REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 9, 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 August 2011 as "Eligibility Professionals Recognition Month"

II. CONSENT CALENDAR (Items 1-23)

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

Chairman Campbell:

1. Waste Management Commission - Reappoint Donald R. Froelich, Laguna Hills, to complete term ending 1/18/13

2. Assessment Appeals Board No. 4 - Reappoint Mary Aileen Matheis, Irvine, for term ending 8/31/14

3. **Supervisor Moorlach -** Public Financing Advisory Committee - Reappoint Lisa Bergman Hughes, Tustin, for term ending 8/11/14

4. **Supervisor Nguyen -** Assessment Appeals Board No. 5 - Reappoint Scott Weimer, Garden Grove, for term ending 8/31/14

Supervisor Nelson:

5. Regional Recreational Trails Advisory Committee - Reappoint Vince Buck, Fullerton, for term concurrent with 4th District Supervisor's term of office

6. Emergency Medical Care Committee - Reappoint Jon Gilwee, Fullerton, for term ending 6/30/13

DEPARTMENT APPOINTMENTS

7. **Social Services Agency -** Orange County Child Care and Development Planning Council - Appoint Anne Broussard, Costa Mesa; Michelle Pellicino, Irvine; Debbie Warren, Laguna Niguel and Jia Xu, Irvine, to complete terms ending 8/5/12; appoint Faith Polk, Ladera Ranch, for term ending 8/5/13; and reappoint Roseann Andrus, City of Industry; Ann Saneto, Irvine; Valerie Padilla, Hacienda Heights; Marilee Cosgrove, Fullerton; Gwen Morgan-Beazell, Santa Ana; Yvonne Gonzalez Duncan, Huntington Beach; Dorene Ruse, Tustin; Maureen Fitzpatrick, San Clemente and Annette Jewell, Costa Mesa, for terms ending 8/5/13 - All Districts

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

8. Approve agreement 11112445 with State of California for Peace Officer Standards and Training (POST) Supervisory Course, 7/1/11 - 6/30/12; accept reimbursement for training costs ($32,580); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

9. Approve agreement 11112111 with State of California for Peace Officer Standards and Training (POST) Basic Narcotics Investigation course, 7/1/11 - 6/30/12; accept reimbursement for training costs ($43,200); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

10. Approve amendment A1 to agreement 00112123 with State of California for coroner training courses for Commission on Peace Officer Standards and Training (POST), extending term to 9/30/11; and authorize Sheriff-Coroner or designee to execute amendment - All Districts

HEALTH CARE AGENCY

11. Approve Nurse-Family Partnership Implementation agreement with Nurse-Family Partnership, 9/1/11 - 12/31/14 ($150,000); and authorize Director or designee to execute agreement - All Districts

12. Approve amendment 2 to agreement MA-042-11011146 with Alquest Technologies, Inc. for voice and data related cabling services, 1/1/11 - 12/31/11 ($102,000; new total $200,000); and authorize Purchasing Agent or deputy to execute agreement - All Districts

13. Approve agreement with Cerner Corporation for provision of HIPAA 5010 Conversion Services, 8/10/11 - 2/29/12 ($118,720); and authorize Director or designee to execute agreement - All Districts

JOHN WAYNE AIRPORT

14. Approve amendment 1 to agreement MA-280-CVPAN1000010150 with Siemens Industry, Inc. for software maintenance of John Wayne Airport's Interior Environmental Control System, 9/1/11 - 10/31/13 ($93,508.66); and authorize Purchasing Agent or deputy to execute agreement; and make California Environmental Quality Act findings - District 2

OC PUBLIC WORKS

15. Approve renewal of contract MA-080-11010177 with Republic Intelligent Transportation Services, Inc. for traffic signal maintenance services, 10/1/11 - 9/30/12 ($507,317); and make California Environmental Quality Act findings - All Districts

16. Receive bids and award contract to Highland Construction, Inc. for Black Star Canyon Road Bridges Project ($704,081); and make California Environmental Quality Act findings - District 3

17. Receive bids and award contract to Mamco, Inc. for the Kline Drive Improvements Project ($538,538.00); adopt resolution declaring Kline Drive to be a County highway for construction purposes; and make California Environmental Quality Act findings - District 2

