REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, April 5, 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 Districts

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 - Orange County Transportation Authority presented a resolution recognizing the County as a partner on Measure M

Chairman Campbell presented a resolution proclaiming April 10-16, 2011 as "Public Safety Telecommunicators Week"

Chairman Campbell - Employee Recognition: Child Abuse Emergency Response – Social Services Agency

II. CONSENT CALENDAR (Items 1-26)

21453 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 13 WHICH WAS CONTINUED TO 4/19/11, 9:30 A.M.; ITEMS 9, 25 & 26 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Nelson -** Acting as the Orange County Housing Authority - Housing and Community Development Commission - Appoint Greg Sowards, Placentia, to complete term ending 6/30/11

COMMENDATIONS/PROCLAMATIONS/REPORTS

2. **Supervisor Moorlach -** Adopt resolution commending Restaurant Facility Management Association for selfless efforts in renovating Someone Cares Soup Kitchen
RESO: 11-045

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

3. Approve agreement MA-060-11011662 with Appriss Inc. for provision of victim notification services, 5/1/11 - 4/30/14 ($352,500); renewable for two additional one-year periods - All Districts

4. Approve amendment 1 to agreement DO-060-10021090 with Intratek Computer, Inc. for information technology professional services, term ending 6/30/11 ($20,000; new total $255,000) - All Districts

5. Approve agreement PO-060-11011877 with Pacific Bell Telephone Company dba AT&T California for relocation of wireless 9-1-1 equipment, Loma Ridge Emergency Operations Center ($14,654) - District 3

6. **Treasurer-Tax Collector -** Approve Villa Park Community Services Foundation (the Foundation) as a voluntary participant of the Orange County Investment Pool for deposit and investment of excess funds; and authorize the Treasurer to execute agreement - District 3

HEALTH CARE AGENCY

7. Authorize Purchasing Agent or authorized deputy to execute purchase orders PO-042-11012756 with Cepheid ($172,814), PO-042-11012768 with Applied Biosystems, LLC ($99,238), PO-042-11012764 with A.W. Bennett Enterprises, Inc DBA: Western Shelter Systems ($27,163) for purchase of laboratory instruments necessary for testing influenza specimens and shelter tent for emergency preparedness response capability; approve amended master agreement MA-042-10013082 with Advocate Technology Solutions, LLC to expand Nursing Case Management System, 6/10/10 - 7/31/11 ($50,000; new total $146,000) - All Districts

8. Approve agreement with Coast Community College District - Golden West College for mental health training for Law Enforcement Officers program, 7/1/11 - 6/30/13 ($67,395 per year) - All Districts

9. Approve agreement with National Alliance of Mental Illness Orange County dba NAMI Orange County for Family-to-Family Basic services, 4/5/11 - 6/30/11 ($131,014) and 7/1/11 - 6/30/12 ($210,446) - All Districts

35124 **MOTION APPROVED TO NOT ACCEPT STAFF'S RECOMMENDATIONS & DIRECT HCA TO AMEND THE PREVENTION AND INTERVENTION MHSA PLAN TO DELETE ANY COPY-WRITTEN PROGRAMS AND RETURN TO THE BOARD**

FOR APPROVAL TO REBID THE CONTRACT FOR SERVICES

OC COMMUNITY RESOURCES

10. Approve amendment 1 to architect-engineer services agreement with Grillias, Pirc, Rosier, Alves (GPRA) consenting to assignment of the agreement to Ai Architecture, Inc. for completion of design for Maintenance Building Replacement Project, Irvine Regional Park - District 3

11. Approve agreement with the City of Lake Forest for exchange of real property, Limestone Canyon and Whiting Ranch Wilderness Park; adopt resolution accepting fee ownership of property; authorize Director or designee to execute related documents and deeds; and make California Environmental Quality Act findings - District 5
RESO: 11-046

12. Approve Workforce Investment Act Cost Reimbursement Master agreements with various providers for Community Based Job Training Recycling and Resource Management Project, 4/1/11 - 5/31/13 ($609,009); and authorize Director or designee to execute individual agreements and exercise cost contingency increase or decrease not to exceed 10% execute time extensions and make line item budget transfers under certain conditions - All Districts

13. Approve agreement MA-012-11011723 with Environmental Systems Research Institute, Inc. for geodatabase consultant services for OC Parks, 4/5/11 - 12/31/11 ($75,479) - All Districts
21453 **CONTINUED TO 4/19/11, 9:30 A.M.**

OC PUBLIC WORKS

14. Select MHP Structural Engineers as primary and Azizi Architects, Inc. as alternate firms for design and technical oversight services for Central Utility Facility cooling tower enclosure removal and condensate piping upgrade; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 1

