REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, June 21, 2011, 9:30 A.M.

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

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Thomas G. Mauk
	COUNTY COUNSEL	Nicholas S. Chrisos
	CLERK OF THE BOARD	Susan Novak, Chief Deputy

INVOCATION: Supervisor Moorlach, Second District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Chairman Campbell recognized staff from OC Public Works/OC Planning for awards received from professional organizations

II. CONSENT CALENDAR (Items 1-28)

14253 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 19 WHICH WAS CONTINUED TO 6/28/11, 9:30 A.M.; ITEM 21 WHICH RECEIVED AN ABSTENTION FROM SUPERVISOR BATES; AND ITEMS 9, 13, 17, 18 & 23 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Campbell -** Santa Ana River Flood Protection Agency - Appoint Jim Wahner, Costa Mesa, to complete term ending 12/31/11

Supervisor Moorlach:

2. Sunset Beach LCP Advisory Committee - Reappoint Timothy McCormack, Sunset Beach, for term ending 6/30/14

3. Acting as the Orange County Housing Authority - Housing and Community Development Commission - Appoint Tony Petros, Newport Beach, for term ending 6/30/13

ELECTED DEPARTMENT HEADS

4. **Auditor-Controller** - Acting as the Board of Supervisors and Orange County Flood Control District - Adopt resolutions establishing appropriations limits, cost of living and population factors, FY 2011-12 for County and Flood Control District funds - All Districts
RESO: 11-084 - 11-085

Sheriff-Coroner:

5. Approve amendment A2 to agreement 00112308 with State of California for Peace Officer Standards and Training (POST) Driving and Force Option Simulator courses, term ending 6/30/11 ($23,384; new total $181,384); and authorize Sheriff-Coroner or designee to execute amendment - All Districts

6. Approve agreement MA-060-11011813 with Tescan USA Incorporated for maintenance of scanning electron microscope system, 8/1/11 - 7/31/12 ($10,605); renewable annually for four years; and authorize Purchasing Agent or deputy to execute agreement - All Districts

7. Approve agreement MA-060-11012302 with Charles R. Eastman for helicopter mechanic services, 7/1/11 - 6/30/12 ($218,400); and authorize Purchasing Agent or deputy to execute agreement - All Districts

8. Approve agreement with Signature Combs, Inc. for Air Support Unit's use of two hangars at John Wayne Airport; and make California Environmental Quality Act findings - District 2

9. Approve amendment 5 to agreement MA-060-11010866 with Taser International, Inc for repair and replacement of tasers and taser accessories, term ending 11/17/11 ($2,088; new total $135,088); renewable annually for two years; and authorize Purchasing Agent or designee to execute agreement - All Districts

42153 **APPROVED AS RECOMMENDED**

10. Approve agreement MA-060-11012429 with MCM Technology, LLC for maintenance of Communications Accounting and Asset Management System, 6/27/11 - 6/26/12 ($25,928); renewable for four additional years; and authorize Purchasing Agent or deputy to execute agreement - All Districts

11. Approve agreement MA-060-11012207 with Intratek Computer, Inc. for information technology professional services and printer repair services, 6/29/11 - 6/28/12 ($275,000); renewable for two additional years; and authorize Purchasing Agent or deputy to execute agreement - All Districts

CHILD SUPPORT SERVICES

12. Approve shared services agreement with Imperial County for call center partnership to assist Imperial County Child Support Services with client telephone calls, 7/1/11 - 6/30/12; and authorize Director to execute agreement and extend agreement for one additional year - All Districts

HEALTH CARE AGENCY

13. Approve amendment 2 to agreement V-98946801-2 with United States Environmental Protection Agency for Palos Verdes Shelf Support Agency funds, 4/30/11 - 4/30/12; authorize Director or designee to execute amendment and any subsequent non-monetary amendments - All Districts

54123 **APPROVED AS RECOMMENDED**

14. Approve grant agreement TEA18-10-30 with State Department of Resources Recycling and Recovery (CalRecycle) for Waste Tire Program, 6/30/11 - 9/28/12 ($479,321); and authorize Director or designee to execute agreement - All Districts

