REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, November 6, 2007, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

CHRIS NORBY
CHAIRMAN
Fourth District

JOHN M. W. MOORLACH
VICE CHAIRMAN
Second District

JANET NGUYEN
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

PATRICIA BATES
SUPERVISOR
Fifth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Thomas G. Mauk
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Susan Novak, Chief Deputy

INVOCATION: Supervisor Nguyen, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Treasurer-Tax Collector Chriss Street presented information on property tax penalty and fee waiver for residents impacted by Southern California fires

II. CONSENT CALENDAR (Items 1-17)

32154 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 7, 15 & 17 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

ELECTED DEPARTMENT HEADS

1. **Sheriff-Coroner -** Approve change order no. 3 with H. L. Miller for dust collection system installation, James A. Musick Facility ($15,436) - District 3

CHILD SUPPORT SERVICES

2. Approve price agreement N1000009112 with Executive Information Systems, LLC for SAS

software maintenance, 12/1/07 - 11/30/08 ($8,000); approve contingency increase not to exceed 10%; and renewable for two additional one-year periods ($9,000 second year; $10,000 third year) per Board policy - All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

3. Approve amended bylaws for the Senior Citizens Advisory Council regarding reimbursement procedure - All Districts

4. **Acting as the Orange County Housing Authority -** Approve 5-year mobility agreement with Anaheim, Garden Grove and Santa Housing Authorities; and authorize Director or designee to execute - All Districts

JOHN WAYNE AIRPORT

5. Adopt resolution authorizing acceptance of quitclaim deed for portion of Paularino Avenue east of Airway Avenue; approve Right-of-Way Vacation Agreement with Costa Mesa; and make California Environmental Quality Act findings - District 2
RESO: 07-193

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

6. Authorize submission of grant applications to State Department of Transportation for up to 90% payment of (5) Safe Routes to School projects involving crosswalk improvements - Districts 3, 4 & 5

7. Approve agreement with Wayne C. Siu Architects for design services of Los Pinos Conservation Camp repaint and repair of six buildings ($147,878); and make California Environmental Quality Act findings - District 5

35124 **APPROVED AS RECOMMENDED WITH DIRECTION TO STAFF THAT WORK IS NOT TO BEGIN UNTIL ISSUE IS RESOLVED OF HOW MUCH LONGER COUNTY WILL BE ABLE TO LEASE LOS PINOS PROPERTY**

8. Authorize release of security for private street improvements, street lights and monumentation, Tract 15262, Western Pacific Housing - Pacific Park II, Aliso Viejo area - District 5

9. Reject bid of Klassic Engineering and Construction, Inc.; direct staff to revise plans and specifications and return to the Board for approval and re-advertisement for bids for structural stabilization of Arden Modjeska Stone Building - District 3

10. Approve plans and specifications and set bid opening for 12/12/07, 2:00 p.m., for installation of dumbwaiter, West Justice Center; and make California Environmental Quality Act findings - District 1

11. Approve plans and specifications and set bid opening for 12/19/07, 2:00 p.m., for construction of children's transitional family home campus, Tustin - District 3

12. Approve plans and specifications and set bid opening for 12/12/07, 2:00 p.m., for construction of Edinger Avenue Bridge; and find Mitigated Negative Declaration IP 04-408 and Addendum IP 06-401 are adequate to satisfy requirements of California Environmental Quality Act findings - District 2

13. Receive bids and award contract to GTA Construction, Inc. for expansion of display area of paleontological exhibit, Clark Regional Park ($469,000) - District 4

14. **Acting as the Board of Supervisors and Orange County Flood Control District -** Approve agreement D07-117 with Jones and Stokes Associates for on-call regulatory permitting services, ($400,000); and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

15. **County Executive Office -** Approve price agreement N1000009369 with Orange County Business Council for Regional Wireless Analysis, 11/6/07 - 4/30/08 ($199,910) - All Districts

32154 **APPROVED AS RECOMMENDED**

16. **Human Resources Department -** Approve amended Pension Reform language in all 2007 Memoranda of Understanding with Orange County Employees Association (OCEA) bargaining units - All Districts

17. **Supervisor Campbell and Supervisor Bates -** Approve amendment to Memorandum of Agreement for appointment of County Executive Officer - All Districts

53124 **APPROVED AS RECOMMENDED**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-S32D)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

18. Approve price agreement N1000008652 with Turbomeca USA, Inc. for helicopter engine maintenance, overhaul and repair services, 11/1/07 - 10/31/08; renewable for four additional one year periods ($500,000 per year) - All Districts
35124 **APPROVED AS RECOMMENDED**

19. Approve price agreement N1000009286 with Visionair, Inc. for computer-aided dispatch, records management and mobile data software maintenance, 11/15/07 - 11/14/08; renewable for four additional one year periods ($253,917 per year) per Board policy - All Districts
25134 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

20. Approve Orange County FY 2007-08 Work Plan for Substance Abuse and Crime Prevention Act of 2000 which includes Offender Treatment program, Substance Abuse Treatment and Testing Accountability Program - All Districts
23154 **APPROVED AS RECOMMENDED**

INTEGRATED WASTE MANAGEMENT DEPARTMENT

21. Approve implementation of AB 939 Regional Recycling and Waste Diversion Grant Program; and approve recommended funding allocations- All Districts (Continued from 10/23/07, Item 19)
B.O. **CONTINUED TO 11/20/07, 9:30 A.M.**

JOHN WAYNE AIRPORT

22. Approve consent to transfer all issued and outstanding shares of Vanguard Car Rental Holdings, LLC to The Crawford Group; authorize Director to execute consent document; and make California Environmental Quality Act findings - District 2 (4/5 vote)
23154 **APPROVED AS RECOMMENDED**

