REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, June 22, 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	Thomas G. Mauk
	COUNTY COUNSEL	Nicholas S. Chrisos
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Bates, Fifth District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Chair Nguyen - Santa Ana High School NJROTC conducted a presentation of colors in honor of the 50th Anniversary of the 50 star flag

Darlene J. Bloom, Clerk of the Board administered the oath of office for the new Fourth District Supervisor, Shawn Nelson

II. CONSENT CALENDAR (Items 1-54)

32451 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 53 WHICH WAS DELETED; AND ITEMS 1, 4, 9, 12, 13, 21, 49, 52 & 54 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Campbell -** Orange County Planning Commission - Remove Rick Goacher, Silverado, effective immediately
35241 A **APPROVED AS RECOMMENDED**

2. **Chair Nguyen -** Assessment Appeals Board No. 1 - Appoint Min K. Chai, Irvine, to complete term ending 9/4/11

COMMENDATIONS/PROCLAMATIONS/REPORTS

3. Adopt resolution congratulating Carl St. Clair for two decades of exemplary service as Music Director of Orange County's Pacific Symphony
RESO: 10-093

4. Adopt resolution recognizing 50th Anniversary of the 50-star Flag of the United States of America
1235 **APPROVED AS RECOMMENDED**
RESO: 10-094

ELECTED DEPARTMENT HEADS

Auditor-Controller:

5. Authorize Auditor-Controller to delete dismantled, missing, obsolete, stolen and surplused equipment items from department/agency capital asset inventories - All Districts (Continued from 5/25/10, Item 3)

6. Acting as the Board of Supervisors and Orange County Flood Control District - Adopt resolutions establishing appropriation limit for County funds and establishing appropriation limit for Orange County Flood Control District for cost of living factor and population factor for FY 2010-11 as required by Article XIIIB of the State Constitution - All Districts
RESO: 10-095 - 10-096

Sheriff-Coroner:

7. Approve agreement with Rancho Santiago Community College District to provide General Education Development testing for inmates, 7/1/10 - 6/30/15 ($4,200 per year) - All Districts

8. Receive bids and award contract to Action Contractors, Inc. for water softener system, Theo Lacy Facility ($269,000) - District 3

9. Ratify agreement PO-060-10014805 with Serrato & Associates, Inc. for law enforcement training ($4,800) - All Districts
32451 **APPROVED AS RECOMMENDED**

10. Approve amendment 1 to agreement 90112445 with State for Commission on Peace Officer Standards and Training (POST) Supervisory Course, ($5,430: new total $27,150) term ending 6/30/10 - All Districts

11. Approve agreement with Rancho Santiago Community College District for continuing education classes for inmates, 7/1/10 - 6/30/15 ($124,000 per year) - All Districts

Treasurer-Tax Collector:

12. Authorize transfer of unclaimed monies to County General Fund ($31,564), Superior Court Fund ($413) and Probation Victim Restitution Fund ($192) - All Districts (4/5 vote of members present)
23451 **APPROVED AS RECOMMENDED**

13. Authorize transfer of unclaimed money to County General Fund ($251,188), Probation Victim Restitution Fund ($34,571), Superior Court Fund ($30,284) and Dana Point Harbor Tidelands Fund ($934); and authorize transfer of funds from County General Fund to Treasurer-Tax Collector Publication and Legal Notice Account ($11,694) - All Districts (4/5 vote of members present)
52341 **APPROVED AS RECOMMENDED**

14. Approve agreement MA-074-10013265 with Fitch Solutions, Inc. for credit rating and risk analysis services, 7/1/10 - 6/30/13 ($119,750) - All Districts

CHILD SUPPORT SERVICES

15. Approve Waiver, Release and Indemnity agreement with Cypress for participation at Cypress Community Festival, 7/24/10; and authorize Director or designee to execute agreement - District 2

HEALTH CARE AGENCY

16. Adopt resolution authorizing Orange County Emergency Medical Services to receive Federal Bureau of Investigation criminal background information for licensure of ambulance companies and certification of Emergency Medical Technician applicants - All Districts
RESO: 10-118 , 10-118

17. Approve agreement with 1135 N. Leisure Ct., Inc. dba Leisure Court Nursing Center for communicable disease skilled nursing facility services, 7/1/10 - 6/30/13 ($130,156 per year) - All Districts

