REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, May 19, 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	Susan Novak, Chief Deputy

INVOCATION: Supervisor Campbell, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Moorlach, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chair Bates presented a resolution commending Thomas L. Beckett on his retirement

II. CONSENT CALENDAR (Items 1-22)

31245 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 4 WHICH WAS CONTINUED TO 6/16/09, 9:30 A.M.; ITEM 19 WHICH WAS CONTINUED TO 6/2/09, 9:30 A.M.; ITEM 20 WHICH WAS DELETED; ITEMS 1, 8 AND 11 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; ITEMS 9 AND 13 WHICH RECEIVED AN ABSTENTION FROM CHAIR BATES; AND ITEM 21 WHICH RECEIVED A NO VOTE FROM SUPERVISOR MOORLACH AND CHAIR BATES**

ELECTED DEPARTMENT HEADS

Auditor-Controller:

1. Approve to delete dismantled, missing, obsolete, stolen and surplused equipment items from department/agency capital asset inventories - All Districts

13245 **APPROVED AS RECOMMENDED**

2. Acting as the Board Supervisors and the Orange County Flood Control District - Set 6/16/09 as the date to establish appropriations limits for entities governed by County Board of Supervisors for FY 2009-2010 (document available for public review in the Office of the Auditor-Controller, commencing 5/29/09) - All Districts

3. **Sheriff-Coroner -** Approve agreement 90112445 with State Department for Peace Officer Standards and Training (POST) Supervisory Course, 7/1/09 - 6/30/10 ($32,580); and authorize Sheriff-Coroner or designee to execute agreement and Form CCC-307, Contractor Certification Clauses - All Districts

HEALTH CARE AGENCY

4. Approve agreements with Healthy Smiles for Kids of Orange County for Children's Dental Disease Prevention services, 7/1/09 - 6/30/10 ($208,886) and Nutrition Education services, 10/1/09 - 9/30/11 ($29,952) - All Districts

31245 **CONTINUED TO 6/16/09, 9:30 A.M.**

5. Approve price agreement N1000010724 with Advanced Medical Management, Inc. for Fiscal Intermediary services for Public Health Medical Services Tuberculosis Program, 7/1/09 - 6/30/10 ($328,500); renewable for two additional one-year periods, per Board policy - All Districts

6. Approve agreements with Straight Talk Clinic, Inc. for Alcohol and Drug Abuse Residential Treatment ($210,000), HIV Transitional Housing services ($212,685) and HIV Residential Alcohol and Drug Abuse Treatment services ($248,264), 7/1/09 - 6/30/10 - All Districts

7. Approve price agreement N1000010687 with Atlas Database Software Corporation dba Atlas Development Corporation for Web-based Confidential Morbidity Report Software System Maintenance and Support services, 7/1/09 - 6/30/10 ($67,464); renewable for two additional one-year periods, per Board policy - All Districts

OC COMMUNITY RESOURCES

8. Approve agreement with 2-1-1 Orange County to provide operating funds for 2-1-1 Information and Referral Call Center, 7/1/09 - 6/30/10 ($200,000); authorize Director or designee to execute agreement and make line item budget transfers to agreement - All Districts

23145 **APPROVED AS RECOMMENDED**

9. **Acting as the Board of Supervisors and Orange County Development Agency -** Approve price agreement N1000009862 with Rosenow Spevacek Group Inc. and RBF Consulting for coordination and completion of Engineering Assessment to identify needed community development improvements in Neighborhood Development and

Preservation Program Target Areas, 5/20/09 - 5/19/10 ($311,058); renewable for six additional months under certain conditions - Districts 1,2,3 & 4

31245 A **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

10. Receive bids and award contract to Accessible Home Living, Inc. dba C&M Contracting for replacement of Modjeska Pedestrian Bridge, Silverado ($91,124) - District 3

11. Adopt resolution approving agreement D09-045 with California Department of Transportation for implementation of the Disadvantaged Business Enterprise plan; and authorize Director or designee to execute related documents - All Districts

12345 **APPROVED AS RECOMMENDED**
RESO: 09-057

12. Approve agreement D09-041 with the Southern California Coastal Water Research Project Authority for associate membership, 7/1/09 - 6/30/13 ($100,000); designate Director or designee as representative to Southern California Costal Water Research Project Commission: and make California Environmental Quality Act findings - All Districts

13. **Acting as the Orange County Flood Control District -** Approve amendment 1 to agreement D06-114 with RBF Consulting for on-call engineering services, extending term to 1/22/12 ($125,000; new total $325,000) - All Districts

