REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 28, 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	Thomas G. Mauk
	COUNTY COUNSEL	Nicholas S. Chrisos
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Campbell, Third District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Chair Bates recognized graduates of Orange County Leadership Academy XI

Chair Bates - Ryan Drabeck from OC Animal Care provided presentation on pet adoption

II. CONSENT CALENDAR (Items 1-22)

31245 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF 7, 11, 12 & 15 WHICH WERE CONTINUED TO 8/4/09, 9:30 A.M.; AND ITEM 21 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Supervisor Bates:

1. Senior Citizens Advisory Council - Appoint Roseanne Kotzer, Laguna Niguel, and Patricia Kolstad, Ladera Ranch, to complete terms ending 12/31/10

2. Orange County Veterans Advisory Council - Appoint Steven Vargas, Brea, to complete term ending 6/19/10

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

3. Ratify amendment 1 to price agreement N1000009886 with Amtec Engineering Corporation for WebEOC software temporary information technology personnel services, 5/20/08 - 5/19/10 - All Districts

4. Ratify price agreement N1000010924 with Identix Corporation for maintenance of Live Scan machines, 3/28/09 - 3/31/11 ($44,151) - All Districts

5. Approve plans and specifications and set bid opening for 9/2/09 at 2:00 p.m., for Theo Lacy Pod A Flood Protection project; and make California Environmental Quality Act findings - District 3

6. Approve amendment 1 to price agreement D1000000172 for vendor name change from Multiplier Industries Corporation to Voltaic LLC, dba Ampergen - All Districts

7. Ratify agreements with the State 32nd District Agricultural Association to provide law enforcement services for events held at the Orange County Fairgrounds, 7/1/09 - 6/30/10 ($350,000); and authorize Sheriff-Coroner to execute agreements and contractor certification clauses form CCC-307 - District 2 (Continued from 7/14/09, Item 11; 7/21/09, Item 3)

31245 **CONTINUED TO 8/4/09, 9:30 A.M.**

8. Approve amendment 3 to price agreement N3000008663 with Matrix Imaging Products, Inc. for maintenance of Kodak scanners, term ending 3/26/10 ($3,743; new total $69,061); renewable for two additional one year periods ($69,289 per year) - All Districts (Continued from 7/21/09, Item 2)

CHILD SUPPORT SERVICES

9. Approve shared services agreement with Imperial County for call center partnership to assist Imperial County Child Support Services with client telephone calls, term ending 6/30/10; authorize Director or designee to execute agreement; renewable for one additional one-year period - All Districts

HEALTH CARE AGENCY

10. Approve agreement 09-11137 with State Department of Public Health for Sexually Transmitted Diseases (STD) Community Interventions Program, STD Intervention and Surveillance Program, Chlamydia Screening Project, Syphilis Elimination, and Gonorrhea Isolate Surveillance Project, 7/1/09 - 6/30/11 ($345,766); and authorize Director or designee to execute Contractor's Release form upon submission of final

invoice - All Districts

OC COMMUNITY RESOURCES

11. Approve Quitclaim Deed transferring Table Rock Park and related easements to Laguna Beach; and make California Environmental Quality Act findings - District 5

31245 **CONTINUED TO 8/4/09, 9:30 A.M.**

12. Approve Mitigation Negative Declaration IP 08-269; and approve Final Draft Aliso and Wood Canyons Wilderness Park Resource Management Plan for guidance of OC Parks on future policy, land use and resource management decisions for the park - District 5

31245 **CONTINUED TO 8/4/09, 9:30 A.M.**

OC PUBLIC WORKS

13. Authorize Director or designee to approve Collectible Work Authorization with Southern California Gas Company for relocation of facilities on Alton Parkway Extension Project ($137,522); authorize Auditor-Controller to make related payments; and authorize Director or designee to exercise contingency increase not to exceed 15% - Districts 3 & 5

14. Approve Mitigated Negative Declaration IP 08-537 for South Orange County Arundo and Habitat Restoration Program; and make California Environmental Quality Act findings - District 5

15. Authorize issuance of request for proposal for selection of Program Administrator for Orange County FIRST Program - All Districts

