



REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, February 10, 2009

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

JOHM M. W. MOORLACH
SUPERVISOR
Second District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

COUNTY EXECUTIVE
OFFICER
Thomas G. Mauk

COUNTY COUNSEL
Benjamin P. de Mayo

CLERK OF THE BOARD
Darlene J. Bloom

The Orange County Board of Supervisors welcomes you to this meeting. This agenda contains a brief general description of each item to be considered. The Board of Supervisors encourages your participation. If you wish to speak on an item contained in the agenda, please complete a Speaker Form identifying the item(s) and deposit it in the Speaker Form Return box located on the side of the podium. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comment period at the close of the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda. When addressing the Board, please state your name for the record. Please address the Board as a whole through the Chair. Comments to individual Supervisors or staff are not permitted. Speakers will be limited to three (3) minutes.

****In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Clerk of the Board's Office 72 hours prior to the meeting at (714) 834-2206****

All supporting documentation is available for public review in the office of the Clerk of the Board of Supervisors located in the Hall of Administration Building, 333 W. Santa Ana Blvd., 10 Civic Center Plaza, Room 465, Santa Ana, 92701 during regular business hours, 8:00 a.m. - 5:00 p.m., Monday through Friday. Agenda Items are also available online at <http://www.ocgov.com/supervisors/agenda/supervisorsagenda.asp>

9:30 A.M.

INVOCATION: Supervisor Campbell, Third District

PLEDGE OF ALLEGIANCE: Supervisor Moorlach, Second District

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I. PRESENTATIONS/INTRODUCTIONS

Chair Bates will be presenting her State of the County Address

Chair Bates will present a resolution proclaiming February 2009 as "American Heart Month"

II. CONSENT CALENDAR (Items 1-19)

All matters are approved by one motion unless pulled by a Board Member for discussion or separate action. At this time, any member of the public may ask the Board to be heard on any item on the Consent Calendar.

COMMENDATIONS/PROCLAMATIONS/REPORTS

1. **Chair Bates** - Adopt resolution recognizing Orange County Sheriff-Coroner Department's Communications and Technology Division for 75 years of radio communications and technology service

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

2. [Approve Hold Harmless Agreement with Costa Mesa for use of Fire](#) Department training facility for Sheriff's SWAT Team training, 2/10/09 - 12/31/09; and authorize Sheriff-Coroner or designee to execute agreement - District 2
3. [Approve agreements with the State 32nd District Agricultural Association dba](#) Orange County Fair & Event Center for use of facility for San Onofre Nuclear Generating Station (SONGS) Reception & Decontamination Center on an annual basis; authorize Sheriff-Coroner or designee to execute agreements; and make California Environmental Quality Act findings - District 2

JOHN WAYNE AIRPORT

4. [Approve renewal of price agreement N3000008564 with Sescol Inc. dba Security](#) Solutions for maintenance of Emergency Crash Phone System, 3/1/09 - 2/29/12 (\$32,400); and make California Environmental Quality Act findings - District 2
5. [Approve purchase order PC 280 P0900002707 with US Modular Group, Inc. for](#) purchase and installation of modular office for use by Transportation Security Administration (\$89,120); and make California Environmental Quality Act findings - District 2
6. [Approve agreement with Reem Aviation Security Consultants, LLC for Security](#) Consultant services, 2/11/09 - 8/10/09 (\$150,000); and make California Environmental Quality Act findings - District 2

OC COMMUNITY RESOURCES

7. **Acting as the Board of Supervisors and Orange County Development Agency - [Receive and file Orange County Development Agency Annual Report, FY 2007-08 - All](#)** Districts