31245 A **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

14. Approve Memorandum of Understanding with State Department of Social Services for installation of state owned video equipment and Integrated Services Digital Network; and authorize Director or designee to execute agreement and related documents - All Districts

15. Approve Orange County Child Care and Development Planning Council's "Local Planning Council (LPC) Orange County Priorities Report FY 2009-2010"; and authorize submission to State Department of Education for continued funding of child care centers in Orange County - All Districts

16. Approve price agreement N1000010876 with UMS dba United Maintenance Systems for janitorial and day porter services for Orangewood Children's Home, 6/1/09 - 5/31/10 ($132,134.40); renewable for two additional one-year periods per Board policy - District 3

GENERAL ADMINISTRATION

Clerk of the Board:

17. Approve the proposed amendments to the Conflict of Interest Code Designated

Filer Exhibits for the Orange County Employees Retirement System - All Districts

18. Approve the proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the West Cities Police Communications Center, JPA - All Districts

County Executive Office:

19. Approve renewal of price agreement N3000008097 with eCivis, Inc., for an online grant locator subscription service, 7/01/09 – 6/30/10 ($40,000) - All Districts

31245 **CONTINUED TO 6/2/09, 9:30 A.M.**

20. Receive and file Quarterly Customer Care Report for January - March 2009 - All Districts

31245 **DELETED**

21. Approve allocation and expenditure of First District Fund 130 funds and agreement with Westminster for purchase and installation of exercise equipment ($45,000); authorize Clerk of the Board or designee to execute agreement; and make related findings - District 1 (Continued from 5/12/09, Item 16)

31245 **APPROVED AS RECOMMENDED**
N N

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

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 23-47)

ELECTED DEPARTMENT HEADS

Auditor-Controller:

23. Approve amendment 1 to price agreement N1000010203 with Tata Consultancy Services resulting from implementation of a Global Delivery Model for Property Tax Management System, 5/20/09 - 7/15/11 ($1,598,881 reduction; new total $6,387,700) - All Districts
41235 **APPROVED AS RECOMMENDED**

24. Approve price agreement N1000010903 with CGI-AMS, Inc. (CGI) for CAPS Human Resources/Payroll System Upgrade, 5/19/09 - 3/31/11 ($9,478,964); and authorize Purchasing Agent to change the scope of the work without further Board action under certain conditions - All Districts (4/5 vote)
43125 N **APPROVED AS RECOMMENDED**

25. **Clerk-Recorder** - Approve price agreements N1000010772 with South Tech Systems, Inc. for upgrade of current grantor/grantee software ($607.912.50), N1000010773 for upgrade of current property recording ($657,937.50) and N1000010774 for upgrade of current cashier/fee accounting software ($564,412.50), 6/1/09 - 5/31/10 - All Districts
23145 **APPROVED AS RECOMMENDED**

Sheriff-Coroner:

26. Approve renewal of price agreement N4000007837 with SimplexGrinnell L.P. for preventive maintenance and repair of fire alarm system at Theo Lacy Jail, 5/23/09 - 5/22/10 ($268,800) - District 3
32145 **APPROVED AS RECOMMENDED**

27. Approve termination of local emergency relating to emergency conditions resulting from Swine Flu - All Districts (Continued from 5/5/09, Item S26A)
21345 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

28. Approve agreements with College Community Services ($2,915,722 and $2,141,150), Orange County Mental Health Association of Orange County dba Mental Health Association of Orange County ($2,957,665) and Telecare Corporation ($3,967,176) for Full Service Partnership services, 7/1/09 - 6/30/10 - All Districts
13245 **APPROVED AS RECOMMENDED**

29. Approve agreements with California Hispanic Commission on Alcohol and Drug Abuse, Inc., 7/1/09 - 6/30/10 ($1,030,991), Mariposa Women and Family Center, 7/1/09 - 6/30/10 ($644,725), Behavioral Health Services, Inc., 7/1/09 - 6/30/11 ($450,100) and Phoenix House Orange County, Inc., 7/1/09 - 6/30/11 ($2,868,014) for Alcohol and Drug Abuse services; approve master agreement with various providers for Post-Custody Re-Entry services, 7/1/09 - 6/30/10 ($686,320); and authorize Director or designee to execute individual agreements - All Districts

43125 **APPROVED AS RECOMMENDED**

30. Approve agreements with Community Service Programs, Inc. ($2,134,099) and Orange County Asian and Pacific Islander Community Alliance ($1,000,000) for Full Service/Wraparound Programs, 7/1/09 - 6/30/10 - All Districts

