REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, February 2, 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 District

VACANT
SUPERVISOR
Fourth District

PATRICIA BATES
SUPERVISOR
Fifth District

ATTENDANCE: All Present

EXCUSED: None

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

INVOCATION: Supervisor Campbell, Third District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Chair Nguyen recognized graduates of Orange County Leadership Academy XII

Supervisor Moorlach presented a resolution recognizing Robert Aldrich, past Executive Director of the Orange County Local Agency Formation Commission on his retirement

Chair Nguyen presented a resolution proclaiming February 2010 as "American Heart Month"

II. CONSENT CALENDAR (Items 1-16)

3251 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 6, 7, 11 & 16 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; AND ITEM 14 WHICH WAS DELETED**

BOARD APPOINTMENTS

1. **Supervisor Campbell -** Orange County Human Relations Commission - Reappoint Vince DeVargas, Placentia, for term ending 2/1/12

Chair Nguyen:

2. Senior Citizens Advisory Council - Reappoint Pat McGuigan, Santa Ana, to complete term ending 12/31/10

3. Acting as In-Home Supportive Services Public Authority - In-Home Supportive Services Advisory Committee - Appoint Dustin Manhart, Anaheim, to complete term ending 12/31/10

ELECTED DEPARTMENT HEADS

4. **District Attorney -** Authorize District Attorney to accept disbursement of state funds from Privacy and Piracy Fund administered by State Attorney General's Office for FY 2009-10 ($35,950); and authorize District Attorney or designee to execute subsequent amendments under certain conditions - All Districts

5. **Sheriff-Coroner -** Approve amendment 5 to price agreement N1000008122 with Premier Computing Inc. for purchase of a commissary inventory system - All Districts

6. **Treasurer-Tax Collector -** Approve agreement MA-074-10011955 with Vavrinek, Trine, Day & Company, LLP (VTD) for annual compliance audit services, 1/26/10 - 1/25/13 ($74,835); renewable for two additional years; and authorize Deputy Purchasing Agent to execute agreement - All Districts (Continued from 1/26/10, Item 16)

3152 N **APPROVED CONTRACTING WITH OC INTERNAL AUDIT FOR THIS SERVICE**

HEALTH CARE AGENCY

7. Approve agreements with Hoag Memorial Hospital Presbyterian ($30,000) and Advanced Skincare MedCenter, Inc. ($70,000) for HIV Health Care services, 3/1/10 - 2/29/12 - All Districts

5321 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

8. Approve agreement 09-0499 with State Department of Food and Agriculture for reimbursement costs related to inspection of high-risk plant shipments, 7/1/09 - 6/30/10 ($279,177); and authorize Agricultural Commissioner to execute agreement - All Districts

9. Approve agreement D09-083 with Orange County Sanitation District for adjustment of manhole lids and frames, North Tustin area - District 3

10. Approve plans and specifications and set bid opening for 4/14/10, 2:00 p.m., for construction of new 401 S. Tustin Street Mental Health Facility; authorize Director or designee to execute related documents; and make California Environmental Quality Act

findings - District 3

11. Approve Harding Creek Restoration Project in concept; and adopt Negative Declaration IP 09-088 - District 3

3521 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

12. Approve agreement CCE0110 with Orangewood Children's Foundation for preparation of Annual Report on the Conditions of Children in Orange County, 3/1/10 - 2/28/11 ($113,400) - All Districts

GENERAL ADMINISTRATION

13. **Clerk of the Board -** Approve proposed amendments to the County's Conflict of Interest Code Designated Filers Exhibits for Office of the Performance Audit Director - All Districts

County Executive Office:

14. Approve amendment to agreement N1000011007 with Avasant to expand Scope of Work to include development and contract negotiations for combined County-wide voice and data network Request for Proposal (RFP), 11/10/09 - 6/30/11 ($159,500) - All Districts (Continued from 11/10/09, Item 14; 11/24/09, Item 24; 12/8/09, Item 25; 1/26/10, Item 35)

3251 **DELETED**

15. Approve amendment 4 to Memorandum of Understanding with Center for Demographic Research (CDR) at California State University, Fullerton for demographic research and information services, 7/1/09 - 6/30/10 ($71,000); authorize Auditor-Controller to pay sponsor fees; and authorize CEO to execute MOU - All Districts

16. Authorize development of Request for Proposals (RFP) for information technology utility services and voice and network infrastructure upgrade and implementation of voice over Internet Protocol and return for Board final approval of Request for Proposals; approve amendment to agreement N1000011007 with Avasant to expand Scope of Work to include development and contract negotiations for combined County-wide voice and data network, effective 2/2/10 - 8/31/11 ($159,500) - All Districts

1523 **APPROVED AS AMENDED TO COMBINE RAs 1 & 2 INTO DEVELOPMENT OF A SINGLE COMBINED RFP FOR SERVICES STATED (INCLUDING COUNTYWIDE VOIP AND INFORMATION TECHNOLOGY UTILITY SERVICES CURRENTLY PROVIDED BY ACS) THAT WILL ALLOW BIDDERS TO BID ON BOTH COMPONENTS OR ON EITHER COMPONENT WITH FINAL REVIEW AND APPROVAL BY THE BOARD; AND MODIFIED RA 3 TO AUTHORIZE THE CEO TO NEGOTIATE AND EXECUTE A "NOT TO EXCEED" AGREEMENT WITH AVASANT TO EXPAND THEIR CURRENT SCOPE OF WORK TO ASSIST WITH PREPARATION OF THE COMBINED RFP**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 17-29)

