REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA Tuesday, January 23, 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

VACANT

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 Bates, Fifth District, gave the invocation, gave the invocation**

*** PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance, led the assembly in the Pledge of Allegiance**

I. PRESENTATIONS/INTRODUCTIONS

*** Chairman Norby presented a resolution honoring Honorable Lou Correa for his service to the County of Orange and his work representing Orange County's 1st Supervisorial District**

*** Chairman Norby presented his State of the County Address and Supervisors Campbell and Moorlach presented Goals for 2007**

Chairman Norby presented a resolution commending Charles J. Middleton on his retirement

DELETED

*** II. CONSENT CALENDAR (Items 1-48)**

3254

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 2 WHICH WAS DELETED; ITEM 45 WAS MOVED TO DISCUSSION AND SEPARATE VOTE; AND ITEMS 14, 24, 25, 29, 30, 46 & 47 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE

BOARD APPOINTMENTS

1. Supervisor Campbell - Orange County Cemetery District - Reappoint William E. Nelson, Villa Park, for term ending 1/1/11

2. Supervisor Moorlach - Orange County Planning Commission - Appoint Gerald L. Chapman, Huntington Beach for term concurrent with 2nd District Supervisor's term of office (Continued from 1/9/07, Item 5)

3254

DELETED

3. Chairman Norby - Approve 2007 Chairman's appointments of Board members to various Boards, Commissions and Committees

DEPARTMENT APPOINTMENTS

4. Health Care Agency - Emergency Medical Services Quality Assurance Board - Appoint Samuel J. Stratton, M.D., Santa Ana, for term concurrent with position - All Districts

COMMENDATIONS/PROCLAMATIONS

Chairman Norby:

*** 5. Adopt resolution recognizing and commending Supervisor Correa for his**

contributions to citizens of Orange County

RESO: 07-001

6. Adopt resolution commending Beatrice Levine on her retirement

RESO: 07-002

7. Adopt resolution commending Lily Rodriguez on her retirement

RESO: 07-009

8. Adopt resolution commending Charles J. Middleton on his retirement

RESO: 07-010

HEALTH CARE AGENCY

9. Approve amendment 2 to agreement with Orange County Association for Mental Health, dba Mental Health Association of Orange County for mental health patient advocate services, 7/1/05 - 6/30/07 ($7,956; new total $71,676) - All Districts

10. Approve price agreement N1000008427 with Corporation for Standards & Outcomes for software development, installation and support services, 1/24/07 - 1/23/10 ($95,911) - All Districts

11. Approve master agreement with various providers for HIV medical care services, 3/1/07 - 2/29/08; and authorize Director or designee to execute individual agreements - All Districts

12. Approve amended agreement 06-55370 with State Department of Health Services for Preventive Health Care for the Aging Program, 7/1/06 - 6/30/09 ($43,000; new total $358,000) - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

13. Renew price agreement N1000007474 with Calscience Environmental Services, Inc. to provide laboratory analysis services for landfill gas samples collected at County's landfills, 2/15/07 - 2/14/09 ($60,000 per year) - All Districts

JOHN WAYNE AIRPORT

*** 14. Approve renewal of price agreement N2000006560 with Luis Alvarado Design for design and production of annual reports, 2/8/07 - 2/7/08 ($62,258) - District 2**

2354

APPROVED AS RECOMMENDED

15. Approve renewal of price agreement N1000007524 with Bentley Systems, Inc. for software subscription services, 2/1/07 - 1/31/08 ($6,750.59); renewable for three additional one-year periods per Board policy; and make California Environmental Quality Act findings - District 2

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

16. Approve standard agreement 06-0587 with State Department of Food and Agriculture for mandated inspection of high-risk plant shipments, 7/1/06 - 6/30/07 ($340,723); and authorize Agricultural Commissioner to execute agreement - All Districts