18. Adopt resolution approving agreement 10-95318 with State Department of Public Health for Ocean Water Quality Monitoring and Public Notification, 7/1/10 - 12/31/10 ($102,091); authorize Director or designee to execute Contractor's Release form upon submission of final invoice - All Districts
RESO: 10-097

19. Approve agreements with College Hospital Costa Mesa, WMC-A Inc. dba Western Medical Center - Anaheim and The Regents of the University of California ($108,136) for Medi-Cal Mental Health Managed Care Psychiatric Inpatient Hospital services, 7/1/10 - 6/30/12 - All Districts

20. Approve master agreement with various providers for Emergency Preparedness and

Response to Disasters and Bioterrorism services, 7/1/10 - 6/30/15; and authorize Director or designee to execute individual agreements - All Districts

21. Adopt resolution approving agreement 10-95350 with State Department of Public Health for Beach Environmental Assessment and Coastal Health Act Grant, 10/1/10 - 9/30/11 ($25,000); and authorize Director or designee to execute Contractor's Release form upon submission of final invoice - All Districts

23451 **APPROVED AS RECOMMENDED**
RESO: 10-098

22. Approve purchase orders with Applied Biosystems Inc. for purchase of Real-Time PCR Instrument and with Qiagen Inc. for Automated PCR Analytical Instrument in support of H1N1 Preparedness and Response Projects, FY 2010-11 ($113,000) - All Districts

23. Approve agreement MA-042-10012828 with Global Works Inc. dba Western Interpreting Network for Sign Language Interpretation services, 7/1/10 - 6/30/11 ($120,000); renewable annually for four years - All Districts

JOHN WAYNE AIRPORT

24. Approve agreement with ATI Architects and Engineers for preparation of bridging documents and provision of construction administration services for new maintenance facility design-build project; and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

25. Accept donation from Friends of the Library for relocation of bookstore to main level, Garden Grove Regional Library ($16,500) - District 1

26. Select M. Park Maintenance Inc. for landscape maintenance services, Carbon Canyon Regional Park, 7/1/10 - 6/30/11 ($100,979); renewable for two additional years; and make California Environmental Quality Act findings - District 3

27. Approve master agreement MA-012-10012847 with Online Computer Library Center for on-line cataloging, interlibrary loan and related services, 7/1/10 - 6/30/11 ($100,000); renewable for four additional years ($130,000)- All Districts

28. Approve Consent to Assignment and Lease Amendment assigning lease from RM Fisheries, Inc. to Richard Mendoza and Darren Colbert for fishing concession operation, Laguna Niguel Regional Park - District 5

29. Adopt resolution approving Wagner-Peyser Act subgrant agreement K078489 with State Department of Employment Development for Disability Program Navigator services, FY 2010-11 ($10,360); authorize Director or designee to execute agreement and other related documents and accept funding increases made by the State not to exceed $250,000 and decreases under certain conditions - All Districts
RESO: 10-099

30. Approve receipt of State Department of Aging Chronic Disease Self Management Program funds, 7/1/10 - 3/30/12 ($85,000); authorize Department to select a local

community-based human services organization to provide training classes targeting older adults; and authorize Director or designee to execute all related documents - All Districts

31. Adopt resolution approving State Standard agreement HI-1011-22 and Contractor/Vendor Confidentiality Statement with State Department of Aging for Health Insurance Counseling and Advocacy Program (HICAP) FY 2010-11 ($573,792); approve amended agreement with Council on Aging Orange County for (HICAP) ($533,936) extending term one additional year; authorize Director or designee to execute agreements and other related documents, and subsequent amendments under certain conditions and to exercise contingency contract increase or decrease not to exceed 10% - All Districts
RESO: 10-100

OC PUBLIC WORKS

32. Receive bids and award contract to West Coast Structures, Inc. for Browning Avenue Sidewalk Gap Closure from River Ford Road to Irvine Boulevard ($94,844.09) - District 3

33. Approve plans and specifications and set bid opening for 7/28/10, 2:00 p.m., for Santiago Canyon Road Storm Drain Repair Project - District 3

34. Adopt resolution approving adjustments to Local Park Code Land Values Table, FY 2010-11; and make California Environmental Quality Act findings - All Districts
RESO: 10-101

35. Approve County 7-Year Transportation Capital Improvement Program; and adopt resolution confirming Transportation Element conformance with Master Plan of Arterial Highways for submittal to Orange County Transportation Authority for Measure M Funds - All Districts
RESO: 10-102

