REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, October 16, 2012, 9:30 A.M.

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

JOHN M. W. MOORLACH
CHAIRMAN
Second District

SHAWN NELSON
VICE CHAIRMAN
Fourth District

JANET NGUYEN
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

PATRICIA BATES
SUPERVISOR
Fifth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	INTERIM COUNTY EXECUTIVE OFFICER	Robert J. Franz
	COUNTY COUNSEL	Nicholas S. Chrisos
	CLERK OF THE BOARD	Susan Novak

INVOCATION: Supervisor Nguyen, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-19)

31452 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 3 WHICH WAS CONTINUED TO 10/30/12, 9:30 A.M.; ITEM 9 WHICH WAS DELETED; AND ITEMS 1, 2, 4 & 17 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Nelson** - Oversight Board of the Successor to the City Redevelopment Agencies, Placentia - Appoint James Harman

43152 **APPROVED AS RECOMMENDED**

DEPARTMENT APPOINTMENTS

2. **Health Care Agency -** Emergency Medical Care Committee - Appoint Margie Harrier, Orange County Business Council, to complete term ending 6/30/14; and reappoint Philip Davis, Ambulance Association of Orange County; Chief Kris Head, Orange County Fire Chiefs Association; Chief Paul Henisey, Orange County Police Chiefs' and Sheriff's Association and Dr. Bryan Hoynak, Orange County Medical Association, for terms ending 6/30/14 - All Districts

34152 **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

3. **Auditor-Controller -** Authorize Auditor-Controller to delete dismantled, missing, obsolete, stolen and surplused equipment items from department capital asset inventories - All Districts (Continued from 9/25/12, Item 3)

31452 **CONTINUED TO 10/30/12, 9:30 A.M.**

Sheriff-Coroner:

4. Approve agreement with HDR Architecture, Inc. for design of tenant improvements for Immigration and Customs Enforcement (ICE) office space, Theo Lacy Facility Communications Building ($150,963); and make California Environmental Quality Act findings - District 3

31452 **APPROVED AS RECOMMENDED**

5. Approve agreement 12112123 with State of California for coroner training courses for Commission on Peace Officer Standards and Training (POST), 7/1/12 - 6/30/13; accept reimbursement for training costs ($129,024); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

6. Approve assignment, novation and consent agreements assigning four previously awarded projects with AECOM Services, Inc. and DMJM H&N, Inc. to AECOM Technical Services, Inc. for Facilities Planning design services projects to reflect realignment of subsidiaries by the contractor's parent corporation - Districts 1, 3 & 5

7. Receive bids and award contract to JAM Fire Protection, Inc. dba JAM Corporation for installation of dry fire suppression system, Loma Ridge Emergency Operations Center ($684,690); and make California Environmental Quality Act findings - District 3

JOHN WAYNE AIRPORT

8. Approve plans and specifications and set bid opening for 11/21/12, 2:00 p.m., for Baker Street Gate Improvement project; authorize Director or designee to sign specifications and extend bid opening, if required, up to 60 days; and make California Environmental Quality Act and other findings - District 2

OC COMMUNITY RESOURCES

9. Adopt resolution approving OC Public Libraries Marketing Plan to pursue sponsorships with non-profit organizations, private sector organizations and businesses in support of library programs and events; and authorize County Librarian to implement plan - All Districts (Continued from 9/11/12, Item 14)

31452 **DELETED**

OC PUBLIC WORKS

10. Approve plans and specifications and set bid opening for 11/14/12, 2:00 p.m., for heating, ventilation and air-conditioning under Job Order Contract program; and make California Environmental Quality Act findings - All Districts

11. Approve plans and specifications and set bid opening for 11/14/12, 2:00 p.m., for demolition under Job Order Contract program; and make California Environmental Quality Act findings - All Districts

12. Adopt resolutions declaring portions of Katella Avenue and connector streets to no longer be County Highways; and make California Environmental Quality Act findings - Districts 1, 2 & 4
RESO: 12-150 - 12-151

