REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 20, 2010, 9:30 A.M.

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

JANET NGUYEN
CHAIR
First District

BILL CAMPBELL
VICE CHAIRMAN
Third District

JOHN M. W. MOORLACH
SUPERVISOR
Second District

SHAWN NELSON
SUPERVISOR
Fourth District

PATRICIA BATES
SUPERVISOR
Fifth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Rob Richardson, Asst CEO
	COUNTY COUNSEL	Nicholas S. Chrisos
	CLERK OF THE BOARD	Susan Novak, Chief Deputy

INVOCATION: Supervisor Campbell, Third District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Chair Nguyen presented a resolution commending Ingrid Harita on her retirement

Chair Nguyen recognized graduates of Orange County Leadership Academy XIII

II. CONSENT CALENDAR (Items 1-21)

32451 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 7, 9, 10, 15 & 16 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Campbell -** Orange County Planning Commission - Appoint Larry Brose, North Tustin, for term concurrent with 3rd District Supervisor's term of office

2. **Supervisor Moorlach -** Regional Recreational Trails Advisory Committee - Appoint Dr. Max Swancutt, City of Newport Beach, for term concurrent with 2nd District Supervisor's term of office

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

3. Approve agreement 00112111 with State of California for Peace Officer Standards and Training (POST) Basic Narcotics Investigation course, 7/1/10 - 6/30/11; accept reimbursement for training costs ($43,200); and authorize Sheriff-Coroner or designee to execute agreement Form CCC-307, Contractor Certification Clauses - All Districts

4. Approve amendment 3 to price agreement MA-060-10011682 with Goodwill of Orange County for packaging food and personal care items for jail commissary operations, term ending 1/31/11 - All Districts

5. Approve agreement 00112123 with State of California for coroner training courses for Commission on Peace Officer Standards and Training (POST), 7/1/10 - 6/30/11; accept reimbursement for training costs ($129,000); and authorize Sheriff-Coroner or designee to execute agreement Form CCC-307, Contractor Certification Clauses - All Districts

6. Approve license agreement with City of Whittier for City's rental of Katella Training Facility for training purposes ($1,000), Orange; and make California Environmental Quality Act findings - District 3

7. Approve change order 5 to agreement with 4C Development Company, Inc. for Theo Lacy Pod A Flood Protection project ($21,656); authorize Sheriff-Coroner or designee to execute; and make California Environmental Quality Act findings - District 3

13245 **APPROVED AS RECOMMENDED**

8. Approve agreement 00112308 with State of California for Peace Officer Standards and Training (POST) Driving and Force Option Simulator courses, 7/1/10 - 6/30/11; accept reimbursement for training costs ($110,600); and authorize Sheriff-Coroner or designee to execute agreement Form CCC-307, Contractor Certification Clauses - All Districts

JOHN WAYNE AIRPORT

9. Approve agreement with Southern California Gas Company for installation of extension to natural gas main, increase pipe volume size and provide gas meters to Central Plant and Terminal C ($507,109.40); authorize Director to execute agreement; and find Final EIR 582 and addendum 582-1, as revised by Final Supplemental EIR 582, are adequate to satisfy requirements of California Environmental Quality Act - District 2

23451 **APPROVED AS RECOMMENDED**

10. Approve agreement with Southern California Edison Company for installation of power generation measurement and telemetry and associated communications equipment ($168,802.97); authorize Director to execute agreement; and find Final EIR 582 and addendum 582-1, as revised by Final Supplemental EIR 582, are adequate to satisfy requirements of California Environmental Quality Act - District 2

23451 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

11. Approve Memorandum of Understanding in partnership with Orange County Workforce Investment Board and State Department of Rehabilitation for services and advocacy resulting in employment, independent living, and equality for individuals with disabilities, 7/20/10 - 6/30/13; and authorize Director or designee to make amendments under certain conditions - All Districts

12. Approve agreement OCP10-021 with Tait & Associates for on-call civil engineering services, three year term ($400,000) - All Districts

OC PUBLIC WORKS

13. Declare bid of Ted Company to be non-responsive; receive bids and award contract to Powell Engineering Construction for Grove Oak Drive Storm Drain Improvements ($66,830) - District 3

14. Approve agreement D10-038 with the City of Lake Forest for management of Foothill Circulation Phasing Plan - District 5

15. **Acting as the Orange County Flood Control District -** Receive bids and award contract to Excavating Engineers, Inc. for restoration of Harding Creek ($243,100) - District 3

31245 **APPROVED AS RECOMMENDED**

Acting as the Board of Supervisors and Orange County Flood Control District:

16. Approve agreement D08-106 with URS Corporation for on-call geotechnical services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

23451 **APPROVED AS RECOMMENDED**

17. Approve agreement D10-008 with Kleinfelder West, Inc. for on-call geotechnical services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

18. Approve agreement D08-108 with Ninyo & Moore, Inc. for on-call geotechnical services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

19. Select AshBritt, Inc. as primary and DRC Pacific, Inc. as alternate firms for disaster-related debris management services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

