A G E N D A

REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, March 19, 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 Spitzer, Third District

PLEDGE OF ALLEGIANCE: Supervisor Moorlach, Second District

I. PRESENTATIONS/INTRODUCTIONS

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

1. **Supervisor Nguyen -** Oversight Board of the Successor to the City Redevelopment Agencies, Westminster - Appoint Sandy J. Hemphill

2. **Supervisor Nelson -** Development Processing Review Committee - Appoint Lawerence P. Woodard, Sr., Anaheim, for term concurrent with 4th District Supervisor's term of office

COMMENDATIONS/PROCLAMATIONS/REPORTS

3. **Supervisor Bates -** Adopt resolution congratulating members of El Viaje de Portola (The Portola Riders) on their 50th anniversary celebration

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

4. Approve agreement PO-060-13012102 with Helinet Aviation Services LLC for purchase and installation of helicopter video downlink equipment ($159,207); and authorize Purchasing Agent or authorized Deputy to execute agreement - All Districts

5. Approve agreement MA-060-13011271 with HL Miller, Inc. for general construction and maintenance services, 3/19/13 - 1/8/14 ($325,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

HEALTH CARE AGENCY

6. Adopt resolution authorizing application of Article 4.7 of Chapter 2 of the Lanterman-Petris Short Act as an alternative to conservatorship under certain conditions - All Districts

7. Authorize Health Care Agency to utilize necessary funding required to meet actual service level as requested by user departments for agreement with Occupational Health Centers of California, dba Concentra Medical Centers for physical examination services, 7/1/12 - 6/30/13 - All Districts

JOHN WAYNE AIRPORT

8. Select Ninyo & Moore Geotechnical & Environmental Sciences Consultants and MTGL, Inc. as primary and Twining, Inc. as alternate firms for testing and inspection services; authorize Director or designee to negotiate agreements for Board approval; and make California Environmental Quality Act findings - District 2

OC PUBLIC WORKS

9. Approve Tract Map 17060, Tri Point Homes, Inc. and RMV Community Development, LLC; accept dedication for street purposes and vehicular access rights; accept easements for street lights, sewer and water and survey monumentation; approve agreement S1112-168 and accept bonds guaranteeing construction improvements; and make California Environmental Quality Act findings - District 5

10. Approve Tract Map 17059, Tri Point Homes, Inc. and RMV Community Development, LLC; accept dedication for street purposes and vehicular access rights; accept easements for street lights, sewer and water and survey monumentation; approve agreement S1112-167 and accept bonds guaranteeing construction improvements; and make California Environmental Quality Act findings - District 5

11. Approve plans and specifications and set bid opening for 5/1/13, 2:00 p.m., for asphalt overlay resurfacing of various streets in Orange County, 2012-13; approve agreement D12-010 with Orange County Sanitation District for raising of manhole installations ($110,250); and make California Environmental Quality Act findings - Districts 1, 2 and 3

12. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve amendment 2 to agreement MA-080-11012476 with LA Consulting, Inc. for maintenance system enhancements and program management support services, 5/3/13 - 5/2/14 ($238,548); and make California Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

13. **Probation** - Accept grant award and approve agreement with Board of State and Community Corrections, for Phase III of Enhanced Disproportionate Minority Contact-Technical Assistance Project II, 10/1/12 - 12/31/13 ($150,000); authorize Chief Probation Officer or designee to execute grant agreement; approve agreement with The W. Haywood Burns Institute for consulting services, term ending 12/31/13 ($75,000); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

14. Approve the proposed amendments to the Conflict of Interest Code Designated Filers Exhibits for the County Executive Office and Treasurer-Tax Collector - All Districts

15. Approve initial Conflict of Interest Code for El Sol Science & Arts Academy of Santa Ana, a California Public Charter School - All Districts

16. Approve re-adoption of the State's Model Code by reference and modifications to Designated Filer Positions and Disclosure Categories Exhibits A & B for Orange County Fringe Benefits Joint Powers Authority, Public Cable Television Authority and Rossmoor Community Services District - All Districts

17. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for February 2013 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-33)

ELECTED DEPARTMENT HEADS

Assessor Department:

18. 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; 3/5/13, Item 11)

19. Approve amended agreement MA-002-13010579, 11/12/12 - 6/30/13, ($452,100; new total $1,333,200) and renewal of agreement MA-002-13010579, 7/1/13 - 6/30/14 ($1,333,200) with Brainsharp Inc., for Assessment Tax System (ATS II) application support, operations and adjustments; and authorize Purchasing Agent or authorized Deputy to execute amendment and agreement - All Districts

20. **Auditor-Controller -** Adopt recommendation of the Audit Oversight Committee and the RFP evaluation panel to select Macias, Gini & O'Connell or alternatively select Vavrinek, Trine, Day & Co., for independent auditing and related services, FYs 12-13, 13-14 and 14-15 renewable for two additional years; and authorize negotiation of agreement for Board approval - All Districts

21. **Sheriff-Coroner -** 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 (Continued from 3/5/13, Item 12; 3/12/13, Item 12)

22. **Treasurer-Tax Collector -** Receive and file 2012 Treasury Oversight Committee Annual Report - All Districts

OC DANA POINT HARBOR

23. 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; 3/5/13, Item 14)
Continued to 4/9/13, 9:30 A.M.

