REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, May 5, 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: Supervisor Bates, Nguyen, Norby & Moorlach

EXCUSED: Supervisor Campbell

PRESENT:	COUNTY EXECUTIVE OFFICER	Thomas G. Mauk
	COUNTY COUNSEL	Nicholas S. Chrisos
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Moorlach, Second District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-13)

21345 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1, 2, 4 AND 7 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

1. **Sheriff-Coroner -** Approve Indemnification and Hold Harmless agreement with South Orange County Community College District for Special Weapons and Tactics Team training; and authorize Sheriff-Coroner or designee to execute agreement - District 3

24135 X **APPROVED AS RECOMMENDED**

2. **Treasurer-Tax Collector -** Adopt resolution approving sale-by-agreement 1379 to sell tax

defaulted real property to Lake Forest Redevelopment Agency - District 5

25134 **APPROVED AS RECOMMENDED**

X

RESO: 09-047

HEALTH CARE AGENCY

3. Approve master agreement with various providers for Wraparound Mental Health Outpatient services, 7/1/09 - 6/30/10 ($629,903); and authorize Director or designee to execute individual agreements - All Districts

JOHN WAYNE AIRPORT

4. Approve purchase order PC 280 P0900004285 with OCB LLC for payment of outstanding invoices for plans, specifications, full size blue prints and graphics for Airport Improvement Program ($49,137.56) - District 2

24135 **APPROVED AS RECOMMENDED**

X

OC DANA POINT HARBOR

5. Accept work of Dutra Dredging Company, Inc. for maintenance dredging of Dana Point Harbor, project completed 2/5/09 ($1,989,720.31) - District 5

OC COMMUNITY RESOURCES

6. Approve agreement D07-113 with Laguna Hills for repair and installation of fencing along Oso Creek Regional Riding and Hiking Trail; and make California Environmental Quality Act findings - District 5

OC PUBLIC WORKS

7. Receive bids and award contract to General Consolidated Constructors, Inc. for replacement of four picnic shelters, Mason Regional Park, Irvine ($195,499) - District 3

21345 **APPROVED AS RECOMMENDED**

X

8. Authorize release of security for private streets, street lights, sewer and water systems, and survey monumentation, Tract 16414, K. Hovnanian at Skye Isle, LLC, Ladera Ranch area - District 5

9. Authorize release of security for private streets, street lights, sewer and water systems, and survey monumentation, Tract 16390, K. Hovnanian at Skye Isle, LLC, Ladera Ranch area - District 5

10. Authorize release of security for private streets, street lights, sewer and water systems, and survey monumentation, Tract 16389, K. Hovnanian at Skye Isle, LLC, Ladera Ranch area - District 5

11. Authorize release of security for private streets, street lights, sewer and water systems, and survey monumentation, Tract 15989, K. Hovnanian at Covenant Hills, LLC, Ladera Ranch area

- District 5

OC WASTE & RECYCLING

12. Approve easement deeds and agreement with Whispering Hills, LLC for installation of water pipeline and maintenance of landscaping to reduce wild fires, Prima Deshecha Landfill; and make California Environmental Quality Act findings - District 5

GENERAL ADMINISTRATION

13. **Human Resources Department -** Approve price agreement N1000010869 with Health and Human Resource Center dba Horizon Health Employee Assistance Program for County's Employee Assistance Program, 7/1/09 - 6/30/12 ($106,754 per year); renewable for two additional one-year periods per Board policy - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 14-S26A)

ELECTED DEPARTMENT HEADS

14. **Sheriff-Coroner -** Accept Urban Area Security Initiative funds from Santa Ana, FY07 ($492,166) for the Orange County Radio Amateur Civil Emergency Service system upgrade project; authorize purchasing agent to make related purchases - All Districts

14235 **APPROVED AS RECOMMENDED**
X

HEALTH CARE AGENCY

15. Approve master agreement with various providers for Mental Health Outpatient services, 7/1/09 - 6/30/10 ($4,700,000); and authorize Director or designee to execute individual agreements - All Districts

12345 **APPROVED AS RECOMMENDED**
X

16. Approve master agreement with various providers for Mental Health Residential Rehabilitation services, 7/1/09 - 6/30/11 ($1,037,330 per year); and authorize Director or designee to execute individual agreements - All Districts

12345 **APPROVED AS RECOMMENDED**
X

17. Approve amendment 1 to agreements with College Community Services ($318,485; new total $2,141,150) and Orange County Mental Health Association dba Mental Health Association of Orange County ($160,000; new total $2,957,665) for Mental Health Full Service Partnership services, 7/1/08 - 6/30/09 - All Districts

12345 **APPROVED AS RECOMMENDED**
X

18. Approve amendment 1 to agreement with Providence Community Services for Children's Full Service/Wraparound Program services, 7/1/08 - 6/30/09 ($320,000; new total $3,290,000) - All Districts