15. Approve plans and specifications and set bid opening for 5/11/11, 2:00 p.m., for Sheriff-Coroner Department DNA freezer expansion and upgrade project; and make California Environmental Quality Act findings - District 1

16. Approve Tract Map 16977, Shea Tonner Hills, LLC, Brea; accept dedication for street purposes; accept dedication of easements for storm drain and emergency vehicular access purposes; accept dedication of easement over Lots F, G, H and I for scenic preservation purposes; do not accept irrevocable offers of dedication over Lots F, G, H and I for open space and resource preservation purposes; and approve agreement S0211-154 and accept Cashier's Check guaranteeing construction of improvements - District 3

17. Approve Tract Map 16980, Shea Tonner Hills, LLC, Brea; accept dedication for street purposes vehicular access rights to Santa Fe Road and easements for storm drain purposes; and approve agreement S0211-155 and accept Cashier's Check guaranteeing construction of improvements - District 3

18. Approve Tract Map 16979, Shea Tonner Hills, LLC, Brea; accept dedication for street purposes vehicular access rights to Santa Fe Road; accept easements for storm drain purposes; and approve agreement S0211-157 and accept Cashier's Check guaranteeing construction of

improvements - District 3

19. Approve, Tract Map 17381, Standard Pacific of Tonner Hills, LLC, Brea; accept dedication for street purposes; accept dedication of easements for storm drain and fire protection access road purposes; accept easement over Lots A through F for scenic preservation purposes; do not accept irrevocable offers of dedication over lots A through F for open space and resource preservation purposes; and approve agreement S0211-156 and accept bonds guaranteeing construction of improvements - District 3

20. Approve Program Supplemental Agreement N044 with State Department of Transportation for funding for widening of Antonio Parkway ($15,499,000); and make California Environmental Quality Act findings - District 5

21. Approve cooperative agreements C-0-1803 and C-0-1804 with Orange County Transportation Authority for Transportation Enhancement funding for Antonio Parkway landscape ($500,000 each); approve reimbursement agreement D11-008 with DMB Ladera, LLC for Antonio Parkway landscaping project funds; and make California Environmental Quality Act findings - District 5

22. Approve Program Supplemental Agreement M024 Rev. 2 with State Department of Transportation for seismic retrofit and barrier rail replacement to the Santiago Canyon Road Bridge; and make California Environmental Quality Act findings - District 3

SOCIAL SERVICES AGENCY

23. Approve amendment 1 to agreement WCI0210A with Foster Assessment Center & Testing Service, Inc., to expand CalWORKs Welfare-To-Work Vocational Assessment services, 4/5/11 - 6/30/11 - All Districts

24. Approve Memorandum of Understanding CLC0811 with Canyon Acres Children and Family Services for Creating Family Connections Services, 5/5/11 - 6/30/12; and authorize Director or designee to execute MOU - All Districts

GENERAL ADMINISTRATION

County Executive Office:

25. Approve allocation and expenditure of Fourth District Fund 130 funds and agreements with City of Placentia for development of Edwin T. Powell Building/Cathy Torrez Learning Center ($10,999) and with City of Fullerton for development of Laguna Lake Park Wetlands ($8,717); authorize Clerk of the Board or designee to execute agreements; and make related findings - District 4

41253 N **APPROVED AS RECOMMENDED**

26. Approve amendment 1 to agreement MA-017-11011672 with Colantuono & Levin, PC for professional legal services; and authorize County Executive Officer or designee to execute amendment ($15,000; new total $55,000) - All Districts

45123 **CONTINUED TO 4/19/11, 9:30 A.M. AS CLOSED SESSION**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 27-48)

ELECTED DEPARTMENT HEADS

27. **Assessor Department -** Approve amendment 2 to agreement MA-002-11011618 with DocuSource, LLC., for OnBase document storage and retrieval system maintenance, 4/27/11 - 4/26/12 ($86,134.30) - All Districts
54123 **CONTINUED TO 4/19/11, 9:30 A.M.**

28. **Auditor-Controller -** Approve price agreement MA-003-11012006 with Vavrinek, Trine, Day & Co., LLP for independent audit and related services, FY 2010-11($540,441) - All Districts
45123 **APPROVED AS RECOMMENDED**
N

29. **Sheriff-Coroner -** Approve amendment 4 to agreement MA-060-11011934 with Southwest Mortuary Services Incorporated for on-call body transport services, 4/15/11 - 4/14/12 ($300,000) - All Districts
54123 **APPROVED AS RECOMMENDED**