36. Approve contract MA-080-10013319 with Navigant Consulting, Inc. for development of energy efficiency and construction master plan to support reducing County's fossil fuel emmissions, one-year term ($348,000); renewable for two additional years; and make California Environmental Quality Act findings - All Districts

Acting as the Orange County Flood Control District:

37. Receive bids and award contract to Frank Shariat General Engineering for construction of office and restroom at Cypress Retarding Basin/Pump Station ($126,655) - District 2

38. Waive informality in bid documents pertaining to mandatory pre-bid job walk; receive bids and award contract to Dahl, Taylor & Associates, Inc. for upgrade of four County pump stations ($744,700) - District 2

39. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve agreement D10-010 with The Planning Center for on-call environmental document preparation services, three-year term ($400,000); and make California

Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

Probation:

40. Approve agreement with Orange County Superintendent of Schools for personnel support services, 7/1/10 - 6/30/11 ($327,000); and make California Environmental Quality Act findings - All Districts

41. Approve agreement with Providence Community Services for Drug/Alcohol & Sex Offender Counseling services for Youth Guidance Center, Juvenile Hall and Youth Leadership Academy, 7/1/10 - 6/30/11 ($388,615); and make California Environmental Quality Act findings - All Districts

42. Approve grant award from State Emergency Management Agency for Evidence-Based Probation Supervision Program, 10/1/09 - 9/30/12 ($3,369,325); ratify execution of agreement by former Probation Officer to execute agreement; and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

43. Approve Memorandum of Understanding E65018 A-1 and Contractor Certification Clauss (CCC-307) with State Department of Social Services for foster family home licensing services, effective 7/1/10; and authorize Director or designee to execute agreements - All Districts

44. Approve Memorandum of Agreement with Sacramento County Department of Human Assistance for participation in North State/Orange Cash Assistance Program for immigrants consortium, 7/1/10 - 6/30/15; authorize Director or designee to execute agreement - All Districts

45. Approve amended agreement MA-063-10010670 with Roger Wells DBA California Films for photographic services for suspected child abuse cases, through 8/31/10 ($30,000; new total $85,000); renewable for two additional years - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

46. Approve initial Conflict of Interest Code for Santiago Charter Middle School, a California Public Charter School - All Districts

47. Approve re-adoption of the State's Model Conflict of Interest Code by reference and approve related Designated Filer Exhibits for Westminster School District, Orange County Water District and Orange County Water District Public Facilities Corporation - All Districts

48. Adopt AB 1234 Ethics Training Policy - All Districts

County Counsel:

49. Approve amendment to agreement with Groom Law Group for legal services relating to tax issues arising from proposed pension formula election ($50,000; new total $100,000); and authorize County Counsel or designee to execute amendment - All Districts

13245 N **APPROVE AS AMENDED TO LIMIT AGREEMENT AMOUNT TO $20,000 AND DIRECTED STAFF TO PROVIDE BOARD WITH FREQUENT UPDATES**

50. Select Burke, Williams & Sorensen, LLP ($50,000) as primary law firm and Fulbright & Jaworski, LLP ($20,000) as secondary law firm for environmental health conflict legal counsel for Local Enforcement Agency, 7/1/10 - 6/30/12; and authorize Health Care Agency Director or designee to execute agreements for legal services - All Districts

County Executive Office:

51. Approve agreement MA-017-10013022 with eCivis, Inc., for online grant locator subscription service, 7/1/10 - 6/30/11 ($33,360) - All Districts

52. Receive and file report on the release of Orange County Employees Retirement System retiree information - All Districts

53241 **APPROVED AS RECOMMENDED**

53. **Human Resources Department -** Approve amendment to Memorandum of Agreement with Thomas G. Mauk, County Executive Officer, extending term to 10/15/14 - All Districts

32451 **DELETED**

54. **Registrar of Voters -** Receive and file certified Statement of Votes Cast for June 8, 2010 Statewide Direct Primary Election; declare elected or nominated to each office under the Board of Supervisors' jurisdiction, the person(s) having the highest number of votes for that office - All Districts

2351 **APPROVED AS RECOMMENDED**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 55-S95A)

ELECTED DEPARTMENT HEADS

Assessor Department:

55. Approve amendment 3 to price agreement N1000008638 with Napoleon Dogaru, dba Modern eConcepts for technical services and system and application support for Assessment Tax System, 7/1/10 - 6/30/11 ($162,621) - All Districts

