REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, March 10, 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	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Nguyen, First District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Chair Bates presented certificates of recognition to the three top County agencies collecting the most food during the 2007/08 County of Orange Employee's " Food from the Heart" food drive

II. CONSENT CALENDAR (Items 1-18)

23145 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 7, 11, & 15 WHICH WERE DELETED; ITEM 18 WHICH WAS CONTINUED TO 3/17/09, 9:30 A.M.; ITEM 17 WHICH RECEIVED NO VOTES FROM SUPERVISORS BATES & MOORLACH AND ITEMS 5, 12, 13 & 16 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Campbell -** Public Financing Advisory Committee - Appoint James E.

Tecca, Laguna Niguel, to complete term ending 5/1/11

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

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

3. Approve 2008-09 Financial and Operating Plan with United States Forest Service for patrol services, Cleveland National Forest ($6,000) - Districts 3 & 5

HEALTH CARE AGENCY

4. Approve agreement with National Alliance on Mental Illness dba NAMI Orange County for Family-to-Family Education services, 3/10/09 - 6/30/09 ($44,040) and 7/1/09 - 6/30/10 ($88,080) - All Districts

JOHN WAYNE AIRPORT

5. Approve amendment 2 to price agreement N1000008611 with T-Metrics, Inc. for maintenance of telephone operator consoles, 4/1/09 - 3/31/10 ($2,800); renewable for two additional one-year periods; and authorize purchasing agent or designee to exercise contingency contract cost increase not to exceed 10% without further Board action; and make California Environmental Quality Act findings - District 2

42135 **APPROVED AS RECOMMENDED**

6. Approve use of design-build procurement for Automated Baggage Handling System with In-Line Explosive Detection System project; approve list of pre-qualified design-build contractors; authorize Director to establish and enforce a Department of Industrial Relations approved Third-Party Labor Compliance program; authorize Director or designee to issue a Request for Proposals to approved pre-qualified contractors, establish proposal due date of 4/15/09, receive, open and evaluate proposals and to extend due date if necessary up to 60 days; and make California Environmental Quality Act findings - District 2

7. Approve use of design-build procurement for Common Use Terminal Equipment and Multi-User Flight Information Display System project; approve design-build Request for Proposals package; authorize Director to establish and enforce a Department of Industrial Relations approved Third-Party Labor Compliance program; authorize Director or designee to issue a Request for Proposals to approved pre-qualified contractors, establish proposal due date of 4/15/09, receive, open and evaluate proposals and to extend due date if necessary up to 60 days; and make California Environmental Quality Act findings - District 2

23145 **DELETED**

OC COMMUNITY RESOURCES

8. Declare bid of Macerich Construction, Inc. to be non-responsible and approve request of Vargas Structures, Inc. to withdraw bid; receive bids and award contract to New

Millenium Construction for Phase III ADA Restroom Upgrades, Fountain Valley, Westminster and Silverado Branch Libraries ($276,000) - Districts 1, 2 & 3

OC PUBLIC WORKS

9. Approve quitclaim deed to Laguna Hills for conveyance of real property; and make California Environmental Quality Act findings - District 5

10. Adopt resolution initiating 2009 Weed Abatement Program; and set public hearing for 4/7/09, 9:30 a.m., to consider assessment to private property for removal of weeds by County contractor - All Districts
RESO: 09-022

11. Receive bids and award contract to Legg, Inc. for replacement of security doors, Probation/Juvenile Hall ($421,429) - District 3
23145 **DELETED**

12. **Acting as the Orange County Flood Control District -** Approve easement deed from Irvine Unified School District for Peters Canyon Channel improvements; and make California Environmental Quality Act findings - District 3
43125 **APPROVED AS RECOMMENDED**

13. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreement D08-090 with URS Corporation for on-call subsurface exploration services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts
43125 **APPROVED AS RECOMMENDED; DIRECTED CEO TO PROVIDE BOARD WITH A STATUS REPORT ON THE PROGRESS FOLLOWING RELEASE OF RFI & RFQ**

SOCIAL SERVICES AGENCY

14. Receive and file Child Care and Development 2008 Comprehensive Needs Assessment - All Districts

GENERAL ADMINISTRATION

15. **Clerk of the Board -** Receive and file Status Report; approve elimination or merger of various Boards, Commissions and Committees (BCCs); direct staff to amend BCC bylaws where needed; and direct Clerk of the Board to prepare a consolidated Administrative Manual covering the creation, implementation, statutes and policies governing BCCs and implement other related resources - All Districts (Continued from 2/3/09, Item 10)
23145 **DELETED**

County Executive Office:

16. Receive and file proposed Technology Sourcing Strategy Plan - All Districts (Continued from 2/10/09, Item 15)
42135 **APPROVED AS RECOMMENDED**

17. Approve expenditure of Fourth District Fund 130 funds and agreements with Buena Park Library District for creation of a computer lab ($206,000) and City of Placentia for various projects ($134,192); authorize Clerk of the Board or designee to execute agreements; and make related findings - District 4

23145 **APPROVED AS RECOMMENDED**

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18. **Human Resources Department -** Approve transition of Law Enforcement Managers from County health plans to Association of Orange County Deputy Sheriffs (AOCDS) health plans, effective 7/1/09 - All Districts

23145 **CONTINUED TO 3/17/09, 9:30 A.M.**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 19-S28A)