15. Authorize Purchasing Agent or deputy to renew master agreement as MA-042-11012342 with Pacific Bell Telephone Company, dba AT&T DataComm for network equipment maintenance, 7/1/11 - 6/30/12 ($178,007) - All Districts

OC DANA POINT HARBOR

16. Approve amendment 2 to lease with Ocean Institute for a Seaside Learning Center; and make California Environmental Quality Act findings - District 5

OC COMMUNITY RESOURCES

17. Approve the use of donated funds for the offset of spay/neuter, adoption, vaccination, deworming, flea treatment, and feline leukemia test fees to promote adoptions; make related findings - All Districts

24153 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

18. Approve agreement D11-012 with City of La Habra for rehabilitation of portions of Citrus Drive in unincorporated Orange County ($149,000); authorize Director or designee to exercise contingency cost increase not to exceed 10%; and make California Environmental Quality Act findings - District 4

42153 **APPROVED AS RECOMMENDED**

19. Approve County 7-Year Transportation Capital Improvement Program; adopt resolution confirming Transportation Element conformance with Master Plan of Arterial Highways for submittal to Orange County Transportation Authority for Measure M Funds; and make California Environmental Quality Act findings - All Districts

14253 **CONTINUED TO 6/28/11, 9:30 A.M.**

20. Acting as the Board of Supervisors - Approve plans and specifications and set bid opening for 7/27/11, 2:00 p.m., for Kline Drive and Orchard Drive street improvements, Newport Beach;

and make California Environmental Quality Act findings; Acting as Board of Supervisors and Orange County Development Agency - Approve agreement D09-082 with City of Newport Beach defining roles and responsibilities for the project - District 2

21. Select Daniel B. Stephens & Associates, Inc. as primary and Geoscience Support Services, Inc. as alternate firms for Newport Bay Watershed groundwater and surface water study; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - Districts 1, 2, 3 and 5

14253 A **APPROVED AS RECOMMENDED**

22. **Acting as the Orange County Flood Control District -** Approve amendment 2 to agreement D07-043 with Santa Ana Watershed Project Authority eliminating the requirement to hold funds in escrow; and make California Environmental Quality Act findings - District 3

SOCIAL SERVICES AGENCY

23. Approve Memorandum of Understanding WTM0411 with State Department of Rehabilitation for provision of vocational rehabilitation services, 7/1/11 - 6/30/14; and authorize Director or designee to execute MOU - All Districts

25143 **APPROVED AS RECOMMENDED**

24. Approve agreement MA-063-11011985 with Regents of University of California dba University Extension for specialized training services, 7/1/11 - 6/30/14 ($554,268); renewable for one additional two-year term; and authorize Purchasing Agent or Deputy to execute agreement - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

25. Approve re-adoption of the State's Model Code by reference and modifications to Designated Filer Positions and Disclosure Categories Exhibits A & B for Coast Community College District - All Districts

26. Approve proposed amendments to the Conflict of Interest Code Designated Filers Exhibits for Health Care Agency - All Districts

27. **County Executive Office -** Authorize Purchasing Agent or designee to issue amendment 2 to agreement N1000011086 as MA-017-10013511 with Pace Applied Technology, Inc. for Komand Direct Software Maintenance, effective 6/25/11 - 6/24/12 ($16,196.05); renewable for two additional one-year periods ($20,000 per year) - All Districts

28. **Registrar of Voters -** Authorize reallocation of $200,000 in services and supplies appropriations to fixed assets for purchase of two Pitney Bowes MCS Print Systems - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 29-57)

ELECTED DEPARTMENT HEADS

Auditor-Controller:

29. Acting as the Board of Supervisors and Orange County Housing Authority - Adopt resolution authorizing temporary transfer of cash between various funds - All Districts
21453 **APPROVED AS RECOMMENDED**
RESO: 11-086

30. Approve contract MA-003-11012381 with GCAP Services, Inc., for CAPS + and Property Tax Management System training, 7/1/11 - 6/30/12 ($2,000,000); renewable for one additional year ($1,375,000) - All Districts
42153 **APPROVED AS RECOMMENDED**

