REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 31, 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	Susan Novak, Chief Deputy

INVOCATION: Supervisor Campbell, Third District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Chair Nguyen presented a resolution proclaiming September 8, 2010 as "Literacy Day"

Chair Nguyen recognized County Agencies for the 2009 County of Orange Employee's Food Drive

II. CONSENT CALENDAR (Items 1-25)

34251 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 13 WHICH RECEIVED AN ABSTENTION FROM SUPERVISOR BATES; ITEM 2 WHICH WAS CONTINUED TO 9/14/10, 9:30 A.M.; AND ITEMS 8, 17, 23, & 24 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Supervisor Bates:

1. Assessment Appeals Board No. 2 - Reappoint Paula Cosenza, Laguna Niguel, for term ending 9/1/13

2. Orange County Human Relations Commission - Reappoint Bill Wood, Laguna Beach, for term ending 8/30/12

34251 **CONTINUED TO 9/14/10, 9:30 A.M.**

DEPARTMENT APPOINTMENTS

3. **Health Care Agency -** Emergency Medical Care Committee - Appoint Dr. Bryan Hoynak, Placentia, and Steve Nagel, Fountain Valley, for terms ending 6/30/12; and reappoint Peter Bastone, Mission Viejo; Philip Davis, Brea; Chief Paul Henisey, Irvine; Chief Bill Walker, Fountain Valley; for terms ending 6/30/12 - All Districts

4. **Social Services Agency -** Orange County Child Care and Development Local Planning Council - Appoint Constance Marine-White, Glendora and reappoint Kate Bono, La Mirada; Fritzi Gragg, Irvine; Linda Jahneke, Irvine; Faye Campbell, La Habra; Marcia Rudolph, Lake Forest; Ben Blank, Santa Ana; Kathleen McFarlin, Irvine; Mike McAdam, Placentia and Kelly Hogrefe, Lake Forest, for terms ending 8/5/12 - All Districts

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

5. Approve FY 2009-10 Federal Equitable Sharing agreement and Certification Report for federally forfeited property or proceeds received for Sheriff-Coroner- All Districts

6. Approve FY 2009-10 Federal Equitable Sharing agreement and Certification Report for federally forfeited property or proceeds for Regional Narcotics Suppression Program; and approve revised agreement and certification for FY 2008-09 - All Districts

7. Approve FY 2007-08, 2008-09 and 2009-10 Federal Equitable Sharing agreements and Certification Reports for federally forfeited property or proceeds for Orange County Pro-Active MethLab Investigative Task Force - All Districts

8. Ratify donation of vehicle to City of Ripon Police Department - All Districts

23451 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

9. Approve master agreement with various providers for mental health short-term residential treatment services for children & transitional age youth, 9/1/10 - 6/30/11 ($300,000); approve master agreement for mental health outpatient services for children & transitional age youth with various providers, 9/1/10 - 6/30/11 ($275,000); and authorize Director or designee to execute individual agreements - All Districts

OC DANA POINT HARBOR

10. Select Pacific Asian Enterprises Inc., manufacturer of Nordhavn Yachts, as primary for leasing Parcel 11, Dana Point Harbor; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 5

OC PUBLIC WORKS

11. Receive bids and award contract to SimplexGrinnell LP for fire alarm system upgrade at 300 North Flower Street, Santa Ana ($280,347) - District 1

12. Declare bid of Black Rock Construction to be non-responsive; receive bids and award contract to West Coast Structures, Inc. for Seventeenth Street Sidewalk Gap Closure project ($163,000) - District 3

13. Approve agreement D09-095 with RBF Consulting for land surveying services in support of Alton Parkway Roadway Extension Project, three-year term ($734,694); and make California Environmental Quality Act findings - Districts 3 and 5

34251 A **APPROVED AS RECOMMENDED**

14. Approve quitclaim deed to City of Irvine for Trabuco Road Storm Drain; and make California Environmental Quality Act findings - District 3

Acting as the Board of Supervisors and Orange County Flood Control District:

15. Approve agreement D10-048 with Chambers Group for on-call regulatory permitting services, three-year term ($400,000); and make California Environmental Quality Act findings - All Districts