13245 **APPROVED AS RECOMMENDED**

31. Approve agreement with Dong IL Lee, M.D., Inc. for Mental Health Outpatient Psychiatric services, 7/1/09 - 6/30/10 ($1,192,134) - All Districts

B.O. **CONTINUED TO 6/16/09, 9:30 A.M.**

32. Approve amendment 1 to agreement with Goodwill Industries of Orange County for Supported Employment services, 7/1/08 - 6/30/09 ($85,712; new total $621,417); approve agreements with Goodwill Industries of Orange County ($621,417), Korean Community Services ($133,299), Nhan Hoa Comprehensive Health Care Clinic ($219,683), Orange County Asian and Pacific Islander Community Alliance ($117,344) and Casa De La Familia ($225,000) for Mental Health services, 7/1/09 - 6/30/10 - All Districts

14235 **APPROVED AS RECOMMENDED**

33. Approve master agreement with various providers for Behavioral Health Outpatient and Recovery services, 7/1/09 - 6/30/10 ($7,652,878); and authorize Director or designee to execute agreements - All Districts

24135 **APPROVED AS RECOMMENDED**

34. Approve master agreement with various providers for Indigent and Trauma Care, 7/1/08 - 6/30/09; authorize Director or designee to execute agreements; approve agreements with Children's Hospital of Orange County ($103,000), Prime Healthcare Garden Grove, LLC, dba Garden Grove Hospital and Medical Center ($240,000), WMC-A, Inc., dba Western Medical Center-Anaheim ($33,000) and WMC-SA, Inc., dba Western Medical Center-Santa Ana ($189,000), Coastal Communities Hospital Inc., a California Corporation dba Coastal Communities Hospital ($43,000) for Indigent and Trauma Care services, 5/19/09 - 12/31/09; and authorize Auditor-Controller to send, via electronic funds transfer, $608,000 to State Department of Health Care Services on or before 5/22/09 - All Districts

12345 **APPROVED AS RECOMMENDED**

35. Approve agreements with Child Abuse Prevention Center ($905,312), Community Service Programs, Inc. ($1,232,466) and South Coast Children's Society ($1,353,350) for Crisis Residential Program services, 7/1/09 - 6/30/10 - All Districts

42135 **APPROVED AS RECOMMENDED**

36. Approve agreements with College Community Services ($1,211,913) and Pacific Clinics ($981,782) for Behavioral Health services, 7/1/09 - 6/30/10 - All Districts

42135 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

37. Approve Workforce Investment Act Master Cost Reimbursement agreements with various providers for funding of adult, dislocated worker, rapid response and American Recovery and Reinvestment Act projects, 7/1/09 - 6/30/10 ($10,195,683); authorize

Director or designee to execute agreements; and authorize Agency to exercise contingency increase not to exceed 10% if additional funding is allocated - All Districts

21345 **APPROVED AS RECOMMENDED**

38. Approve Workforce Investment Act Youth Master Cost Reimbursement agreements with various providers for funding of employment and training services, 7/1/09 - 6/30/10 ($1,409,712); authorize Director or designee to execute agreements; and authorize Agency to exercise contingency increase not to exceed 10% if additional funding is allocated - All Districts

24135 **APPROVED AS RECOMMENDED**

39. Approve bill of sale to transfer County-built Tustin Branch Library to Tustin for demolition and; approve lease with Tustin for new Tustin Branch Library, 40 year term, commencing 5/19/09; and make California Environmental Quality Act findings - District 3

32145 **APPROVED AS RECOMMENDED**

Acting as the Board of Supervisors and Orange County Development Agency:

40. Adopt resolutions approving Orange County Development Agency (OCDA) and HOME Investment Partnership Act (HOME) loans to Katella Family Housing Partners, L.P. for development of Stonegate Apartment Homes, Stanton area ($2,921,400); approve subordination of OCDA and/or HOME loans; authorize Director or designee to execute related documents and extensions under certain conditions; and make California Environmental Quality Act and other findings - District 2

23145 **APPROVED AS RECOMMENDED**
RESO: 09-058 - 09-059

41. Adopt resolutions approving Orange County Development Agency (OCDA) and HOME Investment Partnership Act (HOME) loans to Katella II Family Housing Partners, L.P. for development of Stonegate Apartment Homes II, Stanton area ($2,005,200); approve subordination of OCDA and/or HOME loans; authorize Director or designee to execute related documents and extensions under certain conditions; and make California Environmental Quality Act and other findings - District 2