CHILD SUPPORT SERVICES

30. Approve amendment 5 to agreement MA-027-11011685 with ABC Legal Services, dba Process Forwarding International for legal process services, 5/6/11 - 5/5/12 ($450,000); renewable for one additional one-year period - All Districts
41253 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

31. Select appointment of one candidate to the CalOptima Board of Directors for term ending 1/7/15 - All Districts (Continued from 3/22/11, Item 33)
13245 **APPOINTED ADRIANA MORENO TO CONSUMER POSITION**
NN

32. Approve amendment 1 to master agreement MA-042-10013343 with ImageTrend, Inc. for Orange County Medical Emergency Data System (OCMEDS), 10/26/10 - 10/31/11 ($42,600; new total $751,578) - All Districts
24153 **APPROVED AS RECOMMENDED**

33. Approve amendments 6 to agreement with Advanced Medical Management, Inc. for Fiscal Intermediary services, effective 3/1/11; amendment 2 to Medical Services Initiative Program master agreements for provision of hospital services and clinic services, effective 3/1/11; and authorize Director or designee to execute individual amendments with providers - All Districts
B.O. **DELETED**

JOHN WAYNE AIRPORT

34. Approve Certificated Passenger Airline lease with WestJet, an Alberta Partnership; and make California Environmental Quality Act findings (4/5 vote of members present) - District 2
25143 **APPROVED AS RECOMMENDED**

35. Approve User Fee Airport Memorandum of Agreement with U.S. Customs and Border

Protection for inspectional services, effective 1/1/12; and make California Environmental Quality Act findings - District 2

23145 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

36. Receive bids and award contract to Mission Paving and Sealing, Inc. for Job Order Contract (JOC) P002 for support in expediting completion of paving and earthwork for OC Parks repair and rehabilitation projects and enhanced customer service ($1,000,000) - All Districts

51243 **APPROVED AS RECOMMENDED**

37. **Acting as the Board of Supervisors and Orange County Development Agency -** Adopt resolutions authorizing Director or designee to utilize Neighborhood Development and Preservation Project tax increment funds for programs and activities related to public improvements and development of affordable housing and Santa Ana Heights Projects Area tax increment funds for development of affordable housing within the Rancho Mission Viejo Ranch Plan; and authorize Director or designee to execute agreements and modify related documents under certain conditions; and make appropriate findings - All Districts

13245 N **APPROVED AS MODIFIED TO DELETE THE ATS/PTMS LOAN FROM ATTACHMENT C AND DIRECT STAFF TO WORK WITH THE BOARD OFFICES TO REVIEW THE ATTACHMENT C PROJECT LIST AND TO RETURN TO THE BOARD FOR APPROVAL OF ANY CHANGES TO INDIVIDUAL PROJECTS EXCEEDING $3 MILLION**

RESO: 11-047 - 11-048

OC PUBLIC WORKS

38. Approve amendment 3 to agreement D02-130 with San Bernardino County Flood Control District, Riverside County Flood Control and Water Conservation District, California Regional Water Quality Control Board, Santa Ana Region and the Santa Ana Watershed Project Authority for preparation of regulatory documents, extending term to 6/30/11 ($184,534; new total $846,534); and make California Environmental Quality Act findings - All Districts

32145 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

39. Response to 11/9/10 Board Directive regarding Office of Performance Auditor Report on Harbor Patrol - All Districts (Continued from 2/8/11, Item 39)

B.O. **CONTINUED TO 4/19/11, 9:30 A.M.**

40. Approve selection of De La Rosa & Co. as underwriter - All Districts (Continued RA #3 from 3/22/11, Item 47)

43125 A **APPROVED AS RECOMMENDED**

41. Approve qualified panel of bond/disclosure counsel firms to assist in formulating and executing future financings; and direct staff to complete the Request for Qualifications process for bond/disclosure firms in four years - All Districts

42153 **APPROVED AS RECOMMENDED**

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

24153 **RECOMMENDED ACTIONS 1 AND 5 CONTINUED TO 4/19/11, 9:30 A.M.**

54123 **RECOMMENDED ACTIONS 3 AND 7 APPROVED AS RECOMMENDED**

24153 **RECOMMENDED ACTIONS 2, 4, 8 AND 9 APPROVED AS RECOMMENDED AND RECOMMENDED ACTION 6 MODIFIED TO OPPOSE**

43. Approve in concept financing of Newport Coast Phase IV Assessment District No. 01-1 Adjustable Rate Series 2006A, bond conversion of $6,444,000 from adjustable rate bonds to fixed rate bonds and private placement of fixed rate bonds with The Irvine Company - District 5

