REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, October 6, 2009, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

PATRICIA BATES
CHAIR
Fifth District

JANET NGUYEN
VICE CHAIR
First District

JOHN M. W. MOORLACH
SUPERVISOR
Second District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Alisa Drakodaidis, Deputy CEO
	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 Moorlach, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chair Bates introduced and presented a proclamation recognizing the Honorable Elin Suleymanov, Consul Generals of the Republic of Azerbaijan

II. CONSENT CALENDAR (Items 1-16)

32145 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 2, 5 & 16 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

1. **District Attorney -** Approve amendment 3 to price agreement Y1000001258 with Konica Minolta Business Solutions U.S.A. Inc. for rental of digital copiers, 9/1/07 - 6/30/10 ($10,000; new total $175,000); renewable for two additional years ($70,000 per year); and authorize Purchasing Agent or designee to execute agreement and exercise

contingency contract increase not to exceed 10% - All Districts

Sheriff-Coroner:

2. Accept donation of $150,000 from Drug Use Is Life Abuse to fund one Deputy Sheriff I position for one year - All Districts
32145 **APPROVED AS RECOMMENDED**

3. Receive bids and award contract to 4C Development Company, Inc. for Theo Lacy Pod A Flood Protection project ($51,779) - District 3

4. Ratify amendment 1 to price agreement N1000010467 with AB & B Electronic Supply, Inc. for repair/maintenance of audio visual equipment, 11/1/08 - 10/31/09 ($15,000; new total $60,000) - All Districts

HEALTH CARE AGENCY

5. Approve Memorandum of Understanding with multiple Southern California Counties for Workforce Education and Training Southern Counties Regional Partnership, term ending 6/30/12; and authorize Director or designee to execute MOU - All Districts
21345 **APPROVED AS RECOMMENDED**

6. Adopt resolution approving grant agreement EA 20-09-14 and payment request with California Integrated Waste Management Board for solid waste management enforcement assistance funds, 7/1/09 - 6/30/10 (42,771); authorize Director or designee to execute grant and corresponding payment request - All Districts
RESO: 09-160

OC PUBLIC WORKS

7. Approve Joint Funding Agreement 09W4CAD02340 with United States Geological Survey for operation and maintenance of four stream gauges, ($88,800); and make California Environmental Quality Act findings - Districts 2, 3 and 4

8. Approve agreement D09-086 with Tetra Tech, Inc. for on-call engineering services to support watershed management, three-year term ($300,000); and make California Environmental Quality Act findings - All Districts

9. Select Lim & Nascimento Engineering Corporation as primary and TCM Group as alternate firms for inspection services for construction of Alton Parkway extension; and authorize negotiation of agreement for Board approval - Districts 3 and 5

10. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreement D09-062 with Bonterra Consulting for on-call regulatory permitting services, three-year term ($400,000); and make California Environmental Quality Act findings - All Districts

OC WASTE & RECYCLING

11. Approve agreements with various haulers for Deferred Payment of Municipal Disposal Fees; authorize Director or designee to execute agreements and make changes under

certain conditions - All Districts

12. Approve amended and restated importation agreements with Burrtec Waste Industries, Inc., EDCO Disposal Corporation and Republic Waste Services of Southern California, LLC. for continuation of imported waste to support bankruptcy recovery efforts, 10/6/09 - 6/30/16 - All Districts

PUBLIC PROTECTION

13. **Probation -** Receive and file Juvenile Justice Crime Prevention Act Report for FY 08-09 - All Districts

SOCIAL SERVICES AGENCY

14. Approve Memorandum of Understanding with Loma Linda University for provision of undergraduate or graduate fieldwork experience, 10/7/09 - 6/30/11; and authorize Director or designee to execute agreement - All Districts

15. Approve California-Child and Family Services Review, System Improvement Plan, 11/7/09 - 11/7/12; authorize Director and Chief Probation Officer or designees to execute and update plan and submit to State Department of Social Services - All Districts

GENERAL ADMINISTRATION

16. **Human Resources Department -** Receive and file Staffing Plan and Representation Unit Determination for Correctional Services Assistant Trainee and Correctional Services Assistant Classifications - All Districts

32145 **APPROVED AS RECOMMENDED**
N

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 17-S30A)

ELECTED DEPARTMENT HEADS

17. **Assessor Department** - Oral Report - ATS Re-engineering Project Quarterly Update - All Districts
PRESENTED

Sheriff-Coroner:

18. Accept grant award from U.S. Department of Justice for Forensic DNA Backlog Reduction program, FY 2009 ($475,294); and authorize Sheriff-Coroner to execute agreement - All Districts
35124 **APPROVED AS RECOMMENDED**