ELECTED DEPARTMENT HEADS

19. **Auditor-Controller -** Approve renewal of price agreement N1000006705 with Saile Technologies, Inc. for functional and technical support for County-wide Accounting and Personnel System (CAPS) Financial System Upgrade Project (CAPS+), 3/15/09 - 3/14/10 ($328,000) - All Districts

35124 **APPROVED AS RECOMMENDED**

20. **Treasurer-Tax Collector -** Approve amendment 2 to price agreement N1000006715 with Bloomberg for access to real time electronic investment and financial market information, Portfolio Order Management System, networking charges and taxes, 3/15/09 - 3/14/10 ($248,025.96) - All Districts

23145 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

21. Reconsider agreement with Coalition of Orange County Community Clinics for Community Clinic services, 7/1/08 - 6/30/09 ($7,530,561); and reconsider agreement with Planned Parenthood/Orange and San Bernardino Counties, Inc. for Immunization Assessment services, 7/8/08 - 6/30/09 ($50,000) - All Districts

23145 **APPROVE AMENDED RECOMMENDED ACTION #1 TO DIRECT STAFF TO PROVIDE A 30-DAY NOTICE OF INTENT TO SUSPEND FUNDING TO COALITION OF OC COMMUNITY CLINICS FOR THE PROVISION OF PLANNED PARENTHOOD SERVICES AND DIRECTED HCA STAFF TO PROVIDE BOARD WITH RECOMMENDATIONS FOR PROVIDERS OF THOSE SERVICES**

THE BOARD TOOK NO ACTION ON RECOMMENDED ACTION #2

OC COMMUNITY RESOURCES

22. Declare bid of Macerich Construction, Inc. to be non-responsible; receive bids and award contract to Thomco Construction, Inc. for Phase III ADA Restroom Upgrades and expansion and interior remodeling, Irvine/University Park Branch Library ($751,616) - District 3

34125 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

23. Approve price agreement N1000010723 with Hardy & Harper Inc. for annual asphalt concrete maintenance, 3/11/09 - 3/10/10 ($915,000); renewable for four additional years per Board policy; and make California Environmental Quality Act findings - All Districts

32145 **APPROVED AS RECOMMENDED**

24. Approve renewal of price agreement N2000009275 with Faubel Public Affairs for water quality awareness services, 3/12/09 - 3/11/10 ($600,000); and make California Environmental Quality Act findings - All Districts

13245 **APPROVED AS RECOMMENDED**

25. Approve price agreement K1000000103 with LSA Associates, Inc. for preparation of environmental documentation for La Pata Avenue and Camino Del Rio Gap Closure Project, ($1,800,000); renewable for two additional one-year terms with Board approval; and make California Environmental Quality Act findings - District 5

32145 **APPROVED AS RECOMMENDED**

X

GENERAL ADMINISTRATION

26. **County Executive Office -** Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts

12345 **APPROVED AS RECOMMENDED**

27. **Human Resources Department -** Approve price agreement N1000010766 with ACS HR Solutions for Total Self-Service Benefits Administrator services for all health and welfare benefit programs, 4/1/09 - 12/31/14; renewable for two additional one year periods per Board policy - All Districts

35124 **APPROVED AS RECOMMENDED**

28. **Office of the Performance Audit Director -** Receive and file Performance Audit of HCA/Correctional Medical Services report; and direct Office of the Performance Audit Director to follow-up with Health Care Agency and Sheriff-Coroner Department after one year to evaluate progress in implementing audit recommendations and return to the Board with status report - All Districts (Continued from 3/3/09, Item 37)

23145 **APPROVED AS RECOMMENDED**

S28A. **Supervisor Campbell -** Adopt resolution supporting the preservation of the equestrian facilities at Orange County Fairgrounds

32145 **APPROVED AS RECOMMENDED; DIRECTED ORANGE COUNTY ANIMAL CARE WORK WITH THE FAIR BOARD, EQUESTRIAN CENTER, AND THE EQUESTRIAN COMMUNITY IN THE DEVELOPMENT OF A THOROUGH EVACUATION PLAN FOR LARGE ANIMALS**

RESO: 09-023

IV. PUBLIC HEARINGS (None)

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

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: County of Orange, etc. v. Board of Retirement of the Orange County Employees Retirement System, etc., Los Angeles County Superior Court Case No. BC 389758

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

SCS-2. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION -

Pursuant to Government Code Section 54956.9(c):
Number of Cases: One Case

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

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

PUBLIC COMMENTS:
Karen Finn - Oral Re: Support of Sheriff & ROV; Planned Parenthood funding

Darrell Nolta - Oral Re: Board's decision to suspend funding of Planned Parenthood services; new articles regarding Great Park issues and Irvine's approach to economic decline

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS AND TRAVEL REPORTS:
Supervisor Campbell - Oral Re: Recent ruling in favor of the County's approval of an EIR regarding development in the Silverado Creek Area

Supervisor Nguyen - Oral Re: Appreciation of State Board of Equalization Member, Michelle Steele's efforts in eliminating the state's proposal to redesign the assessment appeals form statewide increasing it to a two page document; thus increasing costs to counties. Directed that the Chair and Vice-Chair draft a letter thanking Michelle Steele and her staff for their efforts.

ADJOURNED: 2:32 P.M.
22345 **Adjourned in memory of Don Hall**

*** 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