25341 X

APPROVED AS RECOMMENDED

56. Approve amendment 4 to price agreement N1000008637 with ARK Technologies for technical services and system and application support for Assessment Tax System, 7/1/10 - 6/30/11 ($331,733) - All Districts

25341 X

APPROVED AS RECOMMENDED

Auditor-Controller:

57. Acting as the Board of Supervisors and Orange County Housing Authority - Adopt resolution authorizing temporary transfer of cash between various funds - All Districts

54231 X

APPROVED AS RECOMMENDED

RESO: 10-103

58. Approve transfers of one Administrative Manger III and Systems/Programmer Analyst II from Treasurer/Tax Collector Fund 100-074 to Auditor Controller Fund 100-003 for maintenance and support of Property Tax Management System - All Districts

24351 X

APPROVED AS RECOMMENDED

Sheriff-Coroner:

59. Approve agreement with Rancho Santiago Community College District for vocational education programs for inmates, 7/1/10 - 6/30/15 ($310,000 per year) - All Districts

52341 X

APPROVED AS RECOMMENDED

60. Approve amendment 2 to price agreement N2000009938 with Airborne Law Enforcement Services for helicopter maintenance services, 7/1/10 - 6/30/11 ($750,000) - All Districts

52341 X

APPROVED AS RECOMMENDED

61. Approve amendment 4 to price agreement N3000008413 with Pepperdine University for youth diversion counseling services, 7/1/10 - 6/30/11 ($350,705) -

All Districts
25341 **APPROVED AS RECOMMENDED**
X

62. Ratify amendment 1 to agreement MA-060-10012166 with Enterprise Rent-A-Car of Los Angeles, LLC for rental of vehicles for undercover surveillance work, 3/1/10 - 2/28/11 ($935,800) - All Districts
25341 **APPROVED AS RECOMMENDED**
X

63. Deny bid protests of Los Angeles Air Conditioning, Inc. and Metro Builders & Engineers Group, Ltd; receive bids and award contract to Klaer Brittain, Inc., dba KBI General Contractors for replacement of roofs and HVAC ducts, barracks F & H, Theo Lacy Facility ($861,777) - District 3
25341 **APPROVED AS RECOMMENDED**
X

64. **Treasurer-Tax Collector -** Adopt resolution authorizing sale and issuance of Newport-Mesa Unified School District 2010-2011 Tax and Revenue Anticipation Notes ($18,000,000) - District 2
25341 **APPROVED AS RECOMMENDED**
X

RESO: 10-104

HEALTH CARE AGENCY

65. Approve agreement with Los Angeles for FY 2007/2008 Federal Emergency Management Agency Regional Catastrophic Preparedness Grant Program, 9/1/08 - 8/29/11 ($180,000); approve master agreement with various providers for Point of Dispensing Site Planning ($646,000) and Exercise services ($28,000), 7/1/10 - 6/30/11 and Point of Dispensing Site Equipment, 7/1/10 - 6/30/15; and authorize Director or designee to execute individual agreements - All Districts
15234 **APPROVED AS RECOMMENDED**
X

66. Approve cooperative agreement with Santa Ana for HIV housing and supportive services, 7/1/10 - 6/30/11 ($821,133) - All Districts
25341 **APPROVED AS RECOMMENDED**
X

67. Adopt resolution approving agreement 10-008-250 with State Water Resources Control Board for Leaking Underground Storage Tank Cleanup, 7/1/10 - 6/30/11 ($1,072,470); and authorize Director or designee to execute subsequent non-monetary amendments - All Districts
54231 **APPROVED AS RECOMMENDED**
X

RESO: 10-105

68. Approve three-year Negotiated Net Amount/Drug Medi-Cal agreement with State Department of Alcohol and Drug Programs for alcohol and drug abuse treatment and prevention services, 7/1/10 - 6/30/13 ($62,863,179); and authorize Director or designee

to execute agreement - All Districts

25341 X **APPROVED AS RECOMMENDED**

69. Approve master agreements with Pacific Clinics, Orange County Association for Mental Health dba Mental Health Association of Orange County and College Community Services for Adult Mental Health services, 7/1/10 - 6/30/11 ($8,084,666); authorize Director or designee to execute agreements - All Districts

