REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, May 10, 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 Nguyen, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Nelson, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-19)

12453 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 10 & 12 WHICH WERE CONTINUED TO 5/17/11, 9:30 A.M.; AND ITEMS 4, 6, 18 & 19 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

1. Approve agreements SA-67-11IE with the State 32nd District Agricultural Association and with the State to provide law enforcement services for events held at the Orange County Fairgrounds, 7/1/11 - 6/30/12 ($390,000); and authorize Sheriff-Coroner or designee to execute contractor certification clauses form CCC-307 - District 2

2. Approve agreements SA-66-11FT with the State 32nd District Agricultural Association and with the State to provide law enforcement services for 2011 Orange County Fair, 7/14/11 - 8/15/11 ($425,000); and authorize Sheriff-Coroner or designee to execute contractor certification clauses form CCC-307 - District 2

3. Approve agreement MA-060-11011897 with Environmental Logistics, Inc. for hazardous waste disposal services, 5/10/11 - 5/9/12 ($131,000); renewable for four additional one-year periods; and authorize Purchasing Agent or designee to execute agreement - All Districts

CHILD SUPPORT SERVICES

4. Approve agreement MA-027-11011929 with Symon Communications, Inc. for hardware and software maintenance, 6/1/11 - 5/31/14 ($27,018.94); and authorize Purchasing Agent or designee to execute agreement - All Districts

32145 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

5. Approve agreement with AIDS Services Foundation Orange County for HIV Housing services, 7/1/11 - 6/30/12 ($459,155); authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions - All Districts

6. Approve agreement with Orange County Association for Mental Health dba Mental Health Association of Orange County for Children and Transitional Age Youth Mentoring services, 7/1/11 - 6/30/12 ($500,000) - All Districts

34125 **APPROVED AS RECOMMENDED**

7. Approve agreement with Hospital Association of Southern California for California Children's Services Eligibility Technician services, 7/1/11 - 6/30/13; authorize Director or designee to execute agreement - All Districts

8. Authorize Purchasing Agent or deputy to execute purchase order PO-042-11013093 with Beckman Coulter for purchase of centrifuge equipment to test seasonal and pandemic influenza specimens ($32,910) - All Districts

9. Authorize Purchasing Agent or deputy to renew master agreement MA-042-11011951 with LiveProcess Corp. for Health Incident Management System software licensing and maintenance support services, 8/1/11 - 7/31/12 ($168,660) - All Districts

10. Approve agreement with Occupational Health Centers of California, A Medical Corporation, dba Concentra Medical Centers for physical examination services, 7/1/11 - 6/30/13 ($482,000); authorize Director or designee to execute agreement - All Districts

12453 **CONTINUED TO 5/17/11, 9:30 A.M.**

OC COMMUNITY RESOURCES

11. Adopt resolution amending Bylaws of Coastal Greenbelt Authority; approve lease with City of Laguna Woods for property to be managed as part of Laguna Coast Wilderness Park; and make California Environmental Quality Act findings - Districts 2, 3 & 5
RESO: 11-061

12. Approve amendment 2 to agreement MA-012-10013308 with Webb & Duffy, Inc., dba The Truth Agency for marketing and design services, 6/23/11 - 6/22/12 ($249,975); and authorize Purchasing Agent or authorized Deputy to execute agreement; and make California Environmental Quality Act findings - All Districts

12453 **CONTINUED TO 5/17/11, 9:30 A.M.**

OC PUBLIC WORKS

13. Approve plans and specifications and set bid opening for 5/25/11, 2:00 p.m., for Trabuco Creek Road Resurfacing and Improvement Project - Districts 3 and 5

SOCIAL SERVICES AGENCY

14. Approve agreement CDB2411 with Family Support Network for provision of Parent Leadership Services, 7/1/11 - 6/30/12 ($173,918) - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

15. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Surfside Colony Storm Water Protection District - All Districts