17. Approve agreement D06-054 with the City of Orange for Lincoln Avenue rehabilitation from Berkeley Street to Tustin Street and D06-025 with City of Westminster for Hazard Avenue rehabilitation between Beach Boulevard and Magnolia Street; and make California Environmental Quality Act findings - Districts 1 and 3

18. Adopt resolution certifying completion of street improvements, street lights, sewer and water systems, landscaping and monumentation; authorizing release of security and accepting public street improvements, street lights, sewer and water systems, landscaping and monumentation, Tract 16349, K. Hovnanian at Mosaic, LLC, Ladera Ranch area - District 5

RESO: 07-011

19. Approve plans and specifications and set bid opening for 3/7/07, 2:00 p.m., for duct cleaning and sanitizing, Auditor-Controller; and make California Environmental Quality Act findings - District 1

20. Approve lease with State of California for use of a portion of Orange County's Data Center for operations of telecommunications equipment, 1/1/07 - 12/31/11; and make California Environmental Quality Act findings - District 1

21. Approve plans and specifications and set bid opening for 2/28/07, 2:00 p.m., for elevator renovations, Health Care Agency; and make California Environmental Quality Act findings - District 1

22. Approve plans and specifications and set bid opening for 2/28/07, 2:00 p.m., for protective awnings, Lamoreaux Justice Center; and make California Environmental Quality Act findings - District 3

23. Approve purchase order with Quinn Company for purchase of one Caterpillar 430E backhoe loader for use at Irvine Regional Park ($109,684) - District 3

*** 24. Adopt resolution approving intent to abandon a portion of Laguna Coast Wilderness Park; and set public hearing for 3/27/07, 9:30 a.m., to consider abandonment and approve quitclaim deed to Laguna Beach - District 5 (unanimous vote)**

2534

APPROVED AS RECOMMENDED

RESO: 07-012

*** 25. Approve agreement D06-040 with Newport Beach for cost sharing of debris removal, Newport Harbor - District 2**

2354

APPROVED AS RECOMMENDED

26. Approve plans and specifications and set bid opening for 3/7/07, 2:00 p.m., for

replacement of lighting controls at Board of Supervisors Hearing Room, Hall of Administration; and make California Environmental Quality Act findings - District 1

27. Adopt resolution approving agreement D06-110 with State Department of Transportation for federal funds for various transportation improvements; and authorize Director, Public Works, RDMD, to execute related documents - All Districts

RESO: 07-013

28. Approve amended agreement D98-096 with Newport Beach for widening of Irvine Avenue between University Drive and Bristol Street; and make California Environmental Quality Act findings - District 2 (4/5 vote)

*** 29. Approve amended agreement with Huntington Beach for debris removal in Huntington Harbor - District 2**

2354

APPROVED AS RECOMMENDED

*** 30. Approve amendment 4 to agreement with Newport Beach for Newport Harbor mooring administration - District 2**

2354

APPROVED AS RECOMMENDED

31. Adopt resolution certifying completion of street improvements, street lights, sewer and water systems, landscaping and monumentation; authorizing release of security and accepting public street improvements, street lights, sewer and water systems, landscaping and monumentation, Tract 16271, DMB Ladera, LLC, Ladera Ranch area - District 5

RESO: 07-014

32. Select Alexander + Hibbs, AIA, Inc. as primary and DMJM H&N as alternate firms for redesign of Juvenile Hall reception area; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 3

33. Select KPFF Consulting Engineers as primary and Wildan & Associates as alternate firms for replacement of pedestrian bridge, Arden/Modjeska Historic House; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 3

34. Receive bids and award contract to RE Schultz, Inc. for repair of retaining wall and renovation of basketball court, Joplin Youth Center ($121,750); and make California Environmental Quality Act findings - District 3

Acting as the Orange County Flood Control District:

35. Approve assignment of lease from Tiger Woods Foundation to the Tiger Woods Learning Center Foundation - District 4

36. Approve agreement D06-020 with Anaheim to construct and maintain a bridge trail on a portion of Carbon Creek Channel; and make California Environmental Quality Act findings - District 4