23145 **APPROVED AS RECOMMENDED**
RESO: 09-060 - 09-061

OC WASTE & RECYCLING

42. Select LSA Associates as primary and BonTerra Consulting as alternate architect-engineer firms for support of biological monitoring and mitigation services at South County landfills; and authorize negotiation of agreement for Board approval - District 5

51234 **APPROVED AS RECOMMENDED**

43. Approve continuance of local emergency in connection with the Freeway Complex Fire; located at Olinda Alpha Landfill pursuant to Public Contact Code Section 22050 (c)(1) due to damages and lack of an operational landfill gas extraction, control, and groundwater monitoring systems; set review to determine continuing need for emergency action for 6/2/09, 9:30 a.m., every 14 days thereafter; and make California

Environmental Quality Act findings - All Districts (4/5 vote) (Continued from 12/16/08, Item S54B; 1/13/09, Item 42; 1/27/09, Item 63; 2/10/09, Item 28; 3/3/09, Item 32; 3/17/09, Item 23; 3/24/09, Item 30; 4/7/09, Item 43; 4/28/09, Item 42; 5/12/09, Item 26)

32145 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

44. Approve proposed response to FY 2008-09 Grand Jury Report "Let the Sheriff Do Her Job." - All Districts

14235 N **APPROVED ALTERNATE RESPONSE DATED 5/15/09 FROM SUPERVISOR NGUYEN WITH MODIFICATION TO RESPONSE TO R.1, 2nd PARAGRAPH, 1st SENTENCE TO READ, "*BASED ON OUR INITIAL REVIEW*, A BLANKET RULE WAS APPLIED IN ALMOST ALL ~~*REVOCATIONS*~~ *NOTICES OF INTENT TO REVOKE* BY THIS SHERIFF..." AND TO 3rd PARAGRAPH, 1st SENTENCE TO READ, "THEREFORE, *IN OUR OPINION*, THE POLICY EMPLOYED..."**

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

23145 **RECEIVED AND FILED**

46. Approve Third Amended and Restated County of Orange Board of Supervisors Policies and Procedures for consideration and approval of proposed public financings - All Districts

41235 **APPROVED AS RECOMMENDED**

47. Approve recommended grant applications submitted by OC Public Works and District Attorney in 5/19/09 grant report and other actions as recommended; adopt resolution authorizing OC Public Works Director or designee to execute and submit application for State Revolving Fund Non-Point Source Pollution Control Program - All Districts

52134 **APPROVED AS RECOMMENDED**
RESO: 09-062

IV. PUBLIC HEARINGS (Items 48-49)

ELECTED DEPARTMENT HEADS

48. **Treasurer-Tax Collector -** Public Hearing to consider rescinding Resolution 09-030 and adopting resolution for establishment of revised fee for tract and parcel map processing; and make California Environmental Quality Act and other findings - All Districts (Continued from 5/12/09, Item 34)

B.O. **CLOSED PUBLIC HEARING**

34125 **APPROVED AS RECOMMENDED**
RESO: 09-063

HEALTH CARE AGENCY

49. Public Hearing to consider adopting resolution approving Environmental Health Division Fee schedule update; rescinding Resolution 08-068, effective 7/1/09, 7/1/10, 7/1/11; and making California Environmental Quality Act findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

34125 NNNN **MOTION TO APPROVE AS RECOMMENDED FAILED TO CARRY**

31245 N **APPROVED CANCELLATION OF PREVIOUS VOTE**

31245 N **CONTINUED TO 6/2/09, 9:30 A.M.**

V. CLOSED SESSION (Items CS-1-CS-2)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):Number of Cases: One Case

B.O. **DELETED**

CS-2. **Human Resources Department -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organizations: American Federation of State, County and Municipal Employees (AFSCME), Association of Orange County Deputy Sheriffs (AOCDS), Alliance of Orange County Workers (AOCW), International Union of Operating Engineers (IUOE), Orange County Attorneys Association (OCAA), Orange County Employees Association (OCEA) and Orange County Managers Association (OCMA)
RE: Terms and Conditions of Employment

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

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

PUBLIC COMMENTS:
None

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS AND TRAVEL REPORTS:
Supervisor Campbell - Oral Re: His vacation to Greece and Turkey

Supervisors Nguyen & Bates - Oral Re: Welcomed Rob Richardson back to work

Supervisor Moorlach - Oral Re: His attendance at OC Public Works Open House

Supervisor Norby - Oral Re: Admiration for person going through trash for recyclables during

these tough times

ADJOURNED: 12:12 P.M.
15234 **Adjourned in memory of Lou Nguyen**

*** 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