25341 X **APPROVED AS RECOMMENDED**

70. Approve agreement with Orange County Association for Mental Health, dba Mental Health Association of Orange County for Multi-Service Center services for Mentally Disabled Homeless, 7/1/10 - 6/30/11 ($914,431) - All Districts

25341 X **APPROVED AS RECOMMENDED**

71. Approve amendment 1 to master agreement with contracting providers for Penal Code 1210 Treatment services, 10/1/09 - 3/31/11; and authorize Director or designee to execute amendments - All Districts

25341 X **APPROVED AS RECOMMENDED**

72. Approve Notice of Grant Award with State Department of Alcohol and Drug Programs for Drug Court Partnership ($406,205), Dependency Drug Court ($242,473), 7/1/10 - 6/30/11 and Comprehensive Drug Court Implementation ($1,268,806), 1/1/11 - 12/31/11; and authorize Director or designee to execute grants - All Districts

25341 X **APPROVED AS RECOMMENDED**

73. Approve agreements with Straight Talk Clinic, Inc. for Alcohol and Drug Abuse Residential Treatment services ($174,490), HIV Residential Alcohol and Drug Abuse Treatment services ($248,264) and HIV Transitional Housing services ($192,685), 7/1/10 - 6/30/11 - All Districts

25341 X **APPROVED AS RECOMMENDED**

74. Approve agreement with The Regents of the University of California for Public Health Medical services, 7/1/10 - 6/30/12 - All Districts

45231 X **APPROVED AS RECOMMENDED**

75. Approve amendment 1 to agreements with Royale Health Care Center, Inc. for Mental Health Inpatient Skilled Nursing Facility with Special Treatment Program services, 7/1/10 - 6/30/11 ($607,103 decrease; new total $7,381,092) and for Mental Health Inpatient Rehabilitation Center and Psychiatric Health Facility services, 7/1/10 - 6/30/12 ($518,129 decrease; new total $6,971,146) - All Districts

25341 X **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

76. 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)

B.O. **CONTINUED TO 7/20/10, 9:30 A.M.**

OC COMMUNITY RESOURCES

77. Adopt resolution approving Workforce Investment Act Subgrant agreement K178677 with State Department of Employment Development for employment and training services ($12,502,128); authorize Director or designee to execute agreement and other related documents and accept funding increases made by the State not to exceed $9,500,000 and decreases under certain conditions - All Districts

25341 **APPROVED AS RECOMMENDED**
X

RESO: 10-106

78. Authorize Director or designee to use HOME Investment Partnership Act funds for permanent loan financing and loan commitment to Meta Housing Corporation for construction and operation of San Clemente Senior Apartments ($1,652,400); approve first and second trust deed loans ($2,834,586 and $797,738) and authorize Director or designee to subordinate senior debt up to 100% if necessary; approve utilization of eight units of Mental Health Services Act permanent housing; and authorize Director or designee to approve related actions and execute related documents - District 5

51234 **APPROVED AS RECOMMENDED**
X

79. Approve amended agreements with various providers for ongoing delivery of services to older adults and caregivers FY 2010-11 ($7,118,292); approve amended agreement with St. Jude Hospital Inc. Caregiver Resource Center ($730,744), Council on Aging ($358,447), Orange County Transportation Authority ($351,475) and Barbara J. Woodruff ($65,000); authorize Director or designee to execute agreements and other related documents, subsequent amendments under certain conditions and to exercise contingency contract increase or decrease not to exceed 10% - All Districts

52341 **APPROVED AS RECOMMENDED**
X

OC PUBLIC WORKS

80. Approve amendment 1 to agreement D01-013 with Laguna Hills for widening of Avenida de La Carlota at El Toro Road; and authorize Director or designee to approve alternate city projects under certain conditions - District 5

52341 **APPROVED AS RECOMMENDED**
X

81. Declare bid of Roy Allan Slurry Seal, Inc. to be non-responsive; receive bids and award contract to All American Asphalt for slurry seal of various streets in Orange County ($1,580,000) - District 3

52341 **APPROVED AS RECOMMENDED**

X

82. Deny bid protest of PW Construction, Inc.; receive bids and award contract to Woodcliff Corporation for 401 South Tustin Street project ($8,576,000) - District 3
35241 **APPROVED AS RECOMMENDED**