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

37. Approve agreement D06-086 with BonTerra Consulting for on-call environmental services and agreement D06-087 with EARSI for on-call regulatory permitting services, three-year term ($200,000 each); and make California Environmental Quality Act findings - All Districts

38. Approve agreement D06-114 with RBF Consulting for on-call engineering services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

39. Approve amendment 6 to lease agreement with Orangewood Children's Foundation for additional remodeling at Orangewood Children's Home ($450,000); and make California Environmental Quality Act findings - District 3

40. Ratify execution and submission of Older Youth Adoption Project application to State Department of Social Services for funding of adoptions program participation - All

Districts

PUBLIC PROTECTION

41. District Attorney - Approve increased monetary limit of price agreement N2000006370 with Transcor America Inc., ($4,860; total $20,860) - All Districts

Sheriff-Coroner:

42. Approve price agreement N1000008425 with GeoSpatial Technologies, Inc. for CrimeMap software license and maintenance, 1/23/07 - 1/22/08 ($71,064); renewable for four additional one-year terms per Board policy ($10,500 per year) - All Districts

43. Ratify execution and submission of grant application to State Department of Corrections and Rehabilitation for Intergovernmental Partnership Grant Program ($100,000) - All Districts

GENERAL ADMINISTRATION

44. Clerk of the Board - Adopt resolution approving attached list of reoccurring Board resolutions for 2007; and authorizing Chairman or other Board Members to draft and execute in the approved format - All Districts (Continued from 12/19/06, Item 66)

RESO: 07-015

*** 45. County Executive Office - Approve amendment 2 to tolling agreements with Orange County Fire Authority for Fire Stations 1, 4, 10, 14, 17, 22, 29, 30 and 49 - All Districts**

APPROVED AS RECOMMENDED

Human Resources Department:

*** 46. Reaffirm the continuance of Resolution 05-225 for military supplemental pay and benefits until National Emergency ends, unless terminated earlier by the Board of**

Supervisors - All Districts

*** 3254**

APPROVED AS RECOMMENDED

*** 47. Adopt resolution establishing formula for salary adjustments for Elected Officials, effective 1/1/07 - All Districts**

2354 N

APPROVED AS RECOMMENDED

RESO: 07-016

48. Supervisor Campbell - Authorize County staff to waive reservation fee for Shelter #6 and participant parking fees for Alzheimer's Association of Orange County picnic on 5/19/07, Mason Regional Park, Irvine

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 49-S68C)

HEALTH CARE AGENCY

*** 49. Approve interim Memorandum of Understanding with Orange County Department of Education for mental health services to eligible special education students, 7/1/06 - 6/30/07 - All Districts**

3254

APPROVED AS RECOMMENDED

HOUSING AND COMMUNITY SERVICES DEPARTMENT

* **50. Approve amended agreements with City of La Habra, Irvine Unified School District and The Bridge and California Hispanic Commission on Alcohol and Drug Abuse, Inc. for Workforce Investment Act Out-of-School and In-School Youth, 7/1/06 - 6/30/07 ($1,700,000; new total $1,894,221) - All Districts**

3254

APPROVED AS RECOMMENDED

* **51. Approve assignment of agreement with Senior Meals and Services, Inc. to Feedback Foundation, Inc., effective 2/1/07; approve amendment 9 to agreement with Senior Meals and Services, Inc.; approve amendment 10 with Feedback Foundation, Inc.; and authorize Director or designee to execute agreements - Districts 1, 2, 3, and 4**

3254

APPROVED AS RECOMMENDED

INTEGRATED WASTE MANAGEMENT DEPARTMENT

* **52. Approve price agreement N1000008459 with Carmody Construction Company for maintenance and repair services for County's landfill facilities, 1/27/07 - 1/26/08 ($248,690); renewable for two additional one-year terms per Board policy - Districts 3 and 5**