23. Approve Certificated Passenger Airline Lease with U.S. Airways, Inc.; authorize Director to terminate existing Certificated Passenger Airline Lease with America West Airlines; and find Final EIR and addendum 582-1 are adequate to satisfy requirements of California Environmental Quality Act findings - District 2 (4/5 vote)
23154 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

24. **Acting as the Orange County Flood Control District -** Approve continuance of emergency pursuant to Public Contract Code Section 22050 (c)(1) for emergency repairs of damaged levee of northerly East Garden Grove - Wintersburg Channel; and set for review to determine continuing need for emergency action for 11/20/07, 9:30 a.m. - District 2 (Continued from 10/16/07, Item 32; 10/30/07 Item 13)

43125 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

25. Approve price agreement N1000009206 with Majestic, Sapphire, Sarcom and Soft-Train for Professional Information Technology services, 12/1/07 - 5/31/10 ($10,509,494); renewable for two additional one-year periods per Board policy - All Districts
13254 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Counsel:

26. Approve amendment 7 to agreement with Liebert Cassidy Whitmore for special employment investigative services and update firm's billing rates; and authorize County Counsel or designee to execute agreement - All Districts
35124 **APPROVED AS RECOMMENDED**
X

27. Continue proclamation of a local emergency in connection with Santiago Fire, located within geographic area of County of Orange pursuant to Government Code Section 8630(b) and section 3-1-6(a) of the Codified Ordinances of the County of Orange; and set review to determine continuing need for emergency action for 11/20/07, 9:30 A.M. - All Districts (Continued from 10/23/07, Item S21C)
35124 **APPROVED AS RECOMMENDED**

County Executive Office:

28. Approve recommended positions on introduced or amended legislation; and presentation of check to the Flood Control District by Department of Water Resources for County's subventions funds for Santa Ana River Mainstem Project - All Districts
NO ACTION

29. Approve Housing and Community Services Department applications for National Emergency grant; and receive and file grant report - All Districts
35124 **APPROVED AS RECOMMENDED**

30. Approve price agreement N1000009364 with Platinum Advisors, LLC for State legislative advocacy services, 1/1/08 - 12/31/10 ($264,000, plus travel expenses approved in advance); renewable for one additional two year term per Board policy - All Districts
25134 **APPROVED AS RECOMMENDED**

31. Adopt resolution approving 2007 Standards for Utilization of Volunteers and supersede Resolution 00-026 - All Districts
35124 **APPROVED AS RECOMMENDED**
RESO: 07-194

32. **Chairman Norby -** Consider placement on 2/5/08 ballot, an ordinance that would amend the County Campaign Reform Ordinance to comply with the requirements and limits of California

State Law, as they apply to candidates for, and members of the State Legislature and establish a Campaign Ethics Commission

4 **MOTION TO APPROVE AS RECOMMENDED FAILED FOR LACK OF SECOND**

S32A. **Supervisor Moorlach -** Direct Registrar of Voters to place proposed Charter amendment for removal of Elected County Officials on ballot for election to be held on 2/5/08; and direct County Counsel to prepare the ballot title and summary and impartial analysis of the ordinance, and forward them to the Registrar of Voters

24135 **MOTION FAILED TO CARRY TO APPROVE AS RECOMMENDED WITH**
NNN **MODIFICATIONS TO THE PROPOSED ORDINANCE TO REMOVE "OTHER THAN SUPERVISOR" AND CHANGE "HIM" TO "HIM/HER" IN SECTION 301 AND ADD "NOT WITHSTANDING ANY CONFLICTING CHARTER PROVISIONS" TO INTRODUCTION**

S32B. **Chairman Norby -** Adopt resolution proclaiming November 2007 as "Grand Jury Awareness Month"

43125 **APPROVED AS RECOMMENDED**
RESO: 07-195

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

S32C. Consider waiving building permit and demolition permit fees for fire damaged or destroyed building property within the Santiago Fire Area; direct staff to give priority to permit applications for reconstruction of such buildings and return to the Board on 11/20/07 with a proposed resolution and process - District 3

34125 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

S32D. **County Executive Office -** Authorize the County Executive Office (CEO) to negotiate and execute agreement with the Orange County Community Foundation to establish the Orange County Disaster Relief Fund ($100,000); direct the CEO to report back to the Board in 90 days and make appropriate findings - All Districts

34125 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-SCS2)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):
Number of Cases: One Case

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

SCS2. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):
Number of Cases: One Case

B.O. **HELD, THE CLERK READ: BY A UNANIMOUS VOTE, THE BOARD AUTHORIZED COUNTY COUNSEL TO FILE LITIGATION REGARDING A REAL PROPERTY DISPUTE. THE IDENTITY OF THE PARTIES AND OTHER PARTICULARS WILL BE DISCLOSED TO ANY PERSON UPON INQUIRY ONCE THE ACTION IS FILED.**

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

PUBLIC COMMENTS:
Gary Boatwright - Oral Re: District Attorney and law enforcement corruption

Darrell Nolta - Oral Re: Death of Paul Tibbets; Anaheim Memorial Hospital sale; deaths in jails & treatment of prisoners; Trung Nguyen using legal actions to deplete Janet Nguyen's funds for next election

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Chairman Norby - Oral Re: Preparation of 2008 reoccurring Board resolutions agenda item

Supervisor Campbell - Oral Re: Hosting meeting at Silverado Community Center this evening on post fire recovery

ADJOURNED: 3:20 P.M.

14235 **Adjourned in memory of Dr. Albert "Al" Sheldon**

14235 **Adjourned in memory of Sgt. Marcus Frank**

42135 **Adjourned in honor of Veterans**

*** 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)

CHRIS NORBY, CHAIRMAN

Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board