REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 26, 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: Supervisors: Bates, Campbell, Moorlach and Nelson

EXCUSED: Supervisor Nguyen

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 Nelson, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Campbell presented a resolution recognizing the 90th anniversary of OC Public Libraries

Chairman Campbell recognized graduates of Orange County Leadership Academy XV

II. CONSENT CALENDAR (Items 1-16)

42153 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 5 WHICH WAS DELETED; AND ITEMS 4, 7, 11, 13 AND 15 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Bates -** Acting as the Orange County Housing Authority - Housing and Community Development Commission - Reappoint Bruce Sonnenberg, Irvine, for term ending 6/30/13

DEPARTMENT APPOINTMENTS

2. **Health Care Agency -** Emergency Medical Care Committee - Appoint Chief Kris Head, Orange County Fire Chief's Association, to complete term ending 6/30/12; Monica Ruzich, American Red Cross, Michelle Tom, M.D., Society of OC Emergency Physicians, for terms ending 6/30/13; and reappoint Mary Botticella, Hospital Association of Southern California, and Juliann Wanstreet, Orange County Emergency Nurses Association, for terms ending 6/30/13 - All Districts

3. **OC Community Resources -** Orange County Workforce Investment Board - Appoint Ernesto Medrano, Orange and Tod Sword, Santa Ana, to complete terms ending 12/31/11 - All Districts

HEALTH CARE AGENCY

4. Approve selection of and agreement with Phoenix House Orange County, Inc. for post-release alcohol and drug treatment services, 7/1/11 - 12/31/11 ($450,000) - All Districts

54123 XN **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

5. Reject bid of Atlas Allied, Inc.; re-advertise and set bid opening for 8/31/11, 2:00 p.m., for Domestic Water Relocation project; authorize Director or designee to extend bid opening if required up to 60 days; and make California Environmental Quality Act findings - District 2

42153 X **DELETED**

6. Approve plans and specifications and set bid opening for 8/31/11, 2:00 p.m., for Construction of Miscellaneous Site Restoration project; authorize Director or designee to sign plans and specifications and extend bid opening if required up to 60 days; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

7. Authorize Director or designee to establish a one-time, seven day long OC Public Libraries Overdue Fines Amnesty Program for return of overdue materials to any 34 branches of OC Public Libraries; and authorize approval of waiver of any past unpaid over due fines, and make findings - All Districts

24153 X **APPROVED AS RECOMMENDED**

8. Approve amendment 1 to lease with City of Costa Mesa for Mesa Verde Branch Library waiver of rent payment for remainder of lease term to 10/31/17; and make California Environmental Quality Act findings - District 2

9. Approve Cost Reimbursement Master agreements for Alternative and Renewable Fuel and Vehicle Training Program with Clean Tech Institute ($167,400), Cypress College ($150,000), Society of Automotive Engineers (SAE) International ($40,000) and Orange County Business Council ($10,000), 7/1/11 - 11/30/12; and authorize Director or designee to execute agreements, exercise cost contingency increase or decrease not to exceed 10% and make line time budget transfers under certain conditions - All Districts

10. Approve Memorandum of Agreement for establishment and operation of Orange County Marine Protected Area Council for participation in County-wide activities to effectively manage marine protected areas; and authorize Director of OC Parks to execute agreement; appoint Director of OC Parks or designee to Orange County Marine Protected Area Council; and make California Environmental Quality Act findings - All Districts

11. Approve acceptance of Grant Deeds from Alice O'Neill Avery, Trustee of the Alice O'Neill Avery Trust, 4/18/68, Anthony R. Moiso, Trustee of Richard J. O'Neill Trust, 4/18/68, and Santa Margarita Company; Arroyo Trabuco Golf Club, LLC and DMB Ladera, LLC; and accept Easement from Arroyo Trabuco Golf Club, LLC for Regional Riding and Hiking Trail and Class I Bikeway and adopt resolution accepting irrevocably-offered Las Flores Basin property, as addition to O'Neill Regional Park; and make California Environmental Quality Act findings - District 5

54123 X **APPROVED AS RECOMMENDED**

RESO: 11-110

OC PUBLIC WORKS

12. Approve agreement 62170 with City of Aliso Viejo for Public Works mutual aid during catastrophic events; and make California Environmental Quality Act findings - All Districts

13. Approve agreement MA-080-11012512 with Urban Graffiti Enterprises, Inc. for graffiti removal services, 8/1/11 - 7/31/12 ($212,000); renewable for four additional one year periods; authorize Purchasing agent or Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

42153 X **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

14. Approve Memorandum of Understanding with San Diego State University for undergraduate or graduate fieldwork experience, 9/1/11 - 6/30/14 - All Districts