31. Approve price agreement N1000010203 with TaTa Consultancy Services (TCS) for completion of Property Tax Management System (PTMS), 12/31/11 - 1/9/13 ($2,700,000) - All Districts
54123 **APPROVED AS RECOMMENDED**

32. Select term option for agreement with CGI Technologies and Solutions Inc., for proprietary software maintenance - All Districts
35124 **APPROVED OPTION FOR 10 YEAR CONTRACT TERM**
N

33. Approve contract #MA-003-1101235 with Aeris Enterprises, Inc., for development of the CAPS+ Data Warehouse, 6/22/11 - 4/30/12 ($539,000) - All Districts
54123 **APPROVED AS RECOMMENDED**
X

34. **Sheriff-Coroner** - Approve renewal of agreement MA-060-11012320 with L3 Communications Mobile-Vision Inc. for maintenance of digital in-car video systems for law enforcement vehicles, 6/24/11 - 6/23/12 ($159,564); and authorize Purchasing Agent or deputy to execute agreement - All Districts
41253 **APPROVED AS RECOMMENDED**
X

HEALTH CARE AGENCY

35. Approve amendment to agreement 07-1448-OR30 with State Department of Health Care Services for Health Care Coverage Initiative program - All Districts
14253 **APPROVED AS RECOMMENDED**
X

36. Approve selections of and agreements with AHMC Anaheim Regional Medical Center ($201,247), Nhan Hoa Comprehensive Health Care Clinic ($201,247), Community Service Programs, Inc. ($201,247), National Council on Alcoholism and Drug Dependence - Orange County ($201,247) and America On Track dba Orange County On Track ($201,247) for Tobacco Cessation and Prevention services, 7/1/11 - 6/30/12; and authorize Director or designee to exercise cost contingency increase for agreements not to exceed 15% under certain

conditions - All Districts

B.O. **CONTINUED TO 7/19/11, 9:30 A.M.**

37. Approve master agreements with various provider of hospital and clinic services, 7/1/11 - 12/31/12; and amendment 2 to Medical Services Initiative Program master agreements for provision of hospital and clinic services, 11/1/10 - 12/31/11; and approve amendment 6 to agreement with Advanced Medical Management, Inc. for Fiscal Intermediary services, 7/1/08 - 12/31/11 ($36,133,570; new total $84,041,412); authorize Director or designee to execute agreements and amendments to Advanced Medical Management agreement under certain conditions - All Districts

51243 **APPROVED AS RECOMMENDED**
X

38. Approve selection of and agreement with Latino Center for Prevention and Action in Health Welfare dba Latino Health Access for Community Outreach Services/Promotora Model, 7/1/11 - 6/30/12 ($1,034,151) and 7/1/12 - 6/30/13 ($510,714) - All Districts (Continued from 6/7/11, Item 31)

41253 **APPROVED AS RECOMMENDED**
X

39. Approve selection of and agreements with Central City Community Health Center, Inc., 7/1/11 - 6/30/12 ($203,000) and 7/1/12 - 6/30/13 ($200,000) and Vietnamese Community of Orange County, Inc., 7/1/11 - 6/30/12 ($1,044,500) and 7/1/12 - 6/30/13 ($997,000) for Integrated Community services - All Districts (Continued from 6/7/11, Item 32)

B.O. **CONTINUED TO 6/28/11, 9:30 A.M.**

40. Approve selection of and agreement with Orange County Health Authority dba CalOptima for Administrative Services Organization services, 7/1/11 - 6/30/12 ($4,860,845) - All Districts (Continued from 6/7/11, Item 34)

15243 **APPROVED AS RECOMMENDED**
X

OC COMMUNITY RESOURCES

41. Authorize Director or designee to fund HOME Investment Partnership Act loan to SC Senior Apartments, L.P., ($1,652,400) and senior construction loan ($16,000,000) and authorize 10% contingency increase for subordination under certain conditions; approve subordination at permanent financing to the first trust deed conventional loan ($2,521,811) and second trust deed Project-Based Voucher loan ($2,238,743) and third trust deed State Multi-Family Housing Program loan ($5,480,000); authorize Director or designee to subordinate to additional senior debt up to 100% of the cumulative loan-to-value based on the as-built appraised market value; approve selection of SC Senior Apartments, L.P. for 27 housing choice vouchers for units as described; and authorize Director or designee to execute related documents - District 5

