9:30 a.m. - All Districts
(Continued 1st reading from 7/26/11, Item 31)
Continued to 9/20/11, 9:30 a.m.

51. Approve proposed response to FY 2010-11 Grand Jury Report "County of Orange Compensation Disclosure" - All Districts

52. Approve proposed response to FY 2010-11 Grand Jury Report "Addictive Prescription Drugs and Orange County Seniors" - All Districts

53. Approve proposed response to FY 2010-11 Grand Jury Report "The Youth Leadership Academy: A Program Review" - All Districts

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

55. Approve agreements with Stephen Connolly as Executive Director, 9/1/11 - 6/30/14 ($210,000 per year plus County Executive Manager car allowance subject to continuing appropriations) and with John W. Harris as Investigations Analyst, 9/1/11 - 6/30/14 ($91,800 per year) for Office of Independent Review - All Districts (Continued from 8/9/11, Item 37)

56. Approve recommended grant applications submitted by Health Care Agency, OC Public Works, Sheriff-Coroner and District Attorney in 8/23/11 grant report and other actions as recommended; adopt resolutions authorizing District Attorney or designee to execute grant agreements and amendments under certain conditions with State Department of Insurance (DOI) for Disability and Healthcare Insurance Fraud Program, 7/1/11 - 6/30/12 ($586,500) and for Life and Annuity Consumer Protection Program, 7/1/11 - 6/30/12 ($300,000) - All Districts

57. **Supervisor Nelson and Supervisor Bates** - Response to 8/9/11 Board Directive - Discussion of Request for Proposals for Outside Contract Negotiator for 2012 labor negotiations - All Districts
Revised title to read:
Supervisor Nelson and Supervisor Bates - Response to 8/9/11 Board Directive - ~~Discussion~~ *Approve Scope of Work for* ~~of~~ Request for Proposals for Outside Contract Negotiator for 2012 labor negotiations - All Districts

Human Resources Department:

58. Authorize Human Resources Department/Employee Benefits Deputy Purchasing Agent to execute amendment 3 to agreement with California Physician Services, Inc. dba Blue Shield of California for claims administration, cost management services and preferred provider organization network for the Self-Funded PPO Health Plans and Management and Attorney Dental Plan, 1/1/12 - 12/31/12 - All Districts (Continued from 7/26/11, Item 38; RA #3 from 8/9/11, Item 42)

59. Authorize Purchasing Agent or authorized deputy to execute agreement with Mercer Health & Benefits LLC for employee benefits consulting and actuarial services, 12/8/11 - 12/7/14 ($1,230,000); renewable for two additional one year periods - All Districts

60. Approve amendment 2 to agreement N10000010242 with Mercer Investment Consulting, Inc. for investment consultant services for County's Defined Contribution Programs and Extra Help Employee Defined Benefit Plan, 11/19/11 - 11/18/12 and authorize Director or designee to execute amendment - All Districts

IV. PUBLIC HEARINGS (Item 61)

GENERAL ADMINISTRATION

61. **County Executive Office -** Public Hearing to consider selection of Redistricting Proposal; direct OC Public Works to prepare a legal description of selected proposal for inclusion in final redistricting ordinance and return to the Board for a second Public Hearing and proposal adoption on 9/13/11, 9:30 a.m. - All Districts

V. RECESS & DISCUSSION (Item 62)

1:00 P.M.

62. **County Executive Office -** Discussion of Strategic Real Estate/Facility Issues and Board Policy Directives
Deleted

VI. 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

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: State of California v. Kirkhill-TA, Co., Orange County Superior Court Case No. 30-2011-00463149-CU-TT-CJC

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

CS-3. **Human Resources Department -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organization: Orange County Attorneys Association (OCAA) and Orange County Managers Association (OCMA)
RE: Terms and Conditions of Employment

VII. 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:

August 30, 2011	**No Scheduled Meeting**
September 6, 2011	**No Scheduled Meeting**
September 13, 2011	**Regular Meeting**

This site is not the official record and may not include

all additions or changes to the agenda.

Darlene J. Bloom, Clerk of the Board