16. Approve re-adoption of the State's Model Code by reference and modifications to Designated Filer Positions and Disclosure Categories Exhibits A & B for Orange County Superior Court Grand Jury and Fire Training Facility Authority - All Districts

17. Approve proposed amendments to the Conflict of Interest Code Designated Filers Exhibits for Health Care Agency and Treasurer-Tax Collector - All Districts

18. **County Counsel -** Approve amendment 3 to agreement with Groom Law Group for legal services ($20,000; new total $110,000); and authorize County Counsel or designee to execute amendment - All Districts (Continued from 5/3/11, Item 26)

23145 N **APPROVED AS RECOMMENDED**

19. **County Executive Office -** Authorize CEO to renew agreement C-9-0258 with Orange County Transportation Authority and City of Santa Ana for public usage of restrooms at former Santa Ana Transit Terminal (SATT), 3/24/10 - 3/23/11 and 3/24/11 - 3/23/12; direct staff to report annually on status of agreement - All Districts

25143 **APPROVED AS RECOMMENDED**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 20-30)

ELECTED DEPARTMENT HEADS

20. **Sheriff-Coroner -** Approve agreement 12-04-0028 with United States Marshals Service regarding housing of federal inmates in Central Jails Complex at per diem rate of $120 per prisoner per day; approve transportation and guard/escort service at rate of $45 hourly; authorize Sheriff-Coroner or designee to execute agreement and amendments under certain conditions; and make California Environmental Quality Act findings - All Districts

24153 **APPROVED AS RECOMMENDED**

21. **Treasurer-Tax Collector -** Adopt resolution consenting to and authorizing issuance of Tustin Unified School District General Obligation Bonds of School Facilities Improvements District No. 2008-1 Election of 2008, Series B, accepting District obligation for payment of County costs of issuing bonds and taking related actions ($25,000,000) - District 3

34125 **APPROVED AS RECOMMENDED**
RESO: 11-062

HEALTH CARE AGENCY

22. Authorize Purchasing Agent or deputy to renew master agreement MA-042-11011768 with The Regents of the University of California, a Constitutional Corporation, on behalf of UC Irvine Pathology Services for phlebotomy and laboratory testing services, 7/1/11 - 6/30/12 ($850,000) - All Districts

41253 **APPROVED AS RECOMMENDED**

23. Response to 3/22/11 Board Directive regarding 2011 Community Indicators Report - Risks of side-effects from vaccinations to babies - All Districts

PRESENTED

PUBLIC PROTECTION

24. **Probation -** Approve submission of Orange County Comprehensive Multi-Agency Juvenile Justice Plan modification for FY 2011-12 to State Corrections Standards Authority; authorize Chief Probation Officer to execute application - All Districts

15243 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

25. Approve expenditures with various providers of child abuse prevention/intervention counseling services under master agreement CDB0109, 7/1/11 - 6/30/12 ($678,996) and with various providers of counseling and parent education services under master agreement CMJ2509, 7/1/11 - 6/30/12 ($200,000) - All Districts

15243 **APPROVED AS RECOMMENDED**

26. Approve agreement CMJ0311 with The Regents of the University of California for Sexual Abuse Counseling Services, 7/1/11 - 6/30/14 ($1,825,530) - All Districts

14253 **APPROVED AS RECOMMENDED**

27. **Acting as the Board of Supervisors and OC In-Home Supportive Services Public Authority -** Approve interagency agreement ATM0111 with Orange County In-Home

Supportive Services Public Authority for provision and administration of In-Home Supportive Services, 7/1/11 - 6/30/12; and authorize Director or designee to execute Memorandum of Agreement ATM0211 to continue appointment of Robert D. Miller as Executive Director of Orange County In-Home Supportive Services Public Authority - All Districts

41253 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

28. Approve recommended grant applications submitted by Sheriff-Coroner, Health Care Agency and OC Waste & Recycling in 5/10/11 grant report and other actions as recommended; adopt resolution authorizing Health Care Agency Director or designee to submit and execute application, related documents and amendments to Department of Resources Recycling and Recovery (CalRecycle) for Enforcement Assistance 22nd (EA22) grant cycle - All Districts