51243 **APPROVED AS RECOMMENDED**
X

42. Adopt resolution approving Workforce Investment Act Subgrant agreement K282492 with State Department of Employment Development, FY 2011-12, for employment and training services ($12,850,535); authorize Director or designee to execute agreement and other related documents and accept funding increases and decreases made by the State under certain conditions - All Districts

45123 **APPROVED AS RECOMMENDED**
X

RESO: 11-087

43. **Acting as the Board of Supervisors and Orange County Development Agency** - Adopt resolutions approving grant and set-aside funds to the Social Services Agency for development of Tustin Family Campus for emancipated youth benefiting the Neighborhood Development and Preservation Plan and Santa Ana Heights project area ($4,500,000); authorize Director or designee to execute agreements and related documents; and make related findings - District 3

15243 **APPROVED AS RECOMMENDED**
NX

RESO: 11-088 - 11-089

OC PUBLIC WORKS

44. Approve agreement D11-003 with City of Lake Forest for road operations and maintenance services, 7/1/11 - 6/30/16 ($1,773,000); authorize Director or designee to exercise contingency cost increase not to exceed 10%; and make California Environmental Quality Act findings - District 5

51243 **APPROVED AS RECOMMENDED**
X

45. Approve agreement D11-004 with City of Mission Viejo for road operations and maintenance, 7/1/11 - 6/30/13 ($987,612); authorize Director or designee to exercise contingency cost increase not to exceed 10%: and make California Environmental Quality Act findings - District 5

51243 **APPROVED AS RECOMMENDED**
X

46. **Acting as the Orange County Flood Control District** - Receive bids and award contract to Zusser Company, Inc. for Cathodic Protection Systems for Huntington Beach Channel and Talbert Channel ($4,238,252); and make California Environmental Quality Act findings - District 2

24153 **CONTINUED TO 6/28/11, 9:30 A.M.**
X

OC WASTE & RECYCLING

47. Approve amendment 2 to agreement RW000157.07 with Bryan A. Stirrat & Associates for construction management, quality assurance/quality control and archeological/paleontological services, South Region Landfills, extending term through 12/18/11 ($400,000; new total $2,825,000) - District 5

51243 **APPROVED PAYMENT TO BRYAN A. STIRRAT & ASSOCIATES OF $138,800 FOR**
X **SERVICES PROVIDED AND CONTINUED TO 6/28/11, 9:30 A.M.**

GENERAL ADMINISTRATION

County Executive Office:

48. Approve Memoranda of Understanding with Superior Court of California for provision of services between the County and the Courts, 7/1/11 - 6/30/12; and authorize CEO or

designee to execute MOUs - All Districts

14253 **APPROVED AS RECOMMENDED**

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

RECEIVED PRESENTATION FROM JAMES MCCONNELL, WASHINGTON, DC ADVOCATE AND LEGISLATIVE BULLETIN

50. Approve recommended grant applications submitted by Health Care Agency, Registrar of Voters and Sheriff's Department in 6/21/11 grant report and other actions as recommended - All Districts

14253 **APPROVED RECOMMENDED ACTIONS 3, 4 AND 5**
X

15243 **CONTINUED RECOMMENDED ACTION 1, HCA - PUBLIC PREVENTION**
X **HEALTH FUND: COMMUNITY TRANSFORMATION GRANT APPLICATION, TO 6/28/11, 9:30 A.M.**

45123 **APPROVED RECOMMENDED ACTION 2**
NX

51. Receive and file Implementation Status Report for Chairman's 2011 Goals - All Districts

B.O. **CONTINUED TO 6/28/11, 9:30 A.M.**

52. Authorize Purchasing Agent to increase agreement MA-017-11012176 with William D. Mahoney for professional services for Public Administrator/Public Guardian ($50,000; new total $98,000) - All Districts