16. Approval agreement D10-051 with PCR for on-call regulatory permitting services, three-year term ($400,000); and make California Environmental Quality Act findings - All Districts

OC WASTE & RECYCLING

17. Approve grant award No. 10595 with South Coast Air Quality Management District for Surplus Off-Road Opt-In for Nitrogen Oxides program, term ending 6/30/18 ($248,296); authorize Director or designee to execute grant award agreement - Districts 3 & 5

23451 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Probation:

18. Approve Memorandum of Understanding with Pathways to Hope for provision of dog training services, Juvenile Hall, 9/1/10 - 8/31/13; and make California Environmental Quality Act findings - District 3

19. Approve agreement with Orange County Superintendent of Schools for provision

of probation officer and support services for Community School Program, 9/1/10 - 8/31/11 ($386,942); and make California Environmental Quality Act findings - All Districts

20. Approve master agreement MA-057-11010239 with North Orange County Regional Occupational Program for personnel support services, Youth Guidance Center and Youth Leadership Academy, 9/1/10 - 8/31/11 ($160,000); renewable for two additional one-year periods; and make California Environmental Quality Act findings - District 1 & 3

21. Approve Federal Equitable Sharing agreement, 10/1/10 - 9/30/11 and Federal Annual Certification Report, FY 2009 - 10; authorize Clerk of the Board and Chief Probation Officer to execute agreement and report; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

22. **County Executive Office -** Approve amendment 1 to agreement MA-017-10010218 with Marsh Risk & Insurance Services for broker services - All Districts

23. **Human Resources Department -** Approve second amended and restated Premier Wellwise Health Plan Document and first amended and restated Premier Sharewell Health Plan Document for employees and retirees, effective 1/1/11; and authorize Director or designee to approve revisions to the Plan Documents as required by law - All Districts

23451 **APPROVED AS RECOMMENDED**

24. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for June 2010 - All Districts

23451 **APPROVED AS RECOMMENDED**

25. **Supervisor Campbell -** Authorize waiver of fees for the ALS Association of Orange County fundraising event on 10/16/10, Mason Regional Park, Irvine

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 26-38)

HEALTH CARE AGENCY

26. Approve agreement with Advanced Medical Management, Inc. for Patient and Provider Support Services for Medical Services Initiative Program, 9/1/10 - 8/31/13 ($6,879,894) - All Districts (Continued from 8/17/10, Item 27)
53241 N **APPROVED 90-DAY EXTENSION OF EXISTING 3 AGREEMENTS AND CONTINUED CONSIDERATION OF THIS MATTER TO 11/23/10, 9:30 A.M.**

27. Approve selection of and agreement with Community Service Programs, Inc. for collaborative courts full service partnership/wraparound services, 9/1/10 - 6/30/11 ($2,100,000) and 7/1/11 - 6/30/12 ($2,538,641) - All Districts
23451 **APPROVED AS RECOMMENDED**

28. Approve agreements and amendments with various providers of hospital, clinic and miscellaneous administrative services for Medical Services Initiative Program; authorize Director or designee to execute individual provider agreements related to master agreements - All Districts (Continued from 8/24/10, Item 17)
23451 X **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

29. Approve amendment 3 to agreement with Gensler for construction phase basic services for Terminal C and improvements to Terminals A & B project ($3,309,961; new total $35,770,587); 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
B.O. **CONTINUED TO 9/14/10, 9:30 A.M.**

30. Reject bid of SITA Information Networking Computing, USA, Inc. as non-responsive; award agreement to Snyder Langston Co. II for design and construction of Common Use Passenger Processing System project ($23,728,786); authorize Director to expend fees as required by State Department of Industrial Relations; 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
23451 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

31. Approve agreement MA-012-10013355 with AquaTechnex for OC Parks lake maintenance and management services, 9/1/10 - 8/31/11 ($400,000); renewable for two additional one-year periods - Districts 2, 3, 4 & 5
23451 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

32. Board Directive Report - Receive and file report on Orange County Crime Lab

Under Independent Jurisdiction of a Medical Examiner (10/20/09 Directive) - All Districts (Continued from 5/25/10, Item 110; 6/22/10, Item 90; 7/20/10, Item 30; 8/17/10, Item 30)