83. Approve amendment 3 to agreement D05-068 with RBF Consulting, Inc. for implementation of the Nitrogen Selenium Management Program, Newport Bay Watershed, extending term to 06/30/11 ($3,225,000); and make California Environmental Quality Act findings - Districts 1, 2, 3 and 5
24351 **APPROVED AS RECOMMENDED**
XA

84. Approve amendment 1 to agreement D04-060 with Regents of the University of California for water quality program support, extending term to 6/30/11 ($250,000); renewable for four additional years; and make California Environmental Quality Act findings - All Districts
24351 **APPROVED AS RECOMMENDED**
X

OC WASTE & RECYCLING

85. Approve agreement MA-299-10012673 with RIESTER Pacific, Inc. for consultant services to develop a countywide outreach and education campaign to improve recycling, 6/17/10 - 6/16/11 ($750,000) - All Districts (Continued from 5/4/10, Item 44)
B.O. **DELETED**

86. Select Geosyntec Consultants as primary and Aspen Environmental Consulting as alternate firms for regulatory compliance support services; and authorize negotiation of agreement for Board approval - All Districts
52341 **APPROVED AS RECOMMENDED**
X

PUBLIC PROTECTION

87. **Probation -** Approve renewal of agreement with Sentinel Offender Services, LLC, for provision of supervised electronic confinement/home detention program services utilizing a Global Positioning Satellite System for low-risk adult offenders, 7/1/10 - 6/30/11; and make California Environmental Quality Act findings - All Districts
25341 **APPROVED AS RECOMMENDED**
X

SOCIAL SERVICES AGENCY

88. Approve Memorandum of Understanding CLC2110 with Children and Families Commission of Orange County for Early Childhood System of Care Services for children entering the child welfare system, 7/1/10 - 6/30/11 ($690,502) - All Districts
52341 **APPROVED AS RECOMMENDED**
X

89. Approve agreement MA 063-10013057 with SBC Global Services, Inc. dba AT&T Global Services for automated call distribution services, 7/1/10 - 1/31/12 ($1,046,670 per term and conditions); renewable for two additional years - All Districts

25341 X **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

90. Response to 10/20/09 Board Directive regarding Report on DNA/Crime Lab under Independent Jurisdiction of a Medical Examiner (NYC Model) - All Districts

B.O. **CONTINUED TO 7/20/10, 9:30 A.M.**

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

12345 X **APPROVED AS AMENDED TO DELETE RECOMMENDED ACTIONS 2, 4 & 6**

2 **MOTION TO APPROVE SUPPORT OF AB 2770 DIED FOR LACK OF SECOND**

51234 N **APPROVED DELETION OF POSITION ON HR 4213 AT THIS TIME**

92. Adopt resolution authorizing issuance of Teeter Plan Obligation Commercial Paper Notes, Series A, execution and delivery of Second Supplemental Trust agreement and all other documents as necessary - All Districts

25341 X **APPROVED AS RECOMMENDED**

RESO: 10-107

93. Approve recommended grant applications submitted by Health Care Agency, Sheriff's Department, District Attorney, OC Public Works and OC Community Resources in 6/22/10 grant report and other actions as recommended; adopt resolution authorizing Health Care Director or designee to submit application for Used Oil Payment program, 7/1/10 - 6/30/12; adopt resolution authorizing District Attorney or designee to submit and execute grant agreement with Corrections Standards Authority (CSA) for Juvenile Accountability Block Grant Program, 7/1/10 - 6/30/11 ($167,942); and make California Environmental Quality Act and other findings; and adopt resolutions authorizing the person identified as official representative to apply for Transportation Enhancement Program under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users for Antonio Parkway Landscape (Southern and Northern Phase) Project, San Juan Creek Bikeway Undercrossing of Pacific Coast Highway Project and Users for the 17th Street Landscaped Median (North Tustin) Project - All Districts

24351 X **APPROVED AS RECOMMENDED, EXCLUDING DISTRICT ATTORNEY JUVENILE ACCOUNTABILITY BLOCK GRANT**

RESO: 10-108 - 10-113

24351 XA **APPROVED DISTRICT ATTORNEY JUVENILE ACCOUNTABILITY BLOCK GRANT**

94. Report on County financial and budget status - All Districts
B.O. **DELETED**

95. **Office of the Performance Audit Director -** Receive and file the Performance Audit of CEO/IT, Tasks III - V Report - All Districts
B.O. **RECEIVED AND FILED**