14235 **APPROVED AS RECOMMENDED**
X

JOHN WAYNE AIRPORT

19. Approve renewal of price agreement N1000006853 with Amtech Elevator Services for elevator and escalator preventive maintenance and repair services, 6/7/09 - 6/6/10 ($368,275); and make California Environmental Quality Act findings - District 2

21345 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

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

51235
X **APPROVED AS AMENDED TO CHANGE "CRAFT LEGISLATION" TO "CONSIDER OPTIONS" IN THE LEGISLATIVE REPORT AS IT RELATES TO VOTE BY MAIL PROPOSAL**

21. Receive and file Independent Verification and Validation Preliminary Health Check report for Assessor Assessment Tax System - All Districts
12345
X **APPROVED AS RECOMMENDED**

22. Approval J.P. Morgan as underwriter firm for 2009-10 Tax and Revenue Anticipation Notes - All Districts
24135
X **APPROVED AS RECOMMENDED**

23. Approve price agreement N1000010872 with ACS State and Local Solutions, Inc. for IBM Mainframe Data Processing Lease, 5/5/09 - 5/4/12 ($4,901,972); renewable for two additional one-year periods ($1,587,941 for fourth year; $1,526,974 for fifth year) - All Districts
14235
X **APPROVED AS RECOMMENDED**

24. Approve recommended grant application submitted by Probation Department in 5/5/09 grant report and other actions as recommended - All Districts
14235
X **APPROVED AS RECOMMENDED**

25. Approve FY 2008-09 Third Quarter Budget Report; approve related budget adjustments and amend master position control; and adopt resolution pertaining to OC Parks purchase of Chestnut Avenue Complex ($5,000,000) - All Districts (4/5 vote)
21345
X **APPROVED AS RECOMMENDED**

RESO: 09-048

26. Approve price agreement N1000010859 with GovPlace for Data Storage and Backup Solution, 5/5/09 - 5/4/14 ($8,200,000) - All Districts
24135
X **APPROVED AS RECOMMENDED**

ELECTED DEPARTMENT HEADS

S26A. **Sheriff-Coroner -** Adopt resolution ratifying proclamation of a local emergency by the Chair of the Board on 4/30/09 relating to emergency conditions resulting from Swine Flu; and set review to determine continuing need for emergency action for 5/19/09, 9:30 a.m. and every 14 days thereafter - All Districts (4/5 vote)
12345
X **APPROVED AS RECOMMENDED**

RESO: 09-049

IV. PUBLIC HEARINGS (Item 27)

OC COMMUNITY RESOURCES

27. Public Hearing to consider submitting Annual Action Plan, FY 2009-10 to U.S. Department of Housing and Urban Development; approve amendment to Annual Action Plan, FY 2008-09 for Homeless Prevention and Rapid Rehousing Program (HPRP) and Community Development Block Grant - Recovery (CDBG-R) Economic Stimulus Funding ($2,573,718) and additional funds from entitlement cities to utilize HPRP funds ($9.3 million); authorize use of Standardized Contracts, Scopes of Services and Special Provisions for funding of housing and community development projects ($7,371,594); authorize Director or designee to execute amendments under certain conditions; approve amendment 2 to agreement with Mercy House Transitional Living Centers, Inc. for Cold Weather Shelter Armory Program ($568,168); approve agreement with California National Guard for Santa Ana and Fullerton Armory facilities ($134,100); and authorize Director or designee to execute agreements and all other related documents - All Districts

B.O. **CLOSED PUBLIC HEARING**

24135 **APPROVED AS RECOMMENDED**
X

V. CLOSED SESSION (Items CS-1-SCS2)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Gaylan Harris, et al. v. County of Orange, United States District Court Case No. SA09CV00098 AG (MLGx)

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE WITH SUPERVISOR CAMPBELL BEING ABSENT, AUTHORIZED COUNTY COUNSEL TO RETAIN MEYERS NAVE TO REPRESENT THE COUNTY IN THE MATTER OF GAYLAN HARRIS, ET AL. V. COUNTY OF ORANGE.**

SCS2. **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), Alliance of Orange County Workers (AOCW), International Union of Operating Engineers (IUOE), and Orange County Employees Association (OCEA)
RE: Terms and Conditions of Employment

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

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

PUBLIC COMMENTS:

Charles Griffen - Oral Re: County staff involvement in Power Plant development in Lake Forest; and memories of Jack Kemp

Jerry Martinez - Oral Re: The need for restrooms in all public facilities

Andrew Jason Ahlering - Oral Re: Statewide election issues

Darrell Nolta - Oral Re: Possible violation of Brown Act with direction given in Item 2; Nuclear

Regulatory Commission meeting to discuss San Onofre Power Plant issues; and freedom of Roxana Saberi, an Iranian-American journalist is falsely imprisoned in Iran.

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS AND TRAVEL REPORTS:
Supervisor Norby acknowledged the excellent report prepared by James Harman, Deputy County Counsel as an objective guide to making "blight findings" in redevelopment projects.

ADJOURNED: 12:50 P.M.
45123 **Adjourned in memory of Jack Kemp**
X

*** 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