REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, January 11, 2011, 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: Kent Moorlach, gave the invocation

PLEDGE OF ALLEGIANCE: Walter Ehlers, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Presentation recognizing First United Methodist Church of Santa Ana and First Evangelical Free Church of Fullerton as alternate sites utilized for County of Orange Cold Weather Armory Emergency Shelter Program

Swearing in ceremony for Supervisor Moorlach, 2nd District, Supervisor Nelson, 4th District & Supervisor Bates, 5th District

II. CONSENT CALENDAR (Items 1-16)

32451 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 12 WHICH WAS CONTINUED TO 1/25/11, 9:30 A.M.; AND ITEMS 4, 8, 9 & 10 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Nelson -** Orange County Historical Commission - Appoint Helen Myers, Anaheim,

for term concurrent with 4th District Supervisor's term of office

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

2. Approve license agreements with State for California Highway Patrol to install and operate upgraded radio equipment, Bolero Peak Communications Facility, Loma Ridge Communications Facility, Metropolitan Water District Communications Facility, Ortega Highway Communications Facility and Signal Peak Communications Facility; and make California Environmental Quality Act findings - Districts 3 & 5

3. Accept donation of scientific equipment from City of Huntington Beach for use by OC Crime Lab - All Districts

4. Authorize use of County resources for employee participation in meeting with Royal Canadian Mounted Police and Sunshine Foundation of Canada, 1/23/11 - 1/27/11; and make appropriate findings - All Districts

35241 N **APPROVED AS RECOMMENDED**

5. Approve license agreement with U.S. Department of Education - Office of Inspector General for rental of Katella Training Facility for training purposes, Orange; and make California Environmental Quality Act findings - District 3

6. Approve 10-year license agreement with State Department of Transportation for continued operation of radio equipment, Sierra Peak Communications Facility; and make California Environmental Quality Act findings - District 3

7. Accept 2007 supplemental Transit Security Grant Program funds from U.S. Department of Homeland Security through California Emergency Management Agency ($122,581) - All Districts

JOHN WAYNE AIRPORT

8. Approve plans and specifications and set bid opening for 2/16/11, 2:00 p.m. for pavement maintenance and repairs; authorize Director or designee to sign specifications and extend bid opening if required up to 60 days; and make California Environmental Quality Act findings - District 2

25341 **APPROVED AS RECOMMENDED**

9. Authorize Director to allocate regulated average daily departures, seat capacity, remain over night and passenger capacity to scheduled commercial air, cargo and commuter carriers under Phase 2 Commercial Airline Access Plan and Regulation for 2011 Plan Year; approve related actions; and make California Environmental Quality Act findings - District 2

23451 **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

10. Approve sponsor agreement OCP10-031 with Orange County Conservation Corps ($100,000) and sponsor CCC-96 agreement and addendum with California Conservation Corps ($100,000)

to support maintenance of OC Parks, 2/1/11 - 1/31/12; with option to renew for two one-year periods; and authorize OC Parks Director or designee to execute agreement addendums with California Conservation Corps for years two and three - All Districts

32451 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

11. Approve plans and specifications and set bid opening for 2/16/11, 2:00 pm, for Antonio Parkway Widening Project - District 5

OC WASTE & RECYCLING

12. Approve agreement MA-299-11011178 with Braeutigam Construction and Fasone Construction, Inc. for facility maintenance and repair services, 1/27/11 - 1/26/12 ($194,400); renewable for two additional one-year periods - All Districts

32451 **CONTINUED TO 1/25/11, 9:30 A.M.**

13. Approve grant award 11192 with South Coast Air Quality Management District for Surplus Off-Road Opt-In for Nitrogen Oxides Program, term ending 6/30/16 ($78,941); authorize Director or designee to execute grant award agreement - Districts 3 & 5

14. Approve agreement MA-299-11011122 with Natures Image, Inc. for operation and maintenance services to install, irrigate and maintain oak trees, Santiago Oaks Regional Park, 1/11/11 - 1/10/14 ($259,270.13); authorize Director or designee to execute agreement; and make California Environmental Quality Act findings - District 3

GENERAL ADMINISTRATION

Clerk of the Board:

15. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for Centralia School District, Fountain Valley School District, Santa Ana Unified School District, Placentia-Yorba Linda Unified School District, Municipal Water District of Orange County and Municipal Water District of Orange County Water Facilities Corporation - All Districts

16. Approve proposed amendments to the County's Conflict of Interest Code Designated Filers Exhibits for the Department of Child Support Services and Social Services Agency - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 17-33)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

17. Ratify approval of amendment 3 to agreement F1000002981 with LexisNexis for online research subscriptions, 8/1/10 - 7/31/11 ($19,584) - All Districts
43251 **APPROVED AS RECOMMENDED**

18. Approve agreement MA-060-11011162 with Peter Thomas Higgins, dba Higgins & Associates International, for consultant services to assist in replacement of Automated Fingerprint Identification System, 1/11/11 - 1/10/14 ($751,780) - All Districts
52341 **APPROVED AS RECOMMENDED**

19. Accept 2010 Homeland Security Grant Program award from California Emergency Management Agency ($7,278,802); authorize purchasing agent to purchase related equipment; approve related documents and authorize Sheriff-Coroner to execute; and authorize Auditor-Controller to transfer equipment to other entities under certain conditions - All Districts
32451 **APPROVED AS RECOMMENDED**

20. Ratify approval of amendment 3 to agreement N1000009185 renewing as MA-060-11010534 with Rancho Santiago Community College District for registration and tuition fees for Criminal Justice Academy classes, 9/18/10 - 9/17/11 ($95,000) - All Districts
35241 **APPROVED AS RECOMMENDED**