GENERAL ADMINISTRATION

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

24153 X **APPROVED AS RECOMMENDED**

16. **Registrar of Voters** - Approve agreement MA-031-1101269 with Pitney Bowes for hardware maintenance and support services for production and mailing of vote-by-mail ballots, 8/12/11 - 8/11/12 ($145,000); renewable for four additional one year periods; and authorize Purchasing Agent or Deputy to execute agreement and make amendments under certain conditions - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 17-38)

ELECTED DEPARTMENT HEADS

17. **Treasurer-Tax Collector -** Receive and file 2007, 2008, 2009 and 2010 Treasury Oversight Committee Annual Reports - All Districts
43125 **APPROVED AS RECOMMENDED**
X

HEALTH CARE AGENCY

18. Approve master agreement and selection of various vendors for outreach and engagement services, 8/1/11 - 6/30/13 ($4,699,995); and authorize Director or designee to execute agreements - All Districts
B.O. **CONTINUED TO 8/9/11, 9:30 A.M.**

19. Approve master agreement and selection of various vendors for Socialization Program for isolated adults and older adults, 8/1/11 - 6/30/13 ($2,414,499); and authorize Director or designee to execute agreements - All Districts
B.O. **CONTINUED TO 8/9/11, 9:30 A.M.**

20. Accept grant awards with State Department of Alcohol and Drug Programs for Drug Court Partnership, 7/1/11 - 6/30/12 ($406,205), Comprehensive Drug Court Implementation, 1/1/12 - 12/31/12 ($1,269,980) and Dependency Drug Court, 7/1/11 - 6/30/12 ($242,473); and authorize Director or designee to execute grants - All Districts
54123 **APPROVED AS RECOMMENDED**
X

OC PUBLIC WORKS

21. Receive bids and award contract to Bitech Construction Co., Inc. for Job Order Contract O&M 001, General Engineering - Road Projects, FY 2011-12 ($1,500,000) - All Districts
45123 **APPROVED AS RECOMMENDED**
X

22. Receive bids and award contract to R.J. Noble Company for Job Order Contract O&M 002, Earthwork and Paving - Road Projects, FY 2011-12 ($1,500,000) - All Districts
45123 **APPROVED AS RECOMMENDED**
X

23. Receive bids and award contract to All American Asphalt for asphalt overlay resurfacing of various streets in Orange County 2011-12 Project ($2,668,483); and make California Environmental Quality Act findings - District 3
34125 **APPROVED AS RECOMMENDED**
X

Acting as the Orange County Flood Control District:

24. Waive irregularity in bid proposals submitted by W.A. Rasic Construction Co., Inc.; J.F. Shea Construction, Inc. and Flatiron West, Inc.; receive bids and award contract to W.A. Rasic Construction Co., Inc. for the Santa Ana River Interceptor Mainline Project

($41,850,000); make budgetary adjustments; and make California Environmental Quality Act findings - District 3 (RA 6, 4/5 vote of members present)

2 **MOTION FAILED DUE TO LACK OF A SECOND TO REBID THE PROJECT WITH THE MICROTUNNELING EXPERIENCE REQUIREMENT MODIFIED FROM 10 YEARS TO 5 - 15 YEARS**

25143 XN **CONTINUED TO 8/9/11, 9:30 A.M.**

25. Receive bids and award contract to Sea Pac Engineering, Inc. for Job Order Contract O&M 003, General Engineering - Flood Projects, FY 2011-12 ($2,000,000) - All Districts

45123 X **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

26. **Probation -** Adopt resolution designating the Probation Department to provide post release community supervision pursuant to AB 109 and AB 117 - All Districts

45123 X **APPROVED AS RECOMMENDED**

RESO: 11-111

GENERAL ADMINISTRATION

County Executive Office:

27. Acting as the Community Facilities Districts 86-1, 86-2, 87-5A, 87-5B, 87-5C, 87-5D, 87-5E (Rancho Santa Margarita); 87-1 (Dimensions Business Park); 87-2 (Portola Hills); 87-3 (Mission Viejo); 87-4 (Foothill Ranch); 87-6 (Baker Ranch); 87-7 (Los Alisos); 87-8 (Coto de Caza); 87-9 (Santa Teresita); 88-1 (Aliso Viejo) and 99-1, 2000-1, 2001-1, 2002-1, 2003-1, 2004-1 (Ladera Ranch) - Adopt resolutions levying special taxes for Community Facilities Districts, FY 2011-12 - Districts 3 & 5

35124 X **APPROVED AS RECOMMENDED**

RESO: 11-112 - 11-133

28. Terminate appointment of William D. Mahoney as Public Guardian and appoint Lucille Castillo Lyon as Public Guardian, effective 7/29/11 - All Districts

43125 XN **APPROVED AS RECOMMENDED**

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

RECEIVED AND FILED

30. Approve proposed response to FY 2010-11 Grand Jury Report "Child Abuse Emergency Response Effectiveness" - All Districts