14253 **APPROVED AS RECOMMENDED**
RESO: 11-063

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

25143 **APPROVED AS RECOMMENDED**

30. Adopt resolution approving CEO Marketing Plan for Corporate Sponsorship of Annual OC Green Fair for 2011; authorize Purchasing Agent or his designee to pursue marketing, sponsorships and fundraising partnerships with private sector organizations and businesses and execute related exhibitor/sponsorship agreement - All Districts

21453 **APPROVED AS RECOMMENDED**
RESO: 11-064

IV. PUBLIC HEARINGS (Item 31)

OC COMMUNITY RESOURCES

31. Public Hearing to consider approving FY 2011-12 Annual Action Plan and Federal allocation of U.S. Department of Housing and Urban Development (HUD) new, reprogrammed, recovery and program income Community Development Block Grant (CDBG) funds, new and program HOME Investment Partnership Act funds, Emergency Shelter Grant (ESG) funds ($6,461,830); select providers and projects for Public Facilities and Improvements (PF&I) activities; approve third year renewal of providers and projects for Public Services and Housing Rehabilitation; authorize Director or designee to negotiate agreements and make changes under certain conditions and return to the Board for approval - All Districts (Continued from 5/3/11, Item 53)

B.O. **CLOSED PUBLIC HEARING**

14253 **APPROVED AS RECOMMENDED**

V. CLOSED SESSION (Items CS-1-SCS4)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Cases: The Orange County Patients Collective v. County, Orange County Superior Court Case No. 30-2011-00450929; and The Beach Quality Caregivers, Inc. v. County, Orange County Superior Court Case No. 30-2011-00456983

B.O. **HELD, THE CLERK READ: THE BOARD BY A VOTE OF 4 TO 1 WITH SUPERVISORS CAMPBELL, MOORLACH, NGUYEN AND BATES VOTING IN FAVOR, SUPERVISOR NELSON VOTING AGAINST, AUTHORIZED COUNTY COUNSEL TO FILE CROSS-COMPLAINTS IN THE EXISTING CASES, THE ORANGE COUNTY PATIENTS COLLECTIVE V. COUNTY; AND THE BEACH QUALITY CAREGIVERS, INC. V. COUNTY.**

CS-2. 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 VOTE OF 4 TO 1 WITH SUPERVISORS CAMPBELL, MOORLACH, NGUYEN AND BATES VOTING IN FAVOR, SUPERVISOR NELSON VOTING AGAINST, 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-3. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organizations: Association of County Law Enforcement Managers (ACLEM), American Federation of State, County and Municipal Employees (AFSCME), Alliance of Orange County Workers (AOCW), International Union of Operating Engineers (IUOE), Orange County Attorneys Association (OCAA), Orange County Employee Association (OCEA), Orange County Managers Association (OCMA)
RE: Terms and Conditions of Employment

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

SCS4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:
Title: County Executive Officer

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

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

PUBLIC COMMENTS:
Roman Beltran, Joe Shaw, Minerva Figueroa, Rev. Tom Reinhart-Marean, Natalie Garth, Audrey Prosser, Dave Hoen, Linda May, Chad Ratner, Melissa Distel, Rev. Sarah Halverson, AJ Blackwood and Archer Altstaetter - Oral Re: Harvey Milk Day

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:

Chairman Campbell - Oral Re: OCEA hot dog barbeque to honor the men and women who have served in the war against terror, AB 1234 trip report to go to San Francisco to meet with rating agencies

Supervisor Bates - Oral Re: Job Fair on 5/11/11 at Laguna Hills Mall

Vice Chairman Moorlach - Oral Re: AB 1234 trip report to Sacramento to attend CSAC Executive Committee meeting

ADJOURNED: 12:00 P.M.

53124 **Adjourned in memory of Phillip E. Polk**

*** 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