51243 **APPROVED AS RECOMMENDED**
X

53. Receive and file "Follow-up Report and Presentation on Orange County Employees Retirement System (OCERS) - Pensionable Pay items" - All Districts

RECEIVED

54. Approve amendment 2 to agreement N1000010025 with CompuTrust Software Corporation for completion of PA/PG Information System - All Districts

45123 **APPROVED AS RECOMMENDED**
X

55. Consider directing staff to develop legislative proposals to implement options for New Elected Members of the Board of Supervisors Retirement Plan - All Districts

45123 **CONTINUED TO 7/19/11, 9:30 A.M.**
X

56. Approve departmental participation in County's Voluntary Contract Cost Reduction Program; authorize Purchasing Agent or designee to execute amendments and extensions - All Districts

14253 **APPROVED CONTRACTS LISTED IN ATTACHMENT 2 WITH SPECIFIC**
X **DOLLAR AMOUNTS FOR PARTICIPATION IN COST REDUCTION PROGRAM AND PUT ON HOLD CONTRACTS LISTED AS UNLIMITED**

UNTIL STAFF PROVIDES ADDITIONAL INFORMATION

57. **Human Resources Department -** Approve 2011-2013 Memorandum of Understanding with Orange County Managers Association (OCMA) - All Districts
B.O. **CONTINUED TO 6/28/11, 9:30 A.M.**

IV. PUBLIC HEARINGS (Items 58-59)

OC COMMUNITY RESOURCES

58. Public Hearing to consider adopting resolution approving Engineer's Report FY 2011-12 East Yorba Linda County Service Area No. 22 Proposed Benefit Assessment Levy for park maintenance services at Woodgate Park; and make California Environmental Quality Act findings - District 3
B.O. **CLOSED PUBLIC HEARING**

45123 **APPROVED AS RECOMMENDED**
N X
RESO: 11-090

GENERAL ADMINISTRATION

59. **County Executive Office -** Public Hearing to consider adopting resolution authorizing issuance of Apartment Development Revenue Bonds, Issue A of 2011 in an aggregate principal amount not to exceed $17,600,000 for new construction of seventy-six units senior affordable rental housing development, City of San Clemente; appoint Orrick Herrington & Sutcliffe as bond/disclosure counsel and CSG Advisors, Incorporated as financial advisor - All Districts
B.O. **CLOSED PUBLIC HEARING**

51243 **APPROVED AS RECOMMENDED**
X
RESO: 11-091

V. CLOSED SESSION (Items CS-1-SCS5)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Names of Cases: Margaret Reed v. County of Orange, United States District Court Case No. SACV 05-1103 CJC (ANx); Jeffory Weaver v. County of Orange, United States District Court Case No. SACV10-00101 CJC; Aaron Brady v. County of Orange, United States District Court Case No. SACV 10-0805 CJC
B.O. **HELD, NO REPORTABLE ACTION**

CS-2. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: 6829 and 6875 Pine Avenue, Chino, California
County Negotiator: County Executive Officer
Negotiating Parties: County of Orange, Orange County Flood Control District, and an entity known as SRG Chino Limited Partnership

Under Negotiation: Negotiations regarding Orange County Flood Control District Property and other land located within the Prado Dam Project Area

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

Human Resources Department:

CS-3. 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 6/28/11, 9:30 A.M.**

SCS4. 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

B.O. **CONTINUED TO 6/28/11, 9:30 A.M.**

SCS5. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organization: Orange County Employees Association (OCEA)
RE: Terms and Conditions of Employment

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

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

PUBLIC COMMENTS:

Kandice Hawes, John Grace and Matthew Scott - Oral Re: Medical Marijuana collectives

William Fitzgerald and Gerald Del Rosario - Oral Re: Denial of unemployment benefits

Darrell Nolta - Oral Re: Orange County's preparedness for emergencies

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:

None

ADJOURNED: 2:00 P.M.

52143 **Adjourned in memory of Lee J. Ames**
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