REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, October 25, 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 Moorlach, Second District

PLEDGE OF ALLEGIANCE: Supervisor Nelson, Fourth District

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I. PRESENTATIONS/INTRODUCTIONS

Chairman Campbell - Presentation by Dan Heinfeld of the prestigious American Institute of Architects Orange County Chapter 25-Year Award to OC Parks

Chairman Campbell will be recognizing Orange County Housing Authority staff for their Achievements on the Federal Section 8 Management Assessment Program Certification

II. CONSENT CALENDAR (Items 1-27)

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 Campbell -** Assessment Appeals Board No. 1 - Reappoint Danna Campbell, Orange, to complete term ending 8/31/14

COMMENDATIONS/PROCLAMATIONS/REPORTS

2. **Supervisor Campbell -** Adopt resolution recognizing November as National American Indian Heritage Month

ELECTED DEPARTMENT HEADS

3. **District Attorney -** Approve renewal of agreement MA-026-11011080 with Southern California Private Investigators, Inc. for document analysis services, 11/24/11 - 11/23/12 ($200,000); and authorize Purchasing Agent to exercise contingency contract cost increase not to exceed 10% without further Board action - All Districts

Sheriff-Coroner:

4. Approve agreement 11112123 with State of California for coroner training courses for Commission on Peace Officer Standards and Training (POST), 10/1/11 - 6/30/12; accept reimbursement for training costs ($129,000); and authorize Sheriff-Coroner or designee to execute agreement - All Districts

5. Approve agreement MA-060-12010640 with All City Management Services for crossing guard services, 11/1/11 - 10/31/12 ($510,000); renewable for four additional one-year periods; and authorize Purchasing Agent or deputy to execute agreement - All Districts

6. Approve amendment 2 to agreement MA-060-12010074 with Aremac Holdings Corporation dba National Law Enforcement Supply assignment to Tri Tech Forensics Inc. for fingerprinting supplies; and authorize Purchasing Agent or deputy to execute agreement - All Districts

7. **Treasurer-Tax Collector -** Approve agreement with Standard Poor's Rating Service for ratings of Money Market Fund and Educational Money Market Fund, 12/1/11 - 11/30/14 ($32,400 per year); and authorize Deputy Purchasing Agent to execute agreement - All Districts

HEALTH CARE AGENCY

8. Approve agreement 11-006 with State Department of Public Health for Ocean Water Quality Monitoring and Public Notification ($186,644) - All Districts

9. Approve master agreement with various universities for Off-Campus Student Training services, 12/1/11 - 11/30/16; and authorize Director or designee to execute agreements - All Districts

OC COMMUNITY RESOURCES

10. Adopt resolution approving Agreement 11-H9010 with California Health and Human Services Agency for Options Counseling Pilot Project funds, 10/25/11 - 6/30/12 ($39,452.15); and authorizing Director or designee to execute agreement, amendments and extend term of agreement for up to six additional months under certain conditions and exercise cost contingency increase or decrease not to exceed 10% - All Districts

11. Approve cooperative agreement with Tustin Unified School District for public use of fifty-meter pool, Foothill High School; and make California Environmental Quality Act findings - District 3

12. Approve creation of Orange County Parks Foundation as a nonprofit Public Benefit Corporation; approve appointments to County Board of Directors seat and direct Clerk of the Board to add to the Chairman's annual appointments, Articles of Incorporation, Bylaws and Cooperative agreement between the Corporation and the County; authorize Director or designee to execute Articles of Incorporation and agreement and take related actions to create foundation; and make California Environmental Quality Act and other findings - All Districts (Continued from 10/4/11, Item 11; 10/18/11, Item 6)

13. Approve selection of Mercy House Living Centers, Inc. as operator of Armory Emergency Shelter Program; and authorize negotiation of one-year agreement with option to renew for two additional one-year periods and return to Board for approval - All Districts

14. Approve offer and agreement for purchase of real property and quitclaim deed to Jack B. Corwin for 4,692 square foot parcel of surplus land, City of Laguna Beach; authorize OC Parks Director to execute deed; and make California Environmental Quality Act and other findings - District 5 **Deleted**

OC PUBLIC WORKS

15. Receive bids and award contract CT-080-12010086 to Sentry Control Systems, Inc. for installation of Parking Access Control System equipment, Civic Center lots 1 and 2 and Parking Garage ($235,000); direct Auditor-Controller to make related budget adjustments; and make California Environmental Quality Act and other findings - District 1

16. Approve plans and specifications and set bid opening for 11/23/2011, 2:00 p.m., for Modjeska Canyon road storm drain improvement project; and make California Environmental Quality Act findings - District 3
Continued to 11/8/11, 9:30 a.m.