3254

APPROVED AS RECOMMENDED

* **53. Approve price agreement N1000008444 with Clean Harbors Environmental Services, Inc. to provide household hazardous waste collection and disposal services for Household Hazardous Waste Collection Centers, 2/1/07 - 1/31/10 ($17,236,500); renewable for two additional one-year terms per Board policy - All Districts**

2534

APPROVED AS RECOMMENDED

*** 54. Approve price agreement N1000008477 with Bryan A. Stirrat & Associates to provide landfill gas services for North Region Landfills, 1/23/07 - 1/22/08 ($1,100,000 per year); renewable for two additional one-year terms per Board policy ($1,000,000 per year) - District 3**

3524

APPROVED AS RECOMMENDED

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

*** 55. Provide direction for County Property Encroachment Permit No. 2006-00167 and the revocation of Encroachment Permit No. 2001-01623 with Michael and Lynne Levine for installation/maintenance services located within a portion of Carbon Creek Channel - District 4**

4523

DIRECTED UPON COMPLIANCE WITHIN 90 DAYS BY THE PROPERTY OWNER WITH ALL CONDITIONS AND RESTRICTIONS IMPOSED IN 2001 AS PART OF ENCROACHMENT PERMIT NUMBER 2001-01623, RDMD IS TO REINSTATE THAT PERMIT. DIRECTED STAFF TO REVIEW PROCESS

*** 56. Select Wallace, Roberts and Todd, Inc. as primary and Royston Hanamoto, Inc. as alternate firms for the Santa Ana River Parkway Feasibility Study; select scope of feasibility; and authorize negotiation of agreement for Board approval - Districts 1, 2, 3 and 4**

3254

APPROVED STAFF RECOMMENDATION WITH OPTION 1B

SOCIAL SERVICES AGENCY

*** 57. Approve amended agreement MS-0607-18 with State Department of Aging for Multipurpose Senior Services Program, 7/1/06 - 6/30/07 ($102,618; new total**

$1,542,600); and authorize Director or designee to execute related documents - All Districts

3254

APPROVED AS RECOMMENDED

PUBLIC PROTECTION

*** 58. District Attorney - Approve price agreement N1000008404 with Forensic Science Service, Ltd. for forensic software licensing and maintenance services, 2/1/07 - 1/31/08 ($875,000) - All Districts (Continued from 1/9/07, Item 27)**

3214

APPROVED AS RECOMMENDED

Probation:

59. Approve agreement with Community Service Programs, Inc., for provision of In-Home Family Intervention Services for Central Youth and Family Resource Center, 2/1/07 - 1/31/08 ($145,474); renewable for additional one-year term per Board policy ($151,671); and make California Environmental Quality Act findings - District 1

2354

APPROVED AS RECOMMENDED

60. Approve agreement with Providence Community Services for provision of substance abuse services for North, Central and West Youth and Family Resource Centers, 2/1/07 - 1/31/08 ($506,216); renewable for two additional one-year terms per Board Policy ($517,609 second year and $531,583 third year); and make California Environmental Quality Act findings - Districts 1, 2, 3 and 4

2354

APPROVED AS RECOMMENDED

61. Approve agreement with Providence Community Services for provision of comprehensive employment services for North, Central, and West Youth and Family Resource Centers, 2/1/07 - 1/31/08 ($682,616 total); renewable for two additional one-year terms per Board policy ($686,134 second year and $695,388 third year); and make California Environmental Quality Act findings - Districts 1, 2, 3 and 4

2354

APPROVED AS RECOMMENDED

Sheriff-Coroner:

62. Approve and accept grant award from California Department of Corrections for Mentally Ill Offender Crime Reduction program to develop alternatives to incarceration for mentally ill offenders in custody on misdemeanor violations, 1/1/07 - 6/30/08 ($1,500,000); authorize Sheriff -Coroner to execute standard agreement 962-06 - All Districts