13. Approve Tract Map 17287, Shea Tonner Hills, LLC, Brea; accept dedication for street purposes; accept dedication of easements for storm drain and vehicular access; accept dedication of easements over Lots D, E and F for scenic preservation purposes; do not accept irrevocable offer of dedication of easements over Lots D, E and F for open space and resource preservation purposes; approve agreement S0712-159 and accept bonds guaranteeing construction improvements; and make California Environmental Quality Act findings - District 4

14. Approve Tract Map 16981, Shea Tonner Hills, LLC, Brea; accept dedication for street purposes; accept dedication of easements for storm drain and fire protection access road purposes; accept dedication of easement over Lots A, B, C, D and E for scenic preservation purposes; do not accept irrevocable offer of dedication of easements over Lots A, B, C, D and E for open space and resource preservation purposes; approve agreement S-0712-161 and accept bonds guaranteeing construction improvements; and make California Environmental Quality Act findings - District 4

15. Approve Tract Map 16982, Shea Tonner Hills, LLC, Brea; accept dedication for street purposes; accept dedication of easements for storm drain and recreational trail purposes; accept dedication of easements over Lots A, B, C, and D for scenic preservation purposes; do not accept irrevocable offer of dedication of easements over Lots A, B, C, and D for open space and resource preservation purposes; approve agreement S-0712-158 and accept bonds guaranteeing construction improvements; and make California Environmental Quality Act findings - District 4

16. Response to 7/17/12 Board Directive - Receive and file status report on OC Planning audit - All Districts

17. Approve appointment of Kevin R. Hills as Orange County Surveyor effective immediately; and make findings - All Districts

23145 **APPROVED AS RECOMMENDED**

OC WASTE & RECYCLING

18. Adopt resolution approving pledge of revenue for thread-leaved brodiaea mitigation financial assurance, Prima Deshecha Landfill; adopt resolution approving escrow agreement with State Department of Fish and Game ($104,279); authorizing Auditor-Controller to make related payments and budget adjustments; authorize Treasurer-Tax Collector to execute agreement; and make California Environmental Quality Act findings - District 5 (RA #4, 4/5 vote of members present)
RESO: 12-152 - 12-153

SOCIAL SERVICES AGENCY

19. Approve Orange County Refugee Services Plan, FFYs 2011-12, 2012-13 and 2013-14; authorize Director to submit plan to State Department of Social Services and execute amendments under certain conditions - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 20-S29A)

HEALTH CARE AGENCY

20. Approve selection of and agreement with Telecare Corporation for General Population Full Services Partnership service, 10/17/12 - 6/30/13 ($4,030,938) and 7/1/13 - 6/30/14 ($5,603,285); and authorize Director or designee to execute agreement - All Districts
31452 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

21. Select and approve lease with Titan Outdoor LLC for operation of advertising concession; and make California Environmental Quality Act findings - District 2 (4/5 vote of members present)
23145 **APPROVED AS RECOMMENDED**

22. Response to 11/22/11 Board Directive - Approve amendment 6 to agreement with Orange County Fire Authority for Aircraft Rescue Fire Fighting (ARFF) services, 12/1/12 - 11/30/13 ($5,032,644); authorize Purchasing Agent or authorized Deputy to execute amendment, extend agreement up to 90 days and to issue Request for Statement of Qualifications for ARFF; and make California Environmental Quality Act findings - District 2
52134 **CONTINUED TO 10/23/12, 9:30 A.M.**

OC PUBLIC WORKS

23. Approve Tract Map 17453, RMV Community Development, LLC, Ranch Plan Community area; accept dedication for street purposes; accept dedication of easements for storm drain, public pedestrian, vehicular access rights, slope and drainage, scenic preservation and Class I Bikeway purposes; do not accept dedication of irrevocable offer over Lots 36, 38 and 41 for local park purposes; approve agreement S0712-159 and accept bonds guaranteeing construction improvements; approve abandonment of easements and make California Environmental Quality Act findings - District 5
51342 **APPROVED AS RECOMMENDED**