OC PUBLIC WORKS

8. [Approve John Wayne Airport Records Control Schedule 276B superseding Records Control Schedule 276A](#) and authorize continuing disposition of records described on new schedule - All Districts (4/5 vote)
9. [Adopt resolution authorizing Director or designee to execute revenue-generating leases](#) and licenses of real property under certain conditions; and direct submittal of annual reports to the Board summarizing leases and licenses processed under this authority - All Districts
10. [Approve rent-free lease with Orange County Department of Education for office and](#) therapy space for Health Care Agency's California Children's Services program, Irvine, ten-year term; and make California Environmental Quality Act findings - District 3
11. [Approve County Counsel Records Control Schedule 60C superseding Records Control Schedule 60B](#) and authorize continuing disposition of records described on new schedule - All Districts (4/5 vote)
12. [Approve plans and specifications and set bid opening for 3/18/09, 2:00 p.m., for](#) construction of median and G-line contour grading of Laguna Canyon Road, Laguna Beach; and make California Environmental Quality Act findings - District 5
13. [Approve agreement D08-111 with Villa Park for share of cost in repairing wall that](#) impacts Cannon Street at Serrano Avenue (\$300,000); authorize Auditor-Controller to make related payments; adopt resolution approving use of Road Fund and making related findings; and make California Environmental Quality Act findings - District 3 (4/5 vote)

SOCIAL SERVICES AGENCY

14. [Approve Memorandum of Understandings CLC5208 with Olive Crest Foster Family](#) Agency and CLC5108 with Canyon Acres Children and Family Services for Intensive Treatment Foster Care Program services, 3/7/09 - 3/6/10; authorize Director or designee to execute Memorandum of Understanding and renew for one additional one-year period without further Board action - All Districts

GENERAL ADMINISTRATION

County Executive Office:

15. [Receive and file proposed Technology Sourcing Strategy Plan - All Districts](#)
16. [Adopt Countywide Information Technology Strategic Plan and Information](#) Technology Working Group revised Mission Statement - All Districts (Continued from 1/13/09, Item 31; 1/27/09, 42)
17. [Receive and file Quarterly Customer Care Report for October - December 2008](#) - All Districts
18. [Approve amendment 1 to price agreement N1000009362 with Townsend Public](#) Affairs, Inc. for assistance and expertise on Grant Proposals and economic stimulus legislation,

1/1/09 - 6/30/09 (\$60,000) - All Districts

19. **Internal Audit - [Receive and file Internal Audit Department Monthly Status Report for January 2009](#)** - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 20-37)

At this time, members of the public may ask the Board to be heard on the following items as those items are called.

DEPARTMENT APPOINTMENTS

20. **Health Care Agency - [CalOptima Board of Directors - Appoint Edward Kacic, Mary Anne Foo and Gustavo Valdespino, Irvine](#)** to complete terms ending 9/30/12 - All Districts

ELECTED DEPARTMENT HEADS

21. **Auditor-Controller - [Receive and file CAPS+ Quarterly Project Status Report - All](#)** Districts

Sheriff-Coroner:

22. [Response to Board Directive \(1/13/09\) - Oral Report on update of Concealed Carry Weapon \(CCW\) permit policies and revocation issue](#) - All Districts (Continued from 1/27/09, Item 50)
23. [Accept Urban Areas Security Initiative funds from Anaheim, FY08](#) (\$2,534,139); approve agreement with Anaheim for transfer or purchase of equipment/services or reimbursement of training costs; authorize Sheriff-Coroner to execute agreement, related documents and amendments under certain conditions; and authorize purchasing agent to make related purchases - All Districts
24. [Approve renewal of price agreement N3000008521 with Heli-Mart, Inc. for helicopter airframe components repair and maintenance services, 3/1/09 - 2/28/10](#) (\$300,000) - All Districts

HEALTH CARE AGENCY

25. [Approve agreement 08-85401 with State Department of Public Health for HIV-1 Viral Load Testing for AIDS patients, 7/1/08 - 6/30/11](#) (\$1,725,000); and authorize Director or designee to execute Contractor's Release form upon submission of final invoice - All Districts

OC PUBLIC WORKS

26. [Select Joseph D'Angelo, dba Bella's Kitchen as primary and Concepts Food Service, Inc.](#) as alternate tenants for food service at Cafe OC, Santa Ana Civic Center; authorize negotiation of final lease and approve execution of lease under certain conditions; and make California Environmental Quality Act findings - District 1 (4/5 vote) (Continued from 1/27/09, Item 59)
27. **Acting as the Board of Supervisors and Orange County Flood Control District - [Adopt](#)**

[resolution declaring portions of Alton Parkway and Irvine Boulevard as a County](#) highway for design, right-of-way acquisition and construction purposes - Districts 3 & 5 (Continued from 1/27/09, Item 60)