43125 X **APPROVED AS RECOMMENDED**

31. Consider first reading of "An Ordinance of the County of Orange, California, Approving and Adopting a Boundary Change Between the County of Orange and the County of Los Angeles" along Coyote Creek Channel near the cities of Seal Beach and Los Alamitos; and set second reading and adoption for 8/9/11, 9:30 a.m. - All Districts

B.O. **CONTINUED TO 8/23/11, 9:30 A.M.**

32. Approve proposed response to FY 2010-11 Grand Jury Report "Review of November 2, 2010 General Election Process" - All Districts

42153 X **APPROVED AS RECOMMENDED**

33. Approve amendment 3 to price agreement N1000011007 with Avasant for Information Technology Sourcing Advisory services, effective 7/26/11 - 3/31/12 ($224,240); and authorize Purchasing Agent or designee to exercise a cost contingency increase not to exceed 10% - All Districts

45123 X **APPROVED RECOMMENDED ACTION 1**

43125 X N **APPROVED RECOMMENDED ACTION 2**

Human Resources Department:

34. Approve 2011-2013 Memorandum of Understanding with Orange County Managers Association (OCMA) - All Districts (Continued from 6/21/11, Item 57; 6/28/11, Item 62)

B.O. **CONTINUED TO 8/9/11, 9:30 A.M.**

35. Adopt Employee Health Plans Rate Tables with CIGNA and Kaiser for 2012 - All Districts

B.O. **CONTINUED TO 8/9/11, 9:30 A.M.**

36. Adopt Employee Health Plan Rate Tables for Self-funded PPO Premier Wellwise and Premier Sharewell for 2012; approve third amended and restated Premier Wellwise Health Plan Document and second amended and restated Premier Sharewell Health Plan Document for employees, effective 1/1/12; and establish an Internal Service Fund 292 target reserve amount of 30% of estimated annual claim expense for employee self-funded PPO Plans - All Districts

B.O. **CONTINUED TO 8/9/11, 9:30 A.M.**

37. Approve Retiree Insured Health Plan Rates for 2012; and authorize Director or designee to sign Group Benefit/Service Policies with Anthem Blue Cross, Kaiser Permanente Health Plan, Inc. and SCAN after approval by Department of Managed Care or Centers of Medicare and Medicaid Services - All Districts

B.O. **CONTINUED TO 8/9/11, 9:30 A.M.**

38. Adopt 2012 Retiree Self-Funded PPO Health Plan Rates Plan Changes and Plan Documents, effective 1/1/12; authorize Human Resources Department/Employee Benefits Deputy Purchasing Agent to execute amendment 3 to agreement with California Physician Services, Inc. dba Blue Shield of California for claims administration, cost management services and preferred provider organization network

and amendment 2 to agreement with Walgreens Health Initiatives, Inc. for administration of prescription drug card and mail order program, 1/1/12 - 12/31/12; establish an Internal Service Fund 292 target reserve amount of 30% of estimated annual claim expense for retiree self-funded PPO Plans; and authorize Director or designee to continue to apply for Retiree Drug Subsidy Program for Wellwise Retiree health plan - All Districts

B.O. **CONTINUED TO 8/9/11, 9:30 A.M.**

IV. PUBLIC HEARINGS (Items 39-40)

OC PUBLIC WORKS

39. Public Hearing to consider adopting resolution approving FY 2010-11 Weed Abatement Cost Report and special assessments on identified properties - All Districts

B.O. **CLOSED PUBLIC HEARING**

25143 **APPROVED AS RECOMMENDED**
X

RESO: 11-134

40. Public Hearing to consider adopting resolution imposing fee of $34.71 per sewage unit on property owners in La Mirada County Service Area No. 13; and make California Environmental Quality Act findings - District 4

B.O. **CLOSED PUBLIC HEARING**

45123 **APPROVED AS RECOMMENDED**
X

RESO: 11-135

V. CLOSED SESSION

GENERAL ADMINISTRATION

SCS1. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property: Chino, California
County Negotiator: County Executive Officer
Negotiating Parties: Louis and Sherl Moreno
Under Negotiation: Fee Purchase of the Moreno Property

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

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

PUBLIC COMMENTS:
L. Arnold Bonham - Oral Re: Care of disabled

Zeke Hernandez - Oral Re: Redistricting

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Chairman Campbell - Oral Re: Was unable to testify before California Redistricting Committee on 7/22/11 due to cancellation of flight by airline

ADJOURNED: 12:45 P.M.

23145 **Adjourned in memory of Kevin Murphy**
X

23145 **Adjourned in memory of Lynn George Muth**
X

53124 **Adjourned in memory of Cindy Long Dunbar**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Campbell
4. = Supervisor Nelson
5. = Supervisor Bates

ORD. = Ordinance
RESO. = Resolution

A. = Abstained
X. = Excused
N. = No
BO = Board Order

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