24. **Acting as the Orange County Flood Control District** - Receive bids and award contract to Reyes Construction, Inc. for East Garden Grove-Wintersburg Channel Improvement project ($41,392,704); and make California Environmental Quality Act findings - District 2
23145 **APPROVED AS RECOMMENDED**

25. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve agreement MA-080-13010471 with Baja Trucking, Inc. and Sea Pac Engineering, Inc. for haul truck rentals for OC Public Works/Operations & Maintenance, 10/22/12 - 10/21/13 ($1,200,000); renewable for four additional years; and make California Environmental Quality Act findings - All Districts
34152 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

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

35142 X **RECEIVED AND FILED**

27. Approve grant applications/awards submitted by District Attorney in 10/16/12 grant report and other actions as recommended; adopt resolution authorizing District Attorney or designee to execute grant award agreement and amendments with State Department of Insurance (CDI) for Organized Automobile Fraud Activity Interdiction Program, 7/1/12 - 6/30/15 ($1,238,847) - All Districts

34152 **APPROVED AS RECOMMENDED**
RESO: 12-154

28. Approve in concept issuance of short-term Taxable Pension Obligation Bonds for early payment of County's FY 2013-14 employer pension obligation; and select KNN Public Finance as financial advisor, Orrick Herrington & Sutcliffe, LLP as bond counsel, J.P. Morgan Securities LLC as underwriter and U.S. Bank National Association as trustee - All Districts

31452 A **APPROVED AS RECOMMENDED**

29. Select SAIC as primary and Xerox as secondary vendors for IT Sourcing Scope 1 and Xerox as primary and Verizon as secondary vendors for IT Sourcing Scope 2 services; and direct CEO to negotiate agreements for Board approval - All Districts

15342 **CONTINUED TO 11/13/12 TO A TIME CERTAIN OF 1:30 P.M.**

S29A. **Supervisor Campbell -** Approve renaming 401 S. Tustin Mental Health Campus, Orange as "Juliette A. Poulson Behavioral Health Campus" with informal name of "Poulson Campus" in honor of former Health Care Agency Director Juliette A. Poulson

B.O. **CONTINUED TO 10/23/12, 9:30 A.M.**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION

GENERAL ADMINISTRATION

SCS1. **Human Resources Department -** 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 Orange County Managers Association (OCMA)
RE: Terms and Conditions of Employment
HELD, NO REPORTABLE ACTION

SCS2. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: 801 W. Civic Center Drive, Santa Ana; CA, 405 W. 5th Street, Santa Ana,

CA; 200 W. Santa Ana Blvd., Santa Ana, CA
County Negotiator: Robert J. Franz
Negotiating Party: Old Republic Default Management Services; Birtcher Anderson Investors, LLC; Greenwich Capital Financial Products, Inc.
Under Negotiation: Terms and value of acquisition
HELD, NO REPORTABLE ACTION

VI. PUBLIC, CEO, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Tom Lindsey, Mayor Pro-Tem, Yorba Linda and Kathryn McCullough, Mayor, Lake Forest - Oral Re: Trauma Intervention Program (TIP)

Sandra Fox - Oral Re: labor negotiations with AFSCME

Michael Klubnikin - Oral Re: fraudulent sale of property by Public Guardian

Darrell Nolta - Oral Re: clearing Sheriff Deputy in shooting; earthquake preparedness

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Supervisor Nguyen - Oral Re: Great Shakeout on 10/18/12; thanked Health Care Agency staff, Public Health Nurses and her staff for participation in flu shot vaccination clinic held in Westminster

Supervisor Bates - Oral Re: thanked Children and Families Commissions for their support and assistance at 2nd Annual Children and Youth Summit

ADJOURNED: 2:09 P.M.

24135 **Adjourned in memory of Cornelius Coronado, Mary Muth, John Rovick & Alex Karras**

52134 **Adjourned in memory of Lee Childress**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Campbell
4. = Supervisor Nelson
5. = Supervisor Bates

A. = Abstained
X. = Excused
N. = No
BO = Board Order

ORD. = Ordinance
RESO. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

Chair, Orange County Board of Supervisors

Orange County Clerk of the Board