



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 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1, 2, 4 AND 7**
X **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 **APPROVED AS RECOMMENDED**
X

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 **APPROVED AS AMENDED TO CHANGE "CRAFT LEGISLATION" TO**
X **"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 **APPROVED AS RECOMMENDED**
X
22. [Approval J.P. Morgan as underwriter firm for 2009-10 Tax and Revenue](#) Anticipation
Notes - All Districts
24135 **APPROVED AS RECOMMENDED**
X
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 **APPROVED AS RECOMMENDED**
X
24. [Approve recommended grant application submitted by Probation Department in](#) 5/5/09
grant report and other actions as recommended - All Districts
14235 **APPROVED AS RECOMMENDED**
X
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 **APPROVED AS RECOMMENDED**
X
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 **APPROVED AS RECOMMENDED**
X

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 **APPROVED AS RECOMMENDED**
X
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 Nolte - 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

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*** 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