ELECTED DEPARTMENT HEADS

17. **Assessor Department** - Oral Report - ATS Re-engineering Project Quarterly Update - All Districts
PRESENTED

Sheriff-Coroner:

18. Receive and file status report on Emergency Declaration - Conditions resulting from weather, and continue declaration of Local State of Emergency; and set review to determine continuing need for emergency action for 3/2/10, 9:30 a.m. and every 30 days thereafter - All Districts (Continued from 1/26/10, Item S58A)
3521 **APPROVED AS RECOMMENDED**

19. Ratify approval of price agreements N1000009241, N1000009242 and N1000009249 with Cellco Partnership dba Verizon Wireless for wireless services, 10/1/08 - 9/30/09 ($5,886); and approve price agreement DO-060-10012544 with Cellco Partnership dba Verizon Wireless for wireless services and equipment, 10/1/09 - 9/30/10 ($769,090) - All Districts
3521 **APPROVED AS RECOMMENDED**

20. Consider second reading and adoption of "An Ordinance of the County of Orange, California Adopting Section 6-4-608 of the Codified Ordinances of the County of Orange Regarding Parking Violations"; "An Ordinance of the County of Orange, California Amending Section 2-1-66 of the Codified Ordinances of the County of Orange Regarding Parking Violations"; "An Ordinance of the County of Orange, California Amending Section 2-5-3 of the Codified Ordinances of the County of Orange Regarding Parking Violations"; "An Ordinance of the County of Orange, California Amending Section 2-5-16 of the Codified Ordinances of the County of Orange Regarding Parking Violations", "An Ordinance of the County of Orange, California Amending Section 2-5-103 of the Codified Ordinances of the County of Orange Regarding Parking Violations"; and "An Ordinance of the County of Orange, California Amending Section 2-7-22 of the Codified Ordinances of the County of Orange Regarding Parking Violations" - All Districts (Continued from 1/26/10, Item 41)
2351 **APPROVED AS RECOMMENDED**
ORD: 10-001 - 10-006

HEALTH CARE AGENCY

21. Approve amendment 1 to agreement with Orange County Association for Mental Health dba Mental Health Association of Orange County for Multi-Service Center services to Mentally Disabled Homeless, 7/1/09 - 6/30/10 ($198,772; new total $1,016,303) - All Districts
2351 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

22. Oral Presentation on the Police Community Reconciliation Program - All Districts

PRESENTED

PUBLIC PROTECTION

23. **Probation -** Approve agreement with Atkinson Polygraph Associates for adult sex offender polygraph examination services, 2/2/10 - 2/1/11 ($142,600); renewable for four additional years per Board approval; and make California Environmental Quality Act findings - All Districts

B.O. **CONTINUED TO 2/9/10, 9:30 A.M.**

GENERAL ADMINISTRATION

County Executive Office:

24. Response to 6/3/09 & 10/28/09 Board Directive regarding DNA Lab Operation and OC Crime Lab Structure - All Districts (Continued from 12/15/09, Item 55)

B.O. **CONTINUED TO 2/9/10, 9:30 A.M.**

25. Adopt resolution amending agreement MA-017-10010355 with Community Service Programs, Inc. (CSP) for Victim/Witness Assistance 2009-10 Recovery Act - VAWA Stimulus Grant ($10,000; new total $34,461); authorize the Clerk of the Board of Supervisors to execute grant award agreement - All Districts

5321 X **APPROVED AS RECOMMENDED**

RESO: 10-007

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

2531 X **APPROVED AS RECOMMENDED**

27. Approve recommended grant applications submitted by OC Crime Laboratory (FY 2011 Portable Evidentiary Breath Test Program) and OC Community Resources/ Public Libraries (We Love Libraries) in 2/2/10 grant report and other actions as recommended - All Districts

5321 X **APPROVED AS RECOMMENDED**

28. Report on County financial and budget status - All Districts

PRESENTED

29. Approve amendment 3 to price agreement N1000008540 with Network Television Time, Inc. for Board of Supervisors Meeting broadcast services and equipment, 4/1/10 - 3/31/11 ($415,000) - All Districts

2531 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: In re Mesa Air Group, Inc., United States Bankruptcy Court, Southern District of New York, Case No. 10-10026-(mg)

B.O. **HELD THE CLERK READ: BY A UNANIMOUS VOTE WITH SUPERVISOR CAMPBELL BEING ABSENT, THE BORD AUTHORIZED COUNTY COUNSEL TO RETAIN FOLEY & LARDNER LLP, TO REPRESENT THE COUNTY IN THE MATTER OF IN RE MESA AIR GROUP, INC.**

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

PUBLIC COMMENTS:
Cynthia Tipton - Oral Re: Shared her firm's polygraph services

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
None

ADJOURNED: 12:30 P.M.

5123 X **Adjourned in memory of Mary Jane Hynes Hannegan**

5123 X **Adjourned in memory of Barbara Hughes**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Campbell
4. = Supervisor Norby
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