31245 **CONTINUED TO 8/4/09, 9:30 A.M.**

OC WASTE & RECYCLING

16. Approve easement deed and agreement with San Diego Gas & Electric Company for access to property for installation and maintenance of power pole, Prima Deshecha Landfill; and make California Environmental Quality Act findings - District 5

SOCIAL SERVICES AGENCY

17. Approve agreement CCI4408 with New Alternatives, Inc. for residential home services, 8/1/09 - 6/30/10; approve licenses GA 1213-183 and GA 1213-184 with New Alternatives, Inc. for residential treatment and services for children/youth and families; approve and authorize Director or designee to execute Non-Financial Memorandum of Understanding CCI1708 with Orange County Head Start, Inc. for Head Start/Early Head Start Services, Tustin Family Campus, 8/1/09 - 6/30/12; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

18. **Clerk of the Board** - Approve proposed amendments to the County's Conflict of Interest Code Designated Filers Exhibits for the Sheriff-Coroner - All Districts

19. **County Executive Office -** Approve agreement 09-002AR with AMTEC Corporation for arbitrage rebate services, term ending 7/31/14 ($36,600 first year; $36,000 second year; $35,100 third, fourth & fifth years); and authorize Chief Financial Officer or designee to execute agreement - All Districts

20. **Human Resources Department -** Approve and adopt classification specifications for Sheriffs Correctional Assistant Trainee and Sheriffs Correctional Assistant; direct Human Resources Director to return to the Board with recommendation for representation unit; and direct Sheriff-Coroner to return to the Board with staffing and budget plan - All Districts

21. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for June 2009 - All Districts

42135 **APPROVED AS RECOMMENDED**

22. **Supervisor Moorlach -** Adopt resolution supporting Governor Schwarzenegger's proposal to sell Orange County Fairgrounds only if it provides that Fairgrounds shall only be sold to local government agency or local not-for-profit corporation
RESO: 09-110

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 23-38)

ELECTED DEPARTMENT HEADS

23. **Auditor-Controller -** Receive and file CAPS + Quarterly Project Status Report - All Districts
PRESENTED

24. **Sheriff-Coroner -** Approve amendment 1 to agreement with Rancho Santa Margarita for law enforcement services, 7/1/09 - 6/30/10 ($7,359,340) - District 5
51234 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

25. Approve agreement 08-78160-000 with State Department of Mental Health for Mental Health State Hospital services, 7/1/08 - 6/30/09 ($5,279,353); and authorize Director or designee to execute agreement - All Districts
41235 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

26. Authorize Director or designee to utilize HOME Investment Partnership Act and Mental Health Services Act funds for a permanent loan to Jamboree Housing Corporation (or to be formed Limited Partnership) for development of Stonegate Apartment Homes, Irvine ($3,003,700); approve loan commitment and subordination of loans to first trust deed ($4,639,526); authorize Director or designee to execute subordination agreements and related documents; and make California Environmental Quality Act findings - District 3
31245 **APPROVED AS RECOMMENDED**

27. **Acting as the Board of Supervisors and Orange County Development Agency -** Adopt resolutions authorizing Director or designee to utilize Orange County Development Agency funds and/or HOME Investment Partnership Act funds for loan $3,794,400 with Avenida Villas Fund, L.P. for development of of forty-seven units of affordable housing, Anaheim area; approve loan commitment and subordination of loan during acquisition ($1,620,000); authorize Director or designee to execute subordination agreements and related documents; and make California Environmental Quality Act findings - District 4
31245 **APPROVED AS RECOMMENDED**
N
RESO: 09-111 - 09-112

OC PUBLIC WORKS

28. Approve price agreement N1000010823 with Solar Turbines Incorporated for congeneration turbine comprehensive maintenance services at County's Central Utility Facility, 8/1/09 - 7/31/14 ($4,082,760); and make California Environmental Quality Act findings - District 1
13245 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

29. Approve Transfer and Joint Occupancy agreements with Judicial Council of California, Administrative Office of the Courts for Transfer of Responsibility and Deferred Transfer of Title and related Memorandum of Agreements for Harbor Justice Center Trial Court Facility, Newport Beach; and instruct Auditor-Controller to make quarterly installment payments; authorize Chair and/or CEO or designee to assign any leases for third party tenants and execute any other documents necessary to complete transfer; and make California Environmental Quality Act findings - District 2