OC PUBLIC WORKS

S95A. Receive bids and award contract to Fluoresco Lighting-Sign Maintenance Corporation for lighting retrofit and lighting systems controls ($2,231,881) - All Districts
25341 X **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Items 96-100)

HEALTH CARE AGENCY

96. Public Hearing to consider adopting resolution approving amended basic life support ambulance rates and advanced life support paramedic assessment and transportation fee for Orange County Fire Authority jurisdictional areas (excepting San Clemente, Westminster and Buena Park); rescinding Resolution 08-075 effective 7/1/10; and making California Environmental Quality Act findings - All Districts
B.O. **DELETED**

OC COMMUNITY RESOURCES

97. Public Hearing to consider adopting resolution approving engineer's report and benefit assessment levy for park maintenance services, FY 2010-11, East Yorba Linda County Service Area No. 22, Woodgate Park; and making California Environmental Quality Act findings - District 3
B.O. **CLOSED PUBLIC HEARING**

34251 **APPROVED AS RECOMMENDED**
RESO: 10-114

98. **Acting as the Board of Supervisors and Orange County Development Agency -** Public Hearing to consider adopting Five-Year Implementation Plan FYs 2009-10 - 2013-14 for Santa Ana Heights and Neighborhood Development and Preservation Project areas; adopt resolutions making related findings - All Districts
B.O. **CLOSED PUBLIC HEARING**

24351 X **APPROVED AS RECOMMENDED**

RESO: 10-115 - 10-116

OC PUBLIC WORKS

99. 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

35241 **CONTINUED TO 7/20/10, 9:30 A.M.**

GENERAL ADMINISTRATION

100. **County Counsel -** Acting as the Orange County Flood Control District - Public Hearing to consider adopting resolution of necessity of acquisition by eminent domain of real property for purposes of Santa Ana River Mainstem/Prado Dam Project; make California Environmental Quality Act and other findings; and authorize Auditor-Controller to make related payment to initiate and facilitate condemnation action - All Districts (2/3 vote of the membership)

B.O. **CLOSED PUBLIC HEARING**

34251 **APPROVED AS RECOMMENDED**
RESO: 10-117

V. CLOSED SESSION (Items CS-1-SCS3)

GENERAL ADMINISTRATION

CS-1. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Names of Cases: Aaron Brady v. County of Orange, et al., United States District Court Case No. 8:10-CV-00805-CJC-AN; Spencer Muir v. County of Orange, et al., United States District Court Case No. 8:10-CV-00807-CJC-AN; Bryan Thomas v. County of Orange, et al., United States District Court Case No. 8:10-CV-00808-CJC-AN; Stanley Blaszak v. County of Orange, et al., United States District Court Case No. 8:10-CV-00810-CJC-AN; Mark Willbanks v. County of Orange, et al., United States District Court Case No. 8:10-CV-00813-CJC-AN; William G Smith v. County of Orange, et al., United States District Court Case No. 8:10-CV-00814-CJC-AN; Patrick Przybyla v. County of Orange, et al., United States District Court Case No. 8:10-CV-00815-CJC-AN; Simon Kim v. County of Orange, et al., United States District Court Case No. 8:10-CV-00816-CJC-AN; Daniel Edralin v. County of Orange, et al., United States District Court Case No. 8:10-CV-00823-CJC-AN; Richard Flynn v. County of Orange, et al., United States District Court Case No. 8:10-CV-00806-CJC-AN; David Little v. County of Orange, et al., United States District Court Case No. 8:10-CV-00811-CJC -AN; Thomas Sramek v. County of Orange, et al., United States District Court Case No. 8:10-CV-00812-CJC -AN; Daniel Jacobs v. County of Orange, et al., United States District Court Case No. 8:10-CV-00817-CJC -AN; Andy Reyes v. County of Orange, et al., United States District Court Case No. 8:10-CV-00818-CJC -AN; Lloyd Nguyen v. County of Orange, et al., United States District Court Case No. 8:10-CV-00819-CJC -AN; Jose Montes v. County of Orange, et al., United States District Court Case No. 8:10-CV-00820-CJC -AN; Timothy Haire v. County of Orange, et al., United States District Court Case No. 8:10-CV-00821-CJC -AN; Shane Conway v. County of Orange, et al., United States District Court Case No. 8:10-CV-00822-CJC -AN; Jeffrey Weaver v. County of Orange, United States District Court Case No. SACV10-00101