52143 **APPROVED AS RECOMMENDED**

44. Approve recommended grant applications submitted by OC Public Works, OC Dana Point Harbor, OC Community Resources, Health Care Agency, District Attorney and Sheriff-Coroner in 4/5/11 grant report and other actions as recommended; adopt resolution authorizing OC Public Works Director or designee to apply for and execute Environmental Cleanup, tier 1 Grant Program for Catch Basin Screens Project and to invoice Orange County Transportation Authority for payment; adopt resolution authorizing OC Dana Point Harbor Director or designee to apply for funds for The Marina Trash Skimmer Program; adopt resolution authorizing OC Parks Director or designee to apply for funds for alternative pervious resurfacing of public parking lot at Upper Newport Bay - Peter and Mary Muth Interpretive Center; and adopt resolution authorizing OC Community Resources Director or designee to apply for funds for OC Public Libraries Parking Lot Retrofit Project - All Districts

14253 **APPROVED AS RECOMMENDED**
RESO: 11-049 - 11-053

45. Approve resolution supporting Supplemental Targeted Adjustment for Retirees Cost of Living Adjustment (STAR COLA); and receive and file report on STAR COLA projections - All Districts

13245 NN **APPROVED AS RECOMMENDED**

RESO: 11-054

46. Consider first reading of "An Ordinance of the County of Orange, California Amending Sections 1-1-80 (b) (3) and (h) (8) of the Codified Ordinances of the County of Orange Pertaining to Lobbyist Registration and Reporting"; and set second reading and adoption for 4/19/11, 9:30 a.m. - All Districts

B.O. **CONTINUED TO 4/19/11, 9:30 A.M.**

47. **Chairman Campbell -** Children and Families Commission of Orange County - Reappoint Sandra Barry, Santa Ana; Kimberly Chavalas Cripe, Orange; and Hugh Hewitt, Newport Beach, for terms ending 3/31/13; and reappoint Crystal Kochendorfer, Dana Point; Sally Snyder, Irvine; and Maria Minon, M.D., Orange, for terms ending 3/31/12 or consider appointment of such other persons as may apply by 5:00 p.m. on Friday, April 1, 2011 (Continued from 3/22/11, Item S53A)

31245 **REAPPOINTED SANDRA BARRY & KIMBERLY CRIPE FOR TERMS ENDING**

3/31/13 AND CRYSTAL KOCHENDORFER, SALLY SNYDER & MARIA MINON, M.D. FOR TERMS ENDING 3/31/12

31245 N **REAPPOINTED HUGH HEWITT FOR TERM ENDING 3/31/13**

48. **Supervisor Nelson -** Consider second reading and adoption of "An Ordinance of the County of Orange, California Adding Division 18, Article 1 to Title 3 of the Codified Ordinances of the County of Orange Prohibiting Registered Sex Offenders From Entering County Parks" - All Districts (Continued from 3/22/11, Item 53)

43125 **APPROVED AS RECOMMENDED**
ORD: 11-012

IV. PUBLIC HEARINGS (Item 49)

OC PUBLIC WORKS

49. Public Hearing to consider adopting resolution approving 2011 Weed Abatement Program and direct OC Public Works to report back to the Board on 7/26/11 and 7/24/12 with itemized cost reports; and make California Environmental Quality Act findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

41253 **APPROVED AS RECOMMENDED**
RESO: 11-055

V. CLOSED SESSION (Items CS-1-CS-3)

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 A UNANIMOUS VOTE, 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.**

Human Resources Department:

CS-2. 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
(Continued from 3/22/11, Item CS-2)

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

CS-3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:
Title: Director of Internal Audit

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

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

PUBLIC COMMENTS:
Russell Weisse - Oral Re: Award of contracts and employment for veterans

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Chairman Campbell - Oral Re: AB 1234 trip report to Harvard Business School for executive management training program

Supervisor Nguyen - Oral Re: AB 1234 trip report to San Francisco to visit PACE provider for CalOptima

Vice Chairman Moorlach - Oral Re: April is National County Government month, AB 1234 trip report to Sacramento for CSAC meeting, John Wayne Airport's bond rating of AA- affirmed and SONGS drill on 4/12/11

Supervisor Bates - Oral Re: Success of Senior Summit

ADJOURNED: 1:33 P.M.

53124 **Adjourned in memory of Madeleine "Maddie" James**

23145 **Adjourned in memory of Bruce E. Garlich**

13245 **Adjourned in memory of Reverend John McReynolds**

23145 **Adjourned in memory of Susan M. Trager**

13245 **Adjourned in memory of Anna Lorna Beals**

*** 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