20. **Clerk of the Board -** Approve re-adoption of the State's Model Code by reference to the County's Conflict of Interest Code Designated Filer Exhibits for Orange County Employees Retirement System and Buena Park School District - All Districts

21. **Supervisor Campbell -** Authorize waiver of fees for the Snowball Express Foundation fundraising event on 8/15/10, Mason Regional Park

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 22-34)

ELECTED DEPARTMENT HEADS

22. **Sheriff-Coroner -** Approve agreement with U.S. Immigration and Customs Enforcement (ICE) for detention and care of ICE detainees; and authorize Sheriff-Coroner or designee to execute and make related changes under certain conditions; and make California Environmental Quality Act findings - All Districts

23451 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

23. Approve Joint Exercise of Powers agreement creating California Mental Health Services Authority; approve Health Care Agency participation and membership in California Mental Health Services Authority to jointly develop and fund mental health services and authorize Director or designee to execute agreement and to act as member representative; and authorize Director or designee to execute Supplemental Mental Health Services Act Prevention and Early Intervention Statewide Programs assignment agreement for reassignment of funds - All Districts (Continued from 6/29/10, Item 17)

34251 **APPROVED AS RECOMMENDED**

24. Approve ten-year lease with Town & Country Partners for office and clinic space for Mental Health Services Act/First Onset Services and Support Program, City of Orange, ($1,421,662); and make California Environmental Quality Act findings - District 3

32451 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

25. Approve amendment 2 to agreement with John Bean Technologies, Corp. for replacement of locking system at passenger boarding bridges ($251,826; new total $9,249,631); and find Final EIR 582 and addendum 582-1, as revised by Final Supplemental EIR 582 are adequate to satisfy requirements of California Environmental Quality Act - District 2 (Continued from 5/18/10, Item 34; 6/22/10, Item 76)

23451 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

26. **Acting as the Orange County Housing Authority -** Authorize acceptance of $1,667,412 from U.S. Department of Housing and Urban Development (HUD) to administer Veterans Administration Supportive Housing Program; and authorize Director or designee to execute related agreements - All Districts

23451 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

27. Approve agreement MA-080-10012230 with Faubel Public Affairs for stormwater education and outreach campaign ($500,000) and make California Environmental Quality Act findings - All Districts (Continued from 6/29/10, Item 56)

43251 **APPROVED AS RECOMMENDED**

28. Approval FY 2010-11 Civic Center Parking/Maintenance Budget Fund 828 ($8,802,389); authorize Auditor-Controller to make related payments; and make California Environmental Quality Act findings - District 1
13245 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

29. **Probation -** Response to Board Directive 3/30/10 - Oral presentation on the state of Probation Department - All Districts
PRESENTED

GENERAL ADMINISTRATION

County Executive Office:

30. Response to 10/20/09 Board Directive regarding Report on DNA/Crime Lab under Independent Jurisdiction of a Medical Examiner (NYC Model) - All Districts (Continued from 5/25/10, Item 110; 6/22/10, Item 90)
B.O. **CONTINUED TO 8/17/10, 9:30 A.M.**

31. Appoint Dr. Michael Riley as Director of Social Services Agency, effective 7/30/10 - All Districts
24351 **APPROVED AS RECOMMENDED**

32. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
23451 **APPROVED AS RECOMMENDED**

33. Response to 6/29/10 Board Directive regarding process required for County 2010 redistricting - All Districts
DISCUSSED

34. Approve recommended grant application submitted by Health Care Agency- 2010 County Coverage Expansion ($200,000) in 7/20/10 grant report and other actions as recommended - All Districts
35241 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 35)

OC PUBLIC WORKS

35. Public Hearing to consider appeal of Planning Commission denial of Planning Application PA080058 filed by Village HC Partners LP proposing to add two additional beds to the Village Healthcare Center located at 18792 East Seventeenth Street in the North Tustin Specific Plan area; receive staff report and public testimony; and uphold the Planning Commission's denial of Use Permit - District 3 (Continued from 6/22/10, Item 99)
B.O. **DELETED**

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

CS-1. **Human Resources Department -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organizations: Acting as IHSS Public Authority - In-Home Supportive Services Provider Unit (IHSS) represented by United Domestic Workers of America (UDWA); Acting as Orange County Board of Supervisors - Orange County Attorneys Association (OCAA)
RE: Terms and conditions of employment

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

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

PUBLIC COMMENTS:
Charles Griffin - Oral Re: John Wayne Airport's departure route

Darrell Nolta - Oral Re: Opponent of war; Measure M revenue estimates; County pensions and Irvine Co. land donation

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Supervisor Moorlach - Oral Re: Board discussion of settlements approved in closed session; directed CEO to compare Orange County's statistics on employee-involved vehicle accidents to other counties.

Chair Nguyen - Oral Re: Recognition of Orange County's eleven NACo awards

ADJOURNED: 1:19 P.M.

53241 **Adjourned in memory of State Senator Dave Cox**

35241 **Adjourned in memory of Carl Richardson**

*** 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