OC COMMUNITY RESOURCES

24. Receive bids and award contract to Big Ben, Inc. for construction of the Irvine Ranch Historic Park Utility Infrastructure Project ($1,899,286); and make California Environmental Quality Act findings - District 3

SOCIAL SERVICES AGENCY

25. Approve selection of various providers to provide Wraparound Orange County services, 7/1/13 - 6/30/18; and authorize negotiation of agreements for Board approval - All Districts

GENERAL ADMINISTRATION

County Executive Office:

26. Approve grant applications/awards submitted by Health Care Agency, OC Public Works and Sheriff-Coroner in 3/19/13 grant report and other actions recommended; and adopt resolution authorizing Director or designee to negotiate and execute agreements with California Department of Water Resources and with cities/water districts, on behalf of South Orange County Integrated Regional Water Management Group and to approve amendments under certain conditions and execute related documents - All Districts

27. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts (Continued RA #1 from 3/12/13, Item 22)
Revised Title to read:
County Executive Office - Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts (Continued RA #1 from 3/12/13 *3/5/13*, Item 22)

28. Approve proposed follow-up responses to pending recommendations for FY 2011-12 Grand Jury Reports - All Districts

29. Approve amendment 2 to Memorandum of Understanding for services provided by Superior Court to the County to allow for additional human resource services for OC Public Works, term ending 6/30/13 ($70,000); and authorize County Executive Officer or designee to execute amendment - All Districts

30. Approve selection of Stradling Yocca Carlson & Rauth as bond counsel firm for proposed Tustin Regional Park financing project - District 3 (Continued from 3/12/13, Item 18)

31. Provide slate of names for interview by the Board of Supervisors for position of Auditor-Controller; select final candidates and set date for interviews; and provide additional direction to County Executive Office and Human Resource Services - All Districts

32. **Chairman Nelson** - Discuss and provide direction to staff for preparation of draft response to the Grand Jury Report "CalOptima Burns While Majority of Supervisors Fiddle" (Continued from 2/26/13, Item 46)

33. **Supervisor Bates and Supervisor Nguyen** - Appointment of County Executive Officer - All Districts
Revised Title to read:
Supervisor Bates and Supervisor Nguyen - *Determine and approve annual salary to be paid to County Executive Officer;* Appointment *Chandra L. Wallar as* of County Executive Officer *for a two year term and ratify employment agreement* - All Districts

Supplemental Item(s)

S33A. **Human Resource Services -** Appoint Philip Cheng and approve agreement for position of Performance Audit Director - All Districts

IV. PUBLIC HEARINGS (Item 34)

GENERAL ADMINISTRATION

34. **County Executive Office -** Public Hearing to consider first reading and adoption of "An Ordinance of the County of Orange, California Approving a Public/Private Partnership with Related/Griffin for the Assessment and Construction of an Office Building for Governmental and Commercial Uses in the Santa Ana Civic Center"; approve agreement CT-080-13010515 with Griffin Structures, Inc. for Building 16/Civic Center Master Plan Study, 2/26/13 - 2/25/14 ($459,450); authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - District 1 (4/5 vote of membership) (Continued from 2/26/13, Item 52; 3/12/13, Item 19)

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

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

County Counsel:

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: William J. Hunt v. County of Orange, et al., Orange County Superior Court Case No. 30-2009 00313239

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Jo Ann Galisky v. County of Orange, et al., Orange County Superior Court Case No. 30-2009 00122880

CS-4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: Multiple Potential Actions

CS-5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

CS-6. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: County Owned and Leased Buildings, Civic Center, Santa Ana, CA
County Negotiator: Robert J. Franz
Negotiating Party: Related/Griffin, and future sellers or lessors in the Civic Center area, Santa CA
Under Negotiations: Terms and potential development(s)

CS-7. **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 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 26, 2013	**No Scheduled Meeting**
April 2, 2013	**No Scheduled Meeting**
April 9, 2013	**Regular Meeting**