21. Ratify approval of amendment 1 to agreement MA-060-10010599 renewing as MA-060-10012877 with Atlantic Diving Supply, Inc., formerly Mar Vel International, for purchase of emergency response equipment in jails, 6/1/10 - 5/31/11 ($150,000) - All Districts
43251 **APPROVED AS RECOMMENDED**

22. Ratify approval of amendment 1 to agreement F1000003521 renewing as MA-060-10013230 with West Marine Products, Inc. dba Port Supply for purchase of marine hardware, supplies and foul weather gear, 8/6/10 - 8/5/11 ($30,000) - All Districts
24351 **CONTINUED TO 1/25/11, 9:30 A.M.**

CHILD SUPPORT SERVICES

23. Ratify approval of agreement MA-027-11011223 with Executive Information Systems, LLC for SAS software licenses and maintenance, 12/1/10 - 11/30/11 ($25,623.02); renewable for three additional one year periods ($16,000 annually) - All Districts
43251 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

24. Select and approve lease with Delaware North Companies Travel Hospitality Services, Inc for operation of primary food and beverage concession in Terminals A, B and C; and make California Environmental Quality Act findings - District 2 (4/5 vote of the members present)

23451 **APPROVED AS MODIFIED, APPROVED LEASE AGREEMENT WITH HOST INTERNATIONAL, INC.**

25. Select and approve lease with Paradies-OC, LLC for operation of news and gift concession in Terminals B and C; and make California Environmental Quality Act and other findings - District 2 (4/5 vote of the members present)
24351 **APPROVED AS RECOMMENDED**

26. Select and approve lease with John Wayne NG-AC JV (The Hudson Group) for operation of news and gift concession in Terminals A and C; and make California Environmental Quality Act and other findings - District 2 (4/5 vote of the members present)
24351 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

27. Acting as the Board of Supervisors and the legislative body of Community Facilities District (CFD) No. 88-1 (Aliso Viejo) - Approve amendment 8 to Acquisition, Funding and Disclosure No. 2 agreement with Shea Homes Limited Partnership to reallocate a portion of existing funds for traffic signal projects - District 5
53241 **APPROVED AS RECOMMENDED**

28. Approve amendment 4 to price agreement N1000008540 with Network Television Time, Inc. for Board Meeting Broadcast services and equipment, effective 4/1/11 - 3/31/12 ($415,000) - All Districts
B.O. **CONTINUED TO 2/1/11, 9:30 A.M.**

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

30. Approve selection of and agreement MA017-11011461 with Leadership Development Associates in association with Chapman University as primary provider for Orange County Leadership Academy training, 1/14/11 - 1/13/14 ($334,800); renewable for two additional one year periods (111,600 per year) - All Districts
24351 **APPROVED AS RECOMMENDED**

31. Approve recommended grant application submitted by OC Public Libraries, Social Services Agency and Health Care Agency 1/11/11 grant report and other actions as recommended - All Districts
34251 **APPROVED AS RECOMMENDED**

32. **Human Resources Department** - Direct staff to take the necessary steps to implement the Elected Officials 401(a) Alternative Retirement (define contribution) plan as the only retirement plan option for future elected officials; authorize the County's bi-weekly contribution and a mandatory employee bi-weekly contribution matching those required if the elected official were participating in the 1.62@65 plan - All Districts (Continued from 12/14/10, Item S66B)
B.O. **CONTINUED TO 1/25/11, 9:30 A.M.**

33. **Board of Supervisors -** Election of 2011 Officers
54231 **NOMINATED AND ELECTED SUPERVISOR CAMPBELL AS 2011 CHAIR OF THE BOARD AND SUPERVISOR MOORLACH AS 2011 VICE-CHAIR OF THE BOARD**

IV. PUBLIC HEARINGS (None)

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

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: County of Orange v. Association of Orange County Deputy Sheriffs, et al., California Court of Appeal, 2d District Case No. B218990 (LACS Case No. BC389758)
B.O. **HELD, NO REPORTABLE ACTION**

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 Managers Association (OCMA)
RE: Terms and Conditions of Employment
B.O. **HELD, NO REPORTABLE ACTION**

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

PUBLIC COMMENTS:
Charles Griffin - Oral Re: Global positioning transponder location & use; and fusion energy use

Darrell Nolta - Oral Re: Sheriff Corona appellate decision; OC jail deaths; article re: Deputy accused of excessive force

COUNTY EXECUTIVE OFFICER COMMENTS:
Tom Mauk - Presented salary savings by executive and management employees over past 18 months and thanked all OC employees for their efforts and sacrifices to reduce costs

BOARD COMMENTS, COMMITTEE, COMMISSION AND TRAVEL REPORTS:
Supervisors Campbell, Moorlach, Nelson & Bates - Oral Re: Honored outgoing Chair, Janet Nguyen

Supervisor Nguyen - Oral Re: Thanked colleagues for their support during tenure as Chair of the Board

ADJOURNED: 2:00 P.M.
23145 **Adjourned in memory of John Rohrig**

53124 **Adjourned in memory of Carlo Matero**

13245 **Adjourned in memory of Dale O'Neal**

32145 **Adjourned in memory of Karen McMillan**

23145 **Adjourned in memory of Dr. Waymann C. Carlson**

32145 **Adjourned in memory of Paul Rossi**

23145 **Adjourned in memory of Dori Halldorson**

12345 **Adjourned in memory of Don Martinson**

*** 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