34251 **RECEIVED AND FILED REPORT AND DIRECTED CEO TO RETURN TO THE BOARD IN 60 DAYS WITH MORE DETAILED COST EVALUATION OF AN INDEPENDENT MEDICAL EXAMINER**

33. Acting as the Board of Supervisors and Legislative body of Community Facilities Districts 86-1, 86-2 and 87-5A, 87-5B, 87-5C, 87-5D and 87-5E (Rancho Santa Margarita), 87-1 (Dimensions Business Park), 87-2 (Portola Hills), 87-3 (Mission Viejo), 87-4 (Foothill Ranch), 87-6 (Baker Ranch), 87-7 (Los Alisos), 87-8 (Coto de Caza), 87-9 (Santa Teresita), 88-1 (Aliso Viejo), 88-2 (Lomas Laguna), 99-1, 2000-1, 2001-1, 2002-1, 2003-1 and 2004-1 (Ladera Ranch), Assessment Districts 88-1 (Irvine Coast) and 92-1 (Newport Ridge), Reassessment Districts 94-1 (Golden Lantern) and 99-1R (Newport Coast) - Approve agreement 10-001TS with David Taussig & Associates for special tax setting, assessment levy and continuing bond disclosure services for County's Community Facilities Districts and Assessment Districts (Special Districts); and authorize Public Finance Director to execute agreement - All Districts

B.O. **CONTINUED TO 9/14/10, 9:30 A.M.**

34. Approve proposed response to 2009-10 Grand Jury Report "DNA: Whose Is It, OC Crime Lab's or the District Attorney's?" - All Districts

53241 N **APPROVED AS RECOMMENDED**

35. Approve amendment 3 to N1000008297 as MA-017-10011150 with Time Warner Telecom Holdings Inc. for Wide Area Network (WAN) services, 11/14/10 - 11/13/11; and authorize CEO/IT to amend agreement to add or delete services not to exceed 10% of the contract without further Board action - All Districts

43251 **APPROVED AS RECOMMENDED**

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

23451 **APPROVED AS RECOMMENDED**

37. Approve recommended grant applications submitted by Sheriff-Coroner and OC Community Resources in 8/31/10 grant report and other actions as recommended - All Districts

53241 **APPROVED AS RECOMMENDED**

38. **Human Resources Department** - Approve agreement with Standard Insurance Company for Long Term Disability (LTD) insurance, administration of the Short Term Disability (STD) Plan and administration of Reserve Deputy Sheriff Accidental Death and Dismemberment and Disability Income Protection plan, 1/1/11- 12/31/13; authorize purchasing agent or designee to execute; renewable for two additional one-year periods; approve amended (STD) Plan Document and amended Reserve Deputy Sheriff Accidental Death and Dismemberment and Disability Income Protection Plan, effective upon approval; and authorize Director or designee to make changes as required by law or regulatory authority - All Districts

23451 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (None)

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):
Name of Case: SITA Information Networking Computing USA Inc. v. Board of Supervisors, Orange County Superior Court Case No. 30-2010-00399473

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, AUTHORIZED COUNTY COUNSEL TO RETAIN SHEPPARD MULLIN RICHTER & HAMPTON LLP, TO REPRESENT THE COUNTY IN THE MATTER OF SITA INFORMATION NETWORKING COMPUTING USA INC., V. BOARD OF SUPERVISORS.**

CS-2. **Human Resources Department** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organization: Orange County Attorneys Association (OCAA)
RE: Terms and conditions of employment
(Continued from 8/24/10, Item CS-2)

B.O. **CONTINUED TO 9/21/10, 9:30 A.M.**

SCS3. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case

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

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

PUBLIC COMMENTS:
Darrell Nolta - Oral Re: Charging for emergency services, DNA lab

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Chair Nguyen - Oral Re: Acknowledgement of County staff who worked on 2010 Census

ADJOURNED: 1:31 P.M.

51234 **Adjourned in memory of Claes Andersen**

15234 **Adjourned in memory of Dorothy Janet Dunn**

*** 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