JVS (MLGx); Margaret Reed v. County of Orange, United States District Court Case No. SACV05-1103; Herbert Siegmund, et al. v. County of Orange, et al., United States District Court Case No. 07-CV-01387

B.O. **HELD, THE CLERK READ: THE BOARD BY A VOTE OF 4 TO 0, SUPERVISOR CAMPBELL BEING ABSENT, AUTHORIZED COUNTY COUNSEL TO RETAIN LIEBERT CASSIDY WHITMORE, TO REPRESENT THE COUNTY IN THE MATTERS OF JEFFREY WEAVER V. COUNTY OF ORANGE; MARGARET REED V. COUNTY OF ORANGE; HERBERT SIEGMUND, ET AL. V. COUNTY OF ORANGE, ET AL,; AARON BRADY V. COUNTY OF ORANGE, ET AL.; RICHARD FLYNN V. COUNTY OF ORANGE, ET AL.; SPENCER MUIR V. COUNTY OF ORANGE, ET AL.; BRYAN THOMAS V. COUNTY OF ORANGE, ET AL.; STANLEY BLASZAK V. COUNTY OF ORANGE, ET AL.; MARK WILLBANKS V. COUNTY OF ORANGE, ET AL.; WILLIAM G. SMITH V. COUNTY OF ORANGE, ET AL.; PATRICK PRZYBYLA V. COUNTY OF ORANGE, ET AL.; SIMON KIM V. COUNTY OF ORANGE, ET AL.; DANIEL EDRALIN V. COUNTY OF ORANGE, ET AL.; DAVID LITTLE V. COUNTY OF ORANGE, ET AL.; THOMAS SRAMEK V. COUNTY OF ORANGE, ET AL.; DANIEL JACOBS V. COUNTY OF ORANGE, ET AL.; ANDY REYES V. COUNTY OF ORANGE, ET AL.; LLOYD NGUYEN V. COUNTY OF ORANGE, ET AL.; JOSE MONTES V. COUNTY OF ORANGE, ET AL.; TIMOTHY HAIRE V. COUNTY OF ORANGE, ET AL.; SHANE CONWAY V. COUNTY OF ORANGE, ET AL.**

CS-2. **Human Resources Department -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organization: American Federation of State County and Municipal Employees (AFSCME), Alliance of Orange County Workers (AOCW), International Union of Operating Engineers (IUOE), Orange County Attorneys Association (OCAA), Orange County Employees Association (OCEA), Orange County Managers Association (OCMA) and certain unrepresented employees; and Acting as IHSS Public Authority - In-Home Supportive Services Provider Unit (IHSS) represented by United Domestic Workers of America (UDWA)
RE: Terms and conditions of employment

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

SCS3. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Fogarty-Hardwick v. County of Orange, et al., 4th District Court of Appeal Case No. G039045 (OCSC Case No. 01CC02379)

B.O. **HELD, THE CLERK READ: THE BOARD BY VOTE OF 4 TO 0, SUPERVISOR CAMPBELL BEING ABSENT, AUTHORIZED FILING OF AN APPEAL OF THE JUDGEMENT IN THE CASE OF FOGARTY-HARWICK V. COUNTY OF ORANGE.**

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

PUBLIC COMMENTS:

Charles Griffen - Oral Re: Use of GPS at JWA for arrivals & departures

L. Arnold Bonham - Oral Re: Healthcare concerns/abuses

William Fitzgerald - Oral Re: OC Assessment practices

COUNTY EXECUTIVE OFFICER COMMENTS:

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Board of Supervisors - Oral Re: Welcomed Shawn Nelson

Supervisor Nelson - Oral Re: Asked County Counsel and CEO to review actuarial numbers regarding enhanced benefit and asked that County Counsel provide his office with a memo on how this avoids Measure J.

Chair Nguyen - Oral Re: Directed the establishment of an Ad Hoc Committee comprised of herself, Supervisor Bates, Tom Mauk, CEO, and Steve Danley, Performance Auditor to review the recommendations and findings within the three Performance Auditor Reports, directed the CEO to delay consideration of the IT RFP until the committee has an opportunity to complete their review. The Committee will provide the Board with an update and timeline of activities and will prioritize critical timeframes following their first meeting (This was discussed during Item 95)

ADJOURNED: 1:15 P.M.

51234 **Adjourned in memory of Bonnie Kotzbach**
X

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Campbell
4. = Supervisor Nelson
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