REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 24, 2010, 9:30 A.M.

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

JANET NGUYEN
CHAIR
First District

BILL CAMPBELL
VICE CHAIRMAN
Third District

JOHN M. W. MOORLACH
SUPERVISOR
Second Distric

SHAWN NELSON
SUPERVISOR
Fourth District

PATRICIA BATES
SUPERVISOR
Fifth District

ATTENDANCE: Supervisors Nguyen, Moorlach, Campbell & Nelson

EXCUSED: Supervisor Bates

PRESENT:	COUNTY EXECUTIVE OFFICER	Thomas G. Mauk
	COUNTY COUNSEL	Nicholas S. Chrisos
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Moorlach, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-11)

24351 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 4, 6 & 11 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Chair Nguyen:

1. Airport Commission - Appoint Tony Lam, City of Westminster, for term concurrent with 1st District Supervisor's term of office

2. Orange County Planning Commission - Appoint Anthony Thuc Nguyen, City of Santa Ana, for term concurrent with 1st District Supervisor's term of office

(Continued from 8/17/10, Item 1)

ELECTED DEPARTMENT HEADS

District Attorney:

3. Adopt resolution approving Federal Equitable Sharing agreement and FY 2009-10 Certification Report - All Districts
RESO: 10-168

4. Approve Real Estate Fraud Prosecution Annual Report, FY 2009-10 Pursuant to Government Code Section 27388 (d) (1) & (d) (2) - All Districts

34251
X **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

5. Approve plans and specifications and set bid opening for 9/29/10, 2:00 p.m., for installation of Aircraft 400 Hz Ground Power Units, 30-ton Preconditioned Air Units, and Potable Water Cabinets for new Terminal C and Terminals A and B passenger boarding bridges; authorize Director or designee to extend bid opening if required up to 60 days; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

6. Approve agreement MA-012-10012811 with Lighthouse Creative Group, Inc. for resource development coordination services for READ Orange County Literacy Program, 9/1/10 - 8/31/11 ($35,673); renewable for four additional one-year periods - All Districts

23451
X **APPROVED AS RECOMMENDED**

7. Approve amendment 1 agreement to DO-012-10017391 against Regional Cooperative agreement (RCA) MA-017-10011589 with Howroyd Wright Employment Agency dba Apple One Employment Services for temporary help services, 2/1/10 - 1/31/11 ($200,000; new total $300,000) - All Districts

8. Approve master agreement MA-012-11010066 with EnvisionWare Inc. for software and hardware maintenance services, 9/1/10 - 8/31/11 ($41,189.56); renewable for four additional years ($53,995.60 per year); and authorize Purchasing Agent or his authorized Deputy to exercise a contingency contract cost increase not to exceed 10% under certain conditions and other amendments under certain conditions - All Districts

OC PUBLIC WORKS

9. Approve amendment 2 to price agreement N1000010045 with Brock Barrett Bernstein for organochlorine compounds work plan, Newport Bay Watershed, extending term two additional years; and make California Environmental Quality Act findings - Districts 1, 2, 3 & 5

10. Select Bureau Veritas North America Inc.; PBS&J; Willdan Engineering and Tait and

Associates, Inc. for Land Use Planning and Engineering services; authorize negotiation of agreements for Board approval; authorize Director or designee to negotiate and execute reimbursement agreement for land use planning and engineering services with Rancho Mission Viejo, LLC, Shea Tonner Hills, LLC, Standard Pacific Tonner Hills, LLC and any future potential developer; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

11. **County Executive Office -** Receive and file 2009 Orange County Employees Retirement System Comprehensive Annual Financial Report - All Districts

23451 X **APPROVED AS RECOMMENDED**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 12-S25A)

ELECTED DEPARTMENT HEADS

12. **Auditor-Controller -** Receive and file Countywide Accounting & Personnel System (CAPS+) and Property Tax Management System (PTMS) Projects Status Reports for May 2010 - July 2010 - All Districts
34251 **APPROVED AS RECOMMENDED**
X

HEALTH CARE AGENCY

13. Approve agreement 10-70031-000 with State Department of Mental Health for Conditional Release Program, 7/1/10 - 6/30/11 ($1,159,610); and authorize Director or designee to execute agreement - All Districts
34251 **APPROVED AS RECOMMENDED**
X