19. Accept grant award from U.S. Department of Justice for Forensic DNA Unit Efficiency Improvement Program, FY 2009 ($1,499,930); and authorize Sheriff-Coroner to execute agreement - All Districts
35124 **APPROVED AS RECOMMENDED**

20. Accept grant award from U.S. Department of Justice for Edward Byrne Memorial Justice Assistance Grant Program, FY 2009 ($880,454); approve agreement to transfer funds to participating cities; and authorize Sheriff-Coroner or designee to execute individual agreements - All Districts
21345 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

21. Approve master agreement with various providers for H1N1 emergency vaccination services, 10/7/09 - 6/30/10; and authorize Director or designee to execute agreements - All Districts
14235 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

22. Approve agreements OCP09-016 with IFC Jones & Stokes ($400,000) and OCP09-017 with RBF Consulting ($400,000) for on-call architectural-engineering services for OC Parks capital improvement and rehabilitation projects, three year terms - All Districts
34125 A **APPROVED RECOMMENDED ACTION NO. 2 AND AUTHORIZED VICE-CHAIR TO EXECUTE AGREEMENT**

34125 **APPROVED RECOMMENDED ACTION NO. 1**

OC PUBLIC WORKS

23. Approve amendment 1 and amendment 2 to agreements and accept grant deed and notice of option to convey with Uniwell Corporation for purchase of real property located at 1770 N. Broadway and 318 W. 18th Street, Santa Ana; authorize Auditor-Controller to make related payments; authorize Director or designee to approve purchase contract and execute related documents; and make California Environmental Quality Act findings - District 1

14235 **APPROVED AS RECOMMENDED**

24. **Acting as the Orange County Flood Control District -** Adopt resolution certifying Final SEIS/EIR IP 03-226; adopt Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations and select preferred project alternative OC 3B for Santa Ana River Interceptor Line project; authorize Director or designee to proceed with work order No. 2 and actions necessary for construction: and make California Environmental Quality Act findings - District 3

32145 **APPROVED AS RECOMMENDED**
RESO: 09-161

SOCIAL SERVICES AGENCY

25. Approve agreement 08-6060 with State Department of Social Services for Supplemental Security Income for the aged, blind and disabled, 7/1/08 - 6/30/13; and authorize Director or designee to execute agreement - All Districts

13245 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

26. Approve recommended grant application submitted by Sheriff-Coroner in 10/6/09 grant report and other actions as recommended - All Districts

23145 **APPROVED AS RECOMMENDED**

27. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters; adopt resolution supporting Comprehensive Solution for Sacramento-San Joaquin Delta solution, using Bay-Delta Conservation Plan - All Districts

43125 **APPROVED AS RECOMMENDED**
RESO: 09-162

28. Report on County financial and budget status - All Districts
NONE

29. Adopt resolution amending Resolution 09-090 authorizing borrowing in FY 2009-10 of up to a total $22 million from OC Waste & Recycling Fund 279 for costs associated with upgrades of various Information Technology projects - All Districts

32145 N **APPROVED AS RECOMMENDED**
RESO: 09-163

30. Approve proposed response to 2008-09 Grand Jury Report "Supplemental Guardian of Last Resort." - All Districts (Continued from 9/22/09, Item 38, 9/29/09, Item 40)

13245 **APPROVED AS MODIFIED TO CHANGE RESPONSES TO SR1 AND SR1(A) TO 'RECOMMENDATION REQUIRES FURTHER ANALYSIS"**

S30A. **Chair Bates -** Adopt resolution congratulating The Trusteeship for the Betterment of

Women, Inc. on its 30th Anniversary

51234 **APPROVED AS RECOMMENDED**
RESO: 09-164

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: William J. Hunt v. County of Orange & Michael S. Carona, USDC Case No. SACV07-705 AG(MLGx)

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

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

PUBLIC COMMENTS:
Gary Boatwright - Oral Re: Treatment of homeless by law enforcement

Darrell Nolta - Oral Re: SONGS exercise, DNA Lab and murder at UCI campus

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Norby - Oral Re: Direction for Office of Performance Audit Director and CEO to explore a graduate school intern program

ADJOURNED: 12:23 P.M.

51234 **Adjourned in memory of Hayden Michael Meier**

51234 **Adjourned in memory of Gary DiSano**

45123 **Adjourned in memory of Jack Armstrong**

45123 **Adjourned in memory of Kymberli Kercher Smith**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Campbell
4. = Supervisor Norby
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