REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, May 17, 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 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 - Employee Recognition: Auditor-Controller – CAPS+ Financial & Purchasing and Human Resources & Payroll System

Chairman Campbell presented a Resolution proclaiming May 2011 as "Mental Health Month"

II. CONSENT CALENDAR (Items 1-23)

21453 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 20 WHICH WAS CONTINUED TO 6/7/11, 9:30 A.M.; AND ITEMS 4, 5 & 7 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

1. **Assessor Department -** Approve master agreement MA-002-11012275 with Advantage Mailing Inc., for development, print and mail out of weekly, monthly and annual notices to taxpayers, 5/18/11 - 5/17/12 ($109,304); renewable for four consecutive years; and authorize

Purchasing Agent or designee to execute agreement and exercise contingency contract increase not to exceed 10% - All Districts

Sheriff-Coroner:

2. Approve agreement PO-060-11012909 with Leica Geosystems, Inc. for purchase of Leica ScanStation C10 laser scanning system, software license and maintenance ($180,636); and authorize Purchasing Agent or deputy to execute agreement - All Districts

3. Approve agreement MA-060-11012291 with Goodwill Industries of Orange County for packaging food and personal care items for jail commissary operations, 5/17/11 - 5/16/12 ($130,000); renewable for four additional one-year periods; and authorize Purchasing Agent or designee to execute agreement - All Districts

4. Approve agreement with City of Orange for use of Hart Park for Sheriff's Correctional Programs Volunteer Appreciation Picnic on 6/4/11; authorize Sheriff-Coroner or designee to execute agreement; and authorize expenditure of $7,000 from Inmate Welfare Fund for expenses related to picnic - District 3

13245 **CONTINUED TO 5/24/11, 9:30 A.M.**

Treasurer-Tax Collector:

5. Adopt resolution rescinding tax sale of Parcel No. 613-561-13; and authorize the Treasurer-Tax Collector or designee to execute Rescission of Tax Deed and refund to purchaser the amount of purchase price plus interest at County pool apportioned rate from date of purchase of property and direct Treasurer-Tax Collector to record rescission with Clerk Recorder - District 5

25143 **APPROVED AS RECOMMENDED**
RESO: 11-065

6. Approve amendment 8 to agreement MA-074-10010057 with SunGard AdvantGard for maintenance and support services for AvantGard Quantum System, 7/1/11 - 6/30/12 ($98,328); and authorize Treasurer Tax Collector's Deputy Purchasing Agent to execute agreement - All Districts

HEALTH CARE AGENCY

7. Approve agreement with Public Health Foundation Enterprises, Inc. for Countywide Health Assessment Project Management services, 7/1/11 - 6/30/12 ($50,000) - All Districts

34125 **CONTINUED TO 6/7/11, 9:30 A.M.**

8. Approve master agreement with various providers of Post Custody Re-Entry services, 7/1/11 - 6/30/12 ($678,683); authorize Director or designee to execute agreements - All Districts

9. Approve agreement with The Regents of the University of California for Child Abuse Medical Evaluation and Physician services, 7/1/11 - 6/30/12 ($120,000) - All Districts

10. Approve agreement with Orange County Department of Education for Alcohol and Other Drug Prevention Services Friday Night Live Partnership, 7/1/11 - 6/30/13 ($350,000 per year) - All Districts

11. 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 (Continued from 5/10/11, Item 10)

JOHN WAYNE AIRPORT

12. Approve plans and specifications and set bid opening for 6/29/11, 2:00 p.m., for upgrading Transportation Security Administration Checked Baggage Inspection System for Terminal C Baggage Handling System; 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

13. Approve plans and specifications and set bid opening for 6/22/11, 2:00 p.m., for Seismic Remediation of Elevated Roadway 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

14. Approve amendment 5 to agreement with Council on Aging - Orange County for Long Term Care Ombudsman Program services for older adults, 7/1/10 - 6/30/11 ($147,453; new total $425,276); and authorize Director or designee to execute agreement and exercise cost contingency increase or decrease not to exceed 10% under certain conditions - All Districts

15. Approve plans and specifications and set bid opening for 6/15/11, 2:00 p.m., for replacement of roof, OC Public Libraries Headquarters; and make California Environmental Quality Act findings - District 1

16. 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 (Continued from 5/10/11, Item 12)

OC PUBLIC WORKS

17. Approve amendment 1 to Memorandum of Understanding with Riverside County, San Bernardino County, Santa Ana Watershed Project Authority and Wildlands Conservancy for completion of Santa Ana River Parkway, extending term three years; authorize Director or designee to execute agreement; and make California Environmental Quality Act findings - All Districts