14. Oral presentation - Receive and file status of Stroke-Neurology Receiving Center System - All Districts
PRESENTED

15. Approve agreement with Saint Anselm's Cross-Cultural Community Center for Peer Mentoring services for Adults and Older Adults, 9/1/10 - 6/30/11 ($981,039) and 7/1/11 - 6/30/12 ($1,124,888) - All Districts
34251 **APPROVED AS RECOMMENDED**
X

16. Approve master agreement with various providers for professional medical and counseling services, 9/29/10 - 9/28/11 ($7,245,356); authorize Director or designee to execute individual agreements - All Districts
34251 **APPROVED AS RECOMMENDED**
X

17. Approve agreements and amendments with various providers of hospital, clinic and miscellaneous administrative services for Medical Services Initiative Program; authorize Director or designee to execute individual provider agreements related to master agreements - All Districts
B.O. **CONTINUED TO 8/31/10, 9:30 A.M.**

JOHN WAYNE AIRPORT

18. Approve agreement MA-280-11010083 with Fluoresco Lighting-Sign Maintenance Corporation for interior and exterior lighting maintenance services, 10/17/10 - 10/16/14 ($782,918); and make California Environmental Quality Act findings - District 2
23451 **APPROVED AS RECOMMENDED**
X

OC PUBLIC WORKS

19. Approve escrow agreement D10-011 with State Department of Fish and Game for

transfer of funds ($61,561.50); approve agreement D09-104 with AECOM for engineering inspection and engineering services, Alton Parkway extension, three-year term ($800,000); adopt Pledge of Revenue Resolution; approve Contract Change Order with Sukut Construction, Inc. ($200,000); authorize Auditor-Controller to make related payments; and make California Environmental Quality Act findings - Districts 3 & 5

31245 **APPROVED AS RECOMMENDED**
X

RESO: 10-169

GENERAL ADMINISTRATION

County Executive Office:

20. Exercise option to renew current agreement and approve amendment 4 to agreement with James F. McConnell, Jr. for Washington, D.C. federal advocacy services, 1/1/11 - 12/31/12 ($252,150 per year); renewable for one additional two-year term with Board approval; and authorize payment of $40,000 annually for specialized consultant work - All Districts

32451 **APPROVED AS RECOMMENDED**
X

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

23451 **APPROVED AS RECOMMENDED**
X

22. Approve proposed response to 2009-10 Grand Jury Report "Orange County Goes Green." - All Districts

32451 **APPROVED AS RECOMMENDED**
X

23. Approve proposed response to 2009-10 Grand Jury Report "CACI Child Abuse Central Index: Guilty Until Proven Innocent." - All Districts

42351 **APPROVED AS AMENDED BY MODIFYING RESPONSE TO FINDING 1 TO DIRECT STAFF TO PARTICIPATE WITH OTHER COUNTIES IN THE MODIFICATION OF OR ELIMINATION OF "INCONCLUSIVE" FINDING PROCESS**
X

24. Receive and file Quarterly Information Technology (IT) Project Reports for Status Detail and Executive Summary and Risk Assessment for April - June 2010 - All Districts

34251 **APPROVED AS RECOMMENDED**
X

25. Approve recommended grant application submitted by District Attorney, OC Parks, John Wayne Airport and Health Care Agency in 8/24/10 grant report and other actions as recommended - All Districts

43251 **APPROVED AS RECOMMENDED**
X

S25A. **Chair Nguyen -** Adopt resolution proclaiming September 8, 2010 as "Literacy Day"

43251 **APPROVED AS RECOMMENDED**
X

RESO: 10-170

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-SCS3)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):
Number of Cases: One case

B.O. **HELD, THE CLERK READ: THE BOARD BY AN UNANIMOUS VOTE, SUPERVISOR BATES BEING ABSENT, AUTHORIZED COUNTY COUNSEL TO FILE LITIGATION. THE IDENTITY OF THE PARTIES AND OTHER PARTICULARS WILL BE DISCLOSED TO ANY PERSON UPON INQUIRY ONCE THE ACTION IS FILED.**

CS-2. **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)
RE: Terms and conditions of employment

B.O. **CONTINUED TO 8/31/10, 9:30 A.M.**

SCS3. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case

B.O. **HELD, NO REPORTABLE ACTION**

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

PUBLIC COMMENTS:
None

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
None

ADJOURNED: 12:21 P.M.
31245 **Adjourned in memory of Robert Dyer Spurgeon**
X

*** 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