23145 **APPROVED AS RECOMMENDED**

30. Report on County financial and budget status - All Districts

PRESENTED

31. Adopt resolution approving agreement MA-017-10010218-1 with Marsh Risk & Insurance Services for Insurance Broker services, 7/28/09 - 7/27/14, with annual maximum amounts beginning at $190,000 increasing to $204,000 over the contract term - All Districts

13245 **APPROVED AS RECOMMENDED**

RESO: 09-113

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

24135 **APPROVED AS RECOMMENDED**

33. Approve proposed response to FY 2008-09 Grand Jury Report "The Guardian of Last Resort." - All Districts

31245 **APPROVED AS AMENDED TO CHANGE THE TERM "EXECUTIVE" MANAGER TO "ADMINISTRATIVE" MANAGER IN F.1.C AND TO CHANGE THE RESPONSE TO RECOMMENDATION NEEDS FURTHER ANALYSIS AND AMENDED SECTION F. 4 RESPONSE TO DISAGREES PARTIALLY WITH RECOMMENDATION, NEEDS FURTHER ANALYSIS**

Human Resources Department:

34. Adopt Employee Health Plan Rates Tables for 2010 for employees; authorize Director or designee to sign policies with CIGNA and Kaiser for Group Services Health Plans; and approve renewal of Administrative Services agreement with CIGNA Healthcare of California, Inc. for Health Maintenance Organization health plan for employees, 1/1/10 - 12/31/10 - All Districts

23145 **APPROVED AS RECOMMENDED**

35. Adopt Retiree Insured Health Plan Rates for 2010; authorize Director or designee to sign group service policies with CIGNA, Kaiser and Group Service and Medicare Advantage Policies with Anthem Blue Cross of California; and approve renewal of Administrative Services agreements with CIGNA Healthcare of California, Inc., Kaiser Foundation Health Plan Inc., and Anthem Blue Cross of California for retiree health plans, effective 1/1/09 - 12/31/10; and approve

amended Group Retiree Healthcare Services agreement with Exclusive Care Select Retiree Health Plan, Riverside County, 1/1/10 - 12/31/10; authorize Director or designee to execute agreements; and authorize Director or designee to continue to apply for Retiree Drug Subsidy Program for CIGNA health plan - All Districts

23145 **APPROVED AS RECOMMENDED**

36. Adopt Employee Rate Tables for Self-Funded PPO Premier Wellwise and Premier Sharewell Health Plans for 2010; and approve amendment 1 and restated Premier Wellwise Health Plan document for employees and retirees, effective 1/1/10 - All Districts

23145 **APPROVED AS RECOMMENDED**

37. Adopt Retiree Self-Funded PPO Health Plan Rates for 2010 for Premier Wellwise and Premier Sharewell Health Plans; and authorize Director or designee to continue to apply for federal subsidy program for Premier Wellwise health plan - All Districts

23145 **APPROVED AS RECOMMENDED**

38. **Office of the Performance Audit Director -** Receive and file Performance Audit of Planning & Development Services report; direct Director to follow-up with OC Public Works after one year to evaluate progress in implementing audit recommendations - All Districts

B.O. **CONTINUED TO 8/4/09, 9:30 A.M.**

IV. PUBLIC HEARINGS (None)

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

GENERAL ADMINISTRATION

County Counsel:

CS-1. 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.**

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 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.**

CS-3. **County Executive Office -** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:
Property Location: Orange Flood Control District property in Highland CA
County Negotiator: Thomas G. Mauk
Negotiating Parties: City of Highland, California and Development Community
Under Negotiation: Terms and Value of Future Sale

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

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

PUBLIC COMMENTS:
None

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Supervisor Campbell - Oral Re: Directed HCA to include input from the Fire Chiefs Association and the Fire Authority on overview of non-emergency inter-facility transfers within EMS System

Supervisor Norby - Oral Re: AB1234 Report - Discussed his recent travel to Nashville to attend the NACO Conference

Supervisor Moorlach - Oral Re: Thanked Mario Mainero for serving as his Chief of Staff

Chair Bates - Oral Re: Congratulated Supervisor Norby on his recent marriage

ADJOURNED: 12:58 P.M.

*** 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