18. Receive bids and award contract to Bestek Engineering, Inc. for Hall of Administration (HOA) Emergency Generator Replacement project ($489,599) - District 1

19. Approve agreements D11-021, D11-022, and D11-023 with State Department of Transportation and agreement D11-020 with Rancho Mission Viejo Community Development, LLC for maintenance of Ortega Highway improvements; and make California Environmental Quality Act findings - District 5

20. **Acting as the Orange County Flood Control District -** Approve payment to City of Seal Beach for water service connection fee, Los Alamitos Pump Station ($172,417); and authorize Auditor-Controller to make related payments - District 2 (Continued from 5/3/11, Item 22)

21453 **CONTINUED TO 6/7/11, 9:30 A.M.**

21. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreement D10-071 with cities of Anaheim, Brea, Buena Park, Cypress, Fullerton, La Habra, La Palma, Los Alamitos, Placentia and Seal Beach for water quality monitoring, reporting and studies of San Gabriel River/Coyote Creek Total Maximum Daily Loads; and make California Environmental Quality Act findings - Districts 2, 3 and 4

GENERAL ADMINISTRATION

22. **County Executive Office -** Approve agreement with OC Fair & Event Center for exhibit space for 2011 Orange County Fair; and authorize County departments and agencies to execute related documents - All Districts

23. **Human Resources Department -** Approve amendment 5 to memorandum of agreement for appointment of Dr. Peter Hughes, Director of Internal Audit, extending term to 7/1/12 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 24-S41A)

HEALTH CARE AGENCY

24. Approve selection of and agreement with Child Abuse Prevention Center, Inc. for Children's In-Home Crisis Stabilization services, 7/1/11 - 6/30/13 ($905,313 per year) - All Districts
41253 **APPROVED AS RECOMMENDED**

25. Approve agreements with Behavioral Health Services, Inc. for Inpatient Substance Abuse Detoxification services ($331,100) and Western Pacific Re-Hab for Narcotic Replacement Therapy Treatment services ($600,000), 7/1/11 - 6/30/13; authorize Director or designee to exercise cost contingency increase not to exceed 10% under certain conditions with Western Pacific Re-Hab - All Districts
41253 **APPROVED AS RECOMMENDED**

26. Approve agreements with Western Youth Services ($9,781,406), Providence Community Services, LLC ($5,847,105), Child Guidance Center, Inc. ($4,477,405), Kinship Center ($2,412,838), Canyon Acres and Family Services ($1,883,520), South Coast Children's Society ($831,600) and Community Service Programs, Inc. ($698,960) for Mental Health Outpatient Services for Children and Youth, 7/1/11 - 6/30/12 - All Districts
41253 **APPROVED AS RECOMMENDED**

27. Approve agreement with Extended Care Hospital of Westminster for Mental Health Skilled Nursing Facility with Special Treatment Program services, 7/1/11 - 6/30/13 ($7,923,034) - All Districts
41253 **APPROVED AS RECOMMENDED**

28. Approve agreements with Community Service Programs, Inc. ($777,350) and National Council on Alcoholism and Drug Dependence - Orange County ($388,675) for Community Based Alcohol and Other Drug Prevention services, 7/1/11 - 6/30/12 - All Districts
41253 **APPROVED AS RECOMMENDED**

29. Adopt resolution approving agreement 11-008-250 with State Water Resources Control Board for Leaking Underground Storage Tank Cleanup, 7/1/11 - 6/30/12 ($1,072,470); authorize Director or designee to execute any subsequent non-monetary amendments - All Districts
41253 **APPROVED AS RECOMMENDED**
RESO: 11-066

30. Approve agreement with Telecare Corporation for Adult Mental Health Crisis Residential services, 7/1/11 - 6/30/12 ($1,854,537) - All Districts
41253 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

31. Approve amendments to agreements with various contractors for equipment and supplies for older adults, 7/1/10 - 6/30/11 ($801,678; new total $9,517,172); and authorize Director or designee to execute agreements and exercise cost contingency increase or decrease not to exceed 10% under certain conditions - All Districts
14253 **APPROVED AS RECOMMENDED**

32. Approve amendment 2 to agreement with 2-1-1 Orange County for Information and Referral

Call Center, 7/1/11 - 6/30/12 ($200,000); and authorize Director or designee to execute agreement and amendments under certain conditions - All Districts