2354

APPROVED AS RECOMMENDED

63. Response to Board Directive 12/19/06 Receive and File policy regarding use of Regional Narcotics Suppression Program (RNSP) aircraft - All Districts

2354

APPROVED AS RECOMMENDED

GENERAL ADMINISTRATION

County Executive Office:

64. Approve recommended positions on introduced or amended legislation and consider

other legislative subject matters - All Districts

3254

APPROVED AS RECOMMENDED

65. Response to 1/9/07 Board Directive - Consideration of possible changes in contract for legislative advocacy services with Platinum Advisors - All Districts

3425

APPROVED AS RECOMMENDED WITH DIRECTION TO STAFF TO CONDUCT REQUEST FOR PROPOSALS WITH SCHEDULE FOR BOARD TO AWARD CONTRACT IN DECEMBER 2007

66. Consider Public Financing Advisory Committee Resolution proposing change to voting membership - All Districts

2435 N

APPROVED AS RECOMMENDED

67. Human Resources Department - Approve price agreement N1000008513 with KH Consulting to conduct an updated benchmark compensation survey, 1/23/07 - 1/24/08 ($215,526) - All Districts

3425

APPROVED AS RECOMMENDED

68. Registrar of Voters - Approve price agreement N1000008475 with Merrill Communications, LLC for printing sample ballot pamphlets, 1/23/07-1/22/09 ($7,000,000); renewable for one additional two-year terms; and authorize Purchasing Agent or designee to execute amendments under certain conditions - All Districts

3425 NN

MOTION TO APPROVE AS RECOMMENDED FAILED TO CARRY

2534 N

APPROVED WITH MODIFICATION FOR 2-YEAR AGREEMENT WITH NO RENEWALS

Chairman Norby:

S68A. Law Library Board of Trustees - Reappoint Barbara H. Evans, Esq. and Dennis D. O'Neil, Esq., for terms ending 12/31/07

2534

APPROVED AS RECOMMENDED

S68B. Regional Recreational Trails Advisory Committee - Reappoint J. Vincent Buck, Fullerton for term concurrent with 4th Districts Supervisor's term of office

4235

APPROVED AS RECOMMENDED

S68C. Presentation and possible action on proposed area code 714 split/overlay

5234

DIRECTION FOR STAFF TO MONITOR ISSUE

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

*** CS-1. County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case Robert Gonzalez v. County of Orange, WCAB Number: Unassigned**

THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE APPROVED A PROPOSED SETTLEMENT IN THE CASE OF ROBERT GONZALEZ V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

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

PUBLIC COMMENTS:

Charles Griffin - Oral. Re: Donated book Internal Combustion and discussed fusion energy

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

Supervisor Campbell - Oral Re: (1) Status report on park ranger citation program (2) Voted to end ETRPA (3) Attended training for the South Coast Air Quality Management District Board (AQMD)

Supervisors Moorlach and Bates - Oral Re: Prioritization of Board Agenda items

Supervisor Norby - Oral Re: (1) Annual Supervisors assignments to add specific 1st District Supervisor when elected (2) Share with the Chair at Starbucks Tuesdays at 7:30 a.m. (3) Civic Center Fellowship - Thursday at lunch

ADJOURNED: 3:03 P.M.

3425

Adjourned in memory of 2nd Lt. Mark Daily

2433

Adjourned in memory of Edith H. Kostal

***** KEY *****

Left Margin Notes

Right Margin Notes

1. √ Supervisor Smith

A. √ Abstained

O. √ Ordinance

2. √ Supervisor Silva

X. √ Excused

R. √ Resolution

3. √ Vacant

N. √ No

4. √ Supervisor Norby

BO √ Board Order

5. √ Chairman Wilson

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN

Orange County Board of Supervisors

DARLENE J. BLOOM

Orange County Clerk of the Board