OC WASTE & RECYCLING

28. [Approve continuance of local emergency in connection with the Freeway Complex Fire](#); located at Olinda Alpha Landfill pursuant to Public Contact Code Section 22050 due to damages and lack of an operational landfill gas extraction, control, and groundwater monitoring systems; set review to determine continuing need for emergency action for 3/3/09, 9:30 a.m., every 14 days thereafter; and make California Environmental Quality Act findings - All Districts (4/5 vote) (Continued from 12/16/08, Item S54B; 1/13/09, Item 42; 1/27/09, Item 63)
29. [Approve amended price agreement N1000007473 with Hilton Farnkopf & Hobson, LLC](#) for financial advisory services, 2/15/09 - 6/30/10 (\$100,000; new total \$868,500) - All Districts

SOCIAL SERVICES AGENCY

30. [Approve amendment 1 to agreement CDB1108A with MEDTOX Laboratories, Inc. for additional drug testing services](#), 7/1/08 - 6/30/09 (\$196,351; new total \$716,521) - All Districts

GENERAL ADMINISTRATION

31. **County Counsel -** [Consider second reading and adoption of "An Ordinance Amending Sections 1-6-5 and 1-6-6 of the Codified Ordinances of the County of Orange Adjusting the Limitations on Campaign Contributions"](#) - All Districts (Continued from 2/3/09, Item 14)

County Executive Office:

32. [Approve recommended positions on introduced or amended legislation and](#) consider other legislative subject matters - All Districts
33. Response to 1/27/09 Board Directive regarding an update on the SSA Maximus Agreement - All Districts
34. [Approve FY 2008-09 Second Quarter Budget Report; approve related budget adjustments and amend master position control](#) - All Districts (4/5 vote)
35. [Approve recommended grant applications submitted by OC Community Resources and Sheriff Department in 2/10/09 grant report and other actions as recommended](#); and adopt resolution authorizing Sheriff-Coroner to execute and submit to State Emergency Management Agency the FY 2009 Emergency Management Performance Grant Application for Assistance (\$446,880) and Grant Assurances and authorize Sheriff-Coroner to execute related documents - All Districts
36. [Receive and file Quarterly Information Technology Project Status Detail and](#) Executive Summary Report for October - December 2008 and Risk Assessment Report for October - December 2008 - All Districts
37. [Receive timetable for acquisition and fulfillment of Independent Validation and Verification \(IV&V\) services for ATS project](#) (Board Directive 1/27/09, Item 45) - All

Districts

IV. PUBLIC HEARINGS (Items 38-39)

ELECTED DEPARTMENT HEADS

38. **District Attorney - Public Hearing to consider adopting resolution for establishment of recording fee for Real Estate Fraud Prosecution Trust fund effective 3/1/09 and make findings; approve establishment of Real Estate Fraud Prosecution Committee to distribute funds and make California Environmental Quality Act findings - All Districts**

OC WASTE & RECYCLING

39. [Public Hearing to consider adopting resolution approving Non-Disposal Facility Element \(NDFE\) Amendment](#); authorize Director to submit to California Integrated Waste Management Board for approval and distribute to all Orange County cities within 30 days of adoption; and make California Environmental Quality Act findings - District 5

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

The Board will break for lunch at approximately 12:00 PM and may consider closed session matters during that break. The Board will then resume to handle any remaining business if necessary.

GENERAL ADMINISTRATION

County Counsel:

- CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Joann Blackstar, et al. v. County of Orange, et al., United States District Court Case No. CV09-568 DSF (MLGx)
- CS-2. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c).
Number of Cases: Two Cases

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

PUBLIC COMMENTS:

At this time, members of the public may address the Board of Supervisors regarding any off-agenda items within the subject matter jurisdiction of the Board of Supervisors provided that NO action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three minutes per person and twenty minutes for all comments, unless different time limits are set by the Chairman subject to the approval of the Board.

COUNTY EXECUTIVE OFFICER COMMENTS:

BOARD COMMENTS AND TRAVEL REPORTS:

At this time, members of the Board of Supervisors may comment on agenda or non-agenda matters and ask questions of or give directions to staff; provided that NO action may be taken on off-agenda items unless authorized by law.

ADJOURNED:

NEXT MEETINGS:

February 17, 2009

February 24, 2009

March 3, 2009

Canceled Meeting

Canceled Meeting

Regular Meeting