18. **Acting as the Orange County Flood Control District -** Approve cooperative agreement and grant deed with Orange County Transportation Authority for sale of real property, 10,033 square-foot segment of Bixby Storm Channel ($35,115); and make California Environmental Quality Act and other findings - District 2

OC WASTE & RECYCLING

19. Ratify termination of Horizons Construction Company's right to proceed with incomplete portions of work; authorize OC Waste & Recycling to perform incomplete work utilizing County resources and private sector contractors for office building, Prima Deshecha Landfill; and make California Environmental Quality Act findings - District 5

PUBLIC PROTECTION

20. **Probation -** Ratify execution of agreement with and accept grant award from The Annie E. Casey Foundation for Juvenile Detention Alternatives Initiative 12/1/10 - 11/30/11 ($78,585); and make California Environmental Quality Act findings - All Districts

21. **Public Defender -** Approve amendment 1 to lease agreement with Cornerstone Partners IV, LLC for additional early termination provisions; and make California Environmental Quality Act findings - District 2

GENERAL ADMINISTRATION

County Executive Office:

22. Receive and file Quarterly Information Technology Project Status Detail and Executive Summary Reports for April - June 2011 and Risk Assessment Report for April - June 2011 - All Districts

23. Authorize payment to William D. Mahoney for services related to the Public Administrator/Public Guardian Office from 4/4/11 - 4/15/11 ($13,345) - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 24-43)

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

ELECTED DEPARTMENT HEADS

24. **Auditor-Controller -** Receive and file PTMS Quarterly Project Status Report for May - July 2011- All Districts

25. **Sheriff-Coroner -** Approve and ratify modification 3 to agreement 12-04-0028 with United States Marshals Service regarding release of federal inmates housed in Central Jails Complex - All Districts
Revised Title to read:
Sheriff-Coroner - Approve ~~and ratify modification~~ *amendment* 3 to agreement 12-04-0028 with United States Marshals Service regarding release of federal inmates housed in Central Jails Complex - All Districts

HEALTH CARE AGENCY

26. Approve master agreement and selection of various vendors for outreach and engagement services, 8/1/11 - 6/30/13 ($4,699,995); and authorize Director or designee to execute agreements - All Districts (Continued from 7/26/11, Item 18)

27. Approve master agreement and selection of various vendors for Socialization Program for isolated adults and older adults, 8/1/11 - 6/30/13 ($2,414,499); and authorize Director or designee to execute agreements - All Districts (Continued from 7/26/11, Item 19)

28. Approve agreement with Advanced Medical Management, Inc. for Fiscal Intermediary services for Medical Services Initiative program, 8/10/11 - 9/30/14 ($10,351,603); authorize the Director or designee to execute agreement; and authorize Director, purchasing agent or designee to exercise cost contingency increase for agreement not to exceed 10% under certain conditions - All Districts

JOHN WAYNE AIRPORT

29. Approve amendment 4 to agreement with T.Y. Lin International/Integrated Design Services for changes in design engineering services ($250,898; new total $1,747,625); and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

30. Response to 5/24/11 Board Directive - Receive and file Alternatives for Armory Emergency Shelter Program Report - All Districts (Continued from 7/19/11, Item 18)

31. **Acting as the Board of Supervisors and Orange County Development Agency -** Consider first reading 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"; and set second reading and adoption for 8/23/11, 9:30 a.m. - All Districts

OC PUBLIC WORKS

32. Approve Notice of Option to Convey and grant deed with Eastcom Corporation for purchase of real property located at 888 North Main Street, Santa Ana; authorize Director or designee to execute all necessary documents and perform related actions; authorize Auditor-Controller to make related payments; and make California Environmental Quality Act findings - All Districts

33. **Acting as the Orange County Flood Control District -** Waive irregularity in bid proposals submitted by W.A. Rasic Construction Co., Inc.; J.F. Shea Construction, Inc. and Flatiron West, Inc.; receive bids and award contract to W.A. Rasic Construction Co., Inc. for the Santa Ana River Interceptor Mainline Project ($41,850,000); make budgetary adjustments; and make California Environmental Quality Act findings - District 3 (RA 6, 4/5 vote of members present) (Continued from 7/26/11, Item 24)
Revised Title to read:
OC Public Works - Acting as the Orange County Flood Control District - Waive irregularity in bid proposals submitted by *Declare bids of* W.A. Rasic Construction Co., Inc.; J.F. Shea Construction, Inc. and Flatiron West, Inc. *to be non-responsive*; receive bids and award contract to W.A. Rasic Construction Co., Inc. *Spiniello Companies* for the Santa Ana River Interceptor Mainline Project ($41,850,000) *($45,006,800)*; make budgetary adjustments; and make California Environmental Quality Act findings - District 3 *(RA 6, 4/5 vote of members present)* (Continued from 7/26/11, Item 24)