23145 **APPROVED AS RECOMMENDED**

33. Approve agreement with Coastal Animal Services Authority (CASA) for animal care and shelter service; and authorize Director or designee to execute agreement - All Districts

51243 **APPROVED AS RECOMMENDED**

34. Approve agreement with Council on Aging - Orange County for "2" Medicare Improvements for Patients and Providers Act (2 MIPPA) services for Medicare beneficiary enrollment in Prescription Drug Low Income Subsidy Program (LIS), Medicare Saving Program (MSP) and Medicare Part D for older adults term ending 6/30/11 ($94,295); and authorize Director or designee to execute agreement and exercise cost contingency increase or decrease not to exceed 10% under certain conditions - All Districts

54123 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

35. Approve agreement MA-080-11011371 with RBF Consulting for architect-engineer Stormwater Permit Implementation Assistance services, one-year term ($250,000); renewable for two one-year extensions; authorize Purchasing Agent or designee to execute agreement; and make California Environmental Quality Act findings - All Districts

14253 A **APPROVED AS RECOMMENDED**

36. Approve Contract Change Orders 69 and 70 to agreement D08-102 with Griffith Company for Caltrans Safety Review Committee improvements to Reata Road ($320,382.81) - District 5

51243 **APPROVED AS RECOMMENDED**

37. **Acting as the Orange County Flood Control District -** Receive and file status report on Emergency Declaration for Harding Creek Emergency Gabion Construction project and set review to determine continuing need for emergency action for 5/24/11, 9:30 a.m., and every 14 days thereafter - District 3 (Continued from 4/19/11, Item S40A, 5/3/11, Item 43)

32145 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

38. Approve increase in legal fees for Liability/Property Defense Panel services - All Districts

13245 **CONTINUED TO 5/24/11, 9:30 A.M.**

39. Approve selection of Wells Fargo Bank, National Association to provide direct pay Letter of Credit services for County of Orange Teeter Plan Obligation Commercial Paper Notes for a three year term; authorize Public Finance Director to negotiate Letter of Credit and reimbursement agreement and all other documents as necessary and return to the Board for approval of final documents - All Districts

21453 A **APPROVED AS RECOMMENDED**

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

24153 **APPROVED RECOMMENDED ACTIONS 2 - 7**

21453 **APPROVED RECOMMENDED ACTION 1 AS AMENDED TO "SUPPORT IF MODIFIED"**

41. **Human Resources Department** - Consider directing staff to develop legislative proposals to implement one or more options for elected officials retirement plan - All Districts

42153 **CONTINUED RECOMMENDED ACTION 1 TO 6/7/11, 9:30 A.M.**

ELECTED DEPARTMENT HEADS

S41A. **Sheriff-Coroner** - Approve agreement MA-060-11011897 with SimplexGrinnell LP for preventive maintenance and repair of fire alarm system, Theo Lacy Facility, 5/23/11 - 5/22/12 ($268,800); renewable for four additional one-year periods; and authorize Purchasing Agent or designee to execute agreement - District 3

32145 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-CS-5)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Foothill Communities Coalition v. County of Orange, et al. (Roman Catholic Diocese of Orange, and Kisco Senior Living, LLC, Real Parties in Interest), Orange County Superior Court Case No. 30-2011-00467132

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

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Preserve and Protect North Laguna v. County of Orange (Emerald Bay Community Assn, Real Party in Interest), Orange County Superior Court Case No. 30-2011-00469198

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

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Morrison Pump Company v. SSC Construction, Inc., et al., Orange County Superior Court Case No. 30-2010 00365657

B.O. **CONTINUED TO 5/24/11, 9:30 A.M.**

Human Resources Department:

CS-4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:

Title: County Counsel

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

CS-5. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:
Title: Performance Auditor

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

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

PUBLIC COMMENTS:

Art Montez and Zeke Hernandez - Oral Re: Redistricting Committee

L. Arnold Bonham - Oral Re: Rights of mental patients

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:

Chairman Campbell - Oral Re: Will be submitting 4 redistricting plans for consideration by the Redistricting Committee; on Saturday, 5/21/11, OC Public Works will hold an open house at their Orange facility on Batavia

Supervisor Bates - Oral Re: Success of South Orange County Job Fair

Supervisor Nguyen - Oral Re: Nomination to NACo Steering Committee on Community and Economic Development and will be attending the first meeting in July in Portland, OR; success of Central County Health Expo

ADJOURNED: 12:22 P.M.

53124 **Adjourned in memory of Anthony Ackley**

23145 **Adjourned in memory of Ronald Shugart Barbary**

*** 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