17. Approve plans and specifications and set bid opening for 11/9/11, 2:00 p.m., for roofing services Job Order Contract; and make California Environmental Quality Act findings - All Districts
Revised Title to read:
OC Public Works - Approve plans and specifications and set bid opening for ~~11/9/11~~*11/16/11*, 2:00 p.m., for roofing services Job Order Contract; and make California Environmental Quality Act findings - All Districts

Acting as the Orange County Flood Control District:

18. Approve agreement MA-080-12010493 with Porter Hire LTD dba Heavy Equipment Rentals LLC, Quinn Rental Services and Hertz Equipment Rental for equipment rental, 11/1/11 - 10/31/12 ($240,000); renewable for four additional one-year periods; and make California Environmental Quality Act findings - All Districts

19. Approve agreement with City of Irvine and certificate of acceptance and easement deeds with The Irvine Company for access to Borrego Canyon and Agua Chinon Channels; authorize Director or designee to execute certificate and easement deeds; and make California Environmental Quality Act findings - District 3

20. Approve assignment, assumption and consent to assignment of channel agreements from California BP, LLC to BPI Brea LLC and consent to encumbrance of lease with Ladder Capital Finance III LLC for operation of Loftus Diversion Channel; authorize Director or designee to execute agreements and amendments under certain conditions; and make California Environmental Quality Act findings - District 4

PUBLIC PROTECTION

21. **Probation** - Ratify and approve grant award amendment RT10020300 with California Emergency Management Agency for Federal Residential Substance Abuse Treatment funds, extending term to 9/30/12 (200,000; new total $400,000); ratify Chief Probation Officer or designee's execution and submission of amendment; and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

22. Approve Memorandum of Understanding MHT0810 with Santa Ana Unified School District for provision of Partnership Academy Literacy Support Volunteer Reading program, 12/1/11 - 6/30/14; and authorize Director or designee to execute MOU - District 1

23. Approve agreement MA-063-11012263 with Cooperative Personnel Services DBA CPS Human Resource Services for rental of test booklets for recruitment services, 11/1/11 - 10/31/14 ($180,000); renewable for one additional two-year term ($120,000); and authorize Purchasing Agent or deputy to execute agreement - All Districts

24. Approve agreement MA-063-12010477 with TFC Consultants, Inc. for multi-dimensional treatment foster care technical assistance and services, 11/1/11 - 10/31/14 ($22,460); renewable for one additional two-year term ($16,340); and authorize Purchasing Agent or deputy to execute agreement - All Districts

GENERAL ADMINISTRATION

25. **Clerk of the Board and County Counsel -** Response to Board Directive (10/18/11) - Approve revised Board Rules of Procedure - All Districts

26. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for September 2011 - All Districts

27. **Supervisor Nguyen -** Receive and file 17th Annual Report on the Conditions of Children in Orange County

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 28-42)

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

28. **District Attorney -** Approve amendment 1 to agreement MA-026-11012394 with Community Service Programs, Inc. for administration of Gang Reduction Intervention Partnership Program Case Management Services and Victim Compensation Program ($719,198; new total $3,323,279); authorize Purchasing Agent or deputy to execute agreement; adopt resolution accepting grant award from State Victim Compensation and Government Claims Board ($524,683); authorizing District Attorney or deputy to execute grant agreements; and making California Environmental Quality Act findings - All Districts

Sheriff-Coroner:

29. Approve amendment 5 to agreement N1000009185 with Rancho Santiago Community College District for registration and tuition fees for Criminal Justice Academy classes, term ending 9/17/12 ($55,000; new total $150,000); and authorize Purchasing Agent or deputy to execute - All Districts (Continued from 9/20/11, Item 35; 10/4/11, Item 19; 10/18/11, Item 15)

30. Approve major reorganization; revised class specifications for Assistant Sheriff; and reallocation of four existing to executive management positions, effective 10/21/11 - All Districts
Continued to 11/8/11, 9:30 a.m.