GENERAL ADMINISTRATION

County Executive Office:

34. Approve proposed response to FY 2010-11 Grand Jury Report "Orange County Sheriff's Department Inmate Re-Entry Unit" - All Districts

35. Approve recommended grant applications submitted by District Attorney, OC Community Resources/OC Community Services/Orange County Investment Board and Social Services Agency in 8/9/11 grant report and other actions as recommended - All Districts

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

37. 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 to 8/23/11, 9:30 a.m.

Human Resources Department:

38. Approve 2011-2013 Memorandum of Understanding with Orange County Managers Association (OCMA) - All Districts (Continued from 6/21/11, Item 57; 6/28/11, Item 62; 7/26/11, Item 34)

39. Adopt Employee Health Plans Rate Tables with CIGNA and Kaiser for 2012 - All Districts (Continued from 7/26/11, Item 35)

40. Adopt Employee Health Plan Rate Tables for Self-funded PPO Premier Wellwise and Premier Sharewell for 2012; approve third amended and restated Premier Wellwise Health Plan Document and second amended and restated Premier Sharewell Health Plan Document for employees, effective 1/1/12; and establish an Internal Service Fund 292 target reserve amount of 30% of estimated annual claim expense for employee self-funded PPO Plans - All Districts (Continued from 7/26/11, Item 36)

41. Approve Retiree Insured Health Plan Rates for 2012; and authorize Director or designee to sign Group Benefit/Service Policies with Anthem Blue Cross, Kaiser Permanente Health Plan, Inc. and SCAN after approval by Department of Managed Care or Centers of Medicare and Medicaid Services - All Districts (Continued from 7/26/11, Item 37)

42. Adopt 2012 Retiree Self-Funded PPO Health Plan Rates, Plan Changes and Plan Documents, effective 1/1/12; 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 and amendment 2 to agreement with Walgreens Health Initiatives, Inc. for administration of prescription drug card and mail order program, 1/1/12 - 12/31/12; establish an Internal Service Fund 292 target reserve amount of 30% of estimated annual claim expense for retiree self-funded PPO Plans; and authorize Director or designee to continue to apply for Retiree Drug Subsidy Program for Wellwise Retiree health plan - All Districts (Continued from 7/26/11, Item 38)

43. **Supervisor Nelson and Supervisor Bates -** Response to 6/14/11 Board Directive regarding audit of Human Resources Department action plan and status report - All Districts
Revised Title to read:
Supervisor Nelson and Supervisor Bates - Response to 6/14/11 Board Directive regarding audit of Human Resources Department action plan and status report *and approval of subcommittee recommendations on audit findings 1-8 and 24-50* - All Districts

IV. PUBLIC HEARINGS (None Scheduled)

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(a):
Name of Case: Fred Pierce, et al. v. County of Orange, et al., United States District Court Case No. SACV01-981ABC

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Alliance of Orange County Workers v. County of Orange, Orange County Superior Court Case No. 30-2008-00105827

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

CS-4. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: County of Orange v. Association of Orange County Deputy Sheriffs, et al., California Court of Appeal, 2d District Case No. B218660 (LACS Case No. BC389758)

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

CS-6. **Human Resources Department** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organization: Orange County Managers Association (OCMA)
RE: Terms and Conditions of Employment

S u p p l e m e n t a l I t e m (s)

SCS7. **County Executive Office** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Pursuant to Government Code Section 54956.8:
Property: 2.5-Acre Site, Intersection of Crawford Canyon Road and Newport Avenue, Unincorporated Area of Orange County known as North Tustin, California
County Negotiator: County Executive Officer
Negotiation Party: Alex Shawn Mann
Under Negotiation: Terms and Conditions of Purchase

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:

August 16, 2011	**No Scheduled Meeting**
August 23, 2011	**Regular Meeting**
August 30, 2011	**No Scheduled Meeting**

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all additions or changes to the agenda.

Darlene J. Bloom, Clerk of the Board