31. Approve amendment MA-060-12010296 to agreement with Visionair, Inc. for software maintenance, 11/15/11 - 11/14/12 ($285,331) - All Districts

HEALTH CARE AGENCY

32. Select appointment of one provider candidate to the CalOptima Board of Directors for term ending 9/30/15 - All Districts
Continued to 11/8/11, 9:30 a.m.

33. Response to 10/4/11 Board Directive regarding Presentation on CalOptima Board - All Districts (Continued from 10/18/11, Item 17)
Continued to 11/8/11, 9:30 a.m.

JOHN WAYNE AIRPORT

34. Receive bids and award contract to Minako America Corporation dba Minco Construction for P275 Miscellaneous Site Restoration project ($777,000); and make California Environmental Quality Act findings - District 2

35. Approve Certificated Passenger Airline leases, Cargo leases, Certificated Passenger Airline Operating License and Commuter Airline Operating Licenses with various airlines; and make California Environmental Quality Act findings - District 2 (4/5 vote of members present)

OC COMMUNITY RESOURCES

36. Approve Memorandum of Understanding and Partnership Agreement with Orange County Tourism Council for recreational, cultural and historical activities at OC Parks facilities, 10/25/11 - 10/24/12 ($50,000) renewable for two one-year periods under certain conditions; and Make California Environmental Quality Act findings - All Districts

OC WASTE & RECYCLING

37. Approve agreements D11-001, D11-002 and D11-003 with Discovery Science Center ($250,000), Inside the Outdoors ($172,471) and Pretend City ($77,529) for Nonprofit Organization Environmental Education and Outreach Grant Programs, one year terms; renewable for one additional year; and authorize Director or designee to execute agreements and amendments under certain conditions - All Districts (Continued from 10/4/11, Item 28)

GENERAL ADMINISTRATION

County Executive Office:

38. Approve five-year internship & cooperative education site agreement with Chapman University to facilitate undergraduate and graduate fieldwork/internship placement within County agencies/departments; authorize County Executive Officer or designee to modify site agreement to comply with changes in State and/or Federal law or regulations - All Districts

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

40. Approve recommended grant applications submitted by District Attorney and OC Community Resources/OC Public Libraries in 10/25/11 grant report and other actions as recommended - All Districts

41. Select City Selection Committee to make appointments to various Boards, Commissions and Committees and direct Clerk of the Board to return to the Board with changes to by-laws, resolutions, ordinances, agreements or other documents necessary to implement changes - All Districts

42. Consider first reading of "An Ordinance of the County of Orange, California, Adding Section 3-3-200 of the Codified Ordinances of the County of Orange to Assume Responsibility for Fire Protection in State Responsibility Areas"; and set second reading and adoption for 11/8/11, 9:30 a.m.; adopt resolution approving standard agreement 7CA01421 with State Department of Forestry and Fire Protection for fire protection services, 7/1/11 - 6/30/14 ($16,201,926); and approve assignment of agreement to Orange County Fire Authority; and authorize County Executive Officer or designee to execute Form CCC-307, contractor certification clauses - All Districts

IV. PUBLIC HEARINGS (Items 43-44)

OC COMMUNITY RESOURCES

43. Public Hearing to consider adopting FY 2012-13 Funding Allocation Policy and Process for distributing Federal housing and community development funds - All Districts

GENERAL ADMINISTRATION

44. **County Counsel -** Acting as the Orange County Flood Control District - Public Hearing to consider adopting Resolution of Necessity of acquisition by eminent domain of real property for purposes of the Santa Ana River/Prado Dam Project; authorizing County Counsel or litigation counsel to take steps to initiate and facilitate the condemnation action; authorizing Auditor-Controller to make related payments; and making California Environmental Quality Act and other findings - All Districts (2/3 vote of membership)
Continued to 11/22/11, 9:30 a.m.

V. CLOSED SESSION (Items CS-1-CS-2)

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 - THREATENED LITIGATION -
Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: James Kubeck v. California Department of Transportation, et al OC Superior Court Case #: 30-2008 00109244

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

CLOSED SESSION

SCS3. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:

Number of Cases: One Case

SCS4. **County Executive Office** - CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Pursuant to Government Code Section 54956.8:

Property Location: Tri-City Park, Placentia, California

County Negotiator: Thomas G. Mauk

Negotiating Party: Tri-City Park Authority

Under Negotiation: Terms of Possible Property Transfer

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:

November 1, 2011	**No Meeting Scheduled**
November 8, 2011	**Regular Meeting**
November 